

**NOTICE PURSUANT TO ELKO CITY CODE SECTION 5-1-9
OF
ELKO CITY COUNCIL FINDINGS, CONCLUSIONS, AND ORDER(S)
CONCERNING PROPERTY AT 837 IDAHO STREET**

VILLE 837, LLC, A UTAH LIMITED-LIABILITY COMPANY (PROPERTY OWNER)

ELKO CITY COUNCIL SPECIAL MEETING OF AUGUST 29, 2023

The Elko City Council, having held a hearing on August 29, 2023, following proper notice to Ville 837, LLC, the property owner, in the judgment of the majority of the members of the City Council, hereby finds, concludes and orders as follows:

FINDINGS

The City Council finds that a public nuisance does in fact exist at the property located at 837 Idaho Street, owned by Ville 837, LLC, commonly known as the Elko Inn; this constitutes a violation of Elko City Code Title 5, Section 1.

NUISANCE:

The nuisance consists of the failure of the property owner to prevent conduct on and near the property that annoys, injures or endangers the safety, health and comfort, or repose of residents and businesses near the property.

The foregoing conduct includes the owner's failure to take reasonable action to prevent persons from entering and occupying the property who engage in criminal activities around the property.

ABATEMENT BY OWNER:

The property owner, Ville 837, LLC, is hereby ordered to abate the nuisance as follows:

1. Removal of Unauthorized Persons
 - (a) Within five (5) days of proof of receipt in accordance with Elko City Code Section 5-1-9, the property owner shall provide the City Clerk with a list of all persons who are currently occupying the property, identifying which persons there are authorized and which are not.
 - (b) Within ten (10) business days of proof of receipt in accordance with Elko City Code 5-1-9, the property owner shall provide the City Clerk with proof of commencement of reasonable efforts to remove unauthorized persons from the property pursuant to the applicable

legal process. The property owner shall independently determine what legal process is appropriate under the circumstances.

2. Security Services

- (a) Within five (5) business days of proof of receipt of notice in accordance with Elko City Code Section 5-1-9, the property owner shall provide the City Clerk with proof that it has contracted with a licensed security service in the State of Nevada to provide security at the property 24 hours per day, 7 days per week for the purpose of preventing unauthorized activities on the property.
- (b) Within ten (10) business days of proof of receipt of notice in accordance with Elko City Code Section 5-1-9, the property owner shall ensure that the security service is physically present on the property and thereafter continues to provide security service 24 hours per day, 7 days per week for the purpose of preventing unauthorized activities on the property.

3. Security Fence

- (a) Within five (5) business days of proof of receipt of notice in accordance with Elko City Code Section 5-1-9, the property owner shall provide the City Clerk with proof that it has acquired or contracted for the acquisition of materials to install a fence around the perimeter of the property designed to prevent access by unauthorized persons. Construction panels with chain-link fencing will be acceptable for this purpose.
- (b) Within twenty (20) calendar days of proof of receipt of notice in accordance with Elko City Code Section 5-1-9, the property owner shall install a fence around the perimeter of the property designed to prevent access by unauthorized persons. Construction panels with chain-link fencing will be acceptable for this purpose.

4. Security Cameras

- (a) Within five (5) business days of proof of receipt of notice in accordance with Elko City Code Section 5-1-9, the property owner shall provide the City Clerk with proof of ordering or purchasing security cameras that provide videos of sufficient quality to permit the identity of persons and vehicles entering the property from any direction, that will provide constant coverage of the entire perimeter of the property, and that will save no less than 30 days of continuous recorded video.
- (b) Within thirty (30) calendar days of proof of receipt of notice in accordance with Elko City Code Section 5-1-9, the property owner

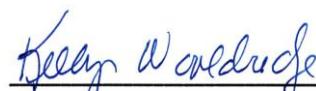
shall install video cameras on the property that provide videos of sufficient quality to permit the identity of persons and vehicles entering the property from any direction, that will provide constant coverage from the entire perimeter of the property, and that will save at least 30 days of continuous recordings. The property owner shall thereafter promptly make all recordings taken by the security cameras available to the Elko Police Department upon request.

5. In the event a deadline falls on a weekend or legal holiday, the deadline shall be extended to the next business day.
6. The property owner shall make the property available for inspection by City Staff for purpose of verifying compliance with the order.
7. If the property owner fails to perform the actions required to commence and complete abatement of the nuisance in accordance with the order, the matter shall be set for a regular meeting of the City Council for the purpose of considering the imposition of a civil penalty in accordance with NRS 268.4122(2)(d), Elko City Code Section 5-1-12, and Elko City Charter Section 2.290.
8. The property owner is hereby placed on notice that pursuant to Elko City Code Section 5-1-10 that if work to abate the nuisance is not commenced or completed by the deadlines imposed by this order, the City is authorized to enter upon the property to abate the nuisance and thereafter assess costs and expenses upon the owner. The amount of these costs and expenses may become a lien upon the property.
9. The abatement order shall terminate upon the City's issuance of a business license to the property owner that permits the use and occupancy of the property.

DATED this 30th day of August 2023.

CITY OF ELKO

By:



KELLY WOOLDRIDGE
CITY CLERK