

R-15-112

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2800 JOHN ASHLEY DRIVE 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 21, Block 2, Pike Plaza Heights Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 33N2390002200 located at 2800 John Ashley Drive and owned by Rafael Guarionex DeCastro.)

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	10:56	A.M.	_____	P.M.
By	C. Jason Carter			
DATE	_____			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	_____			

R-15-112

The City of North Little Rock



TOM WADLEY
DIRECTOR

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CODE ENFORCEMENT DEPARTMENT

July 16, 2015

Mayor Smith
City Council Members

Re: 2800 John Ashley
Lot 21 Block 2 Pike Plaza Heights
City of North Little Rock, AR

Owner: Rafael Guarionex DeCastro
Little Rock, AR

Mortgage Holder: OneBanc
Little Rock, AR

Dear Mayor Smith;

June 21st, 2013 Officer C. Williams conducted an exterior inspection of this property after receiving complaints regarding the status of the property, the property is an apartment complex which consist of twelve apartments, all of which have been vandalized holes have been kicked in every wall and ceilings, all wiring and plumbing has been stripped from the apartments, all heating and air systems have been stolen as well. Officer Williams determined the units to be unfit for human habitation, the structure was red-tagged and notices were mailed to owners of record according to the Pulaski County Assessors.

January 2014 Mr. DeCastro, Officer C. Williams and I conducted a follow-up inspection of the property. Mr. DeCastro was advised that due to the condition of these structures we would move forward with the condemnation proceedings. Mr. DeCastro requested additional time to possibly sell the property, he was granted the additional time. He was advised that he needed to keep the property secured, follow-up inspections showed all of the apartments still unsecured, Officer Williams tried to make contact with Mr. DeCastro through phones calls and mail to advise him of the status, however never returned any phone calls or responded to notices.

April 9th, 2014 Officer William located Mr. DeCastro at his place of business and issued him a citation for Property Maintenance Violations and Public Nuisance court date was May 15th, 2014 for Plea.

July 17th, 2014 Mr. DeCastro was issued notice of City Council the owners of record and/or heirs were mailed a Notice of the City Council hearing scheduled for September 22nd, 2014 notices were mailed by certified and regular mail to all interested parties and posted on the property notifications were also advertised in the newspaper.

September 22nd, 2014 Structure went before City Council it was called and held pending a sale. Mr. Decastro also had pending court dates, each court appearance Mr. Descastro talked about other pending sales for the properties falling through. He was ultimately fined \$10,000.

City Council called the legislation up 6 times and it was dismissed. A new City Council date was issued for July 27th, 2015. Notices were mailed by certified and regular mail to all interested parties and posted on the property notifications were also advertised in the newspaper.

City Council called the legislation up 6 times and it was finally dismissed from the docket. A new City Council date was issued for July 27th, 2015. Notices were mailed by certified and regular mail to all interested parties and posted on the property notifications were also advertised in the newspaper.

This structure has been vacant since March 2012. This structure is considered to be a public nuisance. Due to the condition of this structure it is the recommendation of the North Little Rock Code Enforcement Department that the structure be considered for condemnation.

Felecia McHenry
Code Enforcement Officer