

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 701½ WEST 35TH STREET 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 9, Block 17, Roohar's Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 33N1770013700, located at 701½ West 35th Street and owned by Rick Brown Lee Revocable Trust Number One.)

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 AF*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:



Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

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>S. Ussery</u>

R-17-198

The City of North Little Rock



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NORTH LITTLE ROCK, ARKANSAS 72114
501-791-8581 • Fax 501-791-8584
NLRCodeEnforcement@northlittlerock.ar.gov

TOM WADLEY
DIRECTOR

CODE ENFORCEMENT DEPARTMENT

October 17, 2017

Mayor Smith
City Council Members

Re: 701 ½ W. 35th
Lot 9 Block 17 Booher's Sub
Parcel 33N1770013700
North Little Rock, AR 72117

Owner: Richard Lee Brown Revocable Trust #1
Sherwood, AR

Dear Mayor Smith;

December 16, 2016 I noticed that a fire had occurred at the above named house. I conducted an exterior inspection. The property was then red tagged and the owner of record was mailed notice of red tag.

April 2017 Mr. Brown finally called back to inform me of his plans which were to clean the building out and rebuild it. May 2017 I was in the area and noticed a gentleman cleaning out the building for the owner.

May 2017 the owner called and left me a message saying that he had pulled a permit and he had installed the brick walls and had the trusses on order. Follow-up inspection showed a tree has now fallen onto the structure. To-date nothing else has been done to the property. I am forwarding this file to F. McHenry to start condemnation proceedings

October 2017 Officer F. McHenry conducted an exterior inspection of the structure, the structure is a shell with no current roofing system, windows or doors, no electrical or plumbing. 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.

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