

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 311 7TH STREET IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS 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 4, BLOCK 10 OF THE CLENDENNIN ADDITION TO NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS. (PARCEL NO. 33N2740010100 LOCATED AT 311 7TH STREET AND OWNED BY COLEMAN PROPERTY MANAGEMENT INC. C/O HENRY COLEMAN).

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:

ATTEST:

Terry C. Hartwick
Mayor Terry C. Hartwick

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED <u>10:30</u> A.M. _____ P.M.
By <u>A. Fields</u>
DATE <u>6-20-23</u>
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas
RECEIVED BY <u>S. Ussery</u>

The City of North Little Rock

FELECIA MCHENRY
DIRECTOR



500 WEST 13TH STREET
NORTH LITTLE ROCK, ARKANSAS 72114
501-791-8581 • Fax 501-791-8584
NLRCodeEnforcement@nlr.ar.gov

CODE ENFORCEMENT DEPARTMENT

June 5th, 2023

Mayor Hartwick
City Council Members

Re: 311 W. 7th. Street
Lot: 10 Block: 4 Sub: Clendennin
City of North Little Rock, AR

Owners: Coleman Property Management
Henry Coleman
North Little Rock, AR

Dear Mayor Hartwick;

On or around May of 2018, North Little Rock Code Enforcement Officer Cedric Williams began an investigation regarding the property maintenance of 311 W. 7th. Street. Officer Williams performed an interior and exterior inspection of the structure in which it was in an inhabitable condition. The owner, Mr. Wilbur Coleman Sr, had passed away and the property was given to his son Mr. Henry Coleman. Permits to rehab have been acquired, but no noticeable work had been done to the property.

On or around March of 2022, North Little Rock Code Enforcement Officer Timothy McEuen was assigned the investigation to begin the condemnation proceeding. Officer McEuen had spoken with H. Coleman about the property, and of his intent to restore the property, and meet the requirements of the property being located in the historic district of Argenta.

Mr. Coleman refused to meet with Officer McEuen for an inspection, and no work had been done to the property. On February 17th, 2023, Officer McEuen posted a *Notice of City Council* hearing on the property, and mailed them out to all known owners and heirs. To date, the property is still in the same condition it was when the investigation began. There have been inoperable vehicles and old construction materials stored on the property. The yard has not been kept mowed, and the property is a nuisance to the community. Henry Coleman was issued a citation for property maintenance violations.

The condemnation proceedings 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 June 26th, 2023 hearing date. Notices were mailed by certified and regular mail, legal notice ran in the newspaper, and were also posted on the property.

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