R-20-154

RESOLUTION NO. ____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 108 MARVIN 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 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:

The North 60 feet of the South 240 feet of the North 1200 feet of that part of Odem Tract No. 3 of the 1940 replat of the Southwest 1/4 of Section 28, Township 2 North, Range 11 West, which lies East of Marvin Street; and the East 75 feet nine inches of the West 164 feet of the South 180 feet of the North 1200 feet of that part of Odem Tract No. 3 of the 1940 replat of the Southwest 1/4 of Section 28, Township 2 North, Range 11 West, which lies East of Marvin Street, all in the City

of North Little Rock, Pulaski County, Arkansas (Parcel No. : 23N0220001200 located at 108 Marvin Street and owned by Charles N. and Billie S. Hogan.).

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:

Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:15 A.M. _____ P.M.
By Amy Fields CA
DATE 10-20-20

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

RECEIVED BY

The City of North Little Rock

TOM WADLEY
DIRECTOR

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NORTH LITTLE ROCK, ARKANSAS 72114
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CODE ENFORCEMENT DEPARTMENT

September 24, 2020

Mayor Smith
City Council Members

Re: 108 Marvin Street
Lot 0 Block 3 Odem Tract #3
North Little Rock, AR 72117

Owners: Charles N / Billie S. Hogan
Lonoke, AR 72086

Dear Mayor Smith;

On July 31, 2020 officer Ward Reese received notice that the above property was in a state of disrepair. Officer Ward Reese conducted an exterior inspection which showed a collapsed roof and collapsing exterior walls, it was determined that the structure is unsafe for human habitation. Officer Ward Reese made contact with Redell Batton, who stated that he lives there, Mr. Batton was advised that due to the condition of the structure the City of North Little Rock was going to proceed with condemnation of the property.

On August 14, 2020 Officer Ward Reese researched ownership information on 108 Marvin Street. He found a Charles N. & Billie S. Hogan of Lonoke AR owned the above property. Letters of Notice of City Council Hearing was sent to all known addresses for Charles N. & Billie S. Hogan. To date these letters have been returned unsigned. A Citation to appear in Code Court was sent to Charles N. Hogan on August 4, 2020 via certified mail. This letter was signed for and his court date was set for September 17, 2020. To-date the property remains in the same condition.

The condemnation procedures were started due to the condition of the house. Owners and/or heirs and all interested parties were given notice of City Council for the October 26, 2020 Hearing date. Notices were mailed by certified and regular mail, legal notice ran in the newspaper, and were also posted on the property. This structure is considered to be unfit for human habitation.

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.

Felecia McHenry
Code Enforcement Supervisor