



Reno Police Department

MEMORANDUM



Date: October 18, 2022
To: Lance Ferrato, Business License Manager
From: Oliver Miller, Deputy Police Chief
Alex Woodley, Code Enforcement Director
Subject: Lakemill Maxi Mart located at 200 Mill St.; Order to Show Cause

Business: Lakemill Maxi Mart at 200 Mill St.
Business Licensee: Prafulchandra Patel
Business License Number: R134531A/R101851Q

Business History

Prafulchandra Patel is the sole owner of the Lakemill Maxi Mart convenience store. The license was first issued on June 25, 1998. In 2021, the City of Reno identified the total police calls for service to all convenience stores within the City of Reno. In 2019 and in 2020, Lakemill Maxi Mart was identified as the convenience store with the second highest calls for service from a total of one hundred forty-four (144) convenience stores throughout the City of Reno (enclosed).

Reno Police Department Calls for Service

CALLS FOR SERVICE - 2021			
Business Name	Location	Total CFS	RPD Specific CFS
Lakemill Lodge	200 Mill Street	696	370
CALLS FOR SERVICE - 2022 YTD			
Business Name	Location	Total CFS	RPD Specific CFS
Lakemill Lodge	200 Mill Street	442	224

The top five Police specific calls for service (CFS) for the date range is as follows:

2021 - Family Disturbance (96), Civil Disturbance (55), Unwanted Subject (53), Trouble Unknown (29), and Disturbance (23).

2022 - Civil Disturbance (76), Family Disturbance (48), Trouble Unknown (30), Unwanted Subject (23), and Welfare Check (15).

Along with the listed top five PD specific calls for service at the Lakemill Lodge over the **two year period**, we responded to nine assault/battery, five ADW (assault with deadly weapon), fifteen fights, one robbery, two sex related offenses, and three reports of gun shots. These calls were in addition to a recent (August 29th) homicide that occurred at the mini mart which is detailed below.

In addition to the PD only response, in 2021 there were 214 calls that required a REMSA medical response with 20 Reno Fire medical responses. In 2022 there were 106 calls that required a REMSA medical response with 22 Reno Fire medical responses.

The following is a list of calls for service at the Lakemill Lodge depicting common and concerning issues:

January 8th, 2021 @ 0348: #21-246, Recovered stolen vehicle at motel.

January 8th, 2021 @ 0348: #21-243, Suspect in above stolen vehicle recovery charged with drug possession (Heroin).

February 16th, 2021 @ 0028: #21-2210, Recovered stolen vehicle recovered at motel.

May 18th, 2021 @ 1500: #21-8607, Drug dealing investigation originating out of room at the Lakemill Lodge.

May 25th, 2021 @ 0824: #21-9056, Reported ADW, victim vehicle windshield shot with unknown projectile while occupied in front of motel.

June 6th, 2021 @ 2245: #21-10124, BDW stabbing a resident walking in the area of the motel.

June 16th, 2021 @ 1900: #21-10746, Assault with Deadly Weapon (Handgun) against another resident on property.

August 13th, 2021 @ 1239: #21-17099, Recovered stolen vehicle at motel.

September 27th, 2021 @ 2133: #21-18254, Warrant and narcotics (Methamphetamine) arrest in front of motel.

February 18th, 2022 @ 1730: #22-3283, Physical disturbance at mini mart.

August 25th, 2022 @ 1900: #22-15892, Human trafficking / Prostitution case originating out of room at the Lakemill Lodge.

August 27th, 2022 @ 2016: #22-18155, Assault with a Deadly weapon, suspect chasing another individual through motel, suspect located in parking structure.

August 29th, 2022 @ 2018: #22-16147, Homicide occurred on sidewalk outside of Mini Mart. Began as disturbance between customer and employee and ended with one victim deceased from multiple gun shots and multiple shooters.

**The calls depicted above are just a sample of common incidents that occur at the location and are not all inclusive.*

Comparison

As a point of comparison, the Fireside Inn which is similar to the Lakemill Lodge both geographically and also with a mini mart on the grounds had the following PD specific CFS data:

CALLS FOR SERVICE - 2021			
Business Name	Location	Total CFS	RPD Specific CFS
Fireside Inn	205 E. 4th Street	267	183
CALLS FOR SERVICE - 2022 YTD			
Business Name	Location	Total CFS	RPD Specific CFS
Fireside Inn	205 E. 4th Street	217	162

2021 - Business Check (75), Family Disturbance (11), Follow Up (10), Traffic Stop (10), and Subject Stop (7).

2022 - Business Check (52), Subject Stop (17), Family Disturbance (15), Unwanted Subject (14), and Follow Up (11).

Along with the listed top five PD specific calls for service at the Fireside Inn over the **two year period**, the Reno Police Department responded to eight assault/battery, four ADW, eleven fights, four robberies, two sex related offenses, and two reports of gun shots.

In addition to the PD only response, in 2021 there were 61 calls that required a REMSA medical response with 10 Reno Fire medical responses. In 2022 there were 48 calls that required a REMSA medical response with 3 Reno Fire medical responses.

- In 2021, the Lakemill Lodge incurred 429 (160%) more total calls for service and 187 (102%) more RPD specific calls for service than the Fireside Inn, a similarly situated

motel with a liquor / convenience store onsite. In 2022 the Lakemill Lodge incurred 225 (103%) more calls for service and 602 (38%) more RPD specific calls for service than the Fireside Inn.

- The nature of the calls in and around the Lakemill Lodge and Mini Mart are such that they often require additional Officer response. Family disturbances, trouble unknown, and general disturbances necessitate a minimum of a two Officer response due to the often violent nature of the event.
- In an attempt to account for the location and residents being served at the establishment additional statistics were examined for the neighboring apartment complex located at 160 Sinclair St as well as the large downtown apartment complex located at 695 W. Third Street. These complexes were selected as they are geographically similar but do not have on site liquor sales. To account for varying sizes of each residential property the CFS data was averaged per room on site.
 - In 2021 the Lakemill Lodge averaged 3.0 PD specific calls for service per room, 160 Sinclair was .9 and 695 W. 3rd was .4.
 - In 2022 the Lakemill Lodge averaged 1.7 PD specific calls for service per room, 160 Sinclair was .8 and 695 W. 3rd was .3.

Code Enforcement Case

On September 26, 2022, Code Enforcement Officers identified illegal construction performed inside the business without a building permit. A wall was demolished to create new storage space, and a fan was installed without the necessary building permit. The store was crowded with merchandise. One area of the store was not passable due to the merchandise blocking passage. There were also several hazardous electrical points of contact with open junction boxes, overuse of extension cords all over the store, use of duct tape to cover electrical wiring, exposed electrical wiring, and other circumstances deemed unsafe for the public.

A Notice of Violation/Citation has been issued for the following code violations:

Sec. 8.22.090. - Abatement of public nuisance.

No owner, occupant, agent, property manager, or anyone having charge or control of any property, building, or premises within the city shall permit or allow the existence of a public nuisance as defined in this chapter, upon any public or private property, building, structure or premises owned, occupied or controlled by him.

Public nuisance, nuisance, or nuisance activity. Means any of the following conditions:

(1)An unsafe or dangerous building;

(27)Any violation of conditions or requirements set forth in the International Fire Code, International Building Code, International Property Maintenance Code, Washoe County Solid Waste Management Code, or any other Reno Municipal Code or Washoe County Code or the Nevada Revised Statutes.

SECTION 105 of International Building Code PERMITS

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

International Property Maintenance Code (IPMC) 106.1 Unlawful acts.

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

IPMC 108.1.4 Unlawful structure.

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

IPMC 605.1 Installation.

All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

Downtown Safescape Conditions:

The Safescape ordinance was created in 2004. This ordinance provides safety restrictions for convenience stores in the downtown core. These restrictions include the requirement to keep exterior windows clear for police officers to have a clear view inside the businesses from the streets, surveillance cameras in and outside of the business, and several other requirements. The Lakemill Maxi Mart has 90% of its front windows covered with advertisements. New alcohol ordinance regulations passed in January of 2022 will be in effect by July of 2023. Lakemill Maxi Mart shows no progress towards compliance with the new regulations. To minimize confusion with the current Safescape ordinance and the new regulations that will be in effect in July of 2023, the City of Reno intends not to issue citations until the new ordinance is in effect.

Reno Fire Department Violations

On September 26, 2022, the Reno Fire Department identified the following violations of the Fire Code:

- Extension cord used over the Pepsi Cooler
- Extension cords attached to the wall under the front window
- Stock room is lacking fire alarm coverage
- Electrical switch in the back room lacks the required approved covering
- Electrical outlet by the bathroom requires a cover plate
- Electrical junction box in storage room lacks required approved covering
- Fire extinguisher requires servicing and must maintain required annual inspections

Business Licensee Responsibility

Sec. 4.04.180. Duties of licensees:

General standards of conduct. Every licensee under this title shall:

- (1) Comply with governing law. Ascertain and comply at all times with all laws and regulations applicable to such licensed business, including but not limited to, any changes in the Reno Municipal Code that may be imposed after the issuance of a license.
- (2) Supervise employees. Be responsible for the conduct of all employees or agents thereof where such conduct would be a violation of the provisions of this title if engaged in by the licensee.

Sec. 4.04.150. - Grounds for denial, revocation, suspension and summary suspension of license grounds for denial of application or renewal.

Grounds for suspension or revocation:

Any license issued pursuant to this title may be revoked or suspended by the city, after notice and opportunity to be heard as provided in this title, for any of the following causes:

- (3) Any violation of any law related to the operation of the business including but not limited to provisions of the Reno Municipal Code, the Nevada Revised Statutes or federal law;
- (4) Any act or omission by the licensee or his employees or his agents, related to the operation of the business licensed, which is a threat to the public health, safety, morals or welfare or constitutes a breach of the peace or nuisance under Reno Municipal Code, Chapter 8.22.
- (5) Knowingly, or under circumstances that reasonably indicate knowing or willful ignorance of criminal activity, allowing, permitting, aiding, fostering or promoting the conduct of criminal activity on the property of the licensed business, including failing to take reasonable measures to abate, decrease or lessen the frequency or severity of such conduct after receiving notice that such conduct is occurring on the property or otherwise becoming aware of such conduct;

R.M.C Violations

Sec. 8.22.030. - Definitions.

Public nuisance, nuisance, or nuisance activity. Means any of the following conditions:

- (1) *An unsafe or dangerous building;*
- (18) *Any criminal activity occurring at any building or premises;*
- (27) *Any violation of conditions or requirements set forth in the International Fire Code, International Building Code, International Property Maintenance Code, Washoe County Solid Waste Management Code, or any other Reno Municipal Code or Washoe County Code or the Nevada Revised Statutes.*

Sec. 8.22.040. - Unlawful acts.

(a) Every person who causes, maintains, allows, permits, procures, aids, fosters, promotes or solicits a public nuisance or chronic nuisance, or who willfully omits or refuses to abate such a nuisance, is guilty of a misdemeanor.

SECTION 105 of International Building Code PERMITS

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

2018 International Fire Code Citation – 604.4 Multiplug adapters.

Multiplug adapters, such as cube adapters, unfused plug strips or any other device not complying with NFPA 70 shall be prohibited.

604.4.1 Power tap design.

Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection, and shall be listed in accordance with UL 1363.

604.4.2 Power supply.

Relocatable power taps shall be directly connected to a permanently installed receptacle.

604.4.3 Installation.

Relocatable power tap cords shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to environmental or physical damage.

604.5 Extension cords.

Extension cords and flexible cords shall not be a substitute for permanent wiring and shall be listed and labeled in accordance with UL 817. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances. Extension cords marked for indoor use shall not be used outdoors.

604.5.1 Power supply.

Extension cords shall be plugged directly into an approved receptacle, power tap or multiplug adapter and, except for approved multiplug extension cords, shall serve only one portable appliance.

604.5.2 Ampacity.

The ampacity of the extension cords shall be not less than the rated capacity of the portable appliance supplied by the cord.

604.5.3 Maintenance.

Extension cords shall be maintained in good condition without splices, deterioration or Damage.”

604.6 Unapproved conditions.

Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.”

2018 IFC Citation – Section 906 as amended and adopted by the City of Reno, requires maintenance annually for portable fire extinguishers.

NFPA 72 (2019) citation – “17.5.3* Detector Coverage; 17.5.3.1* Total (Complete) Coverage. *Where required by other governing laws, codes, or standards, and unless otherwise modified by 17.5.3.1.1 through 17.5.3.1.5, total coverage of a building or portion thereof, shall include all rooms, halls, storage areas, basements, attics, lofts, spaces above suspended ceilings, and other subdivisions and accessible spaces.*

Recommendation

The City of Reno has determined the Lakemill Maxi Mart is in violation of laws and codes regulated by the Police Department, Code Enforcement Department, and the Fire Department. The City Council for the City of Reno have been trying to successfully regulate convenience stores that sell packaged alcohol. This issue has been of such importance to the Council that on May 8, 2019 they adopted resolution #8664 to create a moratorium to restrict all new applications for package alcohol licenses within the city. This moratorium received multiple extensions with a final deadline of December 31, 2021. In January of 2022 the City Council ended the moratorium with the implementation of a new alcohol ordinance that focused on restrictions to and regulations to facilitate enforcement on the privileged alcohol licenses.

The City departments involved with this “Show Cause” memo have the ability to pursue a suspension of the convenience store business license and the privileged alcohol license in accordance with the Reno Municipal Code. However, the City acknowledges the importance of a convenience store within the downtown core and identifies it as essential within a geographical area that qualifies as a “food desert”. Based on these circumstances the City is pursuing a suspension of the privileged packaged alcohol license. The convenience store can continue to operate and sell the essential goods (e.g. toiletries, food, household items, etc.) needed by the residents in the area.

RMC 5.05.007 Approvable Revocable Privilege, states “No applicant for a privileged license or permit has any right to such license or permit. Any license or permit issued pursuant to the provisions of this title is a revocable privilege, and no holder acquires any vested right therein or thereunder.” (Emphasis added.)

The most significant event that occurred at this business was a recent homicide. The business has been one of the top two highest calls for service out of 144 convenience stores throughout the city for the last several years. The owner has two other convenience stores where there have been a much lower amount of issues. Below are comparisons of calls for service (CFS) at the three convenience stores owned by the same owner for the year 2020:

“City Corner Gas & Grocery” located at 1000 W 2nd St., had a total CFS of	41
“Keystone Market” located at 975 W 2nd St., had a total CFS of	14
“Lakemill Maxi Mart located at 200 Mill St., had a total CFS of	525

The City is recommending a show cause hearing to provide the business licensee an opportunity to demonstrate why their privileged alcohol license should not be revoked or suspended.