R-23- 14

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1917 TOPF ROAD 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, noxious, 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 removed 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, noxious, 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 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 3, BLOCK 16 OF THE LAKEWOOD 2N ADDITION TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS (PARCEL NO. 33N0190228000 LOCATED AT 1917 TOPF ROAD AND OWNED BY ROSE MARIE TAYLOR AND KENNETH P. TAYLOR).

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 her 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 Terry C. Hartwick

SPONSOR:

Terry C Hartwick

Mayor Terry C. Hartwick By AF

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:25 A.M. _____ P.M.

By A. Fields

DATE 1-17-23

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

RECEIVED BY S. Usserg

The City of North Little Rock

FELECIA MCHENRY
DIRECTOR

701 WEST 29TH STREET
NORTH LITTLE ROCK, ARKANSAS 72114
501-791-8581 • Fax 501-791-8584
NLRCodeEnforcement@nlr.ar.gov

CODE ENFORCEMENT DEPARTMENT

November 28th, 2022

Mayor Hartwick
City Council Members

Re: 1917 Topf Road
Lot: 3 Block: 16 Sub: Lakewood 2N
City of North Little Rock, AR

Owners: Rose Marie Taylor/ Kenneth P. Taylor
Conway, AR

Dear Mayor Hartwick;

On or around March 18th, 2022, North Little Rock Code Enforcement Officer Timothy McEuen began an investigation into 1917 Topf Rd at the request of NLR Code Supervisor Ward Reese, due to the numerous complaints for neighbors and the surrounding community regarding the condition of the property. Officer McEuen verified the property was vacant so he performed an exterior inspection of the property. Officer McEuen observe issues with the roofing, siding, soffit, fascia, and a large broken/missing window. The property was overgrown with unmanaged grass, weeds, and other vegetation. North Little Rock Electric show minimum electric usage since 2019.

On March 24th, 2022, Officer McEuen posted a *Notice of City Council* hearing on the property, and mailed them out to all known owners and heirs.

Contact was made by the owners (Kenneth Taylor), and a voluntary inspection of the residence was performed by Officer McEuen, Director McHenry, and Supervisor Reese, with Mr. Taylor being present. The residence was full of different items making it difficult to maneuver throughout, in which a majority of the floors of the interior could not be seen. Mr. Taylor began maintaining the exterior of the property so the City Council hearing was suspended at that time. Due to Mr. Taylor failure to maintain this, and other family owned properties in the NLR city limits, we have begun the condemnation process again.

The condemnation procedures were started due to the neglected and property maintenance violations of the house and property. Owners and/or heirs and all interested parties were given notice of City Council for the January 23rd, 2023 hearing date. Notices were mailed by certified and regular mail, legal notice ran in the newspaper, and were also posted on the property.

This property constitutes a public nuisance; it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Timothy McEuen
Code Enforcement Officer