R-17-31

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5215 NELSON DRIVE 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 45, Block 0, Nelridge Addition to the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 33N0500004500 located at 5215 Nelson Drive 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 $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 Joe A. Smith

SPONSOR:

Joe A. Smith

Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED 11:05 A.M. _____ P.M.
By J Carter - City Attly
DATE 2/21/17

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

RECEIVED BY B Taylor

The City of North Little Rock

TOM WADLEY
DIRECTOR

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

CODE ENFORCEMENT DEPARTMENT

February 8, 2017

Mayor Smith
City Council Members

Re: 5215 Nelson Dr.
Lot 45 Block 0 Nelridge Addition
Parcel 33N0500004500
City of North Little Rock, AR 72118

Owner: US Bank National Association
Cincinnati, OH 45202

Dear Mayor Smith;

November 2016 after receiving complaints from neighbors, an exterior inspection of the structure was conducted by Officer F. McHenry, the inspection showed holes in the roof with a tarp hanging from the structure. According to North Little Rock Utilities the structure has been vacant and deteriorating since September of 2013. Notices of violations were mailed to owners of record US Bank National Association of Cincinnati, OH. And its agents of service.

December 2016 officer F. McHenry scheduled an appointment with the agent for us Bank for the purpose of conducting an interior inspection of the structure. The inspection showed severe roof damage through-out the structure causing collapsing walls ceilings and floors, huge mold problem, the structure was determined to be unsafe for human habitation.

The condemnation proceedings were started, 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 February 27th, 2017

I received a response from Mr. Kessler the agent for the Bank agreeing with the City's decision to condemn the structure. We was advised to forward the information to anyone within the bank he deemed necessary.

The structure is considered to be unsafe for human habitation and is also considered to be 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