

ORDINANCE NO. 2020- 03

AN ORDINANCE DIRECTING AND ORDERING REMOVAL AND CLEANUP OF THE BUILDINGS AND IMPROVEMENTS AT : 109 BRIGHTON STREET, 903 DAM BOULAVARD, AND 237 LAKEVIEW TERRACE, BULL SHOALS, AR

WHEREAS, Arkansas Code Annotated 14-56-203 authorizes the City of Bull Shoals to remove or raze any buildings that have become dilapidated, unsightly, unsafe, unsanitary, obnoxious or detrimental to the public welfare; and

WHEREAS, the buildings and improvements located at 109 Brighton, 903 Dam Boulevard, and 237 Lakeview Terrace, Bull Shoals, AR should be removed, cleaned up and/or razed due to the reasons set forth in Arkansas Code Annotated 14-56-203.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BULL SHOALS, ARKANSAS THAT:

SECTION ONE; The City of Bull Shoals has inspected the properties referenced hereinabove and has consistently found the following problems, to wit:

- 1) The structure at 109 Brighton Street (one doublewide trailer) was fully involved in a fire, all rooms and all walls within the structure were damaged; in addition to extensive smoke and water damage most structural wiring has been compromised. Additionally, openings within the structure permit water to flood the basement during any rainfall creating a pool of standing water. Thus, the building breeds mosquitos and attracts all manner of vermin. The City has been pumping water from the basement on a regular basis for nearly a year. The extent of damage and the resultant ongoing endangerment of the public health requires the mitigation/removal of this structure.
 - a. Owner was first notified he was in violation of City Ordinance 2007-07 by Code Enforcement Officer on 2/13/19. Second written notification was 4/14/19. Third notice was 2/02/20.
 - b. Letter detailing actions already taken and proposed by this ordinance was provided by certified post to owner at last known address: 7114 Hwy 126, Midway. AR 72651.
- 2) The structure at 903 Dam Boulevard (one singlewide trailer) is aged and neglected. The outside walls have deteriorated, and weather has opened gaping holes into the structure. Vermin regularly invade the structure and the possibility of neighboring children or

“squatters” being injured by entering and leaving the structure is very real. The property surrounding the structure has become a repository for trash and other refuse. The structure is very old, and the last known owners have failed to respond to multiple contact attempts.

- a. Owner was provided by public mail with a notice of violation of City Ordinance 2007-07 on 1/25/20 by Code Enforcement Officer. Written citation was left at premise on 2/02/20. Several subsequent efforts to contact the owner have received no response.
- b. Letter detailing actions already taken and proposed by this ordinance was provided by certified post to owner at last known address: 621 US Hwy 150, Cranfield, MO 65626.

3) The structure at 237 Lakeview Terrace (a single-family dwelling) has been vacant for many years. Neglect and time have compromised the structural integrity of the building and it has been taken over by animals. Evidence of this infestation consists of several inches of animal feces covering the entire space above the living area of the home. The grounds and surrounding area are overgrown and neglected.

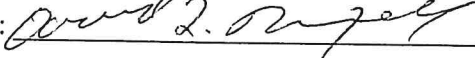
- a. Notice of Violation of City Ordinance 2007-7 was first posted on property On 10/1/17. Second notice of violation was posted on 11/15/18. Third notice was posted on 6/03/20. Final notice Property owner was contacted by telephone and informed of pending condemnation action on 8/24/20.
- b. Letter detailing actions already taken and proposed by this ordinance was provided by certified post to owner at last known address: 2759 Kistmet Way, Eugene, OR 97405.

SECTION TWO; That the City has been unable to remedy the problems associated with these properties. It is the opinion of the City Council that the buildings and improvements at 109 Brighton Street, 903 Dam Boulevard, and 237 Lakeview Terrace, Bull Shoals, AR have become dilapidated, unsightly, unsafe, unsanitary and detrimental to the public welfare.

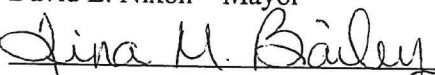
SECTION THREE; That the City Attorney is directed to file the appropriate legal action in the Circuit Court of Marion County, AR to obtain an Order authorizing and directing the removal/clean up/razing of the properties described herein and providing the City with a lien against these properties to cover all expenses incurred by the City.

WHEREAS, it is ascertained and declared that it is necessary for the public peace and welfare of the citizens of the City of Bull Shoals, Arkansas, an emergency is hereby declared to exist and this ordinance shall take effect and be in force from and after its passage.

ADOPTED THIS 24th DAY OF SEPTEMBER 2020

APPROVED:  _____

David L. Nixon – Mayor

APPROVED:  _____

Tina M. Bailey – Recorder/Treasurer