



REQUEST FOR DECISION

Meeting: September 9, 2024
Agenda Item:

Bylaw No 1788 – Unsightly Premises and Property Standards Bylaw

DESCRIPTION/BACKGROUND:

Council passed first reading on Bylaw 1788 on August 12, 2024. The changes noted below ensure enforcement bylaws with the Town are consistent. Please note, the second offense provision does not continue in perpetuity and would apply seasonally to ensure owners have adequate notice.

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.

RECOMMENDED ACTION:

Administration would recommend passing 2nd and 3rd readings on Bylaw No. 1788.

PROPOSED RESOLUTIONS:

ATTACHMENTS:

- 1.) 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: September 3, 2024
