R-24-219

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4517 BOYER 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:

THE EAST 50' OF THE WEST 100' OF BLOCK 57 OF THE JOHN L. ATKINS SCHOOL SUBDIVISION IN THE CITY OF NORTH LITTLE ROCK, PULASKI COUNTY, ARKANSAS (PARCEL NO. 23N0610019800 LOCATED AT 4517 BOYER STREET AND OWNED BY W. W. WALLS).

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

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 9:45 A.M. _____ P.M.

By Amy Fields

DATE 10-8-24

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

RECEIVED BY

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

August 28th, 2024

Mayor Hartwick
City Council Members

Re: 4517 Boyer Street
E50' OF W 100' OF BLK 57 SOMETIMES REFERRED TO AS LOT 57 OR TR 57
Atkins John L School Sub
City of North Little Rock, AR

Owners: W W Walls
North Little Rock, AR

Dear Mayor Hartwick;

On or around May 22nd, 2024, North Little Rock Code Enforcement Officer Cedric Williams began an investigation into 4517 Boyer Street due to the structure being damaged by fire. After receiving a notice from the NLR Fire Department Officer Williams posted a "red tag notice" on the structure due to it being damaged to the point it was no longer fit for human habitation. Officer Williams mailed notification to all know owners of record, but he was never contacted regarding this incident.

On July 16st, 2024, North Little Rock Code Enforcement Officer Timothy McEuen was assigned the investigation for condemnation proceedings. Officer McEuen observed extensive interior and exterior damage making this structure uninhabitable. I called Ms. Gilliam and spoke to her about the residence. She stated she was "buying" the residence from Mr. Walls and Ms. McNutt. She stated the documents for that sale was destroyed in the fire. Ms. Gilliam stated she did not have any insurance on the property and does not have any means to repair the structure and wishes for the City to move forward. There have been no permits acquired to rehabilitate the structure. Officer McEuen posted a ***Notice of City Council Hearing*** on the property. Officer McEuen has been in contact with the deceased owner's family whom stated they do not have the funds, no insurance on the structure, or an intent to rehab the structure.

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 October 14th, 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