



DEPARTMENT OF PLANNING

NOTICE AND ORDER

Inst #: 20191004-0003065

Fee: \$40.00

10/04/2019 04:18:48 PM

Receipt #: 3861761

Requestor:

CITY OF LAS VEGAS BUILDING

Recorded By: MAIC Pgs: 11

DEBBIE CONWAY

CLARK COUNTY RECORDER

Src: FRONT COUNTER

Ofc: MAIN OFFICE

September 11, 2019

Stoneridge Parkway, LLC
6924 Canby Ave. #112
Reseda, CA 91335

RE: Silverstone Golf Course - 8600 Cupp Dr., Las Vegas, NV, or

APN: 125-10-510-007 Case # 159156
125-10-811-011 Case # 159393
125-10-811-020 Case # 159394
125-10-110-009 Case # 159396
125-10-712-005 Case # 159397
125-10-110-014 Case # 159398

NUISANCE & DANGEROUS BUILDING **NOTICE AND ORDER TO COMPLY**

The City of Las Vegas ("City") previously issued a Nuisance Notice and Order to Comply regarding the above referenced parcels ("Property") on June 7, 2017. Thereafter, City completed several abatements at the Property but public nuisances remain and continue to arise. You are responsible for the maintenance of the Property because the Clark County, Nevada Assessors Office's records indicate that you are the owner of record of the Property, also known as Silverstone Golf course, located at 8600 Cupp Dr, Las Vegas, NV, APN's 125-10-510-007, 125-10-811-011, 125-10-811-020, 125-10-110-009, 125-10-712-005, 125-10-110-014.

LAS VEGAS CITY COUNCIL

MAYOR CAROLYN G. GOODMAN

MAYOR PRO TEM MICHELE FIORE / STAVROS S. ANTHONY / CEDRIC CREAR

BRIAN KNUDSEN / VICTORIA SEAMAN / OLIVIA DIAZ

CITY MANAGER SCOTT ADAMS

Return to: CITY OF LAS VEGAS 495 S MAIN STREET LAS VEGAS NEVADA 89101

VOICE: 702.229.6615 FAX: 702.382.4341 TTY 7-1-1 www.lasvegasnevada.gov



Legal Descriptions:

125-10-510-007- That portion Section 10, Township 19 South, Range 60 East, MDM, Clark County, Nevada, described as follows: Lot 1C as shown on that certain Map known as "Mountain Spa" filed in Book 103 of Plats, Page 31 of Official Records.

125-10-811-011- Reciprocal Easements for access, parking, and utilities as set forth in that certain Reciprocal Easement Agreement and Covenant to Share Costs recorded September 11, 1998 in book 980911 as Document No. 01432 and amended by documents recorded February 14, 2001 in Book 20010214 as Document No. 00896 and recorded June 14, 2002 in Book 20020614 as Document No. 02201 of Official Records.

125-10-811-020- A Non-exclusive easement for ingress and egress as set forth in those certain Declaration of Covenants, Conditions, and Restrictions for Silverstone Ranch, a planned community recorded June 14, 2002 in Book 20020614 as Document No. 02202 of Official Records and amended by that certain Amendment to Declaration of Covenants, Conditions, and Restrictions for Silverstone Ranch, a planned community recorded December 27, 2002 in Book 20021227 as Document No. 00427 of Official Records.

125-10-110-009- That portion of Section 10, Township 19 South, Range 60 East, MDM, Clark County, Nevada, described as follows: Lot 1A as shown on that certain Map known as "Mountain Spa" filed in Book 103 of Plats, Page 31 of Official Records.

125-10-712-005 That portion of Section 10, Township 19 South, Range 60 East, MDM, Clark County, Nevada, described as follows: Lot 1E as shown on that certain Map known as "Mountain Spa" filed in Book 103 of Plats, Page 31 of Official Records.

Excepting therefrom Parcels One (1) through Five (5), inclusive as conveyed to PN II Inc., a Nevada Corporation DBA Pulte Homes of Nevada by Deed recorded September 4, 2002 in Book 20020924 as Document No. 00250 and re-recorded March 3, 2003 in Book 20030303 as Document N. 00168 of Official Records

125-10-110-014- That portion of Section 10, Township 19 South, Range 60 East, MDM, Clark County, Nevada, described as follows: Lot 1B as shown on that certain Map known as "Mountain Spa" filed in Book 103 of Plats, Page 31 of Official Records.



As the owner of the Property, you are responsible for all violations of the Las Vegas Municipal Code that may be found to exist thereon.

The following conditions have been identified as violations:

NUISANCE VIOLATIONS

- 1) *Water in ponds not being circulated properly to prevent becoming polluted, stagnant, and areas of mosquito breeding.*
(LVMC 9.04.010 Public Nuisance Definition (3) -- Unhealthy or unsafe body of water, including stagnant water)

- 2) *High Weeds or uncultivated plant growth exceeding eight inches in height visible from public property.*
(LVMC 9.04.010 Public Nuisance Definition (8)(a) -- High Vegetation

- 3) *Refuse, Waste, litter, or other material that is unsightly or interferes with the reasonable use and enjoyment of adjacent properties, or has a detrimental effect upon adjacent property values, or that would hamper or interfere with the containment of fire.*
(LVMC 9.04.010 Public Nuisance Definition (4) – Refuse and Waste

- 4) Private drainage easements and culverts not being maintained free of vegetation, refuse, waste and debris that could block drainage areas and cause them not to perform pursuant to the intended purpose as constructed. See included map of Silver Stone Golf Course Drainage Easement Map.
(LVMC 9.04.010 Public Nuisance Definition (5) -- Title 20 Flood Control Violation - LVMC 20.04.050(C)(6)

- 5) *Lack of maintenance of all golf course areas.*
(LVMC 9.04.010 Public Nuisance Definition (5) – Title 19 Zoning Violation - LVMC 19.06.040(F) Maintenance (b) & (c)

- 6) *Use of Maintenance Facility without a Main Use-*
(LVMC 9.04.010 Public Nuisance Definition (5) -- Zoning Violation- LVMC 19.00.090 (B) (1) & (B) (3)
The maintenance facility was approved as an ancillary use to the golf course. It can only be utilized in conjunction with maintaining the golf course.
(Z-0075-91)



BUILDING CODE VIOLATIONS:

- 7) Clubhouse not being kept secure.

(LVMC 16.08.010 Uniform Dangerous Building Code

Section 403 - Repair, Vacation and Demolition)

The City has identified the following Title 16 Building and Construction Code conditions, which are further public nuisance violations per LVMC 9.04.010 Public Nuisance definition 2, and which render the clubhouse building on the Property a dangerous building as set forth below:

LVMC 16.08.010 adopted the 1994 Edition and supplement of the Uniform Code for Abatement of Dangerous Buildings, Section 302 of which sets forth conditions, the existence of any one of which deem a building or structure to be a Dangerous Building. The following are the condition from said Code that City identified concerning the clubhouse building at the Property:

- 1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

- 9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

- 12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become:
 - i. an attractive nuisance to children;
 - ii. a harbor for vagrants, criminals or immoral persons; or as to
 - iii. enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

- 15. Whenever a building or structure, use or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health



officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence, or as specified in Chapter 9.04 of the Las Vegas Municipal Code, or as amended from time to time.
18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
19. Whenever any building or structure, or portion thereof, whether partially or completely constructed, has become so dilapidated or deteriorated in condition or appearance, or is maintained in such a condition, as to endanger the safety of the public, be injurious to the senses, obstruct the free use of property of others or have a deleterious effect on the values of neighboring properties. (Section 7 of "A Supplemental Document Amending the Uniform Code For the Abatement of Dangerous Buildings. 1994 Edition.").

**LVMC 16.08.010 Uniform Dangerous Building Code
Section 403 - Repair, Vacation and Demolition**

The following standards shall be followed by the building official (and by the board of appeals if an appeal is taken) in ordering the repair, vacation and demolition of any dangerous building or structure:



1. Any building declared a dangerous building under this code shall be made to comply with one of the following:

1.1 The building shall be repaired in accordance with the current building code or other current code applicable to the type of substandard conditions requiring repair; or

1.2 The building shall be demolished at the option of the building owner; or

1.3 If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry.

2. If the building or structure is in such condition as to make it immediately dangerous to the life, limb property or safety of the public or its occupants, it shall be ordered to be vacated.

3. If any building is vacated in order for repairs to be made in compliance with an order issued under this Code, a certificate of occupancy must be obtained upon completion of the repairs before re-occupancy will be permitted.

4. Whenever required permits are not taken out for repairs ordered to be made under this Code within the time specified therefor, or repair work is done without the benefit of any required permit, the building official is authorized to charge and collect, in connection with the issuance of permits, an administrative fee of one hundred dollars for each noncomplying single family dwelling unit and fifty dollars for each noncomplying dwelling unit within a multiple family dwelling.

FIRE CODE VIOLATIONS

- 8) *Clubhouse fire protection system not operational or being maintained.*
LVMC 2012 IFC Section 901.6 Fire Protection Systems Inspections, testing and maintenance

901.6 Inspection, testing, and maintenance. Fire detection and alarm systems, emergency alarm systems, gas detection systems, fire-



extinguishing systems [sprinklers], mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in an operative condition at all times, and shall be repaired or replaced when defective. *[Fire alarm, fire sprinkler, and fire alarm monitoring at this location have not received regular maintenance – only when the operators wish to have a temporary opening event are they serviced and tagged. The Fire Code requires that contracts are in place for periodic maintenance of the sprinkler and alarm system, yet the operator has never produced a contract for the inspector to review. The fire alarm panel was showing another “trouble” light the day of this inspection as well]*

And, under Section 203 of Chapter 16.02 of the City of Las Vegas Code (2012 Administrative Code): Section 203 Unsafe Buildings, Structures or Building Service Equipment

Buildings or structures regulated by this Code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purposes of this section, unsafe buildings. The Building Official may require any reports, tests, engineering studies or other documentation they may deem necessary to determine the adequacy of the safety of a building or structure. The requirements of the Uniform Code for the Abatement of Dangerous Buildings as adopted and amended shall also be used to determine the adequacy of the safety of a building or structure. Any engineering, testing, studies, reports, etc. required by the Uniform Code of the Abatement of the Dangerous Buildings or by the Building Official shall be done at no expense to the Building Department or local jurisdiction. Costs of any engineering, testing, studies, reports, etc. shall be paid by the owner or the owner’s representative. Should the evaluation of such engineering, tests, studies, reports, etc. exceed the expertise of the Building Official, the Building Official may require the owner or owner’s authorized representative to pay the cost of a third-party selected by the Building Official to conduct and independent review of the results.

Building service equipment regulated by such codes, which constitutes a fire, electrical, or health hazard, or an unsanitary condition, or is otherwise dangerous to human life, for the purpose of this section, is unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.



Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members, which are supported by, attached to, or a part of a building which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

You are hereby notified as the owner/agent of the referenced property that you are in violation of Las Vegas Municipal Code (LVMC) Title 9 Nuisance, Title 16 Building Code, Title 19 Zoning, and Title 20 identified above. The above listed violations must be corrected and City inspection approval of all required corrective work must be obtained. Accordingly, the following corrective work and compliance deadlines are hereby established:

- 1. Maintain all ponds free of stagnant water.** Per an assessment done by the Southern Nevada Health District, remove the public health nuisance from the Property by adding additional water so the bodies of water are able to circulate to prevent them from becoming stagnant, or by draining the water completely and maintaining the areas dry.
They are to be maintained at all times;
- 2. Remove all high weeds over 8 inches in height from all areas of the Property visible from public property;**
- 3. Remove all refuse and waste from all areas of the Property. Maintain at all times;**
- 4. Maintain the golf course turf that is part of the public drainage easement because failure to do so is a violation of the approved Drainage Study for the golf course and related subdivisions. Failure to comply with the approved Drainage Study is a violation of the Condition of Development for the golf course and related subdivisions. In addition, the failure to**



maintain the drainage easement (which is a major regional flood control facility) may impact the upstream and downstream drainage facilities and area development and subject Stoneridge Parkway, LLC to significant liability for damage to public and private facilities.

5. **Maintain all easements and culverts by removing all vegetation, refuse, waste, and debris from the private drainage easements and culverts,** to include: vegetation throughout rip rap at inlets and outlets and debris inside of both culverts located at north end of Echo Grande Dr; vegetation at inlet and outlet and debris inside of culvert located at Silver Stone Ranch Dr and Monte Viso Dr.; and vegetation throughout rip rap at inlet of culvert located at Grand Dunes Ave. Additionally, the reinforced turf is missing and must be replaced.
6. **All landscaping to be maintained in a healthy and vigorous living condition;** irrigate and maintain with any required action to prevent overgrowth.
7. **Cease use of maintenance facility** by company not licensed to operate from this location. This facility may only be utilized the maintenance of the golf course.
8. **Keep all buildings on these parcels secure,** to include all doors and windows on clubhouse. Also, post No Trespassing signage on all areas of the property.
9. **Repair and restore fire protection system to be operational for clubhouse and maintenance building.** Maintain at all times and provide required fire watch.

All of these violations must be abated no later than September 24, 2019.

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 authorize 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 (\$1000)

You are hereby ordered to correct the nuisance conditions noted within the previously stated deadlines. If you do not correct the violations by the specified date and time, the City may issue a misdemeanor citation for violations for each and every date the violations exists, with a penalty of up to Five Hundred Dollars (\$500) or fine of up to six (6) months in jail or both for each violation.

If you disagree with this Notice and Order, then within ten (10) days after service of the Notice and Order, 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 ten (10) 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. If the appeal is heard by a designee, there shall be a further right of appeal to a court of competent jurisdiction. 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 a nuisance. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

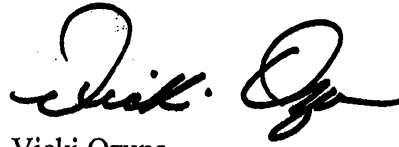
It is recommended that you contact Code Enforcement Officer Christensen at (702) 229-4916 concerning your intentions with regards to the referenced property at your earliest convenience.



Sincerely,



Kevin T. McOsker, P.E., C.B.O
Director/Building Official
Building & Safety Department



Vicki Ozuna
Code Enforcement Section Manager
Department of Planning

cc: Mathew Abbasi
Danny Modab
VCorp Services
Saul S. Rostamian

