R-19-115

RESOLUTION NO. ____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 204 WEST 13TH STREET, OTHERWISE KNOWN AS 1209 JIM WETHERINGTON, 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 7, Block 47, North Argenta Subdivision the City of North Little Rock, Pulaski County, Arkansas (Parcel No. 33N2110040900 located at 204 West 13th Street, otherwise known as 1209 Jim Wetherington and owned by Carlton R. Womack).

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 by AF

ATTEST: _____
Diane Whitbey, City Clerk

APPROVED AS TO FORM:
Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED 10:35 A.M. _____ P.M.
By A. Fields
DATE 6-18-19

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

RECEIVED BY S. Usserg

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

June 4, 2019

Mayor Smith
City Council Members

Re: 204 W 13TH otherwise known as 1209 Jim Wethington
Lot 7 Block 47 North Argenta ALL TH PT LOT 7 LYING S OF Street W
Parcel 33N2110040900
North Little Rock, AR 72114

Owner: Carlton R Womack
North Little Rock, AR

Dear Mayor Smith;

January 2019 officer Williams noticed a dilapidated structure. Officer Williams conducted an exterior inspection of the structure. Owners of record were mailed notice of public nuisance and a request for an interior inspection. This structure has been vacant since 2002 according to North Little Rock utility department.

May 7th 2019 an Administrative Search Warrant was obtained for an interior inspection on both buildings. The warrant was executed May 8th 2019. I inspected both properties, which showed severe water damage from holes in the roof and walls, damaged electrical throughout.

Notice of City Council scheduled for June 24th, 2019 hearing date was mailed by certified and regular mail to all interested parties and posted to the premises. Notice of hearing was also ran in local newspaper.

The structure is considered to be unfit for human habitation and also a public nuisance, it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Laura Petty
Code Enforcement Officer

05/08/2019 13:19

05/08/2019 13:21

05/08/2019 13:24

05/08/2019 13:24

IN THE DISTRICT COURT OF NORTH LITTLE ROCK, ARKANSAS

STATE OF ARKANSAS

COUNTY OF PULASKI

ADMINISTRATIVE SEARCH WARRANT

TO ANY FORCIBLE ENTRY OFFICER OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS

Upon affidavit having been sworn to before me by James Potter, a Code Enforcement Officer for the City of North Little Rock, Pulaski County, Arkansas, I find that there is probable cause to believe that a violation of the City Code of Ordinances has occurred and that there is probable cause to believe that a violation exists for the failure of the owner to maintain the premises in proper housing in the City of North Little Rock and to make repairs to the premises. I find that the Rock authorizes Code Enforcement Officer Amanda Wethington, Code Enforcement Officer Jim Wethington, North Little Rock Fire Department and other Code Enforcement officers to inspect and find the premises [illegible]

THEREFORE, [illegible] ARE HEREBY COMMANDED [illegible] Amanda Wethington, North Little Rock Fire Marshal or other authorized Code Enforcement officer, Jim Wethington, North Little Rock Fire Department, or other authorized Code Enforcement officer to inspect the dwelling structure to ensure compliance of the adopted codes and ordinances of the City of North Little Rock. Maintenance of the dwelling structure to ensure safety. The owner [illegible] and to make repairs to the premises. [illegible] and to the extent of the [illegible] and to repair.

Issued this 30 day of May, 2019, time 2:30

Judge

05/08/2019 13:25

05/08/2019 13:25

05/08/2019 13:25

05/08/2019 13:25

05/08/2019 13:25