

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

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 800-802 WEST 38<sup>TH</sup> STREET 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 owners thereof.

SECTION 2: That the owners of record of the following described property are 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 2, Booher's Addition to the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 33N1770002200, located at 800-802 West 38<sup>th</sup> Street and owned by Paul P. Atkinson, Lou Properties and Brenda Weston Hill.)

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 \$50.00 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

\_\_\_\_\_

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED <u>11:50</u> A.M. _____ P.M.
By <u>J. Carter, City Atty</u>
DATE <u>1-19-16</u>
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>
RECEIVED BY <u>D. McBeck</u>



TOM WADLEY  
DIRECTOR

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NLRCodeEnforcement@northlittlerock.ar.gov

CODE ENFORCEMENT DEPARTMENT

January 12, 2016

Mayor Smith  
City Council Members

Re: 800-802 W. 38<sup>th</sup>  
Lot 10 Block 2 Boohers Addition  
City of North Little Rock, AR

Owner: ATKINSON PAUL P/LOU PROPERTIES/  
HILL BENDA WESTON

Dear Mayor Smith;

On March 3, 2015 officer C. Williams received a complaint regarding the condition of the above named property and conducted an exterior inspection on the property. There were several windows broken, the roof is leaking, the floors and ceilings have rotted and collapsed through-out the structure from the leaking roof. The bathroom fixtures have been destroyed as well, plumbing and wiring have also been stolen. A notice of public nuisance and a notice that the properties have been red tagged was mailed to the owners of record according to the Pulaski County Assessors' office.

November 2015 follow-up inspection shows to-date the condition of the structure is unchanged, this structure is considered to be unfit for human habitation, and there have been no utilities on in these structures since Dec 2005 according the North Little Rock Utility account Department.

A notice of public nuisance along with notification of City Council was mailed to owners of record a City Council date was set for January 25<sup>th</sup>, 2016. Notices were mailed by certified and regular mail to all interested parties and posted on the property notifications were also advertised in the newspaper. All notification returned unclaimed.

This structure is considered to be a public nuisance. It is the recommendation of the North Little Rock Code Enforcement Department that the structure be considered for condemnation.

Felecia McHenry  
Code Enforcement Officer