R-20- 179

RESOLUTION NO. ____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2541 HIGHWAY 161 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 2, Block 0 of the Strawns Subdivision in the City of North Little Rock (Parcel No. 23N0270400200 located at 2541 Highway 161 and owned by J&P Flash Inc.).

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 11:45 A.M. _____ P.M.
By Amy Fields, CA
DATE 12/8/20

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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CODE ENFORCEMENT DEPARTMENT

December 2, 2020

Mayor Smith
City Council Members

2541 Highway 161
Lot 2 Block 0 Strawns Subdivision
Parcel 23N0270400200
City of North Little Rock, AR

Owner: **J&P Flash Inc.**
West Memphis, AR

Dear Mayor Smith;

September 2019 after receiving a notice from the North Little Rock Fire Department regarding a fire that occurred at the J&P Flash Inc. (Valero Service Station) located at 2541 Highway 161. Code Enforcement conducted an inspection of the property, which showed fire, smoke and water damage throughout the store. Which also included electrical and plumbing damage as well. The building was Red-Tagged the building showing it to be unsafe and hazardous.

Code Enforcement mailed notices to owners of records and/or all interested parties regarding the status of the structure. They were issued a Jan 27, 2020 City Council Hearing date. We received contact from the Attorney of the owners stating the property is now under foreclosure. We also received contact from the renter of the property stating they would start the cleanup process; cleanup started but was never completed. All notices and contact info was forwarded to our legal dept. After talking with the mortgage company it has since been determined, the property is not under foreclosure. Property has also been certified to the state land office for delinquent taxes in the amount of $72,248.65.

September 2020 Follow-up inspections show the status of the structure still unchanged Code Enforcement has continued to receive complaints of the structure being unsecured. Notice of City Council Hearing for the December 14, 2020, hearing date was mailed to the owner of record and all interested parties, by certified and regular mail and posted on the premises. Notice of hearing was also ran in local newspaper.

November 2020 The Code Enforcement Department along the Sanitation Dept. secured the property, cut the grass and had all trash and debris removed from the premises

The structure is considered extremely hazardous, unsafe and unfit for human habitation and a public nuisance; it is the recommendation of the North Little Rock Code Enforcement Department that this structure is considered for condemnation.

Felecia McHenry
Code Enforcement Supervisor