

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2924 LINCOLN 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:

Part of Lot 4, Block 63 and Lot 1, Block 64, Topfs Subdivision in the City of North Little Rock, Pulaski County, Arkansas, described as follows: Commence at the NW corner of said Lot 4; thence North 89°42'15" East along the North line of said Lots 4 and 1, 115.7 feet;

thence South 0°41'53" West, 150.48 feet; thence North 88°53'03" West, 136.39 feet to a point on the West line of said Lot 4; thence North 8°52'48" East along the said West line, 149.0 feet to the Point of Beginning. (Parcel No. 24N0130001100 located at 2924 Lincoln Street and owned by Dorothy Carter.)

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:



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>11:45</u>	A.M.	_____	P.M.
By	<u>Attorney Carter</u>			
DATE	<u>11/22/14</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>T. McGraw</u>			

R-16-185

The City of North Little Rock

TOM WADLEY
DIRECTOR



701 WEST 29TH STREET
NORTH LITTLE ROCK, ARKANSAS 72114
501-791-8581 • Fax 501-791-8584
NLRCodeEnforcement@northlittlerock.ar.gov

CODE ENFORCEMENT DEPARTMENT

October 24, 2016

Mayor Smith
City Council Members

Re: 2924 Lincoln Ave.
Part of Lot 4 Block 63 and Lot 1 Block 64 Topfs Subdivision
Parcel 24N0130001100
City of North Little Rock, AR

Owner: Dorothy Carter
North Little Rock, AR 72114

Dear Mayor Smith;

August 2014 officer C. Williams mailed notices to the owner of record according to the Pulaski County Court Records regarding the condition of the property. The property has been deteriorating since the last renters moved out February 2013. There are several windows that's missing/broken and lots of rotten exterior wood around the exterior of the house. I received a call from Ms. Dorothy Carter she stated that she is currently buying the house from McCormick investments, LLC. I told Ms. Carter that I needed to conduct an interior inspection of the property.

August 2014 Officer F. McHenry conducted an interior inspection and the inside was pretty bad. The walls are plaster and they are cracking throughout the house, there are several holes in the floors and ceilings throughout the house due to water damage. Ms. Carter was advised what was needed in order to bring the property into compliance.

June 2015 for failure to comply Ms. Carter was issued a citation for a public nuisance and property maintenance violation and scheduled to appear in court on July 16, 2015 at 1:30 pm. Court dates were reset several times and then August 2016 the case dismissed all together due to Ms. Carter's health condition.

August 2016 I mailed notice of public nuisance, and a request for interior inspection to Mr. McCormick. I met with the owner Mr. Mark McCormick today and conducted an interior inspection on the property and determined that the property is unsafe for human habitation and property was red tagged in the present of the owner. This property is in very poor condition.

September 2016 officer F. McHenry conducted a follow-up inspection of the property and noted that the condition of the structure was still unchanged. I started the condemnation proceedings, a notice of public nuisance along with a notice of City Council 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 November 28th, 2016.

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

Felecia McHenry
Code Enforcement Officer