R-22-24

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4502 LYNCH 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, 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 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, 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 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 4 Rocky Replat of Lots A, B, C and the Northwest 40' of Lot D of Horton Replat of Tracts 22 and 23 of Atkins Home Tracts, and recorded in Plt Book F page 522 (Parcel No. 23N0740300400 located at 4502 Lynch Drive and owned by BM Developers LLC).

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

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 1015 A.M. _____ P.M.
By A. Fields, City Atty
DATE 1-18-22

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

RECEIVED BY BTaylor

The City of North Little Rock

FELECIA MCHENRY
DIRECTOR

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CODE ENFORCEMENT DEPARTMENT

December 8th, 2021

Mayor Hartwick
City Council Members

Re: 4502 Lynch Drive
Lot: 4 Block: 0 Sub: Rocky Replat (NLR)
City of North Little Rock, AR

Owners: BM Developers
Sherwood, AR

Dear Mayor Hartwick;

On February 9th, 2021, NLR Code Officer Cedric Williams started an investigation into 4502 Lynch Drive due to the conditions of the property. Officer Cedric Williams met with the previous owner Kim Young Chun and conducted an interior/exterior inspection. It was determined that the structure is unsafe for human habitation/occupancy. This structure has been vacant with no utilities since June 2004. Code Enforcement has made contact with owner numerous times regarding trash and debris, uncut grass and vagrants in and around the property since 2017.

On December 7th, 2021, NLR Code Officer Timothy McEuen conducted an exterior inspection of the above property and posted a *Notice of City Council* notification on the property. To-date the property remains and has been in the same condition. Owner has since sold the property to BM Developers. Notices were mailed to new owners of record with no response.

The condemnation procedures were started due to the condition of the structure. Owners and/or heirs and all interested parties were given notice of City Council for the January 24th, 2022 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.

Timothy McEuen
Code Enforcement Officer