R-22-74

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5910 MACARTHUR 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:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 16, Township 2 North, Range 12 West, Pulaski County, Arkansas, more particularly described as follows:

Beginning 520 feet West of the Northeast corner of said Southwest 1/4 Northeast 1/4; thence West 60 feet; thence South 257 feet to the North line of the Little Rock-Conway Highway; thence East along the North line of said Highway a distance of 60 feet; thence North 250 feet to the point of beginning. (Parcel No. 33N0800005000 located at 5910 MacArthur Drive and owned by Ralph Cagle).

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 By AF

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:00 A.M. _____ P.M.

By A Fields City Atty

DATE 3/22/22

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

RECEIVED BY BTon

5910 MacArthur

The City of North Little Rock

FELECIA MCHENRY
DIRECTOR

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

CODE ENFORCEMENT DEPARTMENT

March 3, 2022

Mayor Hartwick
City Council Members

Re: 5910 MacArthur Drive
Legal: PT SW NW BEG 521' W OF NE COR W 60' S 257' TO N LI LR-CON HWY NE ON HWY 60' N 250 TO BEG
Parcel 33N0800005000
City of North Little Rock, AR

Owners: Ralph Cagle
North Little Rock, AR

Dear Mayor Hartwick;

On January 10th, 2022, North Little Rock Code Officer Timothy McEuen started an investigation into 5910 MacArthur Drive due to the conditions of the property. Officer McEuen conducted an exterior inspection were he observed damaged roofing, siding, and soffit exposing the interior to weather conditions. With these observations, it was determined that the structure is unsafe for human habitation.

On January 19th, 2022, Officer McEuen met with the owner, Mr. Ralph Cagle, at another property he owns that is being considered for condemnation. Mr. Cagle stated he did not have keys to either property, and the locks would have to be cut. He further stated he was not going to voluntarily allow the City to perform an interior inspection. He only uses the properties for "storage", in which he admitted he has not been inside them for several years.

On February 23, 2022, a search warrant was obtained for the purpose of an interior inspection, The interior inspection showed the property was found to be in an inhabitable state due to damage and holes in the roofing causing water damage through-out the structure.

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 March 28th, 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