



REQUEST FOR DECISION

Meeting: August 12, 2024

Draft Bylaw #1788 – Unsightly Premises and Property Standards Bylaw

BACKGROUND & DISCUSSION:

The Bylaw Department has been conducting a review of bylaws and would like to propose an amendment to align the current Bylaw No. 1710 and Bylaw No. 1711. These bylaws deal with enforcement of snow and ice and grass and weeds. The change requested is the definition of “Administration Fee” in Bylaw No. 1711, “Unsightly Premises and Property Standards” to align with the definition of the term “Administration Fee” found in the Bylaw No. 1710 “Traffic & Highways Bylaw” to allow for the same fee structure within both bylaws. In order to keep everything consistent within the department and ensure all offenses are taken into account, the Bylaw department would suggest making all the fees the same. This ensures that within both bylaws there is an increase for repeated offenses.

In addition, a change is required in the Enforcement Section of Bylaw No. 1711 again to align with the Enforcement Section of Bylaw No. 1710. The attached draft bylaw has the removals crossed and the new sections added in red (also noted below).

The changes being proposed are as follows:

REMOVE

Definition

“**Administration Fee**” means a fee added to actual expenses incurred by the Town for measures taken pursuant to this Bylaw and such fee is equal to the greater of \$25.00 or 15% of actual expenses incurred by the Town;

ADD

“**Administration Fee**” means a fee added to actual expenses incurred by the Town for measures taken pursuant to this Bylaw to remedy any contravention contained within this bylaw. Administration fees can be transferred to tax roll. Administration fees shall be enacted as follows:

- i. First Offence: fee is equal to the greater of \$40.00 or 15% of the actual expenses incurred by the Town;
- ii. Second Offence (including subsequent and ongoing enforcement): fee is equal to the greater of \$120.00 or 20% of actual expenses incurred by the Town.*

**Second Offence provision currently exists in the Traffic and Highways bylaw and administration is recommending adding it to the new Unsightly Bylaw to act as a deterrent for repeat offenders.*

REMOVE

Section 9 ENFORCEMENT

9.1 e) A statement that the Town may carry out the required remedial action at the Owner’s expense if the required work is not completed within the allowed time.

ADD

9.1 e) A statement that if the required work is not completed within the allowed time the Town may carry out the required remedial action at the Owner's expense plus an administration fee. The subject costs and expenses, if unpaid by the owner upon demand, shall be added to the Tax Roll of the subject property in accordance with Section 553 (1)(g.1) of the Municipal Government Act, RSA 2000, c.M-26.

RECOMMENDATION:

Administration suggests updating the definition of "Administration Fee" in Bylaw #1789 Unsightly Premises and Property Standards, along with the wording change in the Enforcement Section 9.1 e) be passed as presented to ensure the bylaws are aligned.

PROPOSED RESOLUTIONS:

MOVED by Councilor _____ that Bylaw 1788 – Unsightly Premises and Property Standards – be given 1st Reading.

ATTACHMENTS:

- 1.) Draft Bylaw No. 1788

APPLICABLE LEGISLATION:

- 1.) Bylaw No. 1710 & Bylaw No. 1711

PREPARED BY: Brian Webber, Bylaw Enforcement & Tara Vandervalk, Development Services Manager

APPROVED BY: Abe Tinney, CAO

DATE: August 8, 2024
