

IN THE SUPREME COURT OF THE STATE OF NEVADA

SOPHIE LAU, an individual; JEFFREY LAU, an individual, GOOD EARTH ENTERPRISES, INC., a California Corporation, and LIG LAND DEVELOPMENT, LLC, a California Limited Liability Company,

Appellants,

v.

CITY OF LAS VEGAS, a political subdivision of the State of Nevada, CAROLYN GOODMAN, as Mayor of the City of Las Vegas, CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, a department of the City of Las Vegas, VICKI OZUNA, Code Enforcement Manager; EMILY WETZSTEIN, Code Enforcement Assistant; KEVIN MCOSKER, director, Building and Safety department, JOHN BOYER, as City of Las Vegas Council Designee; DOES I through X.

Respondents.

CASE NO.: 82720

Electronically Filed
JUL 20 2021 05:27 p.m.
Elizabeth A. Brown
Clerk of Supreme Court
(EIGHTH JUDICIAL DISTRICT)
COURT Case No. 19-00077

APPELLANTS' APPENDIX VOLUME II

ANDREW H. PASTWICK, ESQ.
Nevada Bar No. 09146
Law Office of Andrew H. Pastwick, LLC
1810 E. Sahara Avenue, Suite 120
Las Vegas, Nevada 89104
(702)866-9978

Document

Pages

Transmittal of Record on Review

0101-0160



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

NEW WEB COMPLAINT AS OF 12/16/18,
CSR#1039589

"THIS INFORMATION CONCERNS ONLY ONE LOCATION AT PRESENT:

EL CID HOTEL, LOCATED AT INTERSECTION OF BRIDGER AND 6TH ST.

WOODEN DOORS AND WOODEN WINDOWS ARE BEING CONTINUALLY BROKEN AND MOVED BY PEOPLE WHO ARE OPERATING OUTSIDE THE LAW. Lately, the person who "runs" this locale, his local bailiwick, appeared in the morning, armed to the hilt. He and his cohort, along with many other types of vagrants, appear at this location and continue to remove doors and windows to enter into the hotel, breaking and entering.

The landlord, first name Carlos, residing at or near 201 6th St (Bungalows), continues to patch up doors and windows, only to be frustrated by this gang of persons who operate with impunity.

Not only the above, but the graffiti continues to appear on walls, and people continue to break down barricades that landlord puts, continue to remove screws and chains, and continue to enter into the Hotel.

The breaches occur out of sight -on Bridger- and by the alleyway, in the middle of the night.

More likely than not, this hotel serves as an operating ground for persons who are severely intoxicated with alcohol and drugs, because Fremont Street Experience and Fremont East District are only a couple blocks away, and they feel at liberty to continually break, enter, and operate within their perceived bailiwick, sometimes armed.

This has severe effects, such as a fire that started next door, but which was fortunately contained. notices are being posted a"

December 26, 2018 Insp# : 656727 (PartPassed)

34) While checking adjacent properties with Metro & Fire, observed hole in board on west side of building (facing 6th St). Now open/accessible again.

December 31, 2018 Phone Call

voicemail from 12/31/18 1 window broken into corner of 6th and Bridger Compl_caller James 702-572-6935

January 2, 2019 Insp# : 657288 (Fail)

44- Observed building first and second stories boarded, however, opening in first floor front west side window/board. Also one board on northside of building appeared to have been tampered with as some screw bottoms/threads exposed, Photos taken and placed in EB.

January 7, 2019 Notice & Order Processing

no process

January 8, 2019 Insp# : 657639 (PartPassed)

44- Posted Notice and Order on front building board. Walked building and observed maintenance Bob working on northwest side window of building. Also observed one opening on front building wall 1st floor. Gathered photos and spoke with Bob. Bob told me the board he was working on came off and he is repairing. Bob also told me opening in front of building is accessible as he has placed a metal fence over opening that has been pulled off. During our conversation, a male appeared to have exited the front opening quickly and he told us he had come out of the building and that there are about a dozen people in building and he was inside the building telling them they need to leave. The male departed the area. Bob also told me he is living back in 203 S 6th and the water and electric is on.

January 9, 2019 Administrative

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0101



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

	requisition# 301788 submitted for a PO due to emergency board up bc of fire and property open & accessible. Per 19, ok to submit without bid quotes due to emergency situation. Will add abatement fees of 18,698 to details tab based on invoice submitted by CGI.- J Lancaster
January 10, 2019	Administrative invoice uploaded to AR receipt #496381- J Lancaster
January 10, 2019	Administrative per 19. throw what I have in file and give to Emily to get into Jan 2019 Hearings.
January 14, 2019	Insp# : 657863 (PartPassed) 44- Posted Revised N&O at El Cid Hotel, observed tras,debris, and graffiti on property. Also opening at front building on 6th street side and appeared board on northeast side wall unsecured and tampered as work/bolts done to board that appeared not to be done from contractor board up. Photos taken.
January 16, 2019	Officer Note 44- Note Inspections in area, noticed removal of trees out front and side of building.
January 16, 2019	Insp# : 658217 (PartPassed) 44- On 1-16-19, at approximately 1115 hours to 1215 hours conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. For this case, found maintenance/management repairing opening in front of building, new opening in north wall near parking lot with board hanging, also trash and graffiti throughout. Partial passed property as N&O posted 1-14-19.
January 22, 2019	Administrative 13- delivered search warrant to contractors TERRACON CONSULTANTS & MACROTEC CONSULTING, lmw
January 23, 2019	Insp# : 658508 (PartPassed) 44- Onsite to post Code Enforcement Hearing Notice, posted Notice, obtained photos.
January 28, 2019	Insp# : 658847 (Fail) 44- On 1-28-19, at approximately 0950 hours to 1100 hours conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: graffiti on building, trash on side areas of building, and open and accessible board on northeast corner of building. Also, observed graffiti on what appeared to be mechanical vents on roof area. Photos taken, CB 1-31-19
January 29, 2019	Bid Preparation Demo Bid Preparation - awaiting fax receipt & email
January 29, 2019	Bid Request Sent Demo RFQ sent to contractors due 2-4-2019 by 5:00 pm
February 5, 2019	Bid Received Scanned & recorded Demo bids received
February 5, 2019	Administrative Demo Bid approval & bid packet given to #25
February 5, 2019	Insp# : 659229 (Fail)



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

	44- Observed trash, debris, graffiti throughout property. Window on northeast side of building open and accessible, board removed. Graffiti also on roof top area observed from street. Observed one male and one female exit the building from a unsecured board at the eastside of the building near the alley. Board is unsecured and appears to be used as a door to be opened and closed. Board left opened by persons. Failed inspection.
February 11, 2019	Review 25] BID REVIEW CGI \$388,750.00
February 11, 2019	Insp# : 660048 (Fail) 44- Trash, debris, window on northeast corner of building open and accessible. Opening in door appeared to have new boards placed over existing boards. Failed inspections, obtained photos.
February 13, 2019	Administrative requisition# 303284 for submitted PO for demo abatement- J Lancaster
February 14, 2019	Insp# : 660468 (Fail) 44- Observed trash, debris on north side wall, and open and accessible window at north east corner of building. Obtained photos, failed inspection.
February 19, 2019	Insp# : 660855 (Fail) 44- Observed worker Bob onsite appeared to be repairing opening in northeast window. Contacted Bob and he told me he repairs window and the next day it is broken into again. Observed trash and debris, graffiti and openings on upstairs windows, and opening at window Bob was repairing. Obtained photos, failed inspection.
February 21, 2019	Insp# : 661143 (PartPassed) 44/38- Onsite, observed CGI contractor installing fencing around 232 S 7th St., 233 S 6th St, and 222 S 7th St. El Cid Annex, open and accessible and El Cid open and accessible. Photos taken.
March 11, 2019	Insp# : 661441 (PartPassed) 44- Observed building boarded and fenced, and rear door open near alley for workers. Contacted CGI Brian onsite who told me rear door was open for workers who are clearing asbestos. Brian gave approximate date of a month to a month and a half till start demo. Note, building set for demo per Permit C19-00728, Scope: Demolition of building - Imminent hazard per KTM- Individual responsible for calling in of utility inspections 250 and 450 is Taryna Hagedorn or Brian Goddard. Issued 2-20-19. Also, Contacted Rubicon Security KZ 702-969-9995 who was walking the premise and he told me he is working Security for the properties and they are 24 hours. Photos taken, also signed Visitors Sign-In Sheet per Brian's request.
March 13, 2019	Insp# : 662847 (PartPassed) 38) Demolition of El Cid Annex started and the rubble is being cleared. The loader is currently working on breaking up the foundation. Took photos.
March 18, 2019	Insp# : 662925 (PartPassed) 44- Observed building being worked on appeared to be for asbestos removal. CB 4-4-19
April 4, 2019	Insp# : 669382 (PartPassed) 44- On 4-4-19, at approximately 1415 hours to 1450 hours, conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: El Cid, appeared to be worked on for asbestos removal. Note, Demo Permit C19-00728 not Finalized.
May 15, 2019	Insp# : 669453 (PartPassed)



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

44- On 5-15-19, at approximately 1215 hours to 1300 hours, conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: El Cid building appeared to be in asbestos removal process. Partial passed inspection, photos taken, CB 6-5-19.

June 11, 2019 Insp# : 670713 (PartPassed)

44- Observed demo process has started, northeast corner of building being demolished. Partial passed inspection, photos taken, CB 6-12-19.

June 12, 2019 Insp# : 675825 (PartPassed)

44- Observed demo continuing on northeast corner, partial passed inspection, photos taken. CB 6-13-19

June 13, 2019 Insp# : 676063 (PartPassed)

44- Observed building further demolished, partial passed inspection, CB 6-17-19.

June 18, 2019 Insp# : 676294 (PartPassed)

44- Observed building further demolished with first floor remaining. Permit #C19-00728 for Demolition of building - Imminent hazard per KTM- Individual responsible for calling in of utility inspections 250 and 450 is Taryna Hagedorn or Brian Goddard still active expire 8-19-2019, partial passed inspection, CB 6-18-19.

June 19, 2019 Insp# : 676643 (PartPassed)

44- Observed EL Cid building in demo process, sections of first floor still remained, partial passed inspection, CB 6-20-19

June 20, 2019 Insp# : 676847 (PartPassed)

44- Observed building further being demolished, partial passed inspection. CB 6-24-19.

June 24, 2019 Insp# : 676968 (PartPassed)

44- Observed El Cid building appeared to be further demolished with section of 1st floor still remaining, partial passed inspection, CB 6-25-19.

June 25, 2019 Insp# : 677216 (PartPassed)

44- Observed property being further demolished, obtained photos, CB 6-26-19.

June 26, 2019 Insp# : 677382 (PartPassed)

44- Observed building being further demolished with section of 1st floor still remaining. Partial passed. CB 6-27-19.

June 27, 2019 Insp# : 677514 (PartPassed)

44- Observed section of 1st floor still remained, partial passed inspection, CB 7-1-19.

July 1, 2019 Insp# : 677813 (PartPassed)

44- Observed building appeared further demolished, partial passed inspection, CB 7-2-19.

July 2, 2019 Insp# : 678071 (PartPassed)

44- Observed building appeared further demolished, partial passed, CB 7-3-19.

July 3, 2019 Insp# : 678252 (PartPassed)

44- Observed building being further demolished, partial passed inspection. CB 7-8-19.

July 8, 2019 Insp# : 678365 (PartPassed)

44- Observed building being further demolished, partial passed, CB 7-9-19.

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**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

July 9, 2019	Insp# : 678657 (PartPassed) 44- Observed building being further demolished, photos taken, CB 7-10-19.
July 10, 2019	Insp# : 678797 (PartPassed) 44- Observed building being further demolished, photos taken, CB 7-11-19.
July 11, 2019	Insp# : 678984 (PartPassed) 44- Observed building in demo phase with section of 1st floor still remaining, partial passed inspection CB 7-15-19.
July 16, 2019	Insp# : 679160 (PartPassed) 44- Observed building further demolished with section of 1st floor remaining, partial passed inspection, photos obtained. CB 7-17-19.
July 17, 2019	Insp# : 679710 (PartPassed) 44- Observed section of 1st floor of building still remained, partial passed, CB 7-18-19.
July 18, 2019	Insp# : 679882 (PartPassed) 44- Observed section of 1st floor still remained, partial passed inspection, photos taken, CB 7-22-19.
July 22, 2019	Insp# : 680086 (PartPassed) 44- Observed building being further demolished, photos taken, partial passed, CB 7-23-19.
July 23, 2019	Insp# : 680281 (PartPassed) 44- Observed building being further demolished with section of 1st story remaining, partial passed, CB 7-24-19.
July 24, 2019	Insp# : 680440 (PartPassed) 44- Observed building being further demolished, section of 1st floor remained. Partial passed inspection, photos taken, CB 7-25-19.
July 25, 2019	Insp# : 680606 (PartPassed) 44- Observed section of first floor remained, partial passed, CB 7-29-19.
July 29, 2019	Insp# : 680834 (PartPassed) 44- Observed building being demolished, section of first floor remained, partial passed, CB 7-30-19.
July 30, 2019	Insp# : 681035 (PartPassed) 44- Observed building in demo process, 1st floor of building still remained, photos taken, CB 7-31-19.
August 1, 2019	Insp# : 681165 (PartPassed) 44- Observed building in demo process with section of 1st floor remaining, partial passed, CB 8-5-19.
August 5, 2019	Insp# : 681519 (PartPassed) 44- Observed building in demo process with section of 1st floor remaining, partial passed inspection, CB 8-6-19.
August 7, 2019	Insp# : 681819 (PartPassed) 44- Observed building in demo process with section of 1st floor remaining and concrete rubble/rebar piled. Partial passed inspection, photos taken, CB 8-12-19.

Fee Information:

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**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

<u>Fee Name</u>	<u>Fee Added</u>	<u>Status</u>	<u>Liened</u>	<u>Fee Amount</u>	<u>Fee Paid</u>	<u>Fee Due</u>
Commercial Inspection Fee	1/7/2019	U	N	\$120.00	\$0.00	\$120.00
Nuisance Abatement Fee	1/9/2019	U	N	\$18,698.00	\$0.00	\$18,698.00
Administrative	1/9/2019	U	N	\$2,804.70	\$0.00	\$2,804.70
Commercial Reinspection Fee	1/28/2019	U	N	\$180.00	\$0.00	\$180.00
First Commercial Civil Penalty	1/28/2019	U	N	\$150.00	\$0.00	\$150.00
Commercial Reinspection Fee	2/6/2019	U	N	\$180.00	\$0.00	\$180.00
Second Commercial Civil Penalty	2/6/2019	U	N	\$300.00	\$0.00	\$300.00
Commercial Reinspection Fee	2/11/2019	U	N	\$180.00	\$0.00	\$180.00
Third Commercial Civil Penalty	2/11/2019	U	N	\$1,000.00	\$0.00	\$1,000.00
Administrative	2/13/2019	U	N	\$0.15	\$0.15	\$0.00
Commercial Reinspection Fee	2/14/2019	U	N	\$180.00	\$0.00	\$180.00
Fourth Commercial Civil Penalty	2/14/2019	U	N	\$1,000.00	\$0.00	\$1,000.00
Commercial Reinspection Fee	2/19/2019	U	N	\$180.00	\$0.00	\$180.00
Recurring Commercial Civil Penalty	2/19/2019	U	N	\$750.00	\$0.00	\$750.00
Late Fee	2/22/2019	U	N	\$12.00	\$0.00	\$12.00
Late Fee	3/15/2019	U	N	\$18.00	\$0.00	\$18.00
Late Fee	3/24/2019	U	N	\$18.00	\$0.00	\$18.00
Late Fee	3/29/2019	U	N	\$18.00	\$0.00	\$18.00
Late Fee	4/1/2019	U	N	\$18.00	\$0.00	\$18.00
Late Fee	4/6/2019	U	N	\$18.00	\$0.00	\$18.00
Totals				\$25,824.85	\$0.15	\$25,824.70

ROR000073

Code Enforcement Agenda Item Information Sheet

Ward 3 (Olivia Diaz)

Case # CE-195540

Address: 615 E CARSON AVE

Description:

Major Cross Street: 6th & Carson

Zip Code: 89101

Forclosure: N

Registration Status:

Meets Registration Status: N

Property Registered: Claimed

Lender Notified: N

Property Owner: LIG LAND DEVELOPMENT L L C

Since: 11/17/2008

Case Opened: 1/2/2019

Notice & Order Issued: 3/18/2019

Case Closed: 4/2/2019

Certified Mail Receipt Sent to: LIG LAND DEVELOPMENT L L C, 785 COLUMBUS AVE SAN FRANCISCO, CA 94133-2732

of Inspections Completed: TOTAL (7), Fail (3), PartPassed (3), Passed (1)

Abatement Started: 2/25/2019

Abatement Completed: 2/26/2019

Abatement of: Emergency Boarding

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ADMINISTRATIVE	\$3,000.00	\$0.00	\$3,000.00
NUISANCE ABATEMENT FEE	\$20,000.00	\$0.00	\$20,000.00
INSPECTION COST RECOVERY FEE	\$300.00	\$0.00	\$300.00
LATE FEES	\$30.00	\$0.00	\$30.00
SUB-TOTAL OUT-OF-POCKET COSTS:	\$23,330.00	\$0.00	\$23,330.00
CIVIL PENALTIES			
FAILED INSPECTION CIVIL PENALTIES	\$150.00	\$0.00	\$150.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			\$23,480.00

Property Value Per Zillow.com:

As of: 8/8/2019

Staff Recommendation:

THAT THE CITY COUNCIL/HEARING OFFICER APPROVE THE EXPENSE REPORT AND ASSESS ALL OUT-OF-POCKET EXPENSES AND CIVIL PENALTIES AS A LIEN AGAINST THE PROPERTY

ROR000074

0107

AGENDA SUMMARY PAGE
CODE ENFORCEMENT HEARING: August 28, 2019

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐☐

SUBJECT:

Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 615 E CARSON AVE for fees in the amount of \$23,330 (General Fund) -
PROPERTY OWNER: LIG LAND DEVELOPMENT L L C - Ward 3 (Diaz)

Fiscal Impact

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No Impact

Amount: \$23,330

☒

Budget Funds Available

Dept./Division: Planning/Code Enforcement

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning hired Junkman to Emergency Boarding. To date, there have been 7 inspections conducted at this location.

RECOMMENDATION:

Approve the report of expenses to include \$20,000 for Junkman, \$3,300 administrative fee, and \$330 in reinspection fees (including late fees), for a total of \$23,330 to be recorded immediately.

BACKUP DOCUMENTATION:

1. Case Information

I have reviewed this agenda item and its backup documentation.
It is approved for the City Council meeting agenda listed above.

Approver's Signature: _____ Date: _____



**LAS VEGAS
CITY COUNCIL**

CAROLYN G. GOODMAN
Mayor

MICHELE FIORE
Mayor Pro-Tem

STAVROS S. ANTHONY
CEDRIC CREAR
BRIAN KNUDSEN
VICTORIA SEAMAN
OLIVIA DIAZ

SCOTT D. ADAMS
City Manager

DEPARTMENT OF PLANNING
ROBERT SUMMERFIELD
DIRECTOR

DEVELOPMENT
SERVICES CENTER
333 N. RANCHO DRIVE
LAS VEGAS NV 89106
702.229.4800 | VOICE
711 | TTY



August 8, 2019

CASE #CE-195540
Certified/Regular Mail
Return Receipt Requested

LIG LAND DEVELOPMENT L L C
785 COLUMBUS AVE
SAN FRANCISCO CA 94133-2732

RE: 616 E CARSON AVE

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON Wednesday, August 28, 2019, at the hour of 8:30 am. in the Code Enforcement Conference Room, 333 North Rancho Drive, 6th Floor, Las Vegas, NV, the City Council Designee will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **615 E CARSON AVE - Case #CE-195540**. The Director of Planning certifies that the sum of \$23,330 was expended for a total of \$23,330. For your information, a copy of the Report of Expenses is enclosed.

If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

ROR000076

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Memorandum

City of Las Vegas Planning Department

To: LuAnn Holmes, MMC, City Clerk
From: Vicki R. Ozuna, Code Enforcement Section Manager - Code Enforcement Division
CC: File
Date: August 8, 2019
Re: Report of Expenses for the abatement of nuisance located at 615 E CARSON AVE - Ward 3 (Diaz)

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 Planning caused the above-referenced property to be corrected by Emergency Boarding. The abatement was completed by Junkman on 2/26/2019 at a cost of \$20,000, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Emergency Boarding	\$20,000
AMOUNT DUE:	\$20,000
Administrative Processing Fee:	\$3,300
Reinspection Fees (w/late fees):	\$330
TOTAL AMOUNT DUE:	\$23,330
OWNER OF RECORD	LIG LAND DEVELOPMENT L L C
PROPERTY ABATED:	615 E CARSON AVE
ASSESSOR PARCEL:	139-34-611-041
LEGAL DESCRIPTION:	HAWKINS ADD
	PLAT BOOK 1 PAGE 40
	LOT 1 BLOCK 5 & LOTS 2-4

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 9.04.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed.

3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed.

4th re-inspection and additional re-inspections will be assessed a \$180 re-inspection fee + a civil penalty. Residential (\$500) or Commercial (\$750)

If you do not correct the violation within that time, the City may issue a criminal 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.

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 citation;

(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 for residential properties, or (\$750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

ROR000077

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APN 139-34-611-041

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **LIG LAND DEVELOPMENT L L C**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 139-34-611-041
Commonly known as: 615 E CARSON AVE
Legal Description: HAWKINS ADD
PLAT BOOK 1 PAGE 40
LOT 1 BLOCK 5
& LOTS 2-4

On 2/26/2019 as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of \$23,330 were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Las Vegas Municipal Code, including without limitation Sections 9.04.040 and/or .100 thereof, civil liability/penalties in the amount of were approved against the property for causing or maintaining a public nuisance as defined by 9.04.010 and/or other Municipal Code sections. The City Council Designee, at a duly noticed hearing held on September 25, 2019 ordered the above Actual Cost in the amount of \$23,330, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this ____ day of _____, 2019

NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #CE-195540

ROR000078

0111



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Case #: CE-195540

615 E Carson Ave - Map # 02425-47 Parcel 13934611041

Owner Information:

LIG LAND DEVELOPMENT L L C
785 COLUMBUS AVE
SAN FRANCISCO, CA 94133-2732

Zoning Information: C-2 (General Commercial)

Case Comments: nuisance property project

Case Assigned To: GERALD TOCI (44)

Follow Up Inspection Date: 4/4/2019

Date Case Opened: 1/2/2019

Ward: 3 **Source:** CITZ

Date Case Resolved: 4/2/2019

Disposition: Abate

Property Info / Status: Vacant: Y

Foreclosure: N **Secure:** N

Violations:

AB-006 16.08.010 UDB SEC 403 2/22/2019 Complied

Location: Property, All buildings

Comments: Secure all points of entry to City of Las Vegas specification. Maintain security of building at all times.

AB-006Q 16.08.010 UDB SEC 302 (17) 2/25/2019 Complied

Location: Property

Comments: The property is an ongoing public nuisance. Correct all violations immediately.

AH-002 9.04.010 ATTRACTIVE NUISANCE 2/25/2019 Complied

Location: Property

Comments: This property is an attractive nuisance due to open and accessible structure, transient activity and could be a danger to neighboring residents.

AN-001 9.04.010 (2) BUILDING VIOL 2/25/2019 Complied

Location: Property, building

Comments: This property is in violation of Title 16 of the Las Vegas Municipal Code. Secure property and all open and accessible access points. Maintain at all times.

AN-003 9.04.010 (4) REFUSE & WASTE 1/10/2019 Complied

Location: Property

Comments: Remove/dispose of all refuse, waste, debris, litter, and trash from all areas throughout the property, maintain cleanliness.

AN-005 9.04.010 (8) GENERAL NUISANCE 2/25/2019 Complied

Location: Property, building

Comments: This property is violation of Title 9 of the Las Vegas Municipal Code. The building is not being maintained, homeless are gaining entry and starting fires.

AN-008 9.04.010 (8)(C) GRAFFITI 1/10/2019 Complied

Location: Property

ROR000079



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Comments: Remove all graffiti from property and maintain free of graffiti at all times. Remove any and all graffiti and keep maintained.

Chronology of Events:

January 16, 2019	Insp# : 657324 (Fail) 44- On 1-16-19, at approximately 1115 hours to 1215 hours conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. For this case, found some trash and debris, and graffiti. Building appeared to be vacant. Emailed NV Energy to see if power to be building.
January 28, 2019	Officer Note 44-Inspection Added In WB for 1-28-19:44- On 1-28-19, at approximately 0950 hours to 1100 hours conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: building appeared vacant with no openings observed, did not check doors
February 14, 2019	Officer Note 44- Driving in area noticed board open and accessible. Obtained photos added to case. CB for N&O.
February 22, 2019	Insp# : 658541 (Fail) 37) Received call from 19 at 0830 that a fire occurred at this property overnight. Directed to perform inspection regarding any open/accessible and take photos. Ownership shows LIG LAND DEVELOPMENT LLC. Search of California Secretary of State shows agent for the LLC is SOPHIE LAU 785 COLUMBUS AVE, SAN FRANCISCO CA 94133. Arrived at property at 9:30am. The structure is the 2 story building along the East property line and abuts the alleyway. This parcel also has an adjacent 2 story building, known as the M.I. Residential Hotel, which fronts to 6th Street. The fire department contractor has secured all openings on first floor, but some windows of second floor have broken windows, are not boarded or partially boarded windows. Per LVFR news feed, "This vacant hotel is on the same block next buildings which have had a number of squatter related fires in the past including the El Cid. Squatters were already returning as the building was being boarded up to keep them out. Total 5 rescues of squatters by firefighters, 1 person to Hosp for smoke, non critical, crews picking up." Photos taken and added to EDM. Added building violations to secure all points of entry and maintain. Failed inspection. No vagrants or squatters appeared to be present during inspection. Emailed update and photos to 19, 25 and area officer 44.
February 23, 2019	Research 40- LIG Land Development LLC is not listed on the NV Sec of State website.
February 23, 2019	Research 40- Printed LIG Land Development LLC California Sec of State web page. No additional contact info listed or additional responsible parties listed.
February 23, 2019	Recorders Research 40- I printed the recorder's page.
February 23, 2019	Sewer Information Research 40- No additional contact info or responsible parties listed on sewer account.
February 25, 2019	Phone Call 40- I called Phyllis at Weaver Construction to request an emergency board up of both buildings. She advised she was not able to assist us today.
February 25, 2019	Phone Call



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

	40- I called Chris, Junkman, and requested assistance with the emergency board up of both buildings. He said he could board both buildings today and that he would be out to the property within an hour or so. Advised 19.
February 25, 2019	Administrative po submitted for emergency board up awarded to Junkman for 20,000. requisition# 303745- J Lancaster
February 25, 2019	Phone Call 19) Called Tim Elson, no answer.
February 25, 2019	Phone Call 19) Mr. Elson called. We discussed the current situation. I advised him that the city had hired a contractor as the building is open and accessible, interior area is still open to elements, and to transient activity. Mr. Elson argued that interior of the building did not need to be secured. I explained that I felt that the interior needs to be secure to help prevent transients from breaking in. If they know they can't access anything, they will not try. Mr. Elson wanted to speak with David Bailey. I advised he needed to call City Attorney's Office.
February 25, 2019	Insp# : 661442 (Fail) 43) Per 19 and 40 met CGI General Superintendent Brian Goddard 702-912-3349 who accompanied me and pointed out violations, PRE ABATEMENT INSPECTION AND PHOTOS TAKEN, observed at property security fence in place perimetering both main building at 201 S 6th St and annex building to east at 601 E. Carson Ave. Main building has several hotel rooms/units open accessible photos taken, signs of vagrant activity to include personal belongings and food found in main building units. Both buildings have entries that are boarded but not to City specs. Per 19, security is to be onsite at all times, no security found at either building during inspection. Brian stated an entry to annex building was found unboarded by him this morning at 07:30 when he arrived, however he resecured it prior to my inspection. Brian also stated that transients were found leaving the premises once he arrived this morning. Indications of fire damage at annex building to include smoke marks at windows of second level. Failed inspection, email and photos being sent to 40 for review, per 40 case file back to 44 CB 2/26
March 5, 2019	Administrative file to 25 to review/close- J Lancaster
March 11, 2019	Insp# : 661516 (PartPassed) 44- Observed property boarded and fenced. Shopping cart and items near middle yard/court area. Note. building is set for demo per Permits #C19-00805 COMPLETE DEMO issued on 3-11-19 and #C19-00804 COMPLETE DEMO issued 3-11-19.
March 17, 2019	Notice & Order Processing no process
March 21, 2019	Insp# : 662836 (PartPassed) 44- Posted Notice and Order, photos taken.
March 28, 2019	Insp# : 663951 (PartPassed) 44- Observed East building demolished and removed, concrete foundation still remaining. Photos taken, CB 4-4-19.
April 1, 2019	Administrative file(papers -paperclipped together) back on 25 desk. I printed post pics. Junkman is asking for payment. Please review and let me know if ok to pay- J Lancaster

ROR000081



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

April 2, 2019	Correspondence Email 25] E-mail to JL to pay JUNKMAN for Emergency Board Up work done on 3/11/19
April 2, 2019	Administrative uploaded receipts to AR so Junkman can get paid. Receipt# 502970. File of EW- JLancaster
April 2, 2019	Insp# : 664964 (Passed) 25] Case reviewed. Per 44 on 3/11/19 property was boarded to bld. Property was then demolished on 3/28/19 Inspection by 44. E-mail today to JL to pay JUNKMAN for Emergency Board Up.
April 4, 2019	Officer Note 44- On 4-4-19, at approximately 1415 hours to 1450 hours, conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: West building still standing. Demo permit C19-00804 and C19-00805 not Finaled. Note on previous inspection from 25 case was closed.
May 15, 2019	Officer Note 44- On 5-15-19, at approximately 1215 hours to 1300 hours, conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: Other building of MI Residential on corner of S 6th and E Carson Ave being demolished. Photos taken. CB 6-5-19.

Fee Information:

Fee Name	Fee Added	Status	Liened	Fee Amount	Fee Paid	Fee Due
Commercial Inspection Fee	2/22/2019	U	N	\$120.00	\$0.00	\$120.00
Commercial Reinspection Fee	2/25/2019	U	N	\$180.00	\$0.00	\$180.00
First Commercial Civil Penalty	2/25/2019	U	N	\$150.00	\$0.00	\$150.00
Administrative	2/25/2019	U	N	\$0.15	\$0.15	\$0.00
Nuisance Abatement Fee	3/5/2019	U	N	\$20,000.00	\$0.00	\$20,000.00
Administrative	3/5/2019	U	N	\$3,000.00	\$0.00	\$3,000.00
Late Fee	4/9/2019	U	N	\$12.00	\$0.00	\$12.00
Late Fee	4/12/2019	U	N	\$18.00	\$0.00	\$18.00
Totals				\$23,480.15	\$0.15	\$23,480.00

AGENDA SUMMARY PAGE
CODE ENFORCEMENT HEARING: August 28, 2019

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD ☐ ☐

SUBJECT:

Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 232 S 7TH ST to assess a maximum of \$30,000 in daily civil penalties for a total of \$30,000 - PROPERTY OWNER: GOOD EARTH ENTERPRISES INC - Ward 3 (Diaz)

Fiscal Impact

☐

No Impact

☒

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division: Planning/Code Enforcement

Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. To date, there have been 16 inspections conducted at this location.

RECOMMENDATION:

Approve the report of expenses to assess a maximum of \$30,000 in daily civil penalties to be recorded on or after January 21, 2020.

BACKUP DOCUMENTATION:

1. Case Information

I have reviewed this agenda item and its backup documentation.
It is approved for the City Council meeting agenda listed above.

Approver's Signature: _____ Date: _____



**LAS VEGAS
CITY COUNCIL**

CAROLYN G. GOODMAN
Mayor

MICHELE FIORE
Mayor Pro-Tem

STAVROS S. ANTHONY
CEDRIC CREAR
BRIAN KNUDSEN
VICTORIA SEAMAN
OLIVIA DIAZ

SCOTT D. ADAMS
City Manager

DEPARTMENT OF PLANNING
ROBERT SUMMERFIELD
DIRECTOR

**DEVELOPMENT
SERVICES CENTER**

333 N. RANCHO DRIVE
LAS VEGAS, NV 89106
702.229.4830 | VOICE
711 | TTY



August 8, 2019

CASE #CE-195119
Certified/Regular Mail
Return Receipt Requested

GOOD EARTH ENTERPRISES INC
785 COLUMBUS AVE
SAN FRANCISCO CA 94133-2732

RE: 232 S 7TH ST

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON Wednesday, August 28, 2019, at the hour of 8:30 am. in the Code Enforcement Conference Room, 333 North Rancho Drive, 6th Floor, Las Vegas, NV, the City Council Designee will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at 232 S 7TH ST - Case #CE-195119. The Director of Planning certifies that the sum of Civil Penalties in the sum of \$30,000 may be imposed for a total of \$30,000. For your information, a copy of the Report of Expenses is enclosed.

If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

ROR000084

0117

Memorandum

City of Las Vegas Planning Department

To: LuAnn Holmes, MMC, City Clerk
From: Vicki R. Ozuna, Code Enforcement Section Manager – Code Enforcement Division
CC: File
Date: August 8, 2019
Re: Report of Expenses for the abatement of nuisance located at 232 S 7TH ST - Ward 3 (Diaz)

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 Planning caused the above-referenced property to be corrected which was accepted by the Department of Planning.

Contract Amount Breakdown:	
DAILY CIVIL PENALTIES (\$500 Residential/\$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation Issued until Pre-Abatement Inspection)	\$30,000
TOTAL AMOUNT DUE:	\$30,000
OWNER OF RECORD	GOOD EARTH ENTERPRISES INC
PROPERTY ABATED:	232 S 7TH ST
ASSESSOR PARCEL:	139-34-611-036
LEGAL DESCRIPTION:	HAWKINS ADD
	BLOCK H
	HAWKINS ADD IRREG LOT 17-20
	BLOCK 5

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 9.04.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a \$180 re-inspection fee + a \$160.00 civil penalty will be assessed.

3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed.

4th re-inspection and additional re-inspections will be assessed a \$180 re-inspection fee + a civil penalty Residential (\$500) or Commercial (\$750).

If you do not correct the violation within that time, the City may issue a criminal 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.

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 citation;

(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 for residential properties, or (\$750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

ROR000085

0118

APN 139-34-611-036

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: GOOD EARTH ENTERPRISES INC
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 139-34-611-036
Commonly known as: 232 S 7TH ST
Legal Description: HAWKINS ADD
PLAT BOOK 1 PAGE 40
BLOCK H
HAWKINS ADD IRREG LOT 17-20
BLOCK 5

On as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Las Vegas Municipal Code, including without limitation Sections 9.04.040 and/or .100 thereof, civil liability/penalties in the amount of \$30,000 were approved against the property for causing or maintaining a public nuisance as defined by 9.04.010 and/or other Municipal Code sections.

The City Council Designee, at a duly noticed hearing held on September 25, 2019 ordered the above charges in the amount of \$30,000, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this ____ day of _____, 2019

NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #CE-195119

ROR000086

233 S 6th Street

Case 195118

PRE-ABATEMENT



POST ABATEMENT



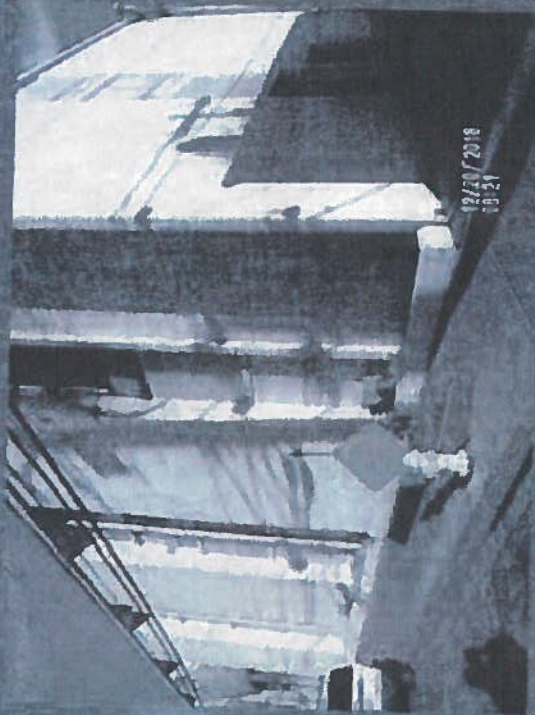
233 S 6th Street

Case 195118

PRE-ABATEMENT



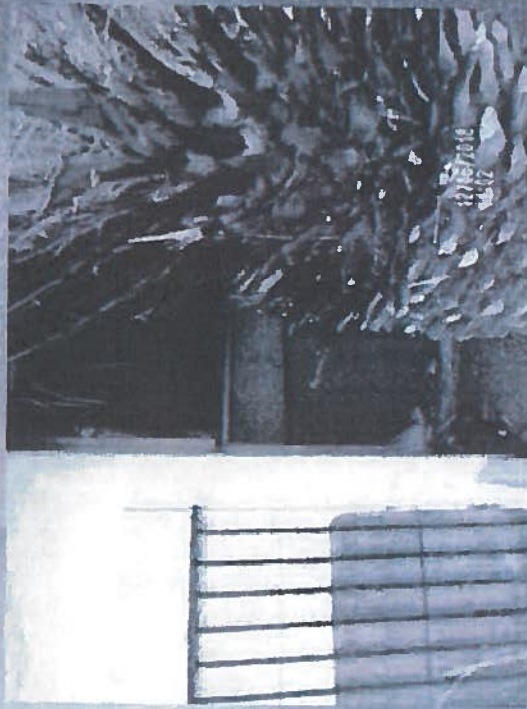
POST ABATEMENT



233 S 6th Street

Case 195118

PRE-ABATEMENT



POST ABATEMENT



233 S 6th Street

Case 195118

PRE-ABATEMENT



POST ABATEMENT



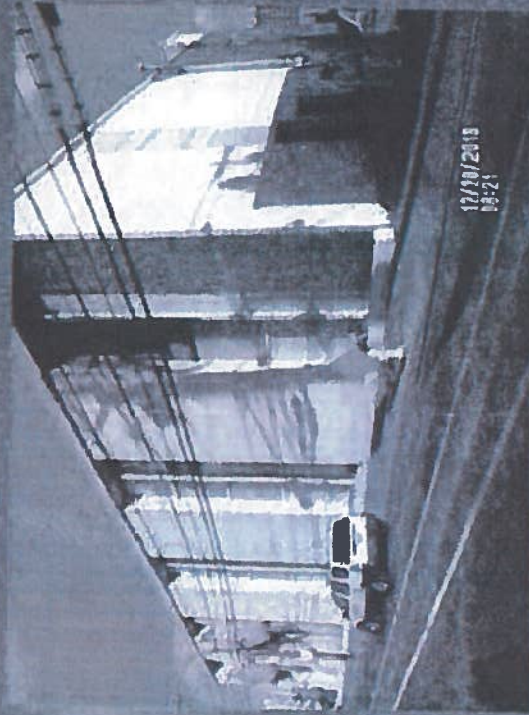
233 S 6th Street

Case 195118

PRE- ABATEMENT



POST ABATEMENT



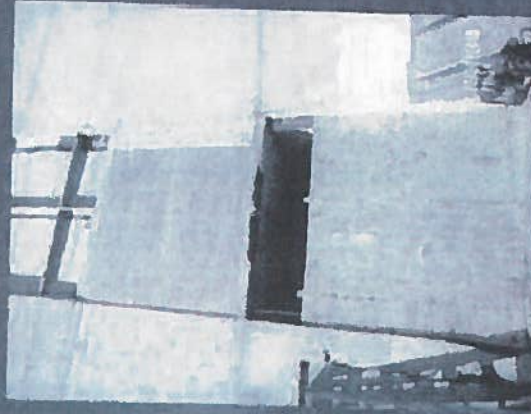
233 S 6th Street

Case 195118

PRE - ABATEMENT



POST ABATEMENT



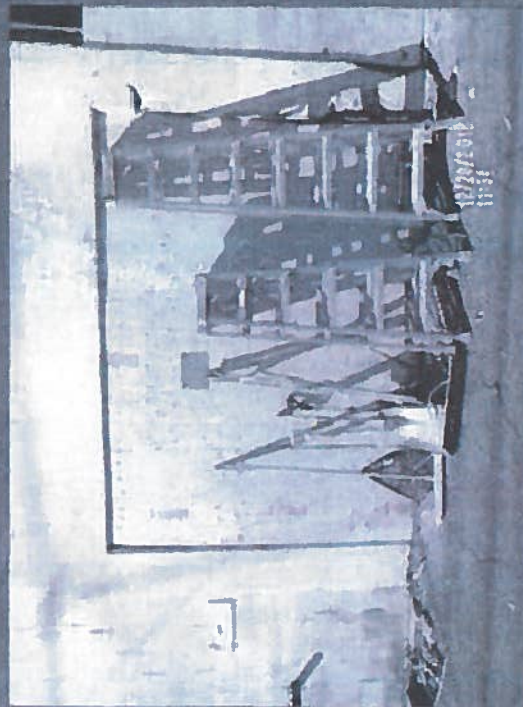
233 S 6th Street

Case 195118

PRE - ABATEMENT



POST ABATEMENT



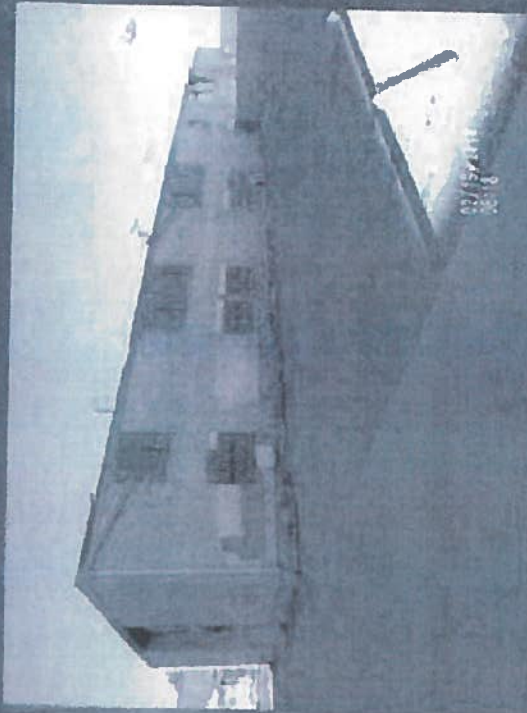
233 S 7th St

Case 195119

PRE-ABATEMENT



POST ABATEMENT



El Cid/Annex/MI Hotel

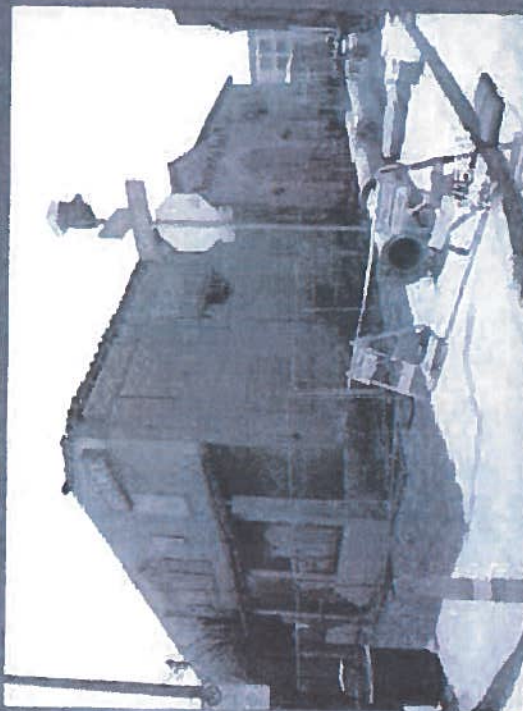
Case 195540 for 615 E Carson Ave

PRE-ABATEMENT



02/05/1919
10:31

POST ABATEMENT



El Cid/Annex/MI Hotel

Case 195540 for 615 E Carson Ave

PRE-ABATEMENT



POST ABATEMENT



El Cid/Annex/MI Hotel

Case 195540 for 615 E Carson Ave

PRE-ABATEMENT



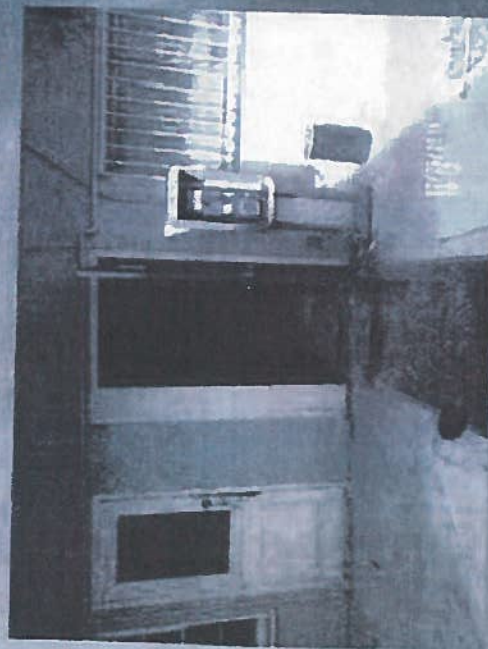
POST ABATEMENT



El Cid/Annex/MI Hotel

Case 195540 for 615 E Carson Ave

PRE-ABATEMENT



POST ABATEMENT



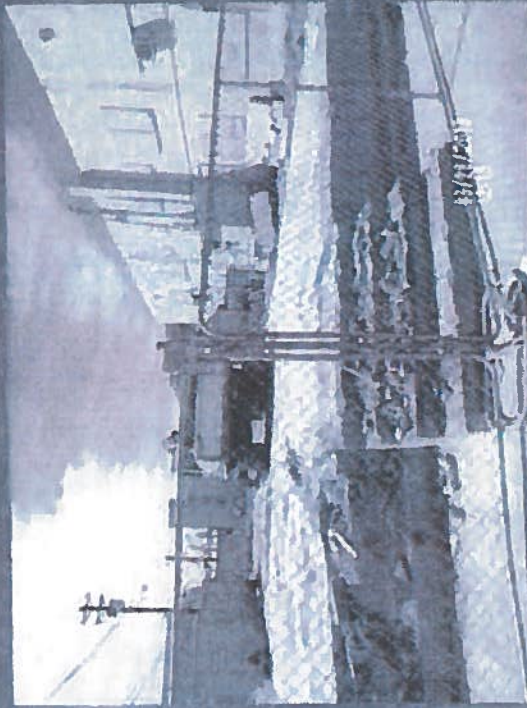
El Cid/Annex/MI Hotel

Case 195540 for 615 E Carson Ave

PRE- ABATEMENT



POST ABATEMENT



ROR000099

Code Enforcement Agenda Item Information Sheet

Ward 3 (Olivia Diaz)

Case # CE-195118

Address: 233 S 6TH ST

Description:

Major Cross Street: 8th & Bridger

Zip Code: 89101

Foreclosure: N

Registration Status:

Meets Registration Status: N

Property Registered: Claimed

Lender Notified: N

Property Owner: GOOD EARTH ENTERPRISES INC

Since: 2/5/1993

Case Opened: 12/4/2018

Notice & Order Issued: 1/8/2019

Case Closed:

Certified Mail Receipt Sent to: GOOD EARTH ENTERPRISES INC, 785 COLUMBUS AVE SAN FRANCISCO, CA 94133-2732
SOPHIE LAU 201 S. 6TH ST LAS VEGAS NV 89101

of Inspections Completed: TOTAL (52), Fail (7), PartPassed (45)

Abatement Started: 12/20/2018

Abatement Completed: 12/20/2018

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ADMINISTRATIVE	\$2,804.70	\$0.00	\$2,804.70
NUISANCE ABATEMENT FEE	\$18,898.00	\$0.00	\$18,898.00
INSPECTION COST RECOVERY FEE	\$1,020.00	\$0.00	\$1,020.00
LATE FEES	\$102.00	\$0.00	\$102.00
SUB-TOTAL OUT-OF-POCKET COSTS:	\$22,624.70	\$0.00	\$22,624.70
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	\$32,000.00	\$0.00	\$32,000.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			\$54,624.70

Property Value Per Zillow.com:

As of: 8/8/2019

Staff Recommendation:

THAT THE CITY COUNCIL/HEARING OFFICER APPROVE THE EXPENSE REPORT AND ASSESS ALL OUT-OF-POCKET EXPENSES AND CIVIL PENALTIES AS A LIEN AGAINST THE PROPERTY

AGENDA SUMMARY PAGE
CODE ENFORCEMENT HEARING: August 28, 2019

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐☐

SUBJECT:

Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 233 S 6TH ST for fees in the amount of \$54,624.70 (General Fund) and assess a maximum of \$32,000 in daily civil penalties for a total of \$54,624.70 - PROPERTY OWNER: GOOD EARTH ENTERPRISES INC - Ward 3 (Diaz)

Fiscal Impact

☐

No Impact

Amount: \$54,624.70

☒

Budget Funds Available

Dept./Division: Planning/Code Enforcement

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning hired CGI to Emergency Boarding. To date, there have been 52 inspections conducted at this location.

RECOMMENDATION:

Approve the report of expenses to include \$18,698 for CGI, \$2,804.70 administrative fee, and \$1,122 in reinspection fees (including late fees), for a total of \$54,624.70 to be recorded immediately, and assess a maximum of \$32,000 in daily civil penalties to be recorded on or after January 19, 2020.

BACKUP DOCUMENTATION:

1. Case Information

I have reviewed this agenda item and its backup documentation.
It is approved for the City Council meeting agenda listed above.

Approver's Signature: _____ Date: _____

ROR000101

0134



**LAS VEGAS
CITY COUNCIL**

CAROLYN G. GOODMAN
Mayor

MICHELE FIORE
Mayor Pro-Tem

STAVROS S. ANTHONY
CEORIC CREAR
BRIAN KNUDSEN
VICTORIA SEAMAN
OLIVIA DIAZ

SCOTT D. ADAMS
City Manager

DEPARTMENT OF PLANNING
ROBERT SUMMERFIELD
DIRECTOR

**DEVELOPMENT
SERVICES CENTER**
333 N. RANCHO DRIVE
LAS VEGAS, NV 89106
702.229.4830 | VOICE
711 | TTY



August 8, 2019

CASE #CE-195118
Certified/Regular Mail
Return Receipt Requested

GOOD EARTH ENTERPRISES INC
785 COLUMBUS AVE
SAN FRANCISCO CA 94133-2732

RE: 233 S 6TH ST

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON Wednesday, August 28, 2019, at the hour of 8:30 am. in the Code Enforcement Conference Room, 333 North Rancho Drive, 6th Floor, Las Vegas, NV, the City Council Designee will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **233 S 6TH ST - Case #CE-195118**. The Director of Planning certifies that the sum of \$54,624.70 was expended and Civil Penalties in the sum of \$32,000 may be imposed for a total of \$54,624.70. For your information, a copy of the Report of Expenses is enclosed.

If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

ROR000102

0135

Memorandum

City of Las Vegas Planning Department

To: LuAnn Holmes, MMC, City Clerk
From: Vicki R. Ozuna, Code Enforcement Section Manager - Code Enforcement Division
CC: File
Date: August 8, 2019
Re: Report of Expenses for the abatement of nuisance located at 233 S 6TH ST - Ward 3 (Diaz)

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 Planning caused the above-referenced property to be corrected by Emergency Boarding. The abatement was completed by CGI on 12/20/2018 at a cost of \$18,698, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Emergency Boarding	\$18,698.00
AMOUNT DUE:	\$18,698
Administrative Processing Fee:	\$2,804.70
Reinspection Fees (w/late fees):	\$1,122
TOTAL AMOUNT DUE:	\$54,624.70
DAILY CIVIL PENALTIES (\$500 Residential/\$750 Commercial)- Civil Penalty assessed Per Day From 11th day after Notice of Violation issued until Pre-Abatement Inspection)	\$32,000
TOTAL AMOUNT DUE:	\$54,624.70
OWNER OF RECORD	GOOD EARTH ENTERPRISES INC
PROPERTY ABATED:	233 S 6TH ST
ASSESSOR PARCEL:	139-34-611-037
LEGAL DESCRIPTION:	HAWKINS ADD
	PLAT BOOK 1 PAGE 40
	LOT 12 BLOCK 5 & LOTS 13-16

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. Penalties are assessed as follows:

2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed;

3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed;

4th re-inspection and additional re-inspections will be assessed a \$180 re-inspection fee + a civil penalty. Residential (\$500) or Commercial (\$750)

If you do not correct the violation within that time, the City may issue a criminal 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.

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 citation;

(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 for residential properties, or (\$750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

ROR000103

0136

APN 139-34-611-037

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **GOOD EARTH ENTERPRISES INC**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **139-34-611-037**
Commonly known as: **233 S 6TH ST**
Legal Description: **HAWKINS ADD
PLAT BOOK 1 PAGE 40
LOT 12 BLOCK 5
& LOTS 13-16**

On 12/20/2018 as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of \$54,624.70 were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Las Vegas Municipal Code, including without limitation Sections 9.04.040 and/or .100 thereof, civil liability/penalties in the amount of \$32,000 were approved against the property for causing or maintaining a public nuisance as defined by 9.04.010 and/or other Municipal Code sections. The City Council Designee, at a duly noticed hearing held on September 25, 2019 ordered the above Actual Cost in the amount of \$54,624.70, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The City Council Designee ordered the above civil penalties in the amount of \$32,000 be assessed against the property by recording a Lien of Assessment on or after January 19, 2020.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this _____ day of _____, 2019

NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #CE-195118

ROR000104

0137

APN 139-34-611-037

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **GOOD EARTH ENTERPRISES INC**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 139-34-611-037
Commonly known as: 233 S 6TH ST
Legal Description: HAWKINS ADD
PLAT BOOK 1 PAGE 40
LOT 12 BLOCK 5
& LOTS 13-16

On 12/20/2018 as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Las Vegas Municipal Code, including without limitation Sections 9.04.040 and/or 100 thereof, civil liability/penalties in the amount of \$32,000 were approved against the property for causing or maintaining a public nuisance as defined by 9.04.010 and/or other Municipal Code sections.

The City Council Designee, at a duly noticed hearing held on September 25, 2019 ordered the above charges in the amount of \$32,000, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this ____ day of _____, 2019

NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #CE-195118

ROR000105

0138



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Case #: CE-195118

233 S 6th St - Map # 02425-56 Parcel 13934611037

Owner Information:

GOOD EARTH ENTERPRISES INC
785 COLUMBUS AVE
SAN FRANCISCO, CA 94133-2732

Zoning Information: C-2 (General Commercial)

Case Comments: EL CID HOTEL Per Metro open accessible Refuse upkeep issues 232 7th 195119 233 6th 195118

Case Assigned To: GERALD TOCI (44)

Follow Up Inspection Date: 8/12/2019

Date Case Opened: 12/4/2018

Ward: 3

Source: MTRO

Date Case Resolved:

Disposition: Abate

Property Info / Status: Vacant: N

Foreclosure: N

Secure: N

Violations:

AB-006 16.08.010 UDB SEC 403 12/5/2018

Location: BUILDING

Comments: Building must be secured to the City of Las Vegas specifications and properly maintained at all times. All doors and windows on 1st and 2nd floors must be boarded. All windows above 2nd floor are to be replaced or boarded.

AB-0085 HC-SEC 1001.8 FAULTY WEATHER 12/5/2018

Location: BUILDING, WINDOWS

Comments: Remove all glass shards along frames of all broken and boarded windows. Maintain at all times.

AH-001 9.04.010 IMMINENT HAZARD 12/17/2018

Location: Building

Comments: Secure all elevator shafts, they pose an imminent hazard to anyone including fire and police who are entering the building without electricity and a limited ability to see inside the structure.

AN-001 9.04.010 (2) BUILDING VIOL 12/5/2018

Location: BUILDING, PROPERTY

Comments: This property is in violations of Title 16 of the Las Vegas Municipal Code.

AN-005 9.04.010 (8) GENERAL NUISANCE 12/5/2018

Location: BUILDING, PROPERTY

Comments: This property is in violation of Title 9 of the Las Vegas Municipal Code. Building not being maintained, homeless gaining entry. Remove palm trees adjacent to windows allowing access by homeless to building.

AN-006 9.04.010(8)(A) HIGH VEGETATION 12/5/2018

Location: LANDSCAPING

Comments: Remove all high grass or weeds over 8" inches from all visible areas of property and maintain.

AN-007 9.04.010(8)(B) DEAD VEGETATION 12/5/2018

Location: LANDSCAPING

Comments: Remove all dead trees and bushes from all areas of the property. All dead landscape to be removed.

ROR000106



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

AN-008 9.04.010 (8)(C) GRAFFITI 12/5/2018

Location: PROPERTY

Comments: Remove all graffiti from property and maintain free of graffiti at all times.

AN-009 9.04.010 (8)(D) DILAPIDATED 12/5/2018

Location: BUILDING, PROPERTY

Comments: (1) Repair damaged hotel sign or remove. (2) Repair damage to building facade (west side).

Chronology of Events:

December 6, 2018 Research

25) 3-year research on fire calls to address shows (1) outside fire (F15L) ON 11/28/17 1:58; AND (2) building fire (F3H) ON 11/17/18 @ 13:13

December 6, 2018 Insp# : 655704 (Fall)

25) EL CID -HOTEL- Per Metro open and accessible. Refuse and upkeep issues.(232 S 7th/195119 & 233 S 6th 195118). Inspected today, found multiple windows broken or open on all levels of both buildings. The boarding was done poorly and insufficient to keep out homeless. Signs homeless have made entry. Refuse and trash in the small landscape areas that surround the Hotel and the Annex. Burnt palm trees on south side of Annex building. Police report palm trees are allowing access to open or broken windows on higher floors. Homeless climbing tree to get in. Trees to be removed and all openings to be boarded or windows replaced. Best plan of action is to have all windows on 1st and 2nd floor regardless of condition boarded and all windows higher replaced or boarded after trees removed. Graffiti here and there on both buildings. Homeless hanging about on steps area with overhang on east side of Annex. This area should be chain-linked fence in to prevent homeless from camping in overhang area. Met owner's local rep Robert Mann 415-299-0517. He was boarding bungalows to the north also owned by same owner. I explained upcoming N&O and status of property.

December 10, 2018 Bid Preparation

Bid Preparation - awaiting fax receipt & email

December 10, 2018 Bid Request Sent

RFQ sent to contractors due 12-17-2018 by 5:00 pm

December 10, 2018 Officer Note

25) Fire on 12/8 per Fire Dept with injuries.

December 10, 2018 Notice & Order Processing

25) file to EW. NO 10 DAY/ Winter case bid cost to be sent in letter

December 10, 2018 Phone Call

25) Spoke to Dave B City Atty. Obtaining a search warrant to evaluate interior and homeless occupancy.

December 10, 2018 Review

25) Bid Request Sheet to GF/ No 10 DAY to be accomplished due to homeless activity and recent fire

December 17, 2018 Insp# : 655961 (PartPassed)

ROR000107

0140



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

40- Myself, 25 and 19 responded to the property at the request of the fire dept and metro as another fire had occurred. Several fire engines responded and Metro had several blocks of the area closed. The fire appeared to have occurred on an upper floor on the south side of the building. There were several open access points on the first floor and higher floors on the east, west, north and south sides of the building. Graffiti and debris were visible throughout the entire property. Fire and Metro have deemed the property is an imminent hazard and are requiring the property be boarded immediately. Fire has deemed the elevator shafts as an imminent hazard, the fire fighters cannot see the shafts when they enter the property to fight a fire. Fire requested the shafts be boarded also to prevent a fire fighter from falling down a shaft. Violations have been updated. 25 has contact CGI to board and secure today. Reinspect December 18th.

December 17, 2018

Insp# : 656401 (PartPassed)

34) Per 25, went to property. Another fire happened today. City contractor at property. Men named Bob also at property & identified himself as property manager. Building open/accessible on east side from alley. Placed red tag on east, west & south side of building. Photos.

December 19, 2018

Insp# : 656446 (PartPassed)

44- Observed building being boarded by CGI for 1st and 2nd floor, partial pass will follow up 12-24-18.

December 19, 2018

Insp# : 656607 (PartPassed)

34) Met with City contractor at property. 2 east openings facing alley not boarded yet. Called Deputy Marshals & waited for them to arrive. Contractor stated they believe homeless persons are still inside building. We didn't enter building due to documented high levels of asbestos. Patrol Sergeant Derek Major arrived. Marshals have protective gear & are willing to help clear building before openings are boarded. Not able to do this today but can tomorrow. Code officer will meet with Marshals & contractor at property tomorrow morning at 8:00.

December 20, 2018

Insepctin-Asst Addn'L Officer

34) Assisted 44 with meeting contractor for board up.

December 20, 2018

Insp# : 656633 (PartPassed)

44/34- Inspection (board up) of El Cid from approx. 0800-1135 hours. Met onsite with CGI contractor, City Marshals, and Metro Police. Marshals entered the building wearing asbestos protection (suits and masks) and cleared out each floor of the building and Metro assisted at the exterior rear alley with persons who exited building. A total of approximately 15 persons exited the building during the time of the inspection. Marshals determined the building cleared and along with Metro they departed the area. CGI boarded remaining rear exits and after they secured the first 8ft high plywood boards myself and 34 departed the area per 38. Photos taken, attached in EB.

December 26, 2018

Correspondence Email



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

NEW WEB COMPLAINT AS OF 12/16/18,
CSR#1039589

"THIS INFORMATION CONCERNS ONLY ONE LOCATION AT PRESENT:
EL CID HOTEL, LOCATED AT INTERSECTION OF BRIDGER AND 6TH ST.
WOODEN DOORS AND WOODEN WINDOWS ARE BEING CONTINUALLY BROKEN AND MOVED BY
PEOPLE WHO ARE OPERATING OUTSIDE THE LAW. Lately, the person who "runs" this locale, his
local bailiwick, appeared in the morning, armed to the hilt. He and his cohort, along with many other
types of vagrants, appear at this location and continue to remove doors and windows to enter into
the hotel, breaking and entering.
The landlord, first name Carlos, residing at or near 201 6th St (Bungalows), continues to patch up
doors and windows, only to be frustrated by this gang of persons who operate with impunity.

Not only the above, but the graffiti continues to appear on walls, and people continue to break down
barricades that landlord puts, continue to remove screws and chains, and continue to enter into the
Hotel.

The breaches occur out of sight -on Bridger- and by the alleyway, in the middle of the night.
More likely than not, this hotel serves as an operating ground for persons who are severely
intoxicated with alcohol and drugs, because Fremont Street Experience and Fremont East District are
only a couple blocks away, and they feel at liberty to continually break, enter, and operate within their
perceived bailiwick, sometimes armed.

This has severe effects, such as a fire that started next door, but which was fortunately contained.
notices are being posted a"

December 26, 2018

Insp# : 656727 (PartPassed)

34) While checking adjacent properties with Metro & Fire, observed hole in board on west side of
building (facing 6th St). Now open/accessible again.

December 31, 2018

Phone Call

voicemail from 12/31/18 1 window broken into corner of 6th and Bridger Compl_caller James 702-
572-6935

January 2, 2019

Insp# : 657288 (Fail)

44- Observed building first and second stories boarded, however, opening in first floor front west side
window/board. Also one board on northside of building appeared to have been tampered with as
some screw bottoms/threads exposed, Photos taken and placed in EB.

January 7, 2019

Notice & Order Processing

no process

January 8, 2019

Insp# : 657639 (PartPassed)

44- Posted Notice and Order on front building board. Walked building and observed maintenance Bob
working on northwest side window of building. Also observed one opening on front building wall 1st
floor. Gathered photos and spoke with Bob. Bob told me the board he was working on came off and
he is repairing. Bob also told me opening in front of building is accessible as he has placed a metal
fence over opening that has been pulled off. During our conversation, a male appeared to have
exited the front opening quickly and he told us he had come out of the building and that there are
about a dozen people in building and he was inside the building telling them they need to leave. The
male departed the area. Bob also told me he is living back in 203 S 6th and the water and electric is
on.

January 9, 2019

Administrative

ROR000109



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

	requisition# 301788 submitted for a PO due to emergency board up bc of fire and property open & accessible. Per 19, ok to submit without bid quotes due to emergency situation. Will add abatement fees of 18,698 to details tab based on invoice submitted by CGI. J Lancaster
January 10, 2019	Administrative Invoice uploaded to AR receipt #496381- J Lancaster
January 10, 2019	Administrative per 19. throw what I have in file and give to Emily to get into Jan 2019 Hearings.
January 14, 2019	Insp# : 657863 (PartPassed) 44- Posted Revised N&O at El Cid Hotel, observed tras, debris, and graffiti on property. Also opening at front building on 6th street side and appeared board on northeast side wall unsecured and tampered as work/bolts done to board that appeared not to be done from contractor board up. Photos taken.
January 16, 2019	Officer Note 44- Note Inspections in area, noticed removal of trees out front and side of building.
January 16, 2019	Insp# : 658217 (PartPassed) 44- On 1-16-19, at approximately 1115 hours to 1215 hours conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. For this case, found maintenance/management repairing opening in front of building, new opening in north wall near parking lot with board hanging, also trash and graffiti throughout. Partial passed property as N&O posted 1-14-19.
January 22, 2019	Administrative 13- delivered search warrant to contractors TERRACON CONSULTANTS & MACROTEC CONSULTING. lmw
January 23, 2019	Insp# : 658508 (PartPassed) 44- Onsite to post Code Enforcement Hearing Notice, posted Notice, obtained photos.
January 28, 2019	Insp# : 658847 (Fail) 44- On 1-28-19, at approximately 0950 hours to 1100 hours conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: graffiti on building, trash on side areas of building, and open and accessible board on northeast corner of building. Also, observed graffiti on what appeared to be mechanical vents on roof area. Photos taken, CB 1-31-19
January 29, 2019	Bid Preparation Demo Bid Preparation - awaiting fax receipt & email
January 29, 2019	Bid Request Sent Demo RFQ sent to contractors due 2-4-2019 by 5:00 pm
February 5, 2019	Bid Received Scanned & recorded Demo bids received
February 5, 2019	Administrative Demo Bid approval & bid packet given to #25
February 5, 2019	Insp# : 659229 (Fail)



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

	44- Observed trash, debris, graffiti throughout property. Window on northeast side of building open and accessible, board removed. Graffiti also on roof top area observed from street. Observed one male and one female exit the building from a unsecured board at the eastside of the building near the alley. Board is unsecured and appears to be used as a door to be opened and closed. Board left opened by persons. Failed inspection.
February 11, 2019	Review 25] BID REVIEW CGI \$388,750.00
February 11, 2019	Insp# : 660048 (Fail) 44- Trash, debris, window on northeast corner of building open and accessible. Opening in door appeared to have new boards placed over existing boards. Failed inspections, obtained photos.
February 13, 2019	Administrative requestion# 303284 for submitted PO for demo abatement- J Lancaster
February 14, 2019	Insp# : 660468 (Fail) 44- Observed trash, debris on north side wall, and open and accessible window at north east corner of building. Obtained photos, failed inspection.
February 19, 2019	Insp# : 660855 (Fail) 44- Observed worker Bob onsite appeared to be repairing opening in northeast window. Contacted Bob and he told me he repairs window and the next day it is broken into again. Observed trash and debris, graffiti and openings on upstairs windows, and opening at window Bob was repairing. Obtained photos, failed inspection.
February 21, 2019	Insp# : 661143 (PartPassed) 44/38- Onsite, observed CGI contractor installing fencing around 232 S 7th St., 233 S 6th St, and 222 S 7th St. El Cid Annex, open and accessible and El Cid open and accessible. Photos taken.
March 11, 2019	Insp# : 661441 (PartPassed) 44- Observed building boarded and fenced, and rear door open near alley for workers. Contacted CGI Brian onsite who told me rear door was open for workers who are clearing asbestos. Brian gave approximate date of a month to a month and a half till start demo. Note, building set for demo per Permit C19-00728, Scope: Demolition of building - Imminent hazard per KTM- Individual responsible for calling in of utility inspections 250 and 450 is Taryna Hagedorn or Brian Goddard. Issued 2-20-19. Also, Contacted Rubicon Security KZ 702-969-9995 who was walking the premise and he told me he is working Security for the properties and they are 24 hours. Photos taken, also signed Visitors Sign-In Sheet per Brian's request.
March 13, 2019	Insp# : 662847 (PartPassed) 38) Demolition of El Cid Annex started and the rubble is being cleared. The loader is currently working on breaking up the foundation. Took photos.
March 18, 2019	Insp# : 662925 (PartPassed) 44- Observed building being worked on appeared to be for asbestos removal. CB 4-4-19
April 4, 2019	Insp# : 669382 (PartPassed) 44- On 4-4-19, at approximately 1415 hours to 1450 hours, conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: El Cid, appeared to be worked on for asbestos removal. Note, Demo Permit C19-00728 not finished.
May 15, 2019	Insp# : 669453 (PartPassed)

ROR000111



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

	44- On 5-15-19, at approximately 1215 hours to 1300 hours, conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: El Cid building appeared to be in asbestos removal process. Partial passed inspection, photos taken, CB 6-5-19.
June 11, 2019	Insp# : 670713 (PartPassed) 44- Observed demo process has started, northeast corner of building being demolished. Partial passed inspection, photos taken, CB 6-12-19.
June 12, 2019	Insp# : 675825 (PartPassed) 44- Observed demo continuing on northeast corner, partial passed inspection, photos taken. CB 6-13-19
June 13, 2019	Insp# : 676063 (PartPassed) 44- Observed building further demolished, partial passed inspection, CB 6-17-19.
June 18, 2019	Insp# : 676294 (PartPassed) 44- Observed building further demolished with first floor remaining. Permit #C19-00728 for Demolition of building - Imminent hazard per KTM- individual responsible for calling in of utility inspections 250 and 450 is Taryna Hagedorn or Brian Goddard still active expire 8-19-2019, partial passed inspection, CB 6-18-19.
June 19, 2019	Insp# : 676643 (PartPassed) 44- Observed EL Cid building in demo process, sections of first floor still remained, partial passed inspection, CB 6-20-19
June 20, 2019	Insp# : 676847 (PartPassed) 44- Observed building further being demolished, partial passed inspection. CB 6-24-19.
June 24, 2019	Insp# : 676968 (PartPassed) 44- Observed El Cid building appeared to be further demolished with section of 1st floor still remaining, partial passed inspection, CB 6-25-19.
June 25, 2019	Insp# : 677216 (PartPassed) 44- Observed property being further demolished, obtained photos, CB 6-26-19.
June 26, 2019	Insp# : 677382 (PartPassed) 44- Observed building being further demolished with section of 1st floor still remaining. Partial passed. CB 6-27-19.
June 27, 2019	Insp# : 677514 (PartPassed) 44- Observed section of 1st floor still remained, partial passed inspection, CB 7-1-19.
July 1, 2019	Insp# : 677813 (PartPassed) 44- Observed building appeared further demolished, partial passed inspection, CB 7-2-19.
July 2, 2019	Insp# : 678071 (PartPassed) 44- Observed building appeared further demolished, partial passed, CB 7-3-19.
July 3, 2019	Insp# : 678252 (PartPassed) 44- Observed building being further demolished, partial passed inspection. CB 7-8-19.
July 8, 2019	Insp# : 678365 (PartPassed) 44- Observed building being further demolished, partial passed, CB 7-9-19.



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

July 9, 2019	Insp# : 678657 (PartPassed) 44- Observed building being further demolished, photos taken, CB 7-10-19.
July 10, 2019	Insp# : 678797 (PartPassed) 44- Observed building being further demolished, photos taken, CB 7-11-19.
July 11, 2019	Insp# : 678984 (PartPassed) 44- Observed building in demo phase with section of 1st floor still remaining, partial passed inspection CB 7-15-19.
July 16, 2019	Insp# : 679160 (PartPassed) 44- Observed building further demolished with section of 1st floor remaining, partial passed inspection, photos obtained. CB 7-17-19.
July 17, 2019	Insp# : 679710 (PartPassed) 44- Observed section of 1st floor of building still remained, partial passed, CB 7-18-19.
July 18, 2019	Insp# : 679882 (PartPassed) 44- Observed section of 1st floor still remained, partial passed inspection, photos taken, CB 7-22-19.
July 22, 2019	Insp# : 680086 (PartPassed) 44- Observed building being further demolished, photos taken, partial passed, CB 7-23-19.
July 23, 2019	Insp# : 680281 (PartPassed) 44- Observed building being further demolished with section of 1st story remaining, partial passed, CB 7-24-19.
July 24, 2019	Insp# : 680440 (PartPassed) 44- Observed building being further demolished, section of 1st floor remained. Partial passed inspection, photos taken, CB 7-25-19.
July 25, 2019	Insp# : 680606 (PartPassed) 44- Observed section of first floor remained, partial passed, CB 7-29-19.
July 29, 2019	Insp# : 680834 (PartPassed) 44- Observed building being demolished, section of first floor remained, partial passed, CB 7-30-19.
July 30, 2019	Insp# : 681035 (PartPassed) 44- Observed building in demo process, 1st floor of building still remained, photos taken, CB 7-31-19.
August 1, 2019	Insp# : 681165 (PartPassed) 44- Observed building in demo process with section of 1st floor remaining, partial passed, CB 8-5-19.
August 5, 2019	Insp# : 681519 (PartPassed) 44- Observed building in demo process with section of 1st floor remaining, partial passed inspection, CB 8-6-19.
August 7, 2019	Insp# : 681819 (PartPassed) 44- Observed building in demo process with section of 1st floor remaining and concrete rubble/rebar piled. Partial passed inspection, photos taken, CB 8-12-19.

Fee Information:

ROR000113



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

<u>Fee Name</u>	<u>Fee Added</u>	<u>Status</u>	<u>Liened</u>	<u>Fee Amount</u>	<u>Fee Paid</u>	<u>Fee Due</u>
Commercial Inspection Fee	1/7/2019	U	N	\$120.00	\$0.00	\$120.00
Nuisance Abatement Fee	1/9/2019	U	N	\$18,698.00	\$0.00	\$18,698.00
Administrative	1/9/2019	U	N	\$2,804.70	\$0.00	\$2,804.70
Commercial Reinspection Fee	1/28/2019	U	N	\$180.00	\$0.00	\$180.00
First Commercial Civil Penalty	1/28/2019	U	N	\$150.00	\$0.00	\$150.00
Commercial Reinspection Fee	2/6/2019	U	N	\$180.00	\$0.00	\$180.00
Second Commercial Civil Penalty	2/6/2019	U	N	\$300.00	\$0.00	\$300.00
Commercial Reinspection Fee	2/11/2019	U	N	\$180.00	\$0.00	\$180.00
Third Commercial Civil Penalty	2/11/2019	U	N	\$1,000.00	\$0.00	\$1,000.00
Administrative	2/13/2019	U	N	\$0.15	\$0.15	\$0.00
Commercial Reinspection Fee	2/14/2019	U	N	\$180.00	\$0.00	\$180.00
Fourth Commercial Civil Penalty	2/14/2019	U	N	\$1,000.00	\$0.00	\$1,000.00
Commercial Reinspection Fee	2/19/2019	U	N	\$180.00	\$0.00	\$180.00
Recurring Commercial Civil Penalty	2/19/2019	U	N	\$750.00	\$0.00	\$750.00
Late Fee	2/22/2019	U	N	\$12.00	\$0.00	\$12.00
Late Fee	3/15/2019	U	N	\$18.00	\$0.00	\$18.00
Late Fee	3/24/2019	U	N	\$18.00	\$0.00	\$18.00
Late Fee	3/29/2019	U	N	\$18.00	\$0.00	\$18.00
Late Fee	4/1/2019	U	N	\$18.00	\$0.00	\$18.00
Late Fee	4/6/2019	U	N	\$18.00	\$0.00	\$18.00
Totals				\$25,824.85	\$0.15	\$25,824.70

Code Enforcement Agenda Item Information Sheet

Ward 3 (Olivia Diaz)

Case # CE-195540

Address: 615 E CARSON AVE

Description:

Major Cross Street: 6th & Carson

Zip Code: 89101

Foreclosure: N

Registration Status:

Meets Registration Status: N

Property Registered: Claimed

Lender Notified: N

Property Owner: LIG LAND DEVELOPMENT L L C

Since: 11/17/2008

Case Opened: 1/2/2019

Notice & Order Issued: 3/18/2019

Case Closed: 4/2/2019

Certified Mail Receipt Sent to: LIG LAND DEVELOPMENT L L C, 785 COLUMBUS AVE SAN FRANCISCO, CA 94133-2732

of Inspections Completed: TOTAL (7), Fail (3), PartPassed (3), Passed (1)

Abatement Started: 2/26/2019

Abatement Completed: 2/26/2019

Abatement of: Emergency Boarding

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ADMINISTRATIVE	\$3,000.00	\$0.00	\$3,000.00
NUISANCE ABATEMENT FEE	\$20,000.00	\$0.00	\$20,000.00
INSPECTION COST RECOVERY FEE	\$300.00	\$0.00	\$300.00
LATE FEES	\$30.00	\$0.00	\$30.00
SUB-TOTAL OUT-OF-POCKET COSTS:	\$23,330.00	\$0.00	\$23,330.00
CIVIL PENALTIES			
FAILED INSPECTION CIVIL PENALTIES	\$150.00	\$0.00	\$150.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			\$23,480.00

Property Value Per Zillow.com:

As of: 8/8/2019

Staff Recommendation:

THAT THE CITY COUNCIL/HEARING OFFICER APPROVE THE EXPENSE REPORT AND ASSESS ALL OUT-OF-POCKET EXPENSES AND CIVIL PENALTIES AS A LIEN AGAINST THE PROPERTY

ROR000115

0148

AGENDA SUMMARY PAGE
CODE ENFORCEMENT HEARING: August 28, 2019

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD ☐ ☐

SUBJECT:

Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 615 E CARSON AVE for fees in the amount of \$23,330 (General Fund) -
PROPERTY OWNER: LIG LAND DEVELOPMENT L L C - Ward 3 (Diaz)

Fiscal Impact

☐	No Impact	Amount: \$23,330
☒	Budget Funds Available	Dept./Division: Planning/Code Enforcement
☐	Augmentation Required	Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning hired Junkman to Emergency Boarding. To date, there have been 7 inspections conducted at this location.

RECOMMENDATION:

Approve the report of expenses to include \$20,000 for Junkman, \$3,300 administrative fee, and \$330 in reinspection fees (including late fees), for a total of \$23,330 to be recorded immediately.

BACKUP DOCUMENTATION:

1. Case Information

I have reviewed this agenda item and its backup documentation.
It is approved for the City Council meeting agenda listed above.

Approver's Signature: _____ Date: _____



**LAS VEGAS
CITY COUNCIL**

CAROLYN G. GOODMAN
Mayor

MICHELE FIORE
Mayor Pro-Tem

STAVROS S. ANTHONY
CEDRIC CREAR
BRIAN KNUDSEN
VICTORIA SEAMAN
OLIVIA DIAZ

SCOTT D. ADAMS
City Manager

DEPARTMENT OF PLANNING
ROBERT SUMMERFIELD
DIRECTOR

DEVELOPMENT
SERVICES CENTER
333 N. RANCHO DRIVE
LAS VEGAS, NV 89106
702.229.4830 | VOICE
711 | TTY



August 8, 2019

CASE #CE-195540
Certified/Regular Mail
Return Receipt Requested

LIG LAND DEVELOPMENT L L C
785 COLUMBUS AVE
SAN FRANCISCO CA 94133-2732

RE: 615 E CARSON AVE

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON Wednesday, August 28, 2019, at the hour of 8:30 am. in the Code Enforcement Conference Room, 333 North Rancho Drive, 6th Floor, Las Vegas, NV, the City Council Designee will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **615 E CARSON AVE** - Case #CE-195540. The Director of Planning certifies that the sum of \$23,330 was expended for a total of \$23,330. For your information, a copy of the Report of Expenses is enclosed.

If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

ROR000117

0150

Memorandum

City of Las Vegas Planning Department

To: LUAnn Holmes, MMC, City Clerk
From: Vicki R. Ozuna, Code Enforcement Section Manager – Code Enforcement Division
CC: File
Date: August 8, 2019
Re: Report of Expenses for the abatement of nuisance located at 615 E CARSON AVE - Ward 3 (Diaz)

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 Planning caused the above-referenced property to be corrected by Emergency Boarding. The abatement was completed by Junkman on 2/26/2019 at a cost of \$20,000, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Emergency Boarding	
AMOUNT DUE:	\$20,000
Administrative Processing Fee:	\$20,000
Reinspection Fees (w/late fees):	\$3,300
TOTAL AMOUNT DUE:	\$330
OWNER OF RECORD	\$23,330
PROPERTY ABATED:	LIG LAND DEVELOPMENT L L C
ASSESSOR PARCEL:	615 E CARSON AVE
LEGAL DESCRIPTION:	139-34-611-041
	HAWKINS ADD
	PLAT BOOK 1 PAGE 40
	LOT 1 BLOCK 5 & LOTS 2-4

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 9.04.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed.

3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed.

4th re-inspection and additional re-inspections will be assessed a \$180 re-inspection fee + a civil penalty. Residential (\$500) or Commercial (\$750)

If you do not correct the violation within that time, the City may issue a criminal 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.

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 citation;

(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 for residential properties, or (\$750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

APN 139-34-611-041

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **LIG LAND DEVELOPMENT L L C**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **139-34-611-041**
Commonly known as: **615 E CARSON AVE**
Legal Description: **HAWKINS ADD
PLAT BOOK 1 PAGE 40
LOT 1 BLOCK 5
& LOTS 2-4**

On 2/26/2019 as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of \$23,330 were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Las Vegas Municipal Code, including without limitation Sections 9.04.040 and/or .100 thereof, civil liability/penalties in the amount of were approved against the property for causing or maintaining a public nuisance as defined by 9.04.010 and/or other Municipal Code sections. The City Council Designee, at a duly noticed hearing held on September 25, 2019 ordered the above Actual Cost in the amount of \$23,330, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this ____ day of _____, 2019

NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #CE-195540

ROR000119



City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case #: CE-195540

615 E Carson Ave - Map # 02425-47 Parcel 13934611041

Owner Information:

LIG LAND DEVELOPMENT L L C
785 COLUMBUS AVE
SAN FRANCISCO, CA 94133-2732

Zoning Information: C-2 (General Commercial)

Case Comments: nuisance property project

Case Assigned To: GERALD TOCI (44)

Follow Up Inspection Date: 4/4/2019

Date Case Opened: 1/2/2019

Ward: 3

Source: CITZ

Date Case Resolved: 4/2/2019

Disposition: Abate

Property Info / Status: Vacant: Y

Foreclosure: N

Secure: N

Violations:

AB-006	16.08.010 UDB SEC 403	2/22/2019	Complied
Location:	Property, All buildings		
Comments:	Secure all points of entry to City of Las Vegas specification. Maintain security of building at all times.		
AB-006Q	16.08.010 UDB SEC 302 (17)	2/25/2019	Complied
Location:	Property		
Comments:	The property is an ongoing public nuisance. Correct all violations immediately.		
AH-002	9.04.010 ATTRACTIVE NUISANCE	2/25/2019	Complied
Location:	Property		
Comments:	This property is an attractive nuisance due to open and accessible structure, transient activity and could be a danger to neighboring residents.		
AN-001	9.04.010 (2) BUILDING VIOL	2/25/2019	Complied
Location:	Property, building		
Comments:	This property is in violation of Title 16 of the Las Vegas Municipal Code. Secure property and all open and accessible access points. Maintain at all times.		
AN-003	9.04.010 (4) REFUSE & WASTE	1/10/2019	Complied
Location:	Property		
Comments:	Remove/dispose of all refuse, waste, debris, litter, and trash from all areas throughout the property, maintain cleanliness.		
AN-005	9.04.010 (8) GENERAL NUISANCE	2/25/2019	Complied
Location:	Property, building		
Comments:	This property is violation of Title 9 of the Las Vegas Municipal Code. The building is not being maintained, homeless are gaining entry and starting fires.		
AN-008	9.04.010 (8)(C) GRAFFITI	1/10/2019	Complied
Location:	Property		

ROR000120



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Comments: Remove all graffiti from property and maintain free of graffiti at all times. Remove any and all graffiti and keep maintained.

Chronology of Events:

January 16, 2019	Insp# : 657324 (Fail) 44- On 1-16-19, at approximately 1115 hours to 1215 hours conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. For this case, found some trash and debris, and graffiti. Building appeared to be vacant. Emailed NV Energy to see if power to be building.
January 28, 2019	Officer Note 44-Inspection Added in WB for 1-28-19:44- On 1-28-19, at approximately 0950 hours to 1100 hours conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: building appeared vacant with no openings observed, did not check doors
February 14, 2019	Officer Note 44- Driving in area noticed board open and accessible. Obtained photos added to case. CB for N&O.
February 22, 2019	Insp# : 658541 (Fail) 37) Received call from 19 at 0830 that a fire occurred at this property overnight. Directed to perform inspection regarding any open/accessible and take photos. Ownership shows LIG LAND DEVELOPMENT LLC. Search of California Secretary of State shows agent for the LLC is SOPHIE LAU 785 COLUMBUS AVE, SAN FRANCISCO CA 94133. Arrived at property at 9:30am. The structure is the 2 story building along the East property line and abuts the alleyway. This parcel also has an adjacent 2 story building, known as the M.I. Residential Hotel, which fronts to 6th Street. The fire department contractor has secured all openings on first floor, but some windows of second floor have broken windows, are not boarded or partially boarded windows. Per LVFR news feed, "This vacant hotel is on the same block next buildings which have had a number of squatter related fires in the past including the El Cid. Squatters were already returning as the building was being boarded up to keep them out. Total 5 rescues of squatters by firefighters, 1 person to Hosp for smoke, non critical, crews picking up." Photos taken and added to EDM. Added building violations to secure all points of entry and maintain. Failed inspection. No vagrants or squatters appeared to be present during inspection. Emailed update and photos to 19, 25 and area officer 44.
February 23, 2019	Research 40- LIG Land Development LLC is not listed on the NV Sec of State website.
February 23, 2019	Research 40- Printed LIG Land Development LLC California Sec of State web page. No additional contact info listed or additional responsible parties listed.
February 23, 2019	Recorders Research 40- I printed the recorder's page.
February 23, 2019	Sewer Information Research 40- No additional contact info or responsible parties listed on sewer account.
February 25, 2019	Phone Call 40- I called Phyllis at Weaver Construction to request an emergency board up of both buildings. She advised she was not able to assist us today.
February 25, 2019	Phone Call

ROR000121

0154



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

	40- I called Chris, Junkman, and requested assistance with the emergency board up of both buildings. He said he could board both buildings today and that he would be out to the property within an hour or so. Advised 19.
February 25, 2019	Administrative po submitted for emergency board up awarded to Junkman for 20,000. requisition# 303745-JLancaster
February 25, 2019	Phone Call 19) Called Tim Elson, no answer.
February 25, 2019	Phone Call 19) Mr. Elson called. We discussed the current situation. I advised him that the city had hired a contractor as the building is open and accessible, interior area is still open to elements, and to transient activity. Mr. Elson argued that interior of the building did not need to be secured. I explained that I felt that the interior needs to be secure to help prevent transients from breaking in. If they know they can't access anything, they will not try. Mr. Elson wanted to speak with David Bailey. I advised he needed to call City Attorney's Office.
February 25, 2019	Insp# : 661442 (Fail) 43] Per 19 and 40 met CGI General Superintendent Brian Goddard 702-912-3349 who accompanied me and pointed out violations, PRE ABATEMENT INSPECTION AND PHOTOS TAKEN, observed at property security fence in place perimetering both main building at 201 S 6th St and annex building to east at 601 E, Carson Ave. Main building has several hotel rooms/units open accessible photos taken, signs of vagrant activity to include personal belongings and food found in main building units. Both buildings have entries that are boarded but not to City specs. Per 19, security is to be onsite at all times, no security found at either building during inspection. Brian stated an entry to annex building was found unboarded by him this morning at 07:30 when he arrived, however he resecured it prior to my inspection. Brian also stated that transients were found leaving the premises once he arrived this morning. Indications of fire damage at annex building to include smoke marks at windows of second level. Failed inspection, email and photos being sent to 40 for review, per 40 case file back to 44 CB 2/26
March 5, 2019	Administrative file to 25 to review/dose- Lancaster
March 11, 2019	Insp# : 661516 (PartPassed) 44- Observed property boarded and fenced. Shopping cart and items near middle yard/court area. Note. building is set for demo per Permits #C19-00805 COMPLETE DEMO issued on 3-11-19 and #C19-00804 COMPLETE DEMO issued 3-11-19.
March 17, 2019	Notice & Order Processing no process
March 21, 2019	Insp# : 662836 (PartPassed) 44- Posted Notice and Order, photos taken.
March 28, 2019	Insp# : 663951 (PartPassed) 44- Observed East building demolished and removed, concrete foundation still remaining. Photos taken, CB 4-4-19.
April 1, 2019	Administrative file(papers -paperclipped together) back on 25 desk. I printed post pics. Junkman is asking for payment. Please review and let me know if ok to pay- JLancaster



**City of Las Vegas
Department of Planning
Code Enforcement Case Report**

Chronology of Events:

April 2, 2019	Correspondence Email 25] E-mail to JL to pay JUNKMAN for Emergency Board Up work done on 3/11/19
April 2, 2019	Administrative uploaded receipts to AR so Junkman can get paid. Receipt# 502970. File of EW- JLancaster
April 2, 2019	Insp# : 664964 (Passed) 25] Case reviewed. Per 44 on 3/11/19 property was boarded to bld. Property was then demolished on 3/28/19 Inspection by 44. E-mail today to JL to pay JUNKMAN for Emergency Board Up.
April 4, 2019	Officer Note 44- On 4-4-19, at approximately 1415 hours to 1450 hours, conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: West building still standing. Demo permit C19-00804 and C19-00805 not Finaled. Note on previous inspection from 25 case was closed.
May 15, 2019	Officer Note 44- On 5-15-19, at approximately 1215 hours to 1300 hours, conducted inspection for properties: 233, 217, 215, and 203 S 6th St; 615, 617, and 631 E Carson Ave; and 206, 210, 216, 220, 222, and 232 S 7th Street. At this address found the following: Other building of MI Residential on corner of S 6th and E Carson Ave being demolished. Photos taken. CB 6-5-19.

Fee Information:

Fee Name	Fee Added	Status	Liened	Fee Amount	Fee Paid	Fee Due
Commercial Inspection Fee	2/22/2019	U	N	\$120.00	\$0.00	\$120.00
Commercial Reinspection Fee	2/25/2019	U	N	\$180.00	\$0.00	\$180.00
First Commercial Civil Penalty	2/25/2019	U	N	\$150.00	\$0.00	\$150.00
Administrative	2/25/2019	U	N	\$0.15	\$0.15	\$0.00
Nuisance Abatement Fee	3/5/2019	U	N	\$20,000.00	\$0.00	\$20,000.00
Administrative	3/5/2019	U	N	\$3,000.00	\$0.00	\$3,000.00
Late Fee	4/9/2019	U	N	\$12.00	\$0.00	\$12.00
Late Fee	4/12/2019	U	N	\$18.00	\$0.00	\$18.00
Totals				\$23,480.15	\$0.15	\$23,480.00

ROR000123

Code Enforcement Agenda Item Information Sheet

Ward 3 (Olivia Diaz)

Case # CE-195119

Address: 232 S 7TH ST

Description:

Major Cross Street: 7th & Bridger

Zip Code: 89101

Foreclosure: N

Registration Status:

Meets Registration Status: N

Property Registered: Claimed

Lender Notified: N

Property Owner: GOOD EARTH ENTERPRISES INC

Since: 2/5/1993

Case Opened: 12/4/2018

Notice & Order Issued: 1/10/2019

Case Closed:

Certified Mail Receipt Sent to: GOOD EARTH ENTERPRISES INC, 785 COLUMBUS AVE SAN FRANCISCO, CA 94133-2732
SOPHIE LAU 201 S. 6TH ST LAS VEGAS NV 89101

of Inspections Completed: TOTAL (16), Fail (7), PartPassed (9)

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
INSPECTION COST RECOVERY FEE	\$840.00	\$0.00	\$840.00
LATE FEES	\$84.00	\$0.00	\$84.00
SUB-TOTAL OUT-OF-POCKET COSTS:	\$924.00	\$0.00	\$924.00
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	\$30,000.00	\$0.00	\$30,000.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			\$30,924.00

Property Value Per Zillow.com:

As of: 8/8/2019

Staff Recommendation:

THAT THE CITY COUNCIL/HEARING OFFICER APPROVE THE EXPENSE REPORT AND ASSESS ALL OUT-OF-POCKET EXPENSES AND CIVIL PENALTIES AS A LIEN AGAINST THE PROPERTY

ROR000124

0157

AGENDA SUMMARY PAGE
CODE ENFORCEMENT HEARING: August 28, 2019

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD ☐ ☐

SUBJECT:

Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 232 S 7TH ST to assess a maximum of \$30,000 in daily civil penalties for a total of \$30,000 - PROPERTY OWNER: GOOD EARTH ENTERPRISES INC - Ward 3 (Diaz)

Fiscal Impact

☐

No Impact

☒

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division: Planning/Code Enforcement

Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. To date, there have been 16 inspections conducted at this location.

RECOMMENDATION:

Approve the report of expenses to assess a maximum of \$30,000 in daily civil penalties to be recorded on or after January 21, 2020.

BACKUP DOCUMENTATION:

1. Case Information

I have reviewed this agenda item and its backup documentation.
It is approved for the City Council meeting agenda listed above.

Approver's Signature: _____ Date: _____



**LAS VEGAS
CITY COUNCIL**

CAROLYN G. GOODMAN
Mayor

MICHELE FIORE
Mayor Pro-Tem

STAVROS S. ANTHONY
CEDRIC CREAR
BRIAN KNUDSEN
VICTORIA SEAMAN
OLIVIA DIAZ

SCOTT D. ADAMS
City Manager

DEPARTMENT OF PLANNING
ROBERT SUMMERFIELD
DIRECTOR

**DEVELOPMENT
SERVICES CENTER**

333 N. RANCHO DRIVE
LAS VEGAS, NV 89106
702.229.4830 | VOICE
711 | TTY



August 8, 2019

CASE #CE-195119
Certified/Regular Mail
Return Receipt Requested

GOOD EARTH ENTERPRISES INC
785 COLUMBUS AVE
SAN FRANCISCO CA 94133-2732

RE: 232 S 7TH ST

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON Wednesday, August 28, 2019, at the hour of 8:30 am. in the Code Enforcement Conference Room, 333 North Rancho Drive, 6th Floor, Las Vegas, NV, the City Council Designee will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at 232 S 7TH ST - Case #CE-195119. The Director of Planning certifies that the sum of Civil Penalties in the sum of \$30,000 may be imposed for a total of \$30,000. For your information, a copy of the Report of Expenses is enclosed.

If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

ROR000126

0159

Memorandum

City of Las Vegas Planning Department

To: LuAnn Holmes, MMC, City Clerk
From: Vicki R. Ozuna, Code Enforcement Section Manager – Code Enforcement Division
CC: File
Date: August 8, 2019
Re: Report of Expenses for the abatement of nuisance located at 232 S 7TH ST - Ward 3 (Diaz)

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 Planning caused the above-referenced property to be corrected which was accepted by the Department of Planning.

Contract Amount Breakdown:	
DAILY CIVIL PENALTIES (\$500 Residential/\$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation Issued until Pre-Abatement Inspection)	\$30,000
TOTAL AMOUNT DUE:	\$30,000
OWNER OF RECORD	GOOD EARTH ENTERPRISES INC
PROPERTY ABATED:	232 S 7TH ST
ASSESSOR PARCEL:	139-34-611-036
LEGAL DESCRIPTION:	HAWKINS ADD
	BLOCK H
	HAWKINS ADD IRREG LOT 17-20
	BLOCK 5

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 9.04.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a \$180 re-inspection fee + a \$150.00 civil penalty will be assessed.

3rd re-inspection a \$180 re-inspection fee + a \$300.00 civil penalty will be assessed.

4th re-inspection and additional re-inspections will be assessed a \$180 re-inspection fee + a civil penalty Residential (\$500) or Commercial (\$750)

If you do not correct the violation within that time, the City may issue a criminal 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.

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 citation

(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 for residential properties, or (\$750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

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