

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

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2305 WASHINGTON AVENUE 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, noxious, 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 removed 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, noxious, 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 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 3, BLOCK 35 OF THE CHOCTAW SUBDIVISION OF THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS (PARCEL NO. 33N3180020600 LOCATED AT 2305 WASHINGTON AVENUE AND OWNED BY MATTHEW AND RUTHIE J. THOMAS C/O RUTHIE THOMAS).

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 her 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 Terry C. Hartwick

SPONSOR:

ATTEST:

TERRY C. Hartwick  
Mayor Terry C. Hartwick *by AT*

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

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED	<u>10:40</u>	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>4.18.23</u>			
<b>Diane Whitbey, City Clerk and Collector</b> <b>North Little Rock, Arkansas</b>				
RECEIVED BY	<u>S. Ussery</u>			

The City of North Little Rock

FELECIA MCHENRY  
DIRECTOR



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CODE ENFORCEMENT DEPARTMENT

April 10, 2023

Mayor Hartwick  
City Council Members

**Re:** 2305 Washington Avenue  
Lot: 3 Block: 35 Sub: Choctaw  
City of North Little Rock, AR

**Owners:** Mathew and Ruthie Thomas/ Carla Mickles  
North Little Rock, AR

Dear Mayor Hartwick;

On or around December 17<sup>th</sup>, 2021, North Little Rock Code Enforcement Officer Timothy McEuen Located the property while surveying the area. I observed noticeable roof/soffit/siding damage from the roadway. The property is vacant, and has not had utilities since 07/2014. I observed a tarp on the backside of the residence on the roof. I also observed missing window trim that exposed the interior to the weather elements. Officer McEuen was contacted by a representative of the estate.

I met Ms. Mickel's husband and her brother at the residence for an interior inspection. There was ceiling and floor damage. The floor was damaged to the point it was unsafe to walk on it. Most of the walls were missing exposing the framing and electrical wiring.

On December 9<sup>th</sup>, 2022, Officer McEuen re-posted a *Notice of City Council* hearing on the property, and mailed them out to all known owners and heirs. To date, the property is still in the same condition it was when the investigation began. There have been no further repairs, not have there been any further permits acquired to make the residence habitable.

The condemnation proceedings were re-started due to the condition of the house. Owners and/or heirs and all interested parties were given notice of City Council for the April 24<sup>th</sup>, 2023 hearing date. Notices were mailed by certified and regular mail, legal notice ran in the newspaper, and were also posted on the property.

This property constitutes a public nuisance; it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Timothy McEuen  
Code Enforcement Officer