

# Memorandum

City of Las Vegas

Building and Safety Department

To: Beverly Bridges, MMC, City Clerk

From: Devin S. Smith, Manager Neighborhood Response Division

CC: File

Date: March 10, 2011

Re: Report of Expenses for the abatement of nuisance located at 3332 Mariner Bay Street - Ward 2 (Wolfson)

*LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the nuisance 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.*

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for Nuisance, the Department of Building and Safety caused the above-referenced property to be corrected by removing all trash and debris, cutting and removing all high weeds and grass from all areas and applying herbicide. The abatement was completed by American Demolition on September 3, 2010 at a cost of \$705.00, which was accepted by the Department of Building and Safety.

|                                                                                                                                      |                                |
|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| <b>Contract Amount Breakdown:</b>                                                                                                    |                                |
| Cut/remove all high weeds and grass from all areas and apply herbicide.                                                              | \$350.00                       |
| Remove all trash and debris.                                                                                                         | \$355.00                       |
| AMOUNT DUE:                                                                                                                          | \$705.00                       |
| Administrative Processing Fee:                                                                                                       | \$105.75                       |
| Sub-Total:                                                                                                                           | \$810.75                       |
| Reinspection Fees (w/late fees):                                                                                                     | \$1,518.00                     |
| Civil Penalties:                                                                                                                     | \$2,950.00                     |
| <b>TOTAL AMOUNT DUE:</b>                                                                                                             | <b>\$5,278.75</b>              |
| Daily Civil Penalties 103 days @ \$500 a day<br>(excluding civil penalty fees already assessed)<br>May 24, 2010 to September 3, 2010 | \$48,550.00                    |
| <b>MAXIMUM TOTAL:</b>                                                                                                                | <b>\$53,828.75</b>             |
| <b>OWNER OF RECORD</b>                                                                                                               | BANK HSBC USA NA TRS           |
| <b>PROPERTY ABATED:</b>                                                                                                              | 3332 Mariner Bay Street        |
|                                                                                                                                      | Las Vegas, NV 89117            |
| <b>ASSESSOR PARCEL:</b>                                                                                                              | 163-08-819-020                 |
| <b>LEGAL DESCRIPTION:</b>                                                                                                            | CARMEL POINT #2 BY LEWIS HOMES |
|                                                                                                                                      | PLAT BOOK 34 PAGE 95           |
|                                                                                                                                      | LOT 38 BLOCK A                 |

DSS:ld