R-16-110

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 323 WEST 20TH 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:

Lots 21 and 22, Block 6, Rose Hill Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 33N2540008800 located at 323 West 20th Street and owned by Devareaux Family Trust.)

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:

Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED 11:55 A.M. _____ P.M.
By City Atty Carter
DATE 6-21-16

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY S. Usserry

The City of North Little Rock

R-16-110

TOM WADLEY
DIRECTOR

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NORTH LITTLE ROCK, ARKANSAS 72114
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CODE ENFORCEMENT DEPARTMENT

June 3, 2016

Mayor Smith
City Council Members

Re: 323 W. 20th St.
Lot 21 & 22 Block 6 Rose Hill Subdivision
Parcel 33N2540008800
City of North Little Rock, AR

Owner: Devareaux Family Trust
Tollhouse, CA

Dear Mayor Smith;

On February 9, 2016 officer Williams received notice that a fire had occurred at the above address. He conducted an exterior inspection and determined that the property was unsafe for human habitation. The structure is unsecured, He red tagged the structure and mailed the owners of record a notice to contact Code Enforcement immediately. All utilities have been disconnected from the structure.

This property has been vacant since November 2011 according to North Little Rock Utility accounting Department.

March 2016 officer F. McHenry conducted an inspection of the above named property, a notice of public nuisance along with a notice of City Council was mailed by certified and regular mail and all interested parties and posted on the property, and notifications were also advertised in the newspaper for a City Council hearing date of June 27th, 2016.

April 2016 Anita Devareaux representing the Devareaux Family Trust called our office and stated the she has no intention on demolishing or repairing the house the only thing that they were interested in doing is selling the property, because they don't want to still have to deal with the maintenance of the vacant once the structure is demolished.

To-Date the status of the structure is still 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