City of Richmond

Report to Council

To:	Richmond City Council	**Date:**	March 14th, 2002
From:	Councillor Linda Barnes Chair, Community Safety Committee	**File:**	8080-05
Re:	**FORCED CLEAN UP OF AN UNSIGHTLY PREMISES AT 8080 ALANMORE PLACE**		

The Community Safety Committee, at its meeting held on Tuesday, March 12th, 2002, considered the attached report, and recommends as follows:

Committee Recommendation

That the City be given approval to proceed with the clean up of an unsightly property in accordance with Section 725 (2) of the Local Government Act at 8080 Alanmore Place, as outlined in the 'Order to Comply' of January 25, 2002 under Unsightly Premises Regulation Bylaw No. 7162, on the understanding that the owner would be given a period of one month commencing March 12th, 2002, to sort through her possessions.

Councillor Linda, Chair
Community Safety Committee

Attach.

VARIANCE

Please note that staff recommended the following:

That the City be given approval to proceed with the clean up of an unsightly property in accordance with Section 725 (2) of the Local Government Act at 8080 Alanmore Place, as outlined in the 'Order to Comply' of January 25, 2002 under Unsightly Premises Regulation Bylaw No. 7162.

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STAFF REPORT

ORIGIN

A complaint was received October 26, 2001 regarding the accumulation of discarded materials stacked in the carport, garbage scattered in the rear and front yards, also garbage in a empty pool in the rear yard located at 8080 Alanmore Place, Richmond

City records indicated that there had been some past history regarding this property's condition with some initial compliance was achieved; however it appears that the owner has not taken the necessary steps to maintain the appearance of the property. As a result of this, more discarded items have accumulated creating health and fire safety concerns.

COMPLIANCE HISTORY

The property owner Margaret Righton was contacted on November 1, 2001 by telephone and the Bylaw Liaison Officer made arrangements to conduct a joint inspection of the premises on November 6, 2001. The Bylaw Officer indicated to the property owner that an inspector from Environmental Health and Fire would attend to address health and fire safety concerns.

The property owner attended City Hall November 2, 2001, and requested that the Bylaw Liaison Officer, Environmental Health Inspector and Fire Inspector reschedule the joint inspection for another week to allow her more time to clean up the property. The Bylaw Liaison Officer granted the property owner a two-week extension to allow more time to clean up the premises.

A joint inspection was conducted on November 30, 2001 at the premises with inspectors from Environmental Health, Fire and the Bylaw Liaison Officer in attendance. The inspection revealed that the carport was stacked with discarded materials, garbage scattered in the front and rear yards; also garbage accumulated in a empty pool in the rear yard.

The Fire Inspector deems the property a fire hazard for building occupants and fire crews responding. The Environmental Health Inspector expresses concerns regarding potential rodent harborage and food sources (fallen apples).

A letter was hand delivered to the property owner December 11, 2001 requesting removal of all the discarded materials in the carport, front and rear yards and items in the empty pool from the property by January 8, 2002.

The Bylaw Liaison Officer conducted a follow up site inspection on January 9, 2002. The inspection revealed no action had been taken to bring the property into compliance to the Unsightly Premises letter request.

The "Order to Comply" letter was hand delivered to the property owner January 25, 2002 ordering the clean up of all discarded materials stacked in the carport, garbage scattered in the front and rear yards, also garbage accumulated in the empty pool. This order required compliance by February 12, 2002.

The Bylaw Liaison Officer conducted a follow up site inspection on February 13, 2002. The inspection revealed no action had been taken to bring the property into compliance with the "Order to Comply".

SECTION 725 OF THE LOCAL GOVERNMENT ACT

Section 725 of the Local Government Act allows Council, by bylaw (i.e. in this instance by authority of Bylaw No. 7162), to prohibit the owners or occupiers of real property from allowing their property to become or remain unsightly.

Unsightly Premises Regulation Bylaw No. 7162 describes the process to deal with such properties and includes the requirements of issuing an Order to Comply.

Section 725 of the Local Government Act addresses the action the City may take to remedy the unsightliness on real property. Bylaw No 7162, Section 2.2.2, states: "If the owner or the occupier of such property, or their agents fail to remove or clear the offending material from the real property as directed in an Order to Comply, City staff, or a contractor engaged by the city, may enter on the real property, at reasonable times and in a reasonable manner, to remove or clear the offending material at the expense of the defaulting owner or occupier of the real property, or their agents."

FINANCIAL IMPACT

The Unsightly Premises Regulation Bylaw No. 7162, Section 2.2.3, states: "Where offending material has been removed or cleared in accordance with subsection 2.2.2, the charges for such removal or clearance, if unpaid on or before December 31st in the year in which the charges are incurred, form part of the taxes payable on such property, as taxes in arrears."

Staff obtained a quote from our contractor John's Custom Tractor & Disposal Service for the removal of the discarded materials in the yard and carport. The total cost for clean up is estimated at **$2,617.39**

CONCLUSION

Authority under the Local Government Act and the Unsightly Premises Bylaw No. 7162 is given for staff to address this property. The estimate received is above the staff approval limit of $1,000, therefore it is necessary to obtain Council's approval to undertake such action. The agent/owners have been advised, not only with an Order to Comply, but also verbally and by correspondence on the condition of the property.

The property owner has been informed of this report being addressed at the Community Safety Committee meeting on March 12, 2002. Advised of her right to address Committee on this matter.

Graham

Ron Graham
Bylaw Liaison Officer.