

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 723 WEST 21ST STREET 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 11, Block 3, Schaers Addition to the City of North Little Rock, Pulaski County, Arkansas. (Parcel No. 33N2560002200 located at 723 West 21st Street and owned by Roma Investments LLC.)

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 \$50.00 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:

Joe A. Smith
Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	11:27	A.M.	_____	P.M.
By	Deputy Asst. City Clerk			
DATE	1-20-15			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	_____			

K-15-17

The City of North Little Rock

TOM WADLEY
DIRECTOR



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

CODE ENFORCEMENT DEPARTMENT

January 16, 2015

Mayor Smith
City Council Members

Re: 723 W. 21st
Lot 11 Block 3
Parcel 33N2560002200
SCHAERS Subdivision
City of North Little Rock, AR

Owners: ROMA INVESTMENTS LLC
N Little Rock, AR

Dear Mayor Smith;

The above named property has been a source of complaints since 2010. This house sits on two separate lots that are owned by two different people Roma Investments LLC of North Little Rock and Brian Mayweather of Little Rock however Mr. Santamaria has been renting the property and claiming ownership of the house. Now neither party wants to be the responsible for the property.

Oct 2010 Officer C. Williams conducted an interior inspection of the property after receiving complaints from tenants regarding violations the owner (Stefano Santamaria of ROMA INVESTMENTS LLC) wouldn't correct, inspection notice was mailed to owner advising of what corrections needed to be made, however owner moved in a family prior to final inspection.

September 4th, 2014 officer McHenry was able to make contact with Stefano Santamaria of ROMA Investments LLC. Mr. Santamaria was issued a citation to appear in North Little Rock District Court for Public Nuisance and Property Maintenance Violations, Court Date October 16th, 2014 @1:30 p.m. An interior inspection was conducted by officer C. Williams and myself which showed numerous violations.

F. McHenry started the condemnation procedures due to the condition of the structure. Owners and/or heirs and all interested parties were given notice of City Council for the November 24th, 2014 Hearing date. Notices were mailed by certified and regular mail, legal notice ran in the newspaper, and were also posted on the property. Mr. Stefano requested additional time in order to correct the violations I agreed to give him an additional 60-Days, I move the City Council Date to January 26th, 2015 notification of new date was given to Mr. Stefano.

Mr. Stefano still refuses to correct the violations because of a dispute with the owner of the adjacent property, he was advised to obtain an attorney, the judge has also advised him to have the property demolished, he has stated that he still does not plan to demolish the judge has imposed a fine of \$100 per day until the structure is demolished.

This property is considered to be a public nuisance; North Little Rock Utility accounting department shows the structure has not had utilities since May 2012. It is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Felecia McHenry
Code Enforcement Officer