

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2105 WHYTE DRIVE IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS 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 6, Glenview Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 23N0420007700, located at 2105 Whyte Drive, owned by Herbert and Dorothy Fair).

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 *by AF*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kh

FILED <u>11:55</u> A.M. _____ P.M.
By <u>Amy Fields</u>
DATE <u>10-19-18</u>
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas
RECEIVED BY <u>S. H. Sweeney</u>

R-18-123

The City of North Little Rock



TOM WADLEY
DIRECTOR

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CODE ENFORCEMENT DEPARTMENT

June 7, 2018

Mayor Smith
City Council Members

Re: 2105 Whyte Dr.
Lot 8 Block 6 Glenview Sub
Parcel 23N0420007700
North Little Rock, AR 72117

Owner: Dorothy / Herbert Fair
North Little Rock, AR

Dear Mayor Smith;

March 2017 code enforcement started receiving complaints from neighbors regarding tall grass and outdoor storage, Code Enforcement officer C. Williams conducted inspections of the property which showed the structure to be in very bad disrepair also. Owners of record were mailed notices for the outdoor storage violations and the tall grass. Follow-up inspections shows the status of the structure to be unchanged. This structure has been vacant since March 2014 according to North Little Rock Utilities.

April 2018 Code Enforcement has spoken with the Ms. Fair she stated that she didn't have the monies to have the structure demolished. She was advised that the City would move forward with the condemnation proceedings. Ms. Fair was unable to meet with us to conduct an interior inspection, so an administrative search warrant was obtained to the purpose of an interior inspection. The inspection showed numerous housing code violations.

A Notice of Public Nuisance along with Notice of City Council for the June 25th, 2018 hearing date was mailed to the owner of record by certified and regular mail and posted on the premises. Notice of hearing was also ran in local newspaper.

The structure is considered to be unsafe and 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.

Felecia McHenry
Code Enforcement Supervisor