

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4617 MAPLE 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 25, Block 0, Raney A D Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 33N1440002600 located at 4617 Maple Street and owned by Kenneth Kelly.)

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>10:40</u> A.M. _____ P.M.
By <u>City Atty Carter</u>
DATE <u>4-19-14</u>
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas
RECEIVED BY <u>S. Usry</u>

The City of North Little Rock

R-16-75

TOM WADLEY
DIRECTOR



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CODE ENFORCEMENT DEPARTMENT

April 11, 2016

Mayor Smith
City Council Members

Re: 4617 Maple
Lot 25 Block 0 Raney A D Subdivision
Parcel 33N1440002600
City of North Little Rock, AR

Owner: Kenneth Kelly
Little Rock, AR

Dear Mayor Smith;

July 2015 the property located at 4617 Maple sustained severe fire damage, the property was Red Tagged and the owner of record F&M Investments LLC was notified. December 2015 after a follow-up with F&M I learned the property was sold/transferred to Mr. Kenneth Kelly. Notices were also mailed to Mr. Kelly regarding the fire damage. I made contact with Mr. Kelly regarding the property being unsecured. Follow-up inspection showed the structure had been boarded and secured. A dumpster had also been placed on site to start demolition.

On December 17, 2015 I was in the area and noticed that the trash from the dumpster had been dumped in the front yard and the dumpster removed. Half of the roofing structure as well as some of the exterior walls on the northeast corner of the structure had been removed. Mr. Kelly was advised that the trash needed to be removed immediately.

On January 11, 2016 Mr. Kelly was issued a citation for a property maintenance violation and a public nuisance, all the trash and debris was still in the yard. And nothing more has been done to correct the violations of the fire damaged structure. Mr. Kelly was scheduled to appear in court on March 17, 2016 @ 1:30pm. He was given an extension of 60-Days to have the structure demolished.

February 22, 2016 a notice of City Council was mailed by certified and regular mail to all interested parties and posted on the property, notifications were also advertised in the newspaper for a City Council hearing date of April 25th, 2016. To-date the condition of the structure is unchanged.

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