

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

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4816 EAST BROADWAY 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:

Blocks 180 and 181, Rich Acres Subdivision of Lot 5 of Mrs. M.A. Miller's Plantation, Section 32, Township 2 North, Range 11 West, in the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 23N0670015100, located at 4816 East Broadway and owned by G&J LLC, Stella's Liquor.)

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 AP*

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

APPROVED AS TO FORM:

C. Jason Carter

C. Jason Carter, City Attorney

*by AP*

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>11:30</u>	A.M.	_____	P.M.
By	<u>Amy Fields</u>			
DATE	<u>9-19-17</u>			
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>				
RECEIVED BY	<u>[Signature]</u>			

The City of North Little Rock

R-17-167

TOM WADLEY  
DIRECTOR



701 WEST 29TH STREET  
NORTH LITTLE ROCK, ARKANSAS 72114  
501-791-8581 • Fax 501-791-8584  
NLRCodeEnforcement@northlittlerock.ar.gov

CODE ENFORCEMENT DEPARTMENT

September 11, 2017

Mayor Smith  
City Council Members

Re: 4816 E Broadway,  
Stella's Liquor  
Blocks 180 and 181, Rich Acres Subdivision of Lot 5 of Mrs. M.A. Miller's Plantation,  
Section 32, TWP. 2 North, Range 11 West, Pulaski County,  
City of North Little Rock, AR

Owner: G&J, LLC  
North Little Rock, AR

Dear Mayor Smith;

June 2017 officer C. Williams conducted an exterior inspection of this structure after receiving a fire report from the North Little Rock fire department. The structure was red-tagged and notice was mailed by certified mail to owners of record. The structure is considered to be unsafe.

June 2017 the police were contacted several times in regards to the looting of this building, individuals were stealing the liquor and removing the scrap metal from the building. The owners erected a temporary fence to help keep out the looters. Mr. Prethingh stated that he would have the building demolished within the next couple of weeks. After no sign of demo, I followed-up with Mr. Prethingh he stated that he is now having trouble with his insurance company. He was advised that the City would be moving forward with the condemnation of the structure, due to the hazardous condition.

July 2017 I mailed a Notice of Public nuisance along with a Notice of City Council scheduled for the September 25<sup>th</sup>, 2017 hearing date. The notice was mailed by certified and regular mail and posted to the premises. Notice of hearing was also ran in local newspaper.

To-date the status of the structure is unchanged, The structure is considered to be unsafe for human habitation and 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