



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – November 14, 2019

The Solid Waste Hearing Officer, under authority granted in Nevada Revised Statute (NRS) 444.629, conducts monthly hearings to settle cases involving illegal dumping and other solid waste matters. At the November 14, 2019 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Joshua Meraz** – NOV #SW20-142/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 29, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at West Serene Avenue and El Camino Road, Clark County, Nevada on or about July 29, 2019. *(for possible action)*

Hearing officer found Joshua Meraz in violation and imposed a penalty of \$1,000 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered. Cease and Desist order is issued to stop operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

2. **David M. Posner and Lynn Posner** – NOV #SW19-972/71- For failure to comply with the Order issued by the Solid Waste Management Authority on March 8, 2019, with extensions of the Order to June 4, 2019. *(for possible action)*

Hearing officer found David M. Posner and Lynn Posner in violation and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$1,000 as initially sought in the Notice of Violation.

3. **Pham Delaware Realty LLC** – NOV #SW19-335/C6 HOFTC- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on March 14, 2019. *(for possible action)*

Hearing officer found Pham Delaware Realty LLC in violation and imposed a penalty of \$1,000.

4. **King David L.L.C.** – NOV #SW19-1350/H3- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 4225 South Eastern Avenue, Clark County, Nevada on or about April 23, 2019; and 2) failure to comply with

the Order issued by the Solid Waste Management Authority on April 23, 2019. *(for possible action)*

Hearing officer found King David LLC in violation of 2) and imposed a penalty of \$1,000. Reimbursement for plumbing costs of \$450 is ordered. Failure to comply will result in the original penalty of \$2,450 as initially sought in the Notice of Violation.

B. NON-CONTESTED NOTICES OF VIOLATION: *The Hearing Officer may approve or disapprove the agreed resolution. Upon disapproval of the agreed resolution, the Hearing Officer will set a date for the hearing of any such Notice of Violations.*

1. **High Temp Air Conditioning, Inc.** – NOV #SW20-129/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 18, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right of way on 4th Avenue and Fremont Street, Las Vegas, Clark County, Nevada on or about July 18, 2019. *(for possible action)*

Hearing officer found High Temp Air Conditioning, Inc. in violation of 2) and imposed a penalty of \$1,000. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

2. **Jorge Delacruz-Malagon** – NOV #SW20-023/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 4, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 100 North Wallace Drive, Las Vegas, Clark County, Nevada on or about July 4, 2019. *(for possible action)*

Hearing officer found Jorge Delacruz-Malagon in violation of 2) and imposed a penalty of \$1,000. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

3. **Brady Linen Services, LLC** – NOV #SW19-680/C6 HOFTC- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on July 10, 2019. *(for possible action)*

Hearing officer found Brady Linen Services, LLC in violation and imposed a penalty of \$1,000. Corrective action of removal and proper disposal of waste is ordered.

4. **Kenneth Claude Hoover** – NOV #SW20-115/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 20, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right of way located on North Leon Avenue and West Lone Mountain Road, Las Vegas, Clark County, Nevada on or about July 20, 2019. (*for possible action*)

Hearing officer found Kenneth Claude Hoover in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.