

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED 524 GARDENIA AVENUE IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES.

WHEREAS, the buildings and structures whose location is set forth herein are vacant and have become run down, dilapidated, unsightly, dangerous, obnoxious, unsafe, not fit for human habitation and detrimental to the public welfare of North Little Rock citizens and residents; and

WHEREAS, the condition of such property constitutes a serious fire and health hazard to the City of North Little Rock, and unless immediate actions are taken to remedy this situation by removing, razing and abating said nuisance, there is a great likelihood that the surrounding property may be destroyed by fire originating from such unsafe and hazardous structures, and also that since structures are without proper sanitary facilities and as such are unsafe and hazardous and a breeding place for rats, rodents and other dangerous germ carriers of diseases, such buildings constitute a serious hazard to the health and safety of the citizens of North Little Rock, and they should be moved or razed for the purpose of eliminating such hazards.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the City Council hereby declares the buildings, houses and other structures located at the property identified in Section 2 below to be vacant and run down, dilapidated, unsafe, unsightly, dangerous, obnoxious, unsanitary, a fire hazard, a menace to abutting properties, with the current condition of said structures not being fit for human habitation; and because of such conditions, the City Council declares the same to be condemned as a public nuisance and is ordered abated, removed or razed by the owner thereof.

SECTION 2: That the owner of record of the following described property is hereby directed to raze the same or otherwise abate the said nuisance within thirty (30) days after the posting of a true copy of this Resolution at a conspicuous place upon the structure constituting the nuisance described herein, to-wit:

Lot 0, Block 201, Prothro Subdivision to the City of North Little Rock, Pulaski County, Arkansas, more particularly described as follows:

PROTHRO SUBDIVISION PT SP GR 2431 W 120' OF TR 201 (Parcel No. 23N0770005700 located at 524 Gardenia Avenue and owned by Tommie Middleton.)

SECTION 3: If the aforementioned structures have not been razed and/or removed within thirty (30) days after posting a true copy of this Resolution at a conspicuous place upon the structures constituting the nuisance, or the nuisance otherwise abated, the structures shall be torn down and/or removed by the Director of Code Enforcement or his duly designated representative. Each day after the aforesaid thirty (30) days in which said nuisance is not abated shall constitute a separate and distinct offense punishable by a fine of \$250.00 for each such separate and distinct offense.

SECTION 4: That the provisions of this Resolution are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

ATTEST:



Mayor Joe A. Smith *by AP*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:



Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

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| FILED <u>11:15</u> A.M. _____ P.M. |
| By <u>City Atty Amy Fields</u> |
| DATE <u>1-22-19</u> |
| Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas |
| RECEIVED BY <u>K. Thomas</u> |

City of North Little Rock

TOM WADLEY
DIRECTOR



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CODE ENFORCEMENT DEPARTMENT

January 3, 2019

Mayor Smith
City Council Members

Re: 524 Gardenia
Lot 0 Block 201 Prothros Sub PT SP GR 2431 W 120' OF TR 201
Parcel 23N0770005700
North Little Rock, AR 72117

Owner: Tommie Middleton
North Little Rock, AR

Dear Mayor Smith;

March 14th 2018 Officer Williams was notified of a fire by NLR Fire Department. Owners of record were mailed notice of public nuisance and a request for an interior inspection.

October 25th 2018 Officer Williams made contact with Mr. Justin Middleton the owner's son. Mr. Middleton was still in the process of just cleaning the structure. Mr. Middleton accepted a citation for the property for a November 18th court appearance.

November 9th 2018 Patricia Middleton (owners daughter) called and stated they were still cleaning the structure and there was still no work started on the structure.

November 7th 2018 Notice of City Council scheduled for January 28th, 2019 hearing date was mailed by certified and regular mail and posted to the premises. Notice of hearing was also ran in local newspaper.

January 7th 2019 there has been no contact with Code Enforcement to inspect the structure to see the progress. To date the status of the structure is unchanged.

The structure is considered to be unfit for human habitation and also a public nuisance, it is the recommendation of the North Little Rock Code Enforcement Department that these structure be considered for condemnation.

Laura Petty
Code Enforcement Officer