



NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
STEPHEN K. HARSIN, AICP

NOTICE AND ORDER

APN: 140-32-101-017

Date: June 01, 2010
Case # 90670

*Certified/Regular Mail
Return Receipt Requested*

CAMACHO HECTOR
1501 S MARYLAND PKWY
LAS VEGAS, NV 89104-3313

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at 4561 E BONANZA RD., Las Vegas, NV, Parcel #(s) 140-32-101-017, that you are in violation of Las Vegas Municipal Code, Title 9, dealing with nuisances.

The following violations have been verified:

NON-COMPLIANT FIRE CODE ITEMS

As the code required Fire Sprinkler System Service and maintenance, Central Station monitoring, Fire Department access related items have not been in place since at least February 2009, this shall serve

as your **official 72 hour notice for correction of all non compliant issues related to the following:**

City of Las Vegas Fire Code Ordinance #5667, NFPA 1

Case #	Violation Location	Violation Comments
90670	ENTIRE PROPERTY	COMPLY WITHIN 72 HOURS WITH ATTACHED FIRE NOTICE

LAS VEGAS CITY COUNCIL

MAYOR OSCAR B. GOODMAN

MAYOR PRO TEM GARY REESE • STEVE WOLFSON • LOIS TARKANIAN

STEVEN D. ROSS • RICKI Y. BARLOW • STAVROS S. ANTHONY

CITY MANAGER ELIZABETH N. FRETWELL

CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 • FAX 702.382.3901 • TTY 702.386.9108 • www.lasvegasnevada.gov

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19.04.010 -AUTO REPAIR- MAJOR : LVMC 9.04.010 Public Nuisance (5) Any violation of Title 19 of this Code.

LVMC 9.04.080 Necessary action.

19.04.010 Land Use Tables - USE: Auto Repair Garage, Major

SUP Required: C-2
CONDITIONAL USE: C-M, M

Description:

A facility for the repair or reconditioning of any type of motorized vehicle, other than the types of repair and service authorized to be performed in a minor auto repair garage. This use includes a facility which performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds.

Conditional Use Regulations:

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located or stored in any open area outside of the enclosed building.
5. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.

Minimum Special Use Permit Requirements:

1. All repair and service work shall be performed within a completely enclosed building. All windows and doors shall be completely closed when body and fender work, hammering, sanding or other noise-generating activities are being performed.
2. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
3. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. All disabled or wrecked vehicles shall be stored in an area that is screened from view from the surrounding properties and adjoining streets.
5. Outdoor hoists are prohibited.
6. All hazardous materials resulting from the repair, storage, or dismantling of vehicles shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable Federal, State, and local regulations.
7. No vehicle may be parked on the premises for the purposes of offering the vehicle for sale.

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8. Outdoor bells and loudspeakers are prohibited.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Case #	Violation Location	Violation Comments
91307	Unit 130/ ALL PARKING AREAS	REMOVE ALL DISMANTLED, WRECKED VEHICLES FROM PARKING AREA OR SCREEN FROM PUBLIC VIEW WITH PERMITTED FENCE.

19.04.010 -AUTO REPAIR- MINOR : LVMC 9.04.010 Public Nuisance (5) Any violation of Title 19 of this Code.

LVMC 9.04.080 Necessary action.

19.04.010 Land Use Tables - USE: Auto Repair Garage, Minor

Description:

A facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less. Such repairs and service are limited to electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, selling/installing minor parts and accessories, and other similar activities. This use also includes the repair and installation of other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excludes general engine repairs, engine installation, and the repair and installation of transmissions and differentials.

Conditional Use Regulations:

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located or stored in any open area outside of the enclosed building.
5. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Case #	Violation Location	Violation Comments
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90670	PROPERTY	REMOVE OR PROPERLY SCREEN ALL DISMANTLED/WRECKED VEHICLES FROM PARKING AREA-MAY NOT BE STORED IN PUBLIC VIEW
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19.14.030 PROHIBITED SIGNS : 19.14.030 Exempt and prohibited signs.

(C) Prohibited Signs. The following signs are prohibited:

- (1) All signs not expressly permitted or exempted under this Chapter;
- (2) Any on-premise sign that is associated with a use that no longer occupies the premises on which it is located;
- (3) Pole signs placed or erected after August 1, 2002, that do not meet the freestanding sign design standards contained in this Chapter;
- (4) A private sign of any kind located on or over any public street, walkway, parking or other public property except as otherwise provided for in this Chapter;
- (5) Displays that employ white, red or blue rotating lights or any lights that simulate emergency vehicle lights;
- (6) Except as lawfully permitted as a temporary special event or civic event sign, beacons, pennants, inflatable signs, tethered balloons, portable signs and similar attention gaining devices;
- (7) Signs placed on parked vehicles or trailers, or parked commercial vehicles where the vehicle or trailer is not used by the business advertised for the transportation of persons or goods in the ordinary course of business;
- (8) Permanent balloon signs; and
- (9) Outdoor, portable electric signs, except as permitted under the provisions for temporary signs.

Case #	Violation Location	Violation Comments
90670	property	REMOVE ALL SIGNAGE ON BUILDING THAT DOES NOT ADVERTISE AN EXISTING LICENSED BUSINESS AT THIS LOCATION

19.14.090 SPECIAL EVENT SIGNS : LVMC 9.04.010 (5) Any violation of Title 19 of this Code.

LVMC 19.14.090 Temporary signs- SPECIAL EVENT SIGNS

- (A) Special Event Signs. See Figure 12 for an example of a special event sign.
- (1) General Standards.
 - (a) Special event signs may be approved by the Director for a limited time as a means of publicizing special events such as grand openings.

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(b) Special event signs may include balloons, inflated devices, searchlights, pennants, portable signs, streamers and other similar devices.

(2) Certificate Required.

(a) A temporary sign certificate is required for a temporary special event sign.

(b) The certificate allows the holder to display temporary event signs on the lot where the event is to occur. Temporary special event signs may be displayed by the same business license holder on the same lot up to four times in any one calendar year. The aggregate time of display of such signs shall not exceed sixty days in any one calendar year.

LVMC prohibits posting any on-premise temporary sign without obtaining a temporary sign certificate from Planning & Development Department, 731 S. 4th St., 229-6301.

Case #	Violation Location	Violation Comments
90670	property	REMOVE ALL TEMPORARY SIGNS, BANNERS, FLAGS IN LANDSCAPING AREA AND ATTACHED TO BUILDING.

9.04.010 (5) ZONING VIOLATION : LVMC 9.04.010 (5) Any violation of Title 19 of this Code.

Case #	Violation Location	Violation Comments
90670	property	REMOVE MOTORHOME/RV FROM PRORERTY- PERSONS MAY NOT LIVE ON SITE- REMOVE ALL ELECTRICAL, WASTELINE HOOK UPS TO MOTORHOME

9.04.010 (6) ILLEGAL BUSINESS : LVMC 9.04.010 (6) Operating a business without a current license as required by Title 6.

Case #	Violation Location	Violation Comments
91303	suite/bay # 110	CEASE BUSINESS ACTIVITY FROM THIS UNIT A CERTIFICATE OF OCCUPANCY AND A CITY OF LAS VEGAS BUSINESS LICENSE IS OBTAINED
91305	SUITE/BAY # 140	CEASE BUSINESS ACTIVITY FROM THIS UNIT A CERTIFICATE OF OCCUPANCY AND A CITY OF LAS VEGAS BUSINESS LICENSE IS OBTAINED

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91306	SUITE/BAY # 145	CEASE BUSINESS ACTIVITY FROM THIS UNIT A CERTIFICATE OF OCCUPANCY AND A CITY OF LAS VEGAS BUSINESS LICENSE IS OBTAINED
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90670	PROPERTY	CEASE SELLING, DISPLAYING FOR SALE VEHICLES AT THIS LOCATION- NOT PRESENTLY LICENSED FOR THIS ACTIVITY
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9.04.010 (7)(C) GRAFFITI : LVMC 9.04.010 (7) Any other act or condition, other than those permitted by NRS 40.140 and 202.450, which, by reason of its nature, character or location, interferes with the reasonable use and enjoyment of adjacent properties, or which has a detrimental effect upon adjacent property values. Such nuisances include without limitation the following:

(c) Graffiti, as defined in LVMC 10.48.060, that is allowed to remain for more than twenty-four hours;

Case #	Violation Location	Violation Comments
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90670	property	REMOVE ALL GRAFFITI ON SITE- MAINTAIN
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9.04.010(7)(A) HIGH VEGETATION : LVMC 9.04.010 (7) Any other act or condition, other than those permitted by NRS 40.140 and 202.450, which, by reason of its nature, character or location, interferes with the reasonable use and enjoyment of adjacent properties, or which has a detrimental effect upon adjacent property values. Such nuisances include without limitation the following:

(a) Weeds, turf grass, or uncultivated plant growth exceeding eight inches in height, either on a vacant parcel or on a developed parcel at a location visible from public property;

Case #	Violation Location	Violation Comments
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90670	property	REMOVE ALL HIGH GRASS AND WEEDS FROM LANDCAPED AREA
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9.08.040 LITTER/DEPOSTING : LVMC 9.08.040 Depositing on private or public premises or ways unlawful.

(A) It is unlawful for any person to:

(1) Throw or deposit, or cause to be thrown or deposited, in any street, alley, gutter or highway within the City, any solid waste, hazardous waste or recyclables.

(2) Throw or deposit, or cause to be thrown or deposited, any solid waste, hazardous waste or

recyclables upon the private or public property or premises or into the container of another person within the City, except as may be provided for in this Chapter.

(3) Place, deposit or accumulate, or cause to be placed, deposited or accumulated, any solid waste, hazardous waste or recyclables in such a manner, or permit the same to remain on his or her premises in such condition so that the same may be blown or carried over to public or other private property by any means whatsoever.

(4) Throw or deposit or cause to be thrown or deposited any solid waste, hazardous waste or recyclables in any areas of the City not designated, authorized or licensed by the City for deposit of these materials.

(B) There is hereby created a rebuttable presumption that the disposal of solid waste, hazardous waste or recyclables in violation of this Section was done by the owner of such items.

Case #	Violation Location	Violation Comments
90670	property	REMOVE ALL LOOSE TRASH,LITTER THROUGHOUT PROPERTY.

9.08.100 LIT/CONTAINER PLACEMT : LVMC 9.08.100 Containers--Responsibility to provide--Placement.

(A) Every person owning or managing any premises, except as otherwise provided in Subsection (E) of this Section, shall provide one or more containers sufficient for the depositing of all solid waste from the premises. A solid waste franchisee may rent solid waste containers to its customers pursuant to the rates specified in this Chapter, but the responsibility for placement of such rented containers remains with the person owning or managing the premises.

(B) A franchisee shall provide to its curbside recyclables collection customers, upon request and at no additional cost to such customers, appropriate containers for the storage and collection of recyclables.

(C) On any single-family or duplex residential premises, it is unlawful to place, keep, store or locate any solid waste or recyclables container within the right-of-way of a street, sidewalk or alley, or within any front yard as defined in the zoning regulations of the City; provided, however, that such containers may be placed within such area, except for traffic lanes, for the purpose of the collection of solid waste and recyclables no earlier than two p.m. on the day prior to the designated collection day, and that such containers must be removed from the right-of-way no later than midnight of the collection day.

(D) On any multiple dwellings, commercial or industrial premises, it is unlawful to place, keep, store or locate any solid waste or recyclables container within the right-of-way of a street, sidewalk or alley. Containers shall be stored within an enclosure if an enclosure was required in connection with development approval or is otherwise provided on the premises. The construction of container enclosures is encouraged, if such construction was not required in accordance with a development approval. To the extent reasonably possible, development plans and approvals concerning the construction of container enclosures shall be coordinated

with the solid waste franchisee.

(E) Places of business whose rubbish consists principally of boxes, cartons and other items of such bulk that the placing of the same in a container would be impracticable may provide for such solid waste to be piled on the premises of such place of business adjacent to a street or alley, provided such boxes or cartons shall be flattened and tied in bundles. The monthly rate to be charged such places of business for collecting, transporting and disposing of such rubbish shall be computed in accordance with the rates set forth in Section 9.08.160 and based upon the bulk of such piles.

(F) A franchisee shall not be required to pick up solid waste or recyclables from any location that the franchisee, subject to the City's approval, determines is not safe to access with its disposal vehicles due to space limitations restricting vehicle access or maneuverability, including maneuvers requiring the unsafe backing up of vehicles.

(G) The provisions of this Section may be enforced by the City's Department of Neighborhood Services, as well as the Las Vegas Metropolitan Police Department.

Case #	Violation Location	Violation Comments
90670	property	REMOVE DEBRIS FROM OVERFLOWING TRASH BINS , TRASH ENCLOSURES MUST BE KEPT FREE OF LOOSE TRASH/DEBRIS. REPAIR ANY DAMAGED TRASH ENCLOSURES

9.08.210 MANDATORY SERVICE : 9.08.210 - Mandatory service - Billings Penalties.

(A) To ensure the uniform, safe and sanitary treatment of solid waste in the City and to discourage the illegal handling and disposal of solid waste, it shall be mandatory for any person owning, occupying or managing any premises in the City which are connected to an electric utility service to subscribe to solid waste collection service provided by the City or its authorized franchisee and to pay the charges specified in this Chapter. No person may discontinue paying for solid waste collection service for his or her premises, unless such premises are not connected to an electric utility service for the entire billing period.

9.08.280 - Violation Penalty.

The City, in addition to the remedies and penalties above named, may seek injunctive relief against any violator of this Chapter, with or without prior notice, to prevent or correct any solid waste, hazardous waste or recyclable materials problem.

9.08.310 - Declaration of nuisance.

Solid waste and hazardous waste, as defined in Section 9.08.020 and for the purpose of this

Chapter, are a nuisance per se.

9.04.010 - Definitions.

As used in this Chapter, unless the context requires otherwise, the following terms shall be defined as set forth in this Section.

"Authorized official" means an officer of the Las Vegas Metropolitan Police Department and any person designated and empowered by ordinance, by the City Manager or by the District Health Officer to enforce the provisions of Title 9.

"Public nuisance," "nuisance," or "nuisance activity" means any of the following conditions:

(4) Any refuse, waste, litter or other material, regardless of its market value, which, by reason of its location or character, is unsightly or interferes with the reasonable use and enjoyment of adjacent properties, has a detrimental effect upon adjacent property values, or would hamper or interfere with the containment of fire upon the premises. Examples include, without limitation, decaying or non-decaying solid and semi-solid wastes, whether or not combustible, such as old lumber, tin, wire, cans, barrels, cartons, boxes, rags, tires, inner tubes, brush, grass and hedge clippings, rocks, bricks, cinders, scrap iron, buckets, tubs, windows, screens, glass, bottles, wastepaper, bedsprings, mattresses, discarded furniture and appliances, bedding and material cleaned from animal or fowl pens, automobile parts, scrap paving material, and piles of earth mixed with other waste material which may harbor insect or rodent infestations or may become a fire hazard.

Case #	Violation Location	Violation Comments
90670	property	MUST HAVE TRASH SERVICE WITH LOCAL PROVIDER - REPUBLIC SERVICES- CONTACT REPUBLIC SERVICES TO ESTABLISH SERVICE.

UAC 301.1 PERMITS REQUIRED : 16.02.010 - Uniform Administrative Code and supplement adopted.

Section 301.1 PERMITS REQUIRED

Except as specified in Subsection 301.1.1 of this Section or in Section 26 of this Supplemental Document, no building, structure, building service equipment or onsite improvement regulated by this Code or any of the technical codes shall be erected, constructed,, enlarged, altered, repair, moved, improved, removed, converted, or demolished unless a separate, appropriate permit for each building, structure, building service equipment or onsite improvement has first been obtained from the Building Official. If work is commenced before necessary and

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appropriate permit for the work has been obtained, the Building Official is authorized to charge an additional fee in the amount of the building permit fee (i.e., a double fee).

Contact Building and Safety Department to obtain permit, they are located at 731 S. 4th St. or call 229-6251.

Case #	Violation Location	Violation Comments
90670	property	ANY AND ALL ALTERATIONS, CHANGES, MODIFICATIONS TO THE ORIGINAL BUILDING MUST HAVE A PERMIT AND FINAL INSPECTIONS.

Upon correction of violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer 32 at (702)229-5031 to supply your current phone number, email address, fax number, or additional mailing address.

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$180 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand (\$1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 or \$1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

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You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred (\$500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,



Devin S. Smith, Manager
Neighborhood Response Division
Neighborhood Services Department

Enclosures: City of Las Vegas General Conditions of Abatement