

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1722 MAGNOLIA 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 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, 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 removed 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 owners of record of the following described property are 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 50 FEET OF LOTS 4, 5, AND 6, BLOCK 4 EXCEPT THE EAST 5 FEET OF THE NORTH 50 FEET OF LOT 5 AND THE NORTH 50 FEET OF LOT 4, BLOCK 4 OF THE FISHER'S REPLAT OF BLOCK 4 IN THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS (PARCEL NO. 33N2190002900 LOCATED AT 1722 MAGNOLIA STREET AND OWNED BY JORGE MARQUEZ AND/OR MANUEL HENRIQUEZ).

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  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED <u>11:00</u> A.M. _____ P.M.
By <u>City Atty Amy Fields</u>
DATE <u>10-17-23</u>
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>
RECEIVED BY <u>H. Thomas</u>

The City of North Little Rock

FELECIA MCHENRY  
DIRECTOR



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NLRCodeEnforcement@nlr.ar.gov

CODE ENFORCEMENT DEPARTMENT

October 5, 2023

Mayor Hartwick  
City Council Members

**Re:** 1722 N. Magnolia Street  
Lot: 4 Block: 4 Sub: Humphrey and Baldwin  
City of North Little Rock, AR

**Owners:** Jorge Marquez and Manuel Enriquez  
Little Rock, AR

Dear Mayor Hartwick;

August 2022, North Little Rock Code Enforcement Officer Cedric Williams began an investigation into 1722 N. Magnolia Street due to the structure being damaged by fire. Officer Williams posted a “red tag” on the structure, and mailed notifications regarding the fire incident. Since the fire occurred, this property has been sold, and the new owners acquired permits to demo, and/or remodel the structure.

On August 4<sup>th</sup>, 2023, North Little Rock Code Enforcement Officer Timothy McEuen posted a *Notice of City Council* hearing to the structure. This property has been posted for condemnation hearings in the past for the previous owner, as well as the current owners. Little to no progress has been made in remodeling this structure to bring it back to a habitable state.

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 October 23<sup>rd</sup>, 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