

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5417 MAPLE 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 10, Block 1, Banksberg Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 33N0280000900 located at 5417 Maple Street and owned by JoAnn Hodge.)

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:

C. Jason Carter

C. Jason Carter, City Attorney

by AF

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>11:32</u>	A.M.	_____	P.M.
By	<u>Asst City Atty Amy Felds</u>			
DATE	<u>8-22-17</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>H. Thomas</u>			

R-17-153

The City of North Little Rock

TOM WADLEY
DIRECTOR



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CODE ENFORCEMENT DEPARTMENT

August 7, 2017

Mayor Smith
City Council Members

Re: 5417 Maple
Lot 10 Block 1 Banksberg Sub
Parcel 33N0280000900
North Little Rock, AR 72118

Owner: JoAnn Hodge
North Little Rock, AR

Mortgage Holder; Deutsche Bank National Trust Company

Dear Mayor Smith;

April 2017 Officer L. Epperson conducted an exterior inspection of the property after receiving complaints regarding a vacant deteriorating structure. Upon arrival he found the grass to exceed 8" in height old roofing and trash in the yard. Parts of the roof had been removed, broken windows, a large dumpster has been sitting for a long period of time was completely full. He mailed notice of public nuisance to owners of record. He later made contact with a Mr. JuJu Harshaw, he stated that he was purchasing the house from the current Ms. JoAnn Hodge. Mr. Epperson issued Mrs. Christie Harshaw a citation upon her husband's request for Public Nuisance, Failure to Cut grass and Property Maintenance Violations.

May 2017 Officer F. McHenry started the condemnation proceedings due to the condition of the structure, a notice of public nuisance along with a notice of City Council hearing was mailed by certified and regular mail to all interested parties and also posted on the property, and advertised in the newspaper for a City Council hearing date of August 28th, 2017.

I later heard from Jo Ann Hodge who stated they are in fact selling the property but have never filed any paperwork with the Pulaski County Courthouse. She also stated that the Harshaw's still owe a substantial amount of money in regards to the Mortgage payments. Ms. Hodge was advised she is still the owner of record, therefore she is the responsible party. Arnold Coleman Building Inspector issued a stop work order April 2016 due to no permits.

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

Felecia McHenry
Code Enforcement Officer