

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 2305 NORTH BERKLEY DRIVE 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, 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 105 OF THE BELWOOD ADDITION (LOT 104 EXC BEG SW COR NW 85' ON LOT BET 128 & 104 NE'T 15' SE'LY 86* 8' TO POB) TO THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS (PARCEL NO. 33N1250010200 LOCATED AT 2305 NORTH BERKLEY DRIVE AND OWNED BY YVONDA HORAN).

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>11:00</u>	A.M.	_____	P.M.
By	<u>Amy Fields CA</u>			
DATE	<u>3-19-24</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>[Signature]</u>			

The City of North Little Rock

R-24-80

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

February 20, 2024

Mayor Hartwick
City Council Members

Re: 2305 N. Berkley Drive
Lot: 104 Block: 0 Sub: Bellwood Addition
City of North Little Rock, AR

Owners: Yvonda Horan
McRae, AR

Dear Mayor Hartwick;

Code Enforcement has mailed numerous letters regarding Property maintenance and uncut grass since May of 2023.

On October 2nd, 2023, North Little Rock Code Enforcement Officer Timothy McEuen began an investigation into 2305 N. Berkley Drive due to observed conditions of the structure. Officer McEuen verified the structure was vacant so he performed an exterior inspection. Officer McEuen observed major damage to the roofing, siding, soffit, and fascia.

After no response from owners of record an administrative search warrant was obtained for the purpose of an interior inspection. The inspection showed collapsed floors, walls and ceilings

On October 9th, 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.

The condemnation proceedings were started due to the condition of the structure. Owners and/or heirs and all interested parties were given notice for the City Council hearing for March 25th, 2023. 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; and as unfit for human habitation, it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Timothy McEuen
Code Enforcement Officer