

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED 1323 FRANKLIN 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 8, Block 5, Baring Cross Subdivision to the City of North Little Rock, Pulaski County, Arkansas (Parcel No. 33N2700009200 located at 1323 Franklin Street and owned by Helen Brents).

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:

Joe A. Smith  
Mayor Joe A. Smith *JAF*

\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

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

The City of North Little Rock



TOM WADLEY  
DIRECTOR

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CODE ENFORCEMENT DEPARTMENT

January 7, 2019

Mayor Smith  
City Council Members

Re: 1323 Franklin St.  
Lot 8 Block 5 Baring Cross  
Parcel 33N2700009200  
North Little Rock, AR 72114

Owner: Helen Brents  
North Little Rock, AR

Dear Mayor Smith;

July 31<sup>st</sup> 2018 officer Williams noticed the vacant structure had been boarded up. August 14<sup>th</sup> 2018 Officer Williams spoke to the owner Helen Brents and inquired about the property. Ms. Brents advised she had several structures to repair. This structure has been vacant since August 2012 according to North Little Rock utility department.

Ms. Brents has owned this property since April 2013. Code Enforcement has attempted to work with Ms. Brents there has been little repairs made to the property. October 15<sup>th</sup> 2018 Ms. Brents was issued a citation to appear in court for property maintenance violations.

October 30<sup>th</sup> 2018 Notice of City Council scheduled for January 28<sup>th</sup>, 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 7<sup>th</sup> 2019 there has been no contact with Code Enforcement to inspect the structure to see the progress. To this 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