

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

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2910 EAST BROADWAY 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 A, Block 3 of the John L. Baldwin Addition to the City of North Little Rock, Pulaski County, Arkansas, the same being previously known as Lots 3, 4, and 5, Block 3 of the John L. Baldwin Addition to the City of North Little Rock, Pulaski County, Arkansas (Parcel No. 23N0490001700 located at 2910 East Broadway Street and owned by Arkansas Group of C Stores #2 LLC.).

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:

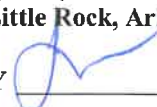
  
\_\_\_\_\_  
Mayor Joe A. Smith *by AF*

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED <u>10:45</u> A.M. _____ P.M.
By <u>CA Amy Fields</u>
DATE <u>9-22-20</u>
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>
RECEIVED BY 

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

August 28, 2020

Mayor Smith  
City Council Members

2910 E Broadway Street  
Arkansas Group of C Stores # 2 LLC  
Lot 3 Block 3 REP LTS 3-4-5 John L Baldwin ADDN A 3  
Parcel 23N0490001700  
North Little Rock, AR 72114

Owner: Arkansas Group of C Stores #2 LLC  
C/o Jeff Edwards  
Hickory Hill, TN 38115

Dear Mayor Smith;

December 2018 after receiving a notice from the North Little Rock Fire Department regarding a fire that occurred at the AGC Food Mart at 2910 E Broadway St. Code Enforcement conducted an inspection of the property, which showed fire, smoke and water damage throughout the store. Which also included electrical and plumbing damage as well. The building was Red-Tagged the building showing it to be unsafe and hazardous. Code Enforcement mailed notices to owners of records and/or all interested parties regarding the status of the structure.

May 2019 Follow-up inspections show the status of the structure unchanged Code Enforcement continued to receive complaints of the structure being unsecured. Notice of City Council Hearing for the August 26, 2019, hearing date was mailed to the owner of record and all interested parties, by certified and regular mail and posted on the premises. Notice of hearing was also ran in local newspaper.

August 26th, 2019 Mr. Edward and his attorney Steve Owings Condemnation was withdrawn until Sept 9, 2019 by the Mayor to allow additional time to submit plans for rehab.

January 2020 Owner cleared some debris from the building, and submitted plans to the Planning Dept. however the plans were never approved and new plans were never re-submitted for approval. The Fire Marshalls office also show that life safety proposal was also never approved, and emails were sent regarding the application with no response.

To-date the status of the property is unchanged; Code Enforcement has not received any additional contact with owner.