

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4523 BOYER 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 0, Block 57, John L. Atkins School Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 23N0610019900 located at 4523 Boyer Street and owned by US Bank National Association.)

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>11:50</u> A.M. _____ P.M.
By <u>C. JASON CARTER</u>
DATE <u>7-19-16</u>
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas
RECEIVED BY <u>Z. Bragg</u>

TOM WADLEY
DIRECTOR



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CODE ENFORCEMENT DEPARTMENT

July 6, 2016

Mayor Smith
City Council Members

Re: 4523 Boyer
Lot 0 Block 57 John L School Sub
Parcel 23N0610019900
City of North Little Rock, AR

Owner: US Bank National Association
Owensboro, KY 42301

Dear Mayor Smith;

On May 15th, 2016 Code Enforcement received a complaint from a neighbor regarding a fire that had occurred at the above named address, an inspection was conducted by Officer C. Williams. He conducted an exterior inspection and determined that the property was unsafe for human habitation. The structure is unsecured and considered to be unsafe, 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. According to a report for the North Little Rock Fire Department the property sustained approximately 54,000 in damages.

May 23rd, 2016 officer F. McHenry also conducted an inspection of the property and due to the hazardous condition of the structure 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 July 25th, 2016.

Servicing agent for the bank contacted our office requesting a list of violations, list of violations were sent along with photos of fire damaged property. Servicing agent responded back by stating they no longer service the property.

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