

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 713 ROSE LANE 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 24, Block 7, Greenlea Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 23N0650020300, located at 713 Rose Lane and owned by EverBank.)

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:

Joe A. Smith
Mayor Joe A. Smith *by AF*

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

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| FILED <u>11:55</u> A.M. _____ P.M. |
| By <u>A. Fields</u> |
| DATE <u>11-21-17</u> |
| Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas |
| RECEIVED BY <u><i>J. Illsner</i></u> |

The City of North Little Rock

R-17-197

TOM WADLEY
DIRECTOR



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NORTH LITTLE ROCK, ARKANSAS 72114
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CODE ENFORCEMENT DEPARTMENT

November 8, 2017

Mayor Smith
City Council Members

Re: 713 Rose Ln.
Lot 24 Block 7 Greenlea Sub
Parcel 23N0650020300
North Little Rock, AR 72117

Owner: Everbank
Jacksonville, FL

Dear Mayor Smith;

May 2017 officer G Thornton received complaints regarding this structure, tall grass and junky yard. Officer C. Williams also conducted inspections of the property and determined the structure to be unsafe and unfit for human habitation, the structure was red-tagged and notices were mailed to Everbank by certified mail. According to North Little Rock Utility Accounting Department utilities have been off since March 2009.

This structure has sustained severe water and termite damage, is has missing siding and broken windows the interior inspection shows missing floors walls and ceilings. June 2017 Everbank called and stated they would be rehabbing the structure. The out of state quotes they received for demolition was more expensive than rehabbing. I advised their attorney to obtain local bids for demolition. Out of state demo bids showed approx. \$17,000.00, Local contractors average bids for a similar structure that size is around \$4,000.00.

September 2017 Officer F. McHenry conducted an inspection of the structure which showed the status unchanged. I started proceeding for condemnation Notice of City Council scheduled for November 27th, 2017 hearing date was mailed by certified and regular mail and posted to the premises. Notice of hearing was also ran in local newspaper.

Everbank stated that additional out-of-state contractors are requiring them to remove lead from the structure in order to rehab or demolish. Everbank was referred to our Chief Building Inspector, who also advised them that was not a requirement in the state of Arkansas. They were also advised if they needed further clarification they would need to contact ADEQ.

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

Felecia McHenry
Code Enforcement Officer