R-15-124

**RESOLUTION NO. _____**

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 800 NORTH LOCUST STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS 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 owners thereof.

SECTION 2: That the owners of record of the following described property are 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 6 and the 30' South and adjacent to Lot 6, being the N½ of East 8th Street closed per Ord. 3515, all in Block 1, Greens Addition to the City of North Little Rock, Pulaski County, Arkansas. (Parcel No.

33N3060000200, located at 800 North Locust Street and owned by Travis and Marlo Walton.)

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 11:21 A.M. _____ P.M.
By City Atty Carter
DATE 8-18-15

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

RECEIVED BY

R-15-124

The City of North Little Rock

TOM WADLEY
DIRECTOR

701 WEST 29TH STREET
NORTH LITTLE ROCK, ARKANSAS 72114
501-791-8501 • Fax 501-791-8584
NLRCodeEnforcement@northlittlerock.ar.gov

CODE ENFORCEMENT DEPARTMENT

August 14, 2015

Mayor Smith
City Council Members

Re: 800 N Locust St.
Lot 6 & 30' S & ADJ TO LT 6 BEING N1/2 E 8THST CLOSED PER ORD
#3515 4-25-65 Block 1 Greens Addition
Parcel 33N3060000200
City of North Little Rock, AR 72114

Owner: Travis & Marlo Walton
North Little Rock, AR

Dear Mayor Smith;

April 30, 2013 after receiving numerous complaints Officer D. Wood conducted an exterior inspection of this property, he spoke with Travis Walton the owner of record according to the Pulaski County Assessors and advised him to clean-up the exterior and paint and repair the exterior of the structure. He stated that he would correct the problems, June 2013 he did obtain a building permit he cleared the yard of the trash and debris however he never made any repairs to the structure.

February 10th, 2014 Mr. Walton was issued a citation for Property Maintenance Violation, court date March 20th, 2014. Mr. Walton did not appear in court and was issued a Failure to appear $1000.00 fine. Court date reset for April 12th, 2014 Mr. Walton again failed to appear. Court date reset for June 19th, 2014 Mr. Walton appeared and pled guilty, judge dismissed the fines for failure to appear and fined him $100 + Court cost. Court date reset for 8/21/14 the Judge advised him to have at least started to the house. August 21st, 2014 Mr. Walton again failed to appear and was issued a FTA Bond of $2500. November 2014 Mr. Walton was jailed.

June 1st, 2015 after receiving more complaints regarding the status of the property Officer F. McHenry conducted an exterior inspection of the property, I made contact with Mr. Walton and scheduled a time for an interior inspection, June 3, 2015 I conducted an interior inspection along with Officer C. Williams. The interior inspection showed holes in walls, floors and ceilings. The utilities have been off since April of 2013, and Mr. Walton has continued to occupy the structure, he stated that he has no plans to renovate.

City Council date was issued for August 24th, 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 and also hand delivered.

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