

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

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 1122 EAST WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK 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 2, Block 1, Loomis Subdivision in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 34N0050000300 located at 1122 East Washington Avenue and owned by Jerry Brockington.)

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 his 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 Joe A. Smith

SPONSOR:

ATTEST:

Joe A. Smith

Mayor Joe A. Smith

*by ABF*

\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter

C. Jason Carter, City Attorney

*by ABF*

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>11:40</u>	<u>A.M.</u>	P.M.
By	<u>C. Carter, City Attorney</u>		
DATE	<u>7/18/17</u>		
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas			
RECEIVED BY	<u>B. Dwyer</u>		

The City of North Little Rock

R-17-124

TOM WADLEY  
DIRECTOR



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CODE ENFORCEMENT DEPARTMENT

July 12, 2017

Mayor Smith  
City Council Members

Re: 1122 E Washington Ave  
Lot 2 Block 1 Loomis Sub  
Parcel 34N0050000300  
North Little Rock, AR 72117

Owner: Jerry Brockinton Revoc Tr.  
Sherwood, AR

Dear Mayor Smith;

January 2017 Officer C. Williams conducted an exterior inspection of the property after noticing the vacant structure with a huge hole in the roof, rotting siding material and rotting fascia and soffit. Officer Williams made contact with Mr. Brockinton who stated that he would get bids for demolition because he was in agreement that the house is not salvageable. However after speaking with contractors, felt the cost was more than he paid for the homes years ago and didn't want to hire the contractors. According to NLR Electric Department it shows Utilities to still be on with minimal usage but have not been fully active since March 2004.

June 2017 Officer F. McHenry made a request for an administrative search warrant in order to conduct an interior inspection. The inspection showed numerous housing code violations. The condemnation proceedings was started due to the condition of the structure, a notice of public nuisance along with a notice of City Council was mailed by certified and regular mail to all interested parties and also posted on the property, and advertised in the newspaper for a City Council hearing date of July 24<sup>th</sup>, 2017.

The structure is considered to be unsafe for human habitation and it is also considered to be a public nuisance, it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Felecia McHenry  
Code Enforcement Officer