

# Memorandum

## Neighborhood Services Department

To: Beverly Bridges, Acting City Clerk  
 From: Devin S. Smith, Manager Neighborhood Response Division  
 CC: File  
 Date: May 2, 2007  
 Re: Report of Expenses for the abatement of nuisance located at 4319 Fulton Place - Ward 1 (Tarkanian)

*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 Neighborhood Services caused the above-referenced property to be corrected by removal of refuse, waste, Dodge Ram Charger and items inside vehicle, fence in front yard and illegal unpermitted structures from property, as well as repainting and repairing deteriorated wood on eaves. The abatement was completed by C. H. Construction on February 8, 2007 at a cost of \$15,300.00, and for service of process fees of the City's Motion for Order of Abatement in the amount of \$65.00 for a total of 15,365.00, which was accepted by the Department of Neighborhood Services.

<b>Contract Amount Breakdown:</b>		
Remove Refuse/Waste		\$2,750.00
Paint structure, repair deteriorated wood on eaves		\$4,250.00
Remove Dodge Ram charger and items inside		\$400.00
Remove fence in front yard		\$400.00
Remove all illegal unpermitted structures		\$7,500.00
AMOUNT DUE:		\$15,300.00
Administrative Processing Fee:		\$2,295.00
Service of process fees of the City's Motion for Order of Abatement		\$65.00
Sub-Total:		\$17,660.00
Reinspection Fees (w/late fees):		\$429.00
Civil Penalties:		\$2,950.00
<b>TOTAL AMOUNT DUE:</b>		<b>\$21,039.00</b>
<b>Daily Civil Penalties (214 days @ 500/day = \$107,000.00) At the Councils discretion, the Council may impose daily civil penalties from July 7, 2006 to February 8, 2007.</b>		<b>(Not to exceed) \$128,039.00</b>
<b>OWNER OF RECORD:</b>	KATHERINE M. PAOLA	
<b>PROPERTY ABATED:</b>	4319 FULTON PLACE	
<b>ASSESSOR PARCEL:</b>	139-31-313-021	
<b>LEGAL DESCRIPTION:</b>	HYDE PARK SUB #1	
	PLAT BOOK 3 PAGE 56	
	LOT 140 BLOCK 6	