NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
STEPHEN HARSIN, AICP

NOTICE AND ORDER

APN: 139-19-112-007

March 21, 2007
Case #50565

Certified/Regular Mail
Return Receipt Requested

Kim C. Gousse
2232 Valley Drive
Las Vegas, NV 89108-2876

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **2232 Valley Drive, Las Vegas, NV, Parcel #139-19-112-007**, that you are in violation of **Las Vegas Municipal Code, Chapter 9, dealing with nuisances.**

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed; on the 3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a $180 re-inspection fee + a $500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand ($1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The $500.00 or $1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both. Be advised, the

contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

LVMC Ord. #5873
"Owner" means any person having a legal or equitable interest in real property within the City.

(2) Building Code Violation. Any violation of the Uniform Building Code, as adopted and amended by Title 16 of this Code.

LVMC 16.20.010 A Uniform Housing Code

Nuisance
3. Whatever is dangerous to human life or is detrimental to health, as determined by the health officer.

SUBSTANDARD BUILDINGS
General 1001.1 – Any building or portion thereof which is determined to be an unsafe building in accordance with Section 102 of the Building Code; or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in this section to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby are declared to be substandard buildings.

Uniform Housing Code 1001.4 Nuisance
Buildings or portions thereof in which there exists any nuisance as defined in this code are deemed substandard buildings.

Uniform Housing Code 1001.14 Improper Occupancy
All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes which were not designed or intended to be used for such occupancies shall be considered substandard.

LVMC 16.04.040 – Permits Required
No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure in the City, or cause same to be done, without first obtaining a separate permit.
Obtain all required permits for fence on front of property or remove.

Ord 5873 (7) Public Nuisance, Zoning Violation: Any violation of Title 19 of this Code.

19.04.040 Zoning Violation:
Group Residential Care Facility: Zoning Code: Prohibits operating Group Residential Care Facility at this Residential Zoned Property. Group Residential Care Facilities may be located in U, R-A, R-E, R-D, R-1, R-CL, R-2, R-3, R-4 and R-5 zoned locations with conditions. (See attached conditions.)
Halfway House: Zoning Code: Prohibits operating halfway house at this Residential Zoned property. Halfway Houses may only be located in R-3, R-4, R-5, C-2 and C-M zonings with a special use permit.
Homeless Shelter: Zoning Code: Prohibits operating Homeless Shelters at this Residential Zoned property. Rescue Missions/Shelters for the Homeless may only be located in C-2, C-M or M Zoned properties with a special use permit.
Transitional Living Group Home: Transitional Living Group Homes may only be located in the following zoned areas (U, R-A, R-E, R-D, R-1, R-CL, R-2, R-3, R-4, R-5) with a special use permit.

19.04.020 Accessory Uses and Structures
B. Particular Accessory Uses: In any residential zoning district, each of the following uses shall be considered an accessory use to the extent described, without being separately listed in the Land Use Tables, provided in each case that the use is incidental to the property's use as a dwelling and does not alter the character of its use as a dwelling of the character permitted in the respective district:
1. The renting of rooms, providing of board, or both, for not more than three unrelated persons, where no care is provided.

Property is not allowed to have more than four unrelated residents at any time. Contact officer to set up appointment time for interior inspection.

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

Responsible party must provide contact information to this department. Contact area code enforcement officer #33 at 229-4917 to supply your current phone number, e-mail address, fax number, or additional mailing address.

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

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

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

Sincerely,

Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services