



333 N Rancho Drive Suite 500  
Las Vegas, NV 89106  
(702) 229-0366  
Lvfireprevention@lasvegasnevada.gov

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# LAS VEGAS FIRE & RESCUE

## FIRE PREVENTION DIVISION

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### Fire Prevention Civil Hearing Procedures

You have received a Notice of Violation under City of Las Vegas Ordinance No. 6690 (Bill No. 2019-15) Within 30 days from receiving this Notice, you must either: (1) pay the civil fine in full; (2) request and arrange a schedule for payment of the fine with the Fire Prevention Division; or (3) request a hearing before an unbiased Hearing Officer to dispute the Notice of Violation.

Please be advised that if you do not respond to your Notice of Violation within thirty calendar days, an additional penalty will be assessed in an amount equal to your original civil fine. Please note that under Ordinance No. 6990, the City of Las Vegas is entitled to recover its costs in disposing of illegal fireworks.

#### Payments

Payment can be made in person and by mail.

In PERSON at the below address:

City of Las Vegas - Development Services Center (DSC)  
Business Licensing  
333 N. Rancho Dr., 6th Floor  
Las Vegas, NV 89106

Please bring the citation with you when rendering payment.

In MAIL at the below address:

City of Las Vegas  
Fire Prevention Administrative Citation  
C/O Business Licensing  
333 N. Rancho Dr., 6th Floor  
Las Vegas, NV 89106

Please submit a copy of the citation if you plan on mailing in the payment.

#### Hearing Process

##### **Appearance**

To request a hearing, visit the City of Las Vegas website and fill out the Hearing Officer Request ENF 100 form. Click here to download the form. ALL evidence must be included at time of submission. The form must be FAXED to (702) 229-0124 or EMAILED to lvfireprevention@lasvegasnevada.gov within 30 days from the date the Notice of Violation was issued.

ONLY the principal, key employee or their legal representative (State Bar of Nevada) can apply for the Hearing Request or extension. Only one administrative continuance is allowed. Any additional continuance requests must be made in person before the Hearings Officer for consideration.

Once the forms are received, your citation will be placed on hold and reviewed by the Hearing Officer. The "Hearing Officer Request Form" must be received by the Department within 30 days from the date your citation was issued. If it is not received you will not be placed on the hearings officer's calendar. You may send the form by email, fax, or hand deliver to:

City of Las Vegas  
Department of Fire & Rescue  
Fire Prevention Division  
333 N. Rancho Drive, 5<sup>th</sup> Floor  
Las Vegas, NV 89106.

Again, if the form is NOT received within this time frame you WILL NOT be placed on the calendar for hearing.

If you choose to appear in front of the Hearing Officer, you must physically be present at the City of Las Vegas Development Service Center 333 N. Rancho Drive, 1st floor on the date scheduled on your ticket. Upon arrival, please pull a ticket from the Quematic System for Fire Prevention. For more information you can e-mail us at [lvfireprevention@lasvegasnevada.gov](mailto:lvfireprevention@lasvegasnevada.gov) No non-appearance hearing requests will be accepted for local residence. If you are from out of town you can submit via e-mail address [lvfireprevention@lasvegasnevada.gov](mailto:lvfireprevention@lasvegasnevada.gov)

Once you appear for your hearing, you will receive documentation at the hearing disclosing the final outcome and any fines due. If fines are due, you will have 30 days from the date your case was heard to secure payment in full.

Failure to pay within a 30 day period may result in an increase to your fines due to additional penalties accruing and/or the Hearing Officer's reduction to your fine being reversed.

### **Acknowledgment**

You will be required to sign an acknowledgement before your hearing takes place. On the date of hearing you will be given a form that states the following:

#### **I understand that:**

1. The Hearing Officer is an attorney and not an elected or appointed judge.
2. I am agreeing to be bound by the decision of the Hearing Officer.
3. I am agreeing that, if necessary, due to my lack of timely payment, the City of Las Vegas can and may use the binding decision to have a formal civil judgment against me in the Las Vegas Municipal Court.
4. Obtaining a continuance of such hearing, the Hearing Officer may enter a decision against me for the full amount and penalties scheduled to be reviewed. Only one continuance will be allowed and must be requested prior to the hearing date.

5. If a civil judgment is obtained, the City may seek and obtain a Writ of Execution against me. I understand that if a Writ of Execution is obtained my wages and/or bank account(s) may be garnished and/or liens may be put on my property.

6. If I am bringing legal representation I need to notify Fire Prevention 10 days prior to the hearing.

Knowing all of the above, I still wish to request a binding hearing before the Hearing Officer on the above described Notice of Violation.

If you do not agree and sign the form then your civil hearing request will be rejected and your civil citation case WILL NOT be heard. No alterations to the acknowledgement will be accepted. You can pay the fine in full within 30 days of the issue date or file in District Court.

### **Notice of Violation discovery process**

Discovery is available upon request 10 days from the date of issuance. You may view the discovery documents for no fee by emailing [lvfireprevention@lasvegasnevada.gov](mailto:lvfireprevention@lasvegasnevada.gov) to request an appointment to do so.

If you require physical copies of the discovery documents you are required to complete a Fire Records Request Form. Click on the link below to access the records request form.

[https://lasvegasnv.mycusthelp.com/WEBAPP/rs/\(S\(uduzjao2a50a1fk3rfh3r43a\)\)/SupportHome.aspx?lp=8&sSessionID=](https://lasvegasnv.mycusthelp.com/WEBAPP/rs/(S(uduzjao2a50a1fk3rfh3r43a))/SupportHome.aspx?lp=8&sSessionID=)

There is a standard fee for this process and the form needs to provide all the information necessary to complete the process.

### **Rules of Hearing**

1. All parties should read the LVMC 6.02.430 describing the hearing rules, intent, and procedures. Please be advised that the Administrative Procedure Act does not apply. The hearing officer is generally guided by the rules of due process and fairness to the litigants.
2. In advance of the hearing the Defendant has the opportunity to review the evidence which will be presented at the hearing by the City.
3. As mentioned in the code the parties may proceed on statements written or oral to establish the claim or defense. Oral testimony may be taken from the Defendant under oath. Testimony from individuals other than the defendant will be at the discretion of the hearing officer. If allowed, testimony must provide material evidence and be direct and brief in nature. Parties may call witnesses and cross examine.
4. The hearing officer may ask questions of any witness to assist him in making his decision and must be impartial in his inquiry. The hearing officer may request testimony from the Fire Prevention Division to clarify or respond to any issue of law or fact raised at the hearing to assist the hearing officer in making a just decision.
5. Legal briefs are not required or encouraged but may be ordered or allowed for just cause upon the request of a party or the hearing officer.
6. Decisions will be generally rendered at the close of the hearing unless there are reasons the decision should be delayed for further consideration of fact or law. The decision may be rendered at the next continued date for hearings or expeditiously mailed to the Defendant.