



City of Richmond

Report to Committee

To: Community Safety Committee
From: Wayne G. Mercer
Manager, Community Bylaws

To Community Safety - Apr. 11, 2007.
Date: March 27, 2007
File: 12-8080-05.

Re: Site Clean Up of an Unsightly Property
Civic Address: 8080 Alanmore Place
Legal Description: Lot 18, Section 22-4-7, Plan 18098

Staff Recommendation

That John's Custom Tractor and Disposal Service be authorized to remove all of the discarded materials at 8080 Alanmore Place, Richmond, in accordance with the "Order to Comply" of March 16, 2007 issued under the Unsightly Premises Bylaw No. 7162 and section 17(1) of the Community Charter.

Wayne G. Mercer
Manager, Community Bylaws
(604) 247-4601

Att. 7

FOR ORIGINATING DEPARTMENT USE ONLY			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Law.....	MCB Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	REVIEWED BY CAO	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Staff Report

Origin

Community Bylaws received a complaint on February 14, 2007 regarding the large amount of discarded materials at 8080 Alanmore Place. In response to this complaint an inspection was conducted on February 19, 2007 which confirmed the presence of a dismantled trailer, discarded furniture and an accumulation of garbage at the property. Since that time the City has attempted to gain voluntary compliance with our requirements, but to date, the property remains unsightly.

Please see the attached copy of the City's "Order to Comply" for the voluntary compliance history.

Analysis

On March 15, 2007 Staff confirmed with the New Westminster Land Titles Office that the property is owned by Margaret Florence Righton. The same title search listed Ms Righton's address as 8080 Alanmore Place. The property is currently zoned (R1/E) Single-Family Housing District.

Staff in the Community Bylaws department attended the property on March 16, 2007 and observed no visible improvement in the status of the property since the first inspection on February 14, 2007. Staff posted the "Order to Comply" on the front door of the residence on March 16, 2007 as there were no persons at the residence to personally serve. Section 2.1.3(b)(iii) of the Unsightly Premises Bylaw No. 7162 permits the "Order to Comply" to be served on the occupier of the property by posting, and section 2.1.4(c) of the Unsightly Premises Bylaw No. 7162 deems the "Order to Comply" served upon posting. (see photos attached).

Council's power to authorize this work comes from Section 17(1) of the *Community Charter*, which allows municipal Council the authority to fulfill City requirements at the property owner's expense and recover those costs as a debt.

Financial Impact

None.

Conclusion

The property is in contravention of the *Unsightly Premises Bylaw No. 7162*. As a result of this contravention the City is seeking mandatory compliance to its Bylaw with Staff's recommendation to have this work done by the City's Contractor, John's Tractor and Disposal Service.



Wayne G. Mercer
Manager, Community Bylaws

WM:js



City of Richmond

6911 No 3 Road, Richmond, BC V6Y 2C1
Telephone (604) 276-4000
www.cityrichmond.bc.ca

February 20, 2007
File: 07-362075

Community Bylaws
Telephone 604-276-4345
Fax 604-276-4036

Margaret F. Righton
8080 Alanmore Place
Richmond BC V7C 2B7

Dear Margaret F. Righton:

Re: 8080 Alanmore Place, Richmond, BC

City records show that you are the owner of the above property and as such, this letter is to advise you of our concerns about the unsightly aspect of the property located at 8080 Alanmore Place, Richmond, BC.

The inspection of the property on February 19, 2007, found the dwelling to be insecure and confirmed the presence of:

1. A dismantled/discarded camper trailer
2. Discarded furniture and rubbish in the carport and scattered throughout the property

which is in contravention of the Unsightly Premises Bylaw No. 7162 (excerpt enclosed).

Richmond is committed to a Civic Beautification program of which the tidiness of private property is an important component contributing to the overall attractiveness and liveability of Richmond. We require your cooperation to remove the discarded furniture, discarded dismantled camper trailer and rubbish from the property and secure the dwelling by March 8, 2007.

A re-inspection of your property will be carried out shortly after March 8, 2007 to ensure that the above matters have been addressed. In the event you are unable to comply by March 8, 2007, please inform me of your intention regarding the above matter. I can be reached at 604-276-4079.

Yours truly,

Dal Benning
Bylaw Liaison Officer

DB db

Enc. Excerpt from Bylaw No. 7162
Photos taken of the property on February 19, 2007

cc. Larry Johnson (Building Approvals - Supervisor)
Steve Chong (Environmental Health - Manager)
Const. D. Cheng (RCMP - Crime Prevention Unit)
Bob Furlong (RFR - Chief Fire Prevention Officer)

RICHMOND
Island City, by Nature



City of Richmond

6911 No 3 Road, Richmond, BC V6Y 2C1
Telephone (604) 276-4000
www.cityrichmond.bc.ca

March 16, 2007
File: 07-362075

Community Bylaws
Telephone 604-276-4345
Fax 604-276-4036

Margaret Florence Righton
8080 Alanmore Place
Richmond BC V7C 2B7

Dear Margaret Florence Righton:

Re: Unsightly Condition of Property at 8080 Alanmore Place, Richmond, BC.

City Staff have encouraged you to voluntarily bring your property into compliance with Richmond's Bylaws. As a result of the failure to adequately resolve the condition, we are now moving to the next step, which is to seek mandatory compliance to the City's bylaws. The voluntary compliance history of this case and mandatory compliance process are detailed below.

Voluntary Compliance History

- February 19, 2007: Bylaw Liaison Officer Dal Benning attended your property and found a dismantled trailer, discarded furniture and garbage accumulated on the property.
- February 20, 2007: Dal Benning posted a letter (on your front door) notifying you to clean up your property by, removing the dismantled trailer and discarded furniture and to clean up the garbage by March 8, 2007. (Letter attached).
- March 9, 2007: Dal Benning attended your property. The property had not been cleaned up.

Mandatory Compliance – Order To Comply Process

The City is seeking mandatory compliance to its bylaws through the issuance of the attached "Order to Comply". The Order to Comply is the last step prior to the City initiating clean-up action at the expense of the property owner. The current estimate for clean-up is \$ 6080.92

The legal authority for this action is set out in the Unsightly Premises Bylaw 7162 and is also shown in the paragraph below.

- 2.2.2 *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.

- 2.2.3 *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.*

This action is based on an authority provided in the Community Charter.

You have the right to appeal this Order to Comply as set out in Section 2.3 of the Unsightly Premises Bylaw as follows:

2.3 *Appeal Against an Order to Comply*

- 2.3.1 *A person upon whom an Order to Comply has been served may, by giving notice in writing to the City Clerk at least 72 hours prior to the expiration of the time given in the Order to Comply to remove or clear the offending material, appeal to Council, who must hear and determine the appeal by confirming, amending or rescinding the Order to Comply.*

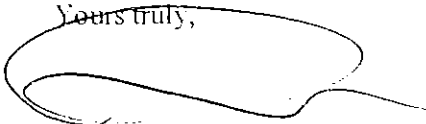
Should you wish to appeal this Order to Comply, please contact, in writing, the City Clerk's Office by 5:00 pm March 30, 2007. They are located in City Hall and can be reached at 604-276-4007.

Bylaw Liaison Officer Dal Benning will be conducting a follow up inspection on April 2, 2007 to ensure that compliance to this Order is achieved.

Should the inspection reveal that the property continues to contravene the Order, the City will arrange for the necessary actions, detailed in the Order, to be undertaken on your behalf and at your expense.

Please inform Bylaw Liaison Officer Dal Benning of your intentions regarding the matter on or before March 30, 2007 at 604-276-4079.

Yours truly,



Dal Benning
Bylaw Liaison Officer

DB:db

Enc. 1 Copy of letter dated February 20, 2007

pc: City Clerk's Office
Dal Benning, Bylaw Liaison Officer



City of Richmond
Community Safety Division
Community Bylaws

Order to Comply

March 16, 2007

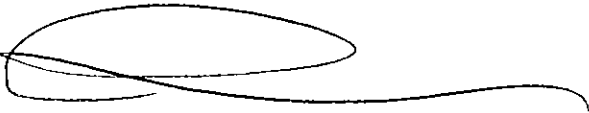
Pursuant to Unsightly Premises Bylaw 7162
& the Local Government Act

Civic Address 8080 Alanmore Place Richmond, BC
Legal Description Lot 18 Section 22 Block 4 North Range 7 West New Westminister
District Plan 18098

You are hereby ordered to bring the condition of this property into conformity with Richmond's Unsightly Premises Bylaw 7162 and the Local Government Act by April 2, 2007 with the removal of:

- a) Dismantled trailer;
- b) Discarded household furniture;
- c) Other discarded materials;
- d) And garbage.

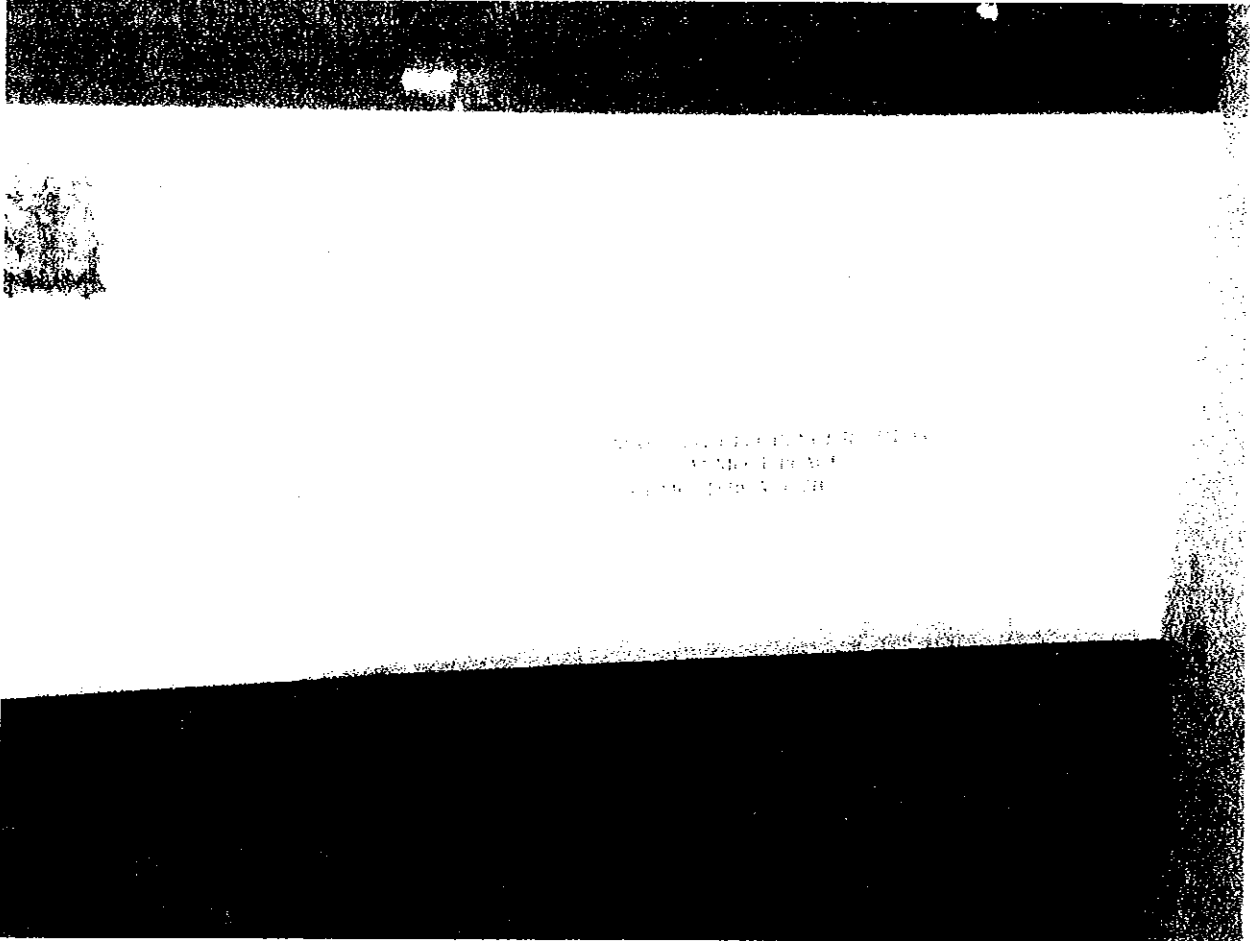
Details on the Order to Comply process, including appeals, are outlined in the attached letter.



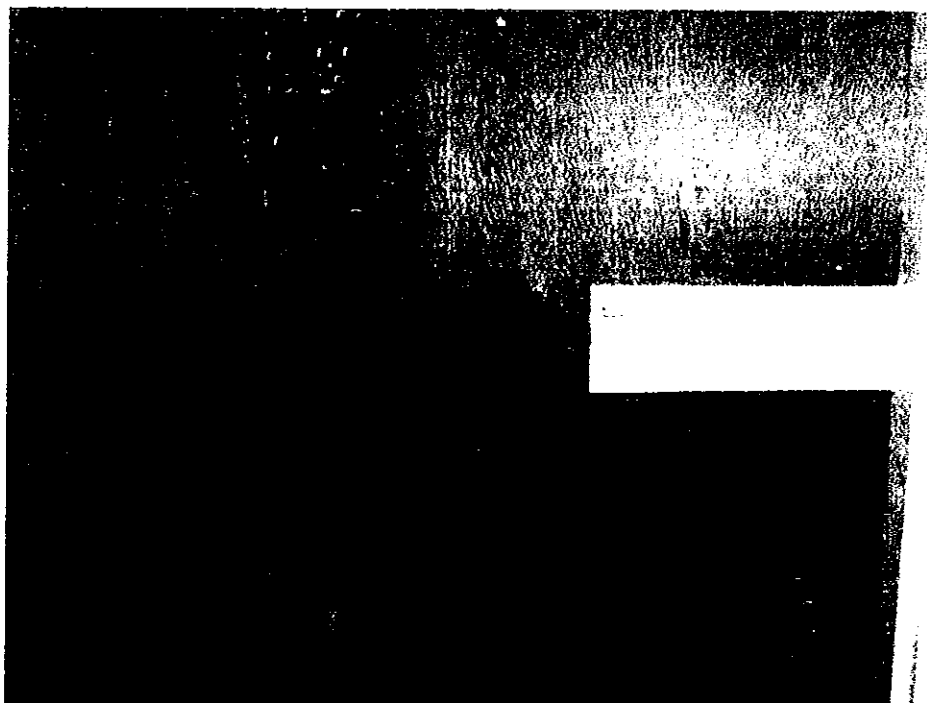
Dal Benning
Bylaw Liaison Officer

Att.

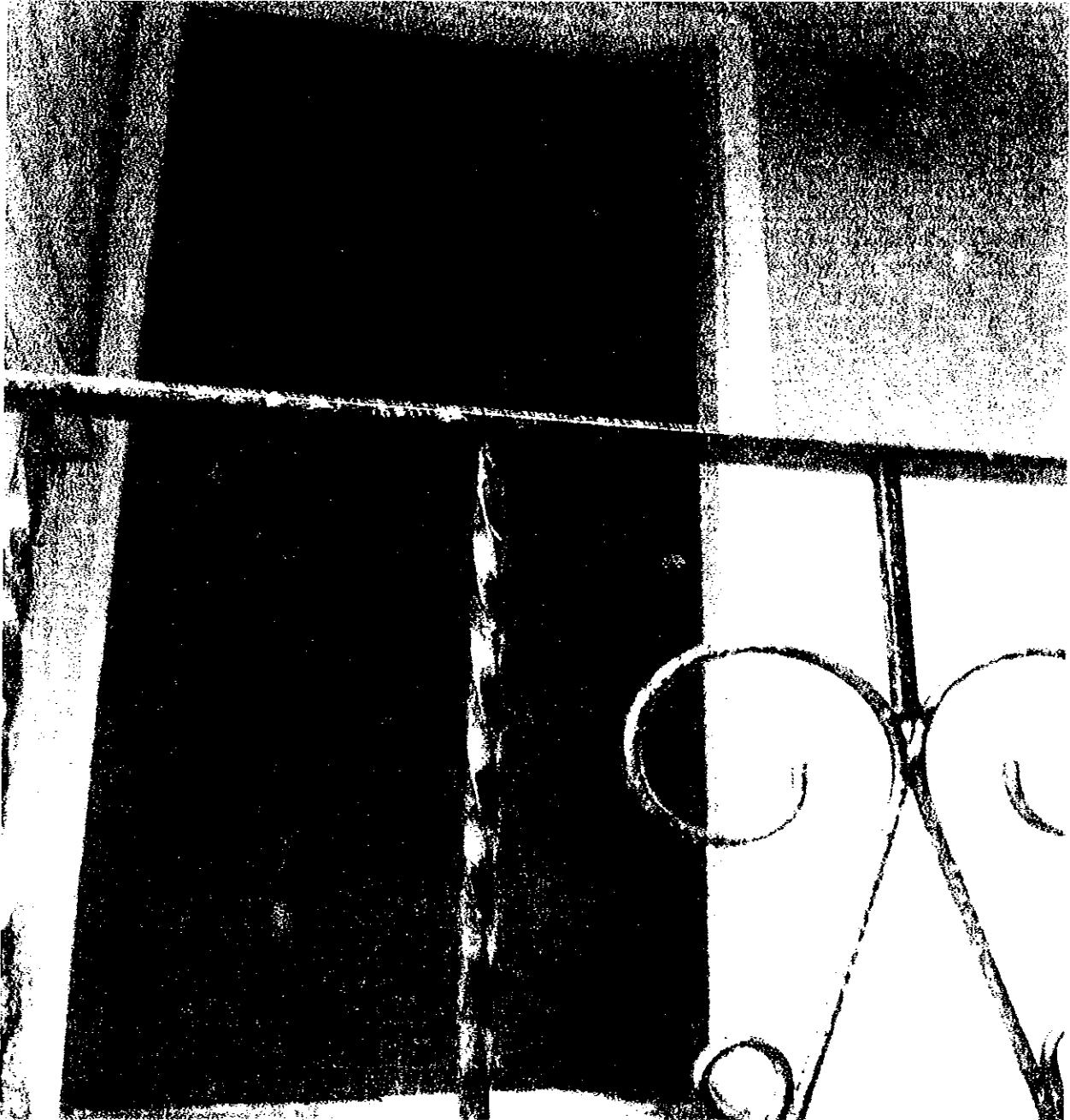
8080 ALANMORE PLACE
PHOTOS TAKEN BY: DAL BENNING
DATED: MARCH 16, 2007
TIME: 2:33 PM

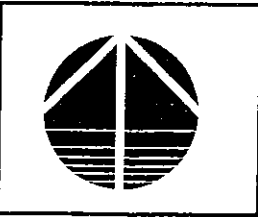
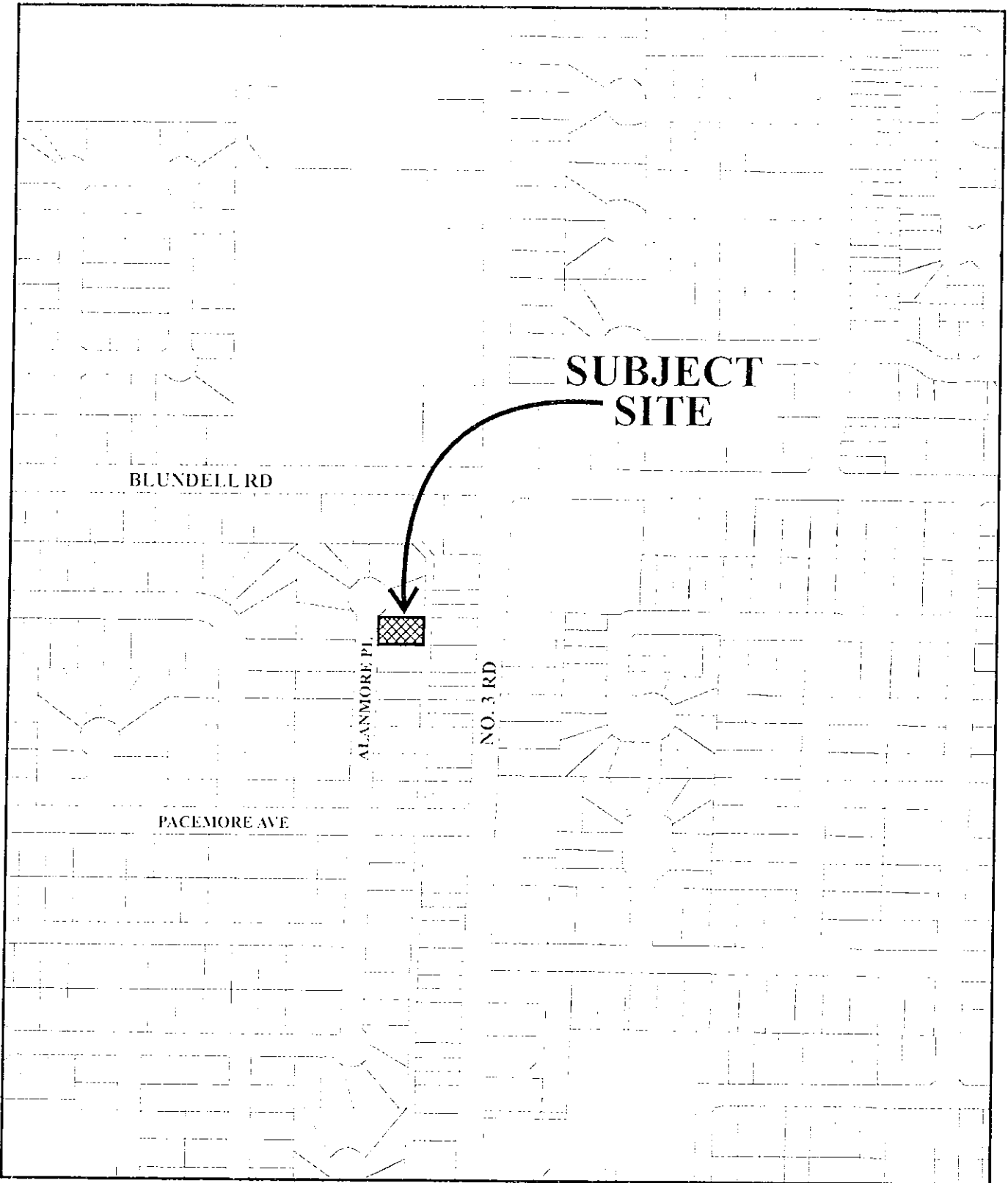


8080 ALANMORE PLACE
PHOTOS TAKEN BY: DAL BENNING
DATED: MARCH 16, 2007
TIME: 2:33 PM



8080 ALANMORE PLACE
PHOTO TAKEN BY: DAL BENNING
DATED: MARCH 22, 2007





8080 Alanmore Place

Original Date: 04/03/07
 Revision Date:
 Note: Dimensions are in METRES



City of Richmond Property Information

Address: 8080 Alanmore Pl
 Richmond Key: 27540 Roll: 096797000 PID: 000-884-511
 Zoning: R1/E BER-C: 0.9m BER-P: 0.9m
 Recycling Pick up Day: Monday
 DPA: No ALR; No ESA; No RAR; No NEF; No
 BCAA Legal: 18 SEC 22 BLK4N RG7W PL 18098

Assessments

Gross Taxes: \$2,415.09	Parcel Area: 674 sq.m.	
Gross Land: \$486,000.00	Gross Improvement: \$21,200.00	Gross Total: \$507,200.00
Net Land: \$486,000.00	Net Improvement: \$21,200.00	Net Total: \$507,200.00

Owners

Margaret F Righton
 8080 Alanmore Pl
 RICHMOND BC V7C 2B7

Disclaimer
 GIS information is provided as a public resource for general information purposes only. The Information shown on this map is compiled from various sources and the City makes no warranties, expressed or implied, as to the accuracy or completeness of the information. Users are reminded that lot size and legal description must be confirmed at the Land Title office in New Westminster. These maps are NOT a legal document, and is published for information and convenience purposes only.
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