

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 913 WEST 23RD 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, 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 7, BLOCK 1 OF THE MACHINS SUBDIVISION OF THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS (PARCEL NO. 33N2340000700 LOCATED AT 913 WEST 23RD STREET AND OWNED BY NORMAN MOOTY C/O IRETTA AND DANNY BENAFIELD).

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 *by AF*

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>10:40</u> A.M. _____ P.M.
By <u>A. Fields</u>
DATE <u>5-7-24</u>
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas
RECEIVED BY <u>S. Hssey</u>

The City of North Little Rock

FELECIA MCHENRY
DIRECTOR



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NORTH LITTLE ROCK, ARKANSAS 72114
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NLRCodeEnforcement@nlr.ar.gov

CODE ENFORCEMENT DEPARTMENT

March 12th, 2024

Mayor Hartwick
City Council Members

Re: 913 W. 23rd. Street
Lot: 7 Block: 1 Sub: Machins
City of North Little Rock, AR

Owners: Norman Mooty
Iretta and Danny Benafield
North Little Rock, AR

Dear Mayor Hartwick;

On or around February 27th, 2024, North Little Rock Code Enforcement Officer Cedric Williams began an investigation into 913 W. 23rd. Street due to the structure being damaged by fire. Officer Williams posted a “red tag” on the structure due to it being damaged to the point it was no longer fit for human habitation. Officer Williams sent notification to all know owners regarding this incident.

On March 7th, 2024, North Little Rock Code Enforcement Officer Timothy McEuen was assigned the investigation for condemnation proceedings. Officer McEuen confirmed the owner is deceased, and the property is behind in State taxes being paid. The structure has been vacant for approximately 5 years, and has been subject of nuisance issues the City has had to abate. Officer McEuen posted a *Notice of City Council Hearing* on the property.

The condemnation proceedings were initiated due to the condition of the structure. Owners and/or heirs and all interested parties were given notice of City Council for the May 13th, 2024 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