

Policy: Dangerous or Unsightly Premises

Date Originally Approved: June 27, 2002

Motion: *“That Council adopt Policy # 2002 – 14 Dangerous or Unsightly Premises as presented; and*

Further, that this policy comes into effect, immediately.”

Date Amended May 16th 2013

Motion: *“That the Dangerous and Unsightly Premises Policy # 2002 - 14, approved as presented; and*

Further, that this policy comes into effect, immediately.”

This Policy is current as of: May 16th 2013

Policy Number: 2002 – 14

Policy Subject: **Dangerous or Unsightly Premises**

Policy Objective

To establish guidelines to address complaints received regarding dangerous or unsightly premises.

Policy

1. This Policy is entitled the “Dangerous or Unsightly Premises Policy”.
2. In this Policy “an order to demolish” includes an order to completely remove a building and includes an order in which demolition or complete removal of a building is ordered only in the event of non-performance by an owner of some other term or condition in the order.
3. ***Council*** retains authority to carry out hearings and to issue dangerous or unsightly premises orders in instances in which an order to demolish is being considered.
4. Council delegates its authority to issue all other dangerous or unsightly premises orders to the Administrator of Dangerous or Unsightly Premises, an employee of the Town designated by the Chief Administrative Officer to be responsible for the dangerous or unsightly premises provisions of the ***Municipal Government Act*** or successor legislation.
5. The Administrator shall investigate and administer complaints alleging dangerous and unsightly premises, which are made in writing on a complaint form made available by the Administrator. A complaint form submitted on behalf of multiple complainants shall identify the name and address of a single representative to receive communications on behalf of all the complainants regarding the complaint.
6. The Administrator shall not carry out investigations, issue orders, or otherwise seek to enforce the dangerous or unsightly premises provisions of the ***Municipal Government Act*** or successor legislation in the absence of receiving a complaint which complies with section 5 of this Policy.
7. The Administrator may give time to a complaine to remediate a dangerous or unsightly premise before seeking to issue an Order or requesting ***Council*** to issue an Order.
8. The Administrator shall provide the complainant(s) with a letter in cases where the Administrator makes a final decision not to issue an Order or (in respect of a complaint

involving a possible demolition order) to request issuance of an Order by **Council**.

9. A complainant who is dissatisfied with a decision of the Administrator to refuse to issue an order or to request issuance of an Order by **Council**, or a complaine or complainant who is dissatisfied with the terms or conditions of an Order issued by the Administrator, may appeal to **Council** to reverse or vary the decision of the Administrator, provided that written notification of the Appeal is provided to the Administrator within seven days of receipt of the Order or decision. The complainant(s) shall be notified of the appeal hearing date, time and location by the Administrator at least seven days before the appeal hearing. The complaine shall be notified by personal service or posting in accordance with the Act. After hearing the appeal, **Council** may affirm, reverse or vary the decision of the Administrator and issue Orders accordingly.
10. In the event of an appeal from an Order issued by the Administrator, the deadline for completion of remediation in the Order shall be extended for a period of time equal to the interval between the date of filing of the Appeal and the date of written notification of **Council disposition** of the Appeal.
11. For the purpose of this policy:
 - a) copies of Orders or letters may be provided by the Administrator to a single representative of a group of complainants; and
 - b) documents mailed by the Administrator shall be deemed to be received on the second day following mailing.

Annotation for Official Policy Book

Date of Notice to Council Members of
Intent to consider: *April 22, 2013*

Date of Passage of Current Policy: *May 22, 2013*

I certify that this was adopted by Council as indicated above.

CAO / Clerk

Date

COMPLAINT FORM

Complainant: _____

Address: _____

Telephone # _____

Subject of Complaint: _____

Location of Complaint: _____

Name of Owner if Known _____

Signature of Complainant

Date

.....
Office Use:

Complaint received by: _____

Date complaint filed: _____