



City of Richmond

Report to Council

To: Richmond City Council
From: Phyllis L. Carlyle
General Manager, Law & Community Safety
Re: **Site Clean Up of an Unsightly Property**
Civic Address: 11460 Seabay Road
Legal Description: Lot 13, Section 36-4-6, Plan 19945

To Council - Mar 3, 2008

Date: January 9, 2008

File: 12-8080-05

Staff Recommendation

1. THAT the appeal submitted by Ulf Areskoug, (owner of 11460 Seabay Road, Richmond) against the "Order to Comply" issued on November 20, 2007 regarding the condition of his property under the Unsightly Premises Regulation Bylaw No. 7162 and section 17(1) of the Community Charter, be denied; and
2. THAT the City's contractor, Walden Disposal and Tractor Service, be authorized to remove all of the discarded materials at 11460 Seabay Road, Richmond, in accordance with the "Order to Comply" of November 20, 2007 issued under the Unsightly Premises Bylaw No. 7162 and section 17(1) of the Community Charter, at a cost of \$1,174.72 to be recovered from the property owner.

Phyllis L. Carlyle
General Manager, Law & Community Safety

Att. 3

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

Staff Report

Origin

Community Bylaws received a complaint on June 7, 2007 regarding discarded materials at 11460 Seabay Road. In response to this complaint an inspection was conducted on June 8, 2007, which confirmed the presence of an unsightly accumulation of discarded materials, including scrap wood, appliances, tarps, garbage bags, old bicycle frames, a propane tank, doors, metal railings, mattresses, a couch and various household items at the property. These items are visible from the street, neighbouring residences and an elementary school.

Staff believe the site conditions contravene the Unsightly Premises Bylaw 7162 section 1.1.1 (a) and (b), which states:

*"An owner or occupier of real property must not:
(a) allow such property to become or remain unsightly; or,
(b) cause or permit rubbish, noxious, offensive or unwholesome matter
or substance, filth or discarded materials to collect or to accumulate
on or around such property."*

Another complaint was received on July 11, 2007 regarding an unsightly overgrowth of long grass in addition to the discarded materials described above at 11460 Seabay Road. Section 1.2.1 (c) of the bylaw which requires property owners or occupiers to "keep grass trimmed to a height of not more than 20 centimeters" appeared to be violated. Since that time the City has attempted to gain voluntary compliance with our bylaw, but with little effect. To date, the property remains unsightly, as shown in the attached photos. Below is the voluntary compliance history as set out, in part, in the attached copy of the City's "Order to Comply" dated November 20, 2007.

- June 8, 2007 – Bylaw liaison Officer Tracy Christopherson attended 11460 Seabay Road and confirmed discarded materials in the driveway. Tracy sent a letter dated June 8, 2007 to Ulf Areskoug, 11460 Seabay Road, Richmond, B.C.
- June 26, 2007 – Tracy Christopherson attended 11460 Seabay Road and confirmed the discarded materials were still on the property.
- June 27, 2007 – Ulf Areskoug called Tracy Christopherson and advised her he had been out of town and asked for an extension to July 9, 2007. An extension was granted.
- July 11, 2007 – Tracy Christopherson received another complaint regarding the unsightliness of the property. Tracy spoke with Mr. Areskoug and advised him she would be inspecting his property July 12, 2007.
- July 12, 2007 – Tracy Christopherson and Bylaw Liaison Officer, Dal Benning attended 11460 Seabay Road and confirmed visible, unsightly accumulation of discarded materials throughout the property. Tracy Christopherson sent Ulf Areskoug a letter granting a further extension to July 27, 2007.

- July 30, 2007 – Tracy Christopherson attended 11460 Seabay Road and confirmed the old appliances and some of the garbage in the driveway had been removed; however, the discarded materials accumulating throughout the rest of the property had not been removed.
- August 13, 2007 – Tracy Christopherson attended 11460 Seabay Road and confirmed some of the discarded materials had been removed from the carport.
- August 14, 2007 – Tracy Christopherson spoke with Ulf Areskoug who advised that he needs more time since he only has the weekends to work on his property. A third extension was granted to September 11, 2007.
- September 13, 2007 – Bylaw Supervisor Jodie Shebib attended 11460 Seabay Road and met with Mr. Areskoug. Jodie Shebib inspected the property and confirmed some discarded materials had been removed from the property.
- September 21, 2007 – Tracy Christopherson attended 11460 Seabay Road with RCMP Cst. Thornton and spoke with Ulf Areskoug, the property owner, and Crystal, a of the owner. Tracy advised Mr. Areskoug and Crystal of items that still needed to be removed from the property. Tracy advised Mr. Areskoug that the new deadline of October 9, 2007 would be the last extension for bringing the property into compliance with the bylaw.
- September 24, 2007 – Tracy Christopherson mailed Ulf Areskoug a final letter outlining numerous discarded materials that still had to be removed from 11460 Seabay Road.
- October 5, 2007 – Tracy Christopherson and Bylaw Liaison Officer, Dal Benning attended the property and spoke with Craig who identified himself as Mr. Areskoug's son-in-law. Tracy confirmed no changes since her last visit and her view that the property remained in unsightly state.
- October 12, 2007 -- Tracy Christopherson issued an "Order to Comply" which was signed by Jodie Shebib, Supervisor Community Bylaws.
- November 20, 2007 – Because the "Order to Comply" of October 12, 2007 contained an irregularity, a second "Order to Comply" was signed by Wayne Mercer as Manager, Community Bylaws and was served by Tracy Christopherson on November 20, 2007.
- December 4, 2007 – Tracy Christopherson and Bylaw Liaison Officer, Carole Sejberg attended the property and confirmed no changes and their view that the property continued to violate section 1.1.1 (b) of the Unsightly Premises Regulation Bylaw No 7162. Crystal, the woman who they met on site with Mr. Areskoug on September 21, 2007 was there; she stated a second dispute had been submitted to the Clerks office.

January 9, 2008

- 4 -

- January 8, 2008 – Tracy Christopherson attended the property and noted that there were no changes. Crystal again met with Tracy Christopherson on site and provided a copy of the appeal to the November 20, 2007 “Order to Comply”. After discussions with Tracy, the clerks office allowed the initial notice of dispute to apply as a notice of intention to appeal under section 2.3 of the Bylaw.

Analysis

On November 20, 2007, staff served the final “Order to Comply” to Crystal, who had acted for Mr Areskoug previously. (Section 2.1.3(c) of the Unsightly Premises Bylaw No. 7612 permits the “Order to Comply” to be served on any agent of the owner or occupier of the real property on which the offending material is located by personal service.)

On January 8, 2008 Staff confirmed with the New Westminster Land Titles Office that Ulf Areskoug owns the property. The same title search listed Mr. Areskoug’s address as 11460 Seabay Road. The subject property is currently zoned (R1/E) Single-Family Housing District.

Staff in the Community Bylaws Division attended the property on December 4, 2007 and January 8, 2008 and confirmed their view that it was in violation of section 1.1.1 (a) and (b) of the Unsightly Premises Regulation Bylaw No. 7162.

Council may authorize the City to carry out the “Order to Comply”, where the person responsible has failed to do so under section 17 (1) of the Community Charter which allows Municipal Council the authority to fulfill bylaw requirements at the property owner’s expense and recover those costs as a debt or apply as property taxes.

Financial Impact

None.

Conclusion

The property is in contravention of the *Unsightly Premises Bylaw No. 7162, section 1.1.1 (a) and (b)*. As a result of this contravention, the City is seeking mandatory compliance with its Bylaw through Staff’s recommendation to have this work done by the City’s Contractor, Walden Disposal and Tractor Service, at a cost of \$1,174.72, which will be recovered from the property owner.



Wayne G. Mercer
Manager, Community Bylaws
(604.247.4601)
WGM:tc

Att: 3



City of Richmond
Community Safety Division
Community Bylaws

Order to Comply

November 20, 2007

Pursuant to Unsightly Premises Bylaw 7162
& the Local Government Act

Civic Address 11460 Seabay Road, Richmond, BC
Legal Description Lot 13 Section 36 Block 4 North Range 6 West New Westminster District Plan 19945

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 December 4, 2007, with the:

- a) Remove all the discarded materials (ie: appliances, wood, propane tank, metal railings, garbage, couch, doors, bicycle frames, etc)

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

Wayne G. Mercer
Manager, Community Bylaws

Att.



City of Richmond

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

November 20, 2007
File: 2007-376587

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

Hand Delivered
Ulf Areskoug
11460 Seabay Road
Richmond BC V7A 3H6

Dear Ulf Areskoug:

Re: Unsightly Condition of Property at 11460 Seabay Road

Since June 2007, 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 issued an Order to Comply on October 12, 2007 to seek mandatory compliance to the City's bylaws.

However, based on your written appeal of October 26, 2007 we have discovered that the Order to Comply of October 12, 2007 was not issued correctly. Attached is a new Order to Comply based on the same voluntary compliance history of this case and mandatory compliance process as detailed below.

Voluntary Compliance History

June 8, 2007 – Bylaw liaison Officer Tracy Christopherson attended 11460 Seabay Road and confirmed discarded materials in the driveway. Tracy sent a letter dated June 8, 2007 to Ulf Areskoug, 11460 Seabay Rd, Richmond BC.

June 26, 2007 – Tracy Christopherson attended 11460 Seabay Rd and confirmed the discarded materials were still on the property.

June 27, 2007 – Ulf Areskoug called Tracy Christopherson and advised her he had been out of town and asked for an extension to July 9, 2007. Extension granted.

July 11, 2007 – Tracy Christopherson received another complaint regarding the unsightliness of the property. Tracy spoke with Ulf and advised him she would be inspecting his property July 12, 2007.

July 12, 2007 – Tracy Christopherson and Bylaw Liaison Officer Dal Benning attended 11460 Seabay Rd and confirmed discarded materials throughout the property. Tracy Christopherson sent Ulf Areskoug a letter granting an extension to July 27, 2007.



July 30, 2007 – Tracy Christopherson attended 11460 Seabay Rd and confirmed the appliance and garbage in the driveway had been removed, however, the discarded materials throughout the rest of the property had not been removed.

August 13, 2007 – Tracy Christopherson attended 11460 Seabay Rd and confirmed some of the discarded materials had been removed from the carport.

August 14, 2007 – Tracy Christopherson spoke with Ulf Areskoug and he advised her he needs more time since he only has the weekends to work on his property. Extension granted to September 11, 2007.

September 13, 2007 – Bylaw Supervisor Jodie Shebib attended 11460 Seabay Rd and met with Ulf. Jodie inspected the property and confirmed some discarded materials had been removed from the property.

September 21, 2007 – Tracy Christopherson attended 11460 Seabay Rd with Cst. Thornton and spoke with Ulf Areskoug – Property owner and Crystal a friend of Ulf. Tracy advised Ulf and Crystal of items that still needed to be removed from the property. Tracy advised Ulf that this would be the last extension.

September 24, 2007 – Tracy Christopherson mailed Ulf Areskoug a final letter outlining all the discarded materials that had to be removed from 11460 Seabay Road.

October 5, 2007 – Tracy Christopherson and Bylaw Liaison Officer Dal Benning attended the property and spoke with Craig who identified himself as Ulf's son-in-law. Tracy confirmed no changes.

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 \$1174.72.

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 November 30, 2007. They are located in City Hall and can be reached at 604-276-4007.

Bylaw Liaison Officer Tracy Christopherson will be conducting a follow up inspection on December 4, 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 Tracy Christopherson of your intentions regarding the matter on or before December 4, 2007 at 604-276-4073.

Yours truly,



Wayne G. Mercer
Manager, Community Bylaws

WGM:tc

Enc. 1

pc: City Clerk's Office
Tracy Christopherson, Bylaw Liaison Officer
Royal Bank of Canada
#125 – 10111 No 3 Road
Richmond BC V7A 1W6

Ulf Areskoug
11460 Seabay Road
Richmond, BC. V7A 3H6



November 30, 2007

Hand delivered to:
City Clerks Office
Richmond City Hall
6911 No. 3 Road
Richmond, BC V6Y 2C1

Re: Appeal for Unsightly Condition of Property at 11460 Seabay Road
Bylaw #7162 and the local government

Hand delivered to Tracy from City of Richmond
Jan 8/08.

History

On May 11, 2007 my house was broken into. Crystal Land who was looking after my house in my absence called Police/RCMP. Cst. Tyler Brock attended. No interviews were made by him to any of the tenants in the house at the time of breakin. No police investigation has been made since Cst. Brock took his report on May 11/07.

Shortly after midnight on June 10, 2007 I arrived home after working 12/7 for 60 days in Benson, Minnesota. Where I supervised 2 12hour shifts, I worked up to 18 hrs a day. So I had hoped to be able to relax during the Sunday, but when Crystal met me at the airport, she had informed me that a car had been stolen earlier that day from my driveway. Crystal had already reported it to the police when she had noticed it missing. I told her to take my Jeep and drive around and see if she could possibly locate the stolen car.

Crystal called me around 1 hour later and told me that she had found the car parked on a side street, I told her to call the police. It has been several years since I stopped calling the police to report property crime, because the Richmond RCMP do not do any investigating of property crime, so it seems.

It is very depressing to listen to their fake excuses as to why they don't do any investigations. It just tells me that I will again be a victim of property crime when there are no consequences for the criminals.

When I told Crystal to call the RCMP because the crime was already reported, I didn't want the RCMP to waste their scarce resources. I also had a faint hope that the RCMP after all would investigate, because the statement released by the Attorney General 2 years earlier where he stated that property crimes would indeed be investigated and those who were responsible would be prosecuted. Only Miami has a higher property crime rate than here. This has obviously not reached Richmond yet.

After Crystal had been waiting alone for 3 hours the RCMP finally showed up. At 5am RCMP Cst. Chaplin called me. I had been working and travelling for 26 hours straight. He informed me that the car had been towed to Rusty's tow yard on River road. Which was 10 times farther away from the house than where my house found it. I had asked him why, he stated ICBC had told him to do so, but the RCMP officers who had showed up where the car was found had stated to Crystal that it had to be taken so they could do further investigations and finger printing. I had told him that there was no insurance on the car, so ICBC had nothing to do with this case. I also told him that the same car had been stolen before and it ended up costing me \$1800 to get it out of the impound yard because of the run around given by the Delta and Richmond RCMP and ICBC. It took 2 weeks before they informed the owner that the car was found and impounded.

Cst. Chaplin denied that the police were getting any kick backs from the towing company. Instead of having the relaxing Sunday that I had hoped and needed (cause I am still recovering from a stroke and need total rest and relaxation to continue to recover and prevent another stroke from occurring.), I ended up going to the RCMP station as soon as I had awoke. Cst. Brock told me that the file was closed and approved by his supervisor. I had wanted to add on all the items that were stolen, while I was at the station, because Crystal had only reported a few of the major items, because Crystal was unaware of all the personal items, etc. that were missing as she did not live in the house. That is when I was told that I had to open a new file. When I said I wanted to do that Cst. Brock stated 'I'm not your personal police officer, you have to go home and call the police from home and someone will come.' This meant that I had to sit at home for ½ day waiting for an officer to show up, and then repeat everything again for another officer who then may have to check with the first officer to see what he may have found. A tremendous waste of my time, and taxpayers' money. Since Cst. Brock was already familiar with this particular case.

To find out how to get the stolen car back, I had to go 3 times to the police station. The police refused to provide me with the information because I was not the registered owner of the car, even though I had informed them that the owner was sick in bed. I succeeded to drag her, under extreme pain to the police station but could not get her up the stairs, so I went in and asked for an officer to come out. We were told it had been towed for a forensic investigation and we would be called as soon as it was completed. I was delighted that for once property crime would be investigated in Richmond. I then again reminded them that last time it had cost 1800 hundred dollars. After not hearing from them, I called several times and was told it was not yet ready. Finally after a week I was told that the car could be picked up.

When I went to the impound yard I found no investigation had been done, I found no evidence of the forensics investigation and no one knew anything. I went back to the police to make sure no mistakes were done.



Cst. Chaplin told me he had never any intentions, to do any forensic test, nor could he tell me why the car was towed away. Richmond RCMP detachment seems to be completely disorganized. Only the ignition switch and the battery had to be worked on in order to get the car back to the property, where I had arranged to have someone look over the car better to get a better idea of the damages done. The RCMP created 98.3 % of the cost, related to the theft of the car.

Less than 1% of my property losses to property crime have happened when I lived in cities where police investigate property crime. The rest of my losses have happened here in Richmond, although I have lived here less than 30% of my life. I have myself solved 6 times more of the crimes than the RCMP. The losses this time are approximately \$20,000. Luckily most of it was just money. However the irreplaceable graduation pictures of my children are gone because they had aluminium frames. To get my file I have to use the freedom of information act, which will take 4 months. How much will be possible to recover after that time?

There is a complete refusal from RCMP to cooperate with the community. After the owner of the stolen car was dragged to the Police station her health got rapidly worse. When I convinced her to go to Emergency, at Richmond hospital there was a sign that they had put up stating that there is an extremely long waiting period, so I took her to Delta emergency. The doctor there said that she was too sick to be treated there. Her pelvic bone was broken in 3 places, and all her blood values were life threatening out of whack. She almost died later that night.

When I reached my house after returning from my trip I found appliances that had been inside the house in the driveway, among them a brand new apartment size stacking washer/dryer, of which the dryer was stolen and the washer was destroyed. From my neighbour I learnt that 2 people had come by in a car and ripped out the motors from all the appliances. The appliances were ideal for finger printing. After waiting a couple of weeks for the RCMP, I finally gave up and transported them away. Richmond RCMP still does not investigate property crime. I also found a lot of garbage spread around, although I had made it very clear to all tenants not to put garbage in garbage bags but in the provided garbage cans, because raccoons had been walking between neighbours directly across the street and to the neighbours to the right side of my property.

Everything in the carport had been gone thru, and was in a complete mess. Several items stolen among them a model railway table representing 1000 of hours my son and me had spent together working on it. My son has since past away.

When I once more was in Minnesota I got a call from Crystal that someone was cutting down the bushes between the school and my property. She said they had tried to stop them, but the workers refused. When I got home I was met by an even bigger disaster than last time. The line of big bushes that gave shade to my backyard was gone. The lawn, that consisted of soft moss to lie on was dried out and destroyed. The blackberries in my backyard were also cut down although it was only a week or two till they were ripe. Since my stroke I have eaten fresh berries every morning in season. Several years of effort was destroyed. Large parts of the fence were, knocked down and broken.

After I complained to Jodi a city supervisor came and looked but he denied they had done the work. I appreciate his fast response but I believe he is mistaken.

I have 2 witnesses who saw the workers arrive in City of Richmond vehicles wearing City of Richmond coveralls.

I also asked workers doing work of a similar type in a similar place on school grounds at Azure and Gilbert in Richmond just by the Richmond Hospital who they worked for and they answered City of Richmond - Parks and Recreation's dept.

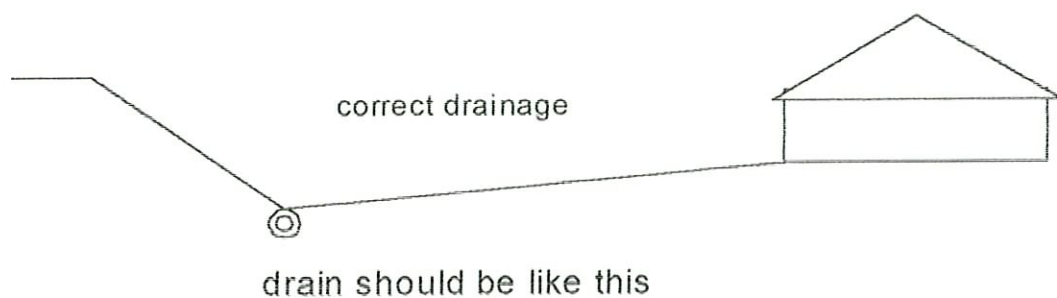
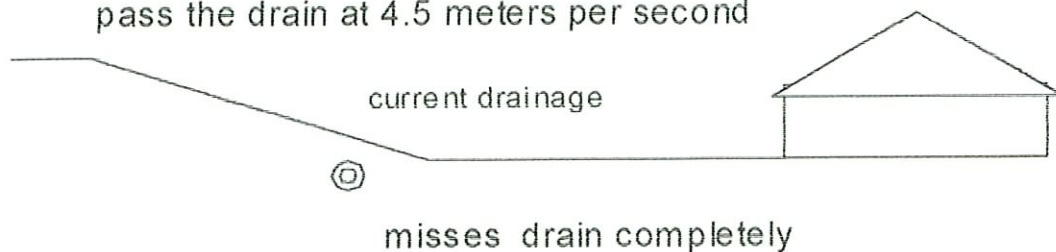
I believe that it is proved beyond a reasonable doubt that the removal of the trees and bushes, the vandalizing of my blackberries and the knocking down and breaking of my fence were done by city workers.

As a result to the city allowing the school to be built 1 m. higher, than my house. I have had frequent flooding of my basement.

A quick diagram on the next page will show you what, how and why houses are flooding because of the incorrect drainage.



School is 1 meter higher. which means water flow rates pass the drain at 4.5 meters per second



The drain the city supervisor pointed out for me was done correctly for most of the houses, in the low line.

However as my 1 neighbour and my house are lower, it was done incorrectly. **See sketch**

For my neighbours and I the drain is on the slope and the water will never have time to drain thru the soil. Instead it passes the drain line and forms a lake in our yards. It was negligent on the cities behalf not to check that is was done properly when the school got its building permit.

***** When the heavy equipment was there to remove the bushes and blackberries they could have easily corrected this problem, as well as because of the heavy equipment and the bushes and blackberries being gone this equipment help the flooding of my basement as the weight pushed the water more towards my basement.**

***** Under certain circumstances a single tree can suck up 100's of tons of water.**

If the bushes and berries were still there they would have sucked up tons of water. This water will now end up in my basement if nothing is done with the drainage.

I demand to know who gave the order to cut down the bushes and why.

I demand that the city takes responsibility and action as soon as possible, as the rain season has already started.

The moisture in my house may result in mould growth, which is a great health hazard to 2 of my occupants, which suffer from Asthma, and one, which has had big problems when living in a moist house with a basement.

My other neighbours talk to me before they do anything at our property line.

Voluntary compliance

All the garbage was removed by June 14th.

The destroyed appliances were removed after it was clear to me that the Richmond RCMP still does not investigate property crime contrary to the declaration of the Attorney General 2 years ago.

Tracy claims that the bylaw in this city are so screwed up that my neighbour can take action that make my house uninhabitable but I can not do what I like to do although that does not affect any of my neighbours in any way.

- When the heavy equipment removed the bushes they had destroyed parts of my fence, which left me having to hire a carpenter to repair it. This work was finished by August 01, 2007.

- I also would like to know under the authority of which act did the city proceed when my blackberries were destroyed.

- I have had 4 people look for discarded stumps in my yard and non have found any the last stump I have burned the last stump several years ago

- I am unaware of any bylaw giving putting restrictions on flowerpots in this city. The occupant that enjoys these flowers is currently wheelchair bound and can only reach that level, therefore various items to raise the bed so she can reach.

I will never sink so low that I will remove any of the items that she has spent years on and enjoys. I have higher morals than that.

When we have visitors they used to stay at the campground that was closed for the stupid skating oval.

The remaining mattress and couch will be discarded when the campground re-opens.

It is very bad planning that the campground is still not opened. The projects I have been involved in, the shut down of existing equipment has been counting in hours, not years. The very nice peaceful river road with big trees, that did not threaten to fall on any house has opened just recently, without trees and 3 times longer than before, and thus creating 3 times more greenhouse gases. It also has a very dangerous intersection.

The mattresses and couches that thieves thru in the water and were damaged were separated into their components and recycled by Sept. 15 2007.

The metal and is collected and taken to the scrap yard each time I have a car load. I refuse to pollute by driving to the scrap yard for every nail I find.

There are no discarded bikes. I reserve the right to go biking with my only surviving child's family when the visit.

There are no or even have been any discarded boxes.

A small area that is protected from inside from the outside is used to for wood processing.

On one side it is protected by the carport, one side protected by grape vines,

And tow sides by black berry bushes.

After the city vandalized my berry bushes it became possible to see the area from the walkway to the school.

I enjoy coming home to having a fire as I feel like it and the exercise I get by processing the wood

When the city removed the bushes they removed the big wood but left what I call fire starter on top of my small firewood and my smoking firewood piles.

Both piles had to be restacked in order to collect the fire starters.

This was completed by Oct. 1 2007.

The metal fences will be installed when I get time, after the city stops harassing me.

The door is replacement for the front door that was broken in half when the breakin occurred and was only temporarily repaired. It will be installed when I have time.

After the city had the audacity to harass me after all of the above I have mentioned transpired I sat down to consider what I get from the city for my tax dollars. I found that except for driving on the streets I only used the Police, however they

don't seem to want to be of assistance. It is obviously clear to me that they don't have the required resources. That why the officers on the street have to lie about what can be done. There are unlimited resources to enforce city bylaws, but nothing for criminal law. It was upsetting to find out that it was the same person who was responsible for latest breakin and mess, as stole my professional 28 husqvaran chainsaw and boat motor some years ago. At the time I had informed the police who stole the items and where they were but they refused once again to help me recover them or lay any charges.

If had been any consequences after the first theft the latest may not have happened and there would not have been any mess in my front yard and driveway. This city needs to get its priorities right. I have spent all my available time to clean up after the breakin and the city workers my relaxation is camping in a park in the summer and fishing in October.

Not even a single time this year have I been able to do either as I have had to dedicate

I had visitors from Ontario that I was unable to spend time with as I had to continually deal with the city. The last time they were here was five years ago.

I buy quality products and repair them when they break to reduce green house gases.

That seems to be an unacceptable lifestyle in Richmond.

I have lived in 10 different cities and never had any complaints from any other city period.

From Richmond I got a parking ticket cause someone had parked so I couldn't back my RV into my driveway. So I had no choice but to park on the street. I had no idea it was illegal in Richmond.

This is my only parking ticket and I am 63 and have been driving since the week after I had reached the legal driving age.

When I had garage sale I had complaint

I have lived here for 18 years and had 5-6 garage sales during this time. This city should encourage garage sales as it reduces green house gases.

Toronto has a policy of green roof on all city buildings.

Is the enormous roof on the skating oval a green roof?

Is it the city's policy to deal with green house gases by moving the population to higher ground in Surrey, as it has been done with 200 air traffic controllers?

When I had cats I got complaints for that.

When my tenant parked on the street I got complaints period.

1 or 2 professional complainers can ruin a whole block of enjoyment of life. It seems to be in Richmond as in Mao Tse Tung, China that everybody has to like blue jackets and blue pants.

 COPY



11460 Seabay Rd – January 8, 2008 – Photos taken by Tracy Christopherson



11460 Seabay Rd – January 8, 2008 – Photos taken by Tracy Christopherson



11460 Seabay Rd – January 8, 2008 – Photos taken by Tracy Christopherson



11460 Seabay Rd – January 8, 2008 – Photos taken by Tracy Christopherson



Special Council Meeting

Monday, March 3rd, 2008

Time: 4:00 p.m.

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie
Councillor Linda Barnes
Councillor Cynthia Chen
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Sue Halsey-Brandt
Councillor Rob Howard
Councillor Bill McNulty
Councillor Harold Steves

Director, City Clerk's Office – David Weber

Call to Order: Mayor Brodie called the meeting to order at 4:02 p.m.

RES NO. ITEM

CALL TO ORDER

LAW AND COMMUNITY SAFETY DEPARTMENT

1. **SITE CLEAN UP OF AN UNSIGHTLY PROPERTY, CIVIC ADDRESS: 11460 SEABAY ROAD, LEGAL DESCRIPTION: LOT 13, SECTION 36-4-6, PLAN 19945**
(Report: January 9, 2008 File No.: 12-8080-05) (REDMS No. 2313838)

Wayne Mercer, Manager, Community Bylaws, and Jodie Shebib, Supervisor Community Bylaws circulated a set of photos of the unsightly property at 11460 Seabay Road, taken on Friday, February 29th, 2008 (Schedule 1). It was noted that the new photos did not reflect any changes in the condition of the premises.



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Ulf Areskoug, (owner of 11460 Seabay Road), accompanied by Crystal Land (Ms. Land looked after the property in Mr. Areskoug's absence), expressed numerous concerns related to a break and enter robbery that he indicated had occurred at 11460 Seabay Road while he had been away. He stated that when he came home in June, his driveway was a mess. He indicated that the robbery was partly the reason for his unsightly property.

Mr. Areskoug stated that the thieves had damaged many items from his home and moved them to his driveway, including brand new appliances. He indicated that he had asked the police to try to obtain finger prints from the appliances, and therefore had left them in the driveway. However, the police never came to get finger prints, so he gave up and took the appliances to the scrap yard.

He made reference to a vehicle that he indicated had been stolen from his property, and expressed concerns associated with the level of police services and the police's response times to calls made by Ms. Land and himself regarding the stolen vehicle and the robbery at his property. He stated that it was more stressful to deal with the police than the crime.

Mr. Areskoug advised that his job requires frequent travel, and he works shifts that are twelve to eighteen hours long, seven days a week, up to sixty days at a time. He further advised that he spent his spare time sorting his driveway and carport, as well as cleaning up after the thieves who had destroyed his property in his absence.

He spoke about several items that had been lost during the robbery, and expressed distress over the loss of irreplaceable pictures in aluminum frames of his children, a train set that he and his son had spent thousands of hours working on, and a cradle that his wife had kept.

Mr. Areskoug then expressed concerns associated with the following:

- a hedge that he believed City workers had cut down in his backyard, which provided shade to the grass that had since died, as it could not handle direct sunlight;



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- a drainage issue that causes his yard to flood, which he believed was due to the height of the adjacent school property. He also felt that the drainage issue was a hazard to his health, and advised that there had been ducks swimming in the water, and that he has had to shovel water out of his yard;
- vandalism of his fence by school children, as well as broken posts. He believed both issues were a result of the removal of the hedge; and
- a blackberry hedge that had been removed when the City had cut back the hedge.

Ms. Land stated that the photos circulated by staff (Schedule 1) were not accurate, and that since the hedge had been torn down, Mr. Areskoug's yard was visible. In answer to a question, Ms. Land advised that Mr. Areskoug would require one month's time to clean his property. She stated that clean up of his wood shed was almost complete.

In answer to questions, Mr. Areskoug advised that he spent all of his free time to sort out the property crimes, and that his wife had very recently passed away.

In answer to questions, Ms. Shebib advised that she had attended 11460 Seabay earlier that morning, and she could confirm that the photos taken on Friday, February 29th, 2008 (Schedule 1) were very accurate.

Reference was made to the blackberry bushes that Mr. Areskoug claimed had been removed by the City, and advice was provided that staff were not aware of any removal, and that the bushes could have been located on the neighbouring school property. Advice was also provided that staff had tried to work with Mr. Areskoug on several occasions, and that he could provide a cover for his carport to store items he wished to keep. Staff further advised it could be more cost effective for Mr. Areskoug to utilize the services of the City contractor.

A discussion ensued amongst staff and members of Council about the feasibility of adjourning the hearing in order to give Mr. Areskoug an extension to clean the property in recognition of his current situation, as his wife had recently passed away.



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SP08/2-1 It was moved and seconded
That the appeal submitted by Ulf Areskoug, (owner of 11460 Seabay Road, Richmond) against the "Order to Comply" issued on November 20, 2007 regarding the condition of his property under the Unsightly Premises Regulation Bylaw No. 7162 and section 17(1) of the Community Charter, be adjourned to a Special Council Meeting to be held on April 7th, 2008.

The question on the motion was not called, as further discussion took place and members of Council expressed their sympathy and compassion about Mr. Areskoug's circumstances. However they asked him not to take the extra month as a lack of resolve, and advised him that the City was giving him one last opportunity to clean the property at 11460 Seabay Road.

The question on the motion was then called, and it was CARRIED.

ADJOURNMENT

SP08/2-2 It was moved and seconded
That the meeting adjourn (4:57 p.m.).

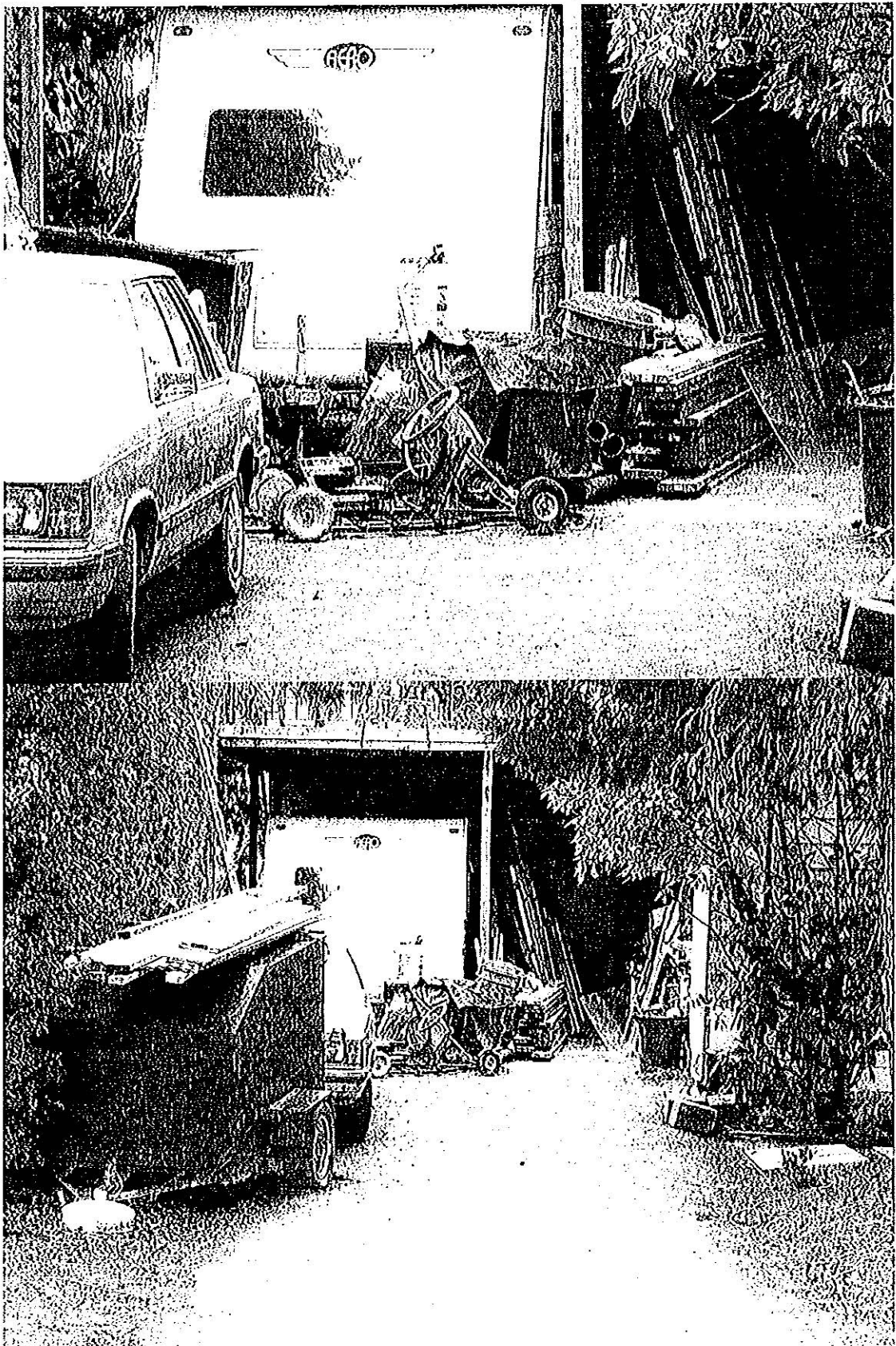
CARRIED

Certified a true and correct copy of the Minutes of the Regular Meeting of the Council of the City of Richmond held on Monday, March 3rd, 2008.

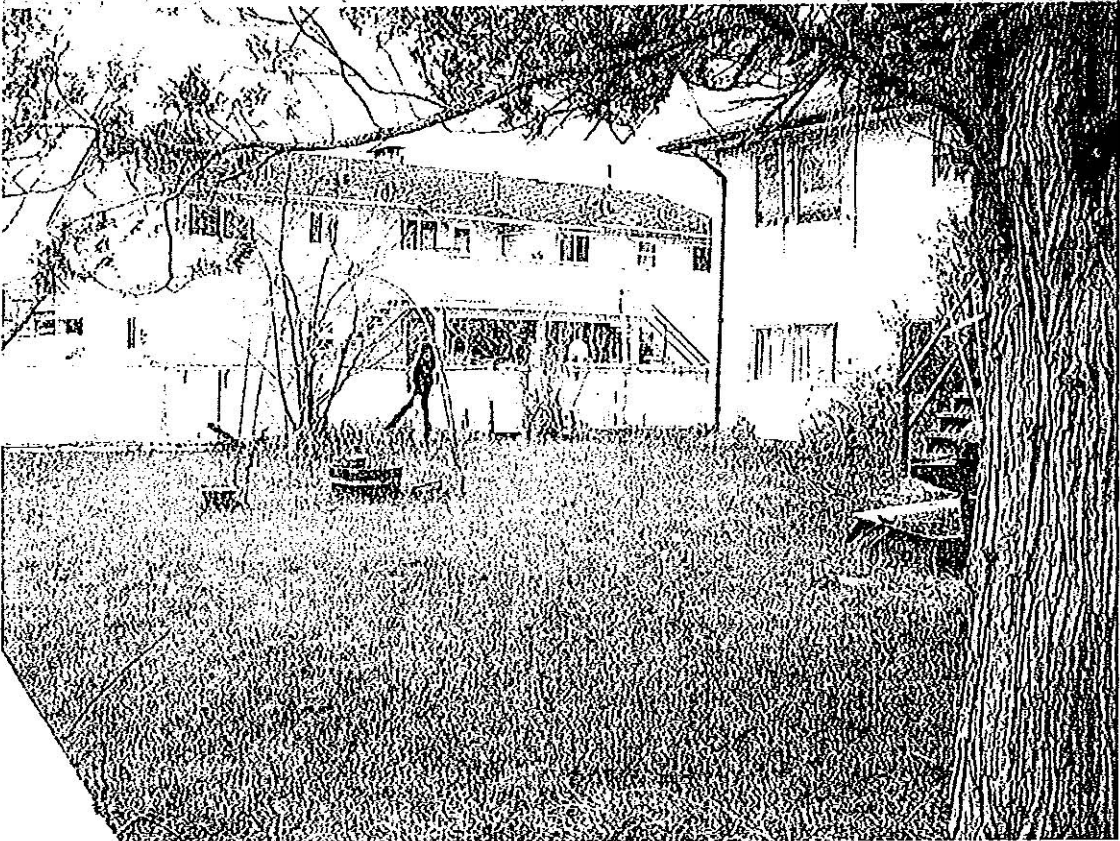
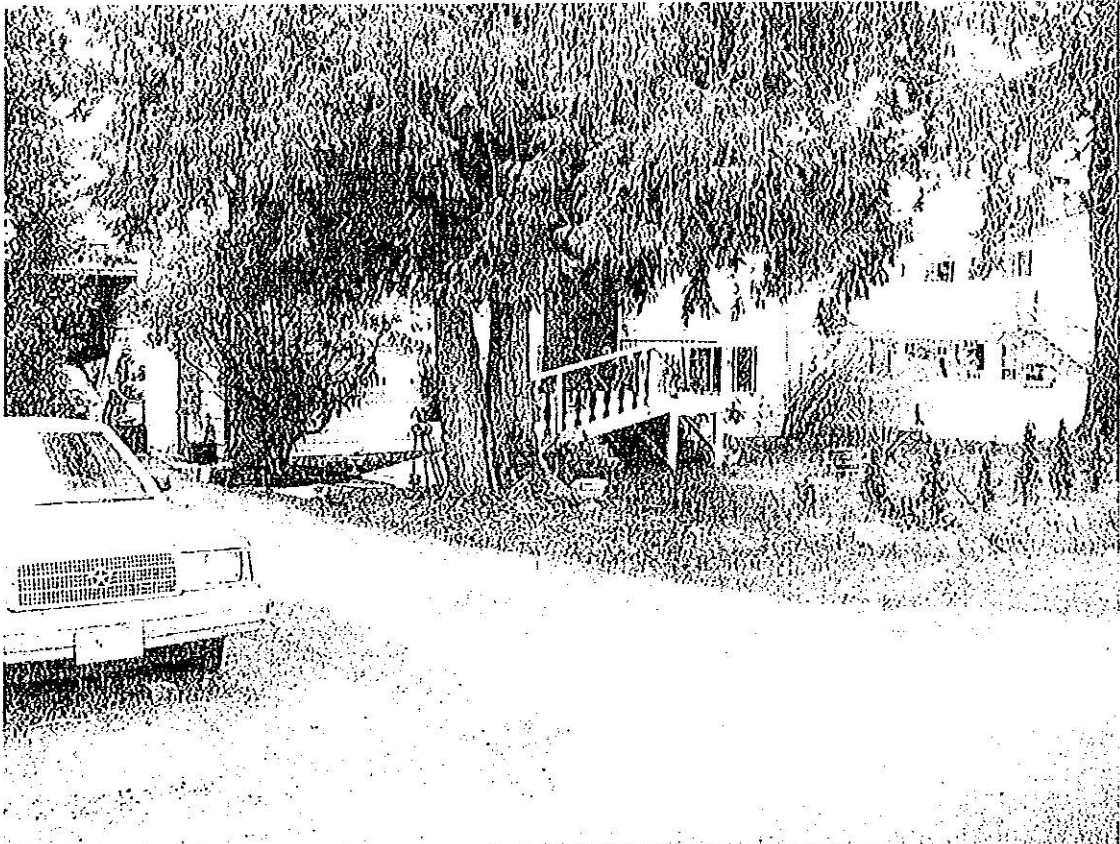
Mayor (Malcolm D. Brodie)

Corporate Officer (David Weber)

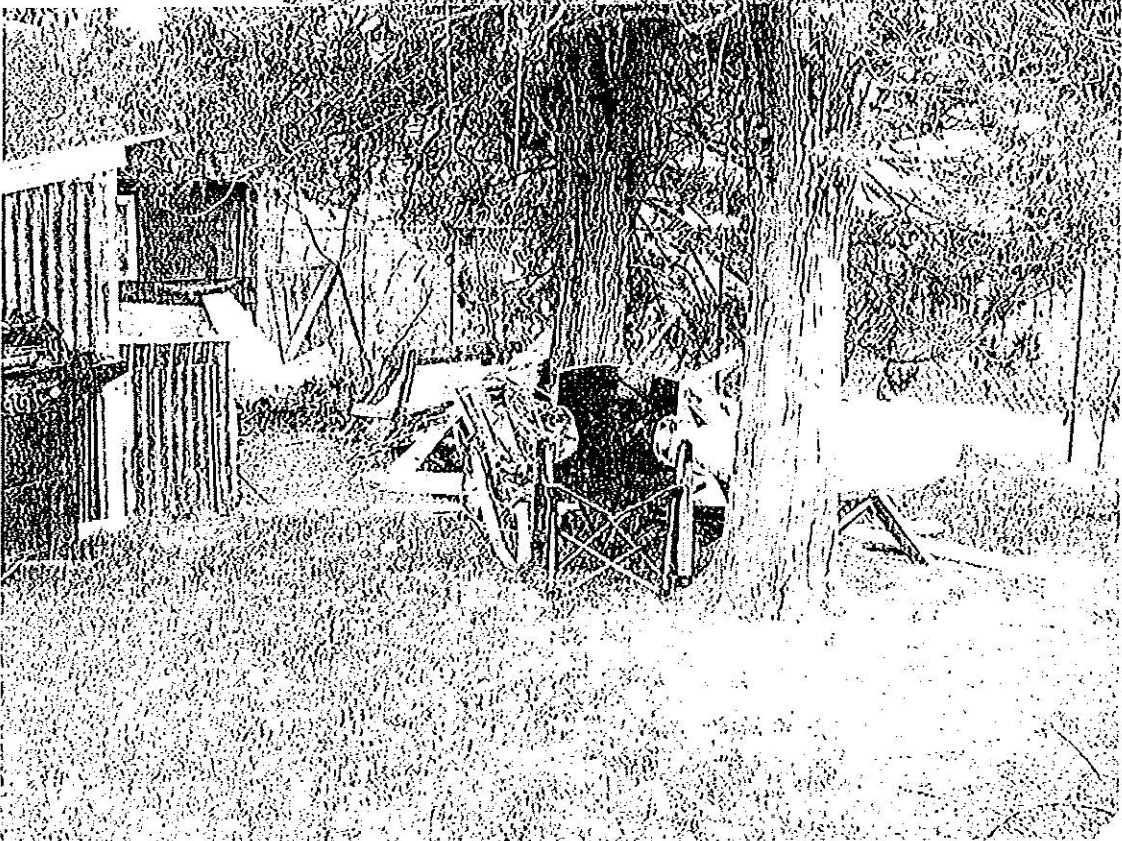
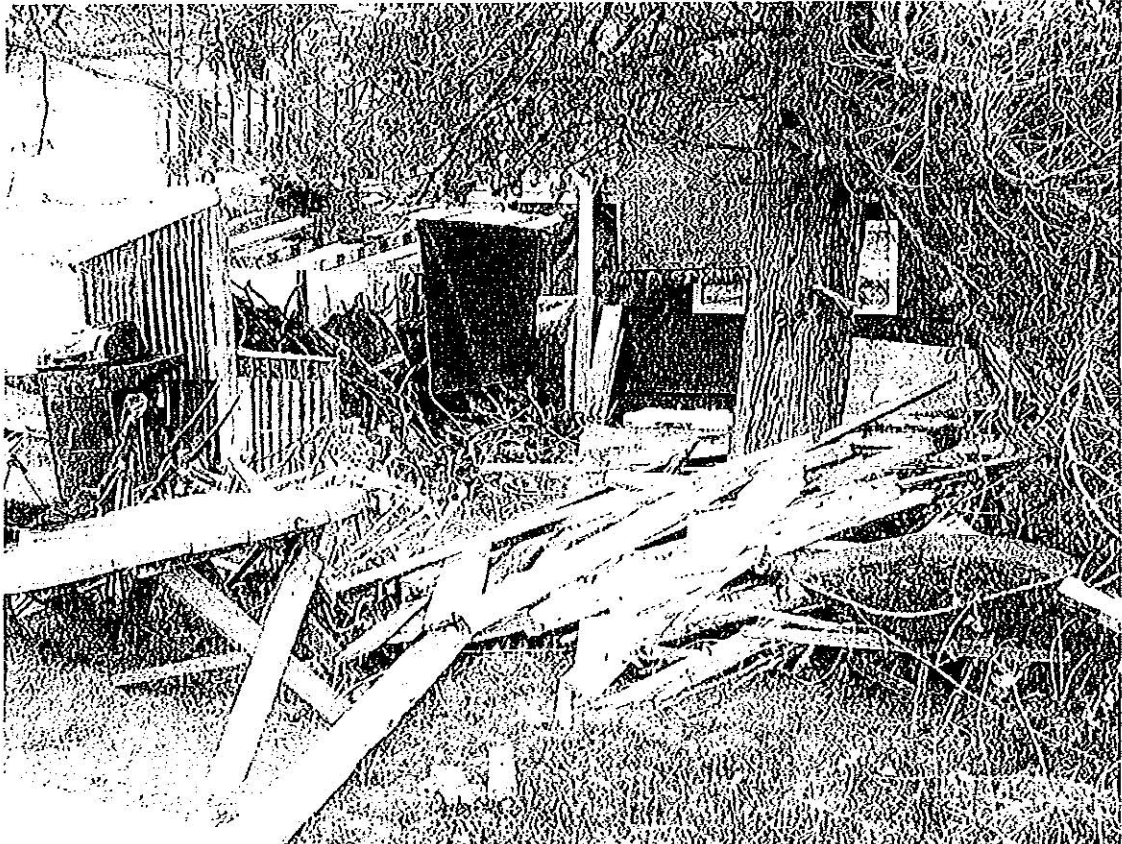
Schedule 1 to the minutes of the Special Council Meeting held on Monday, March 3, 2008



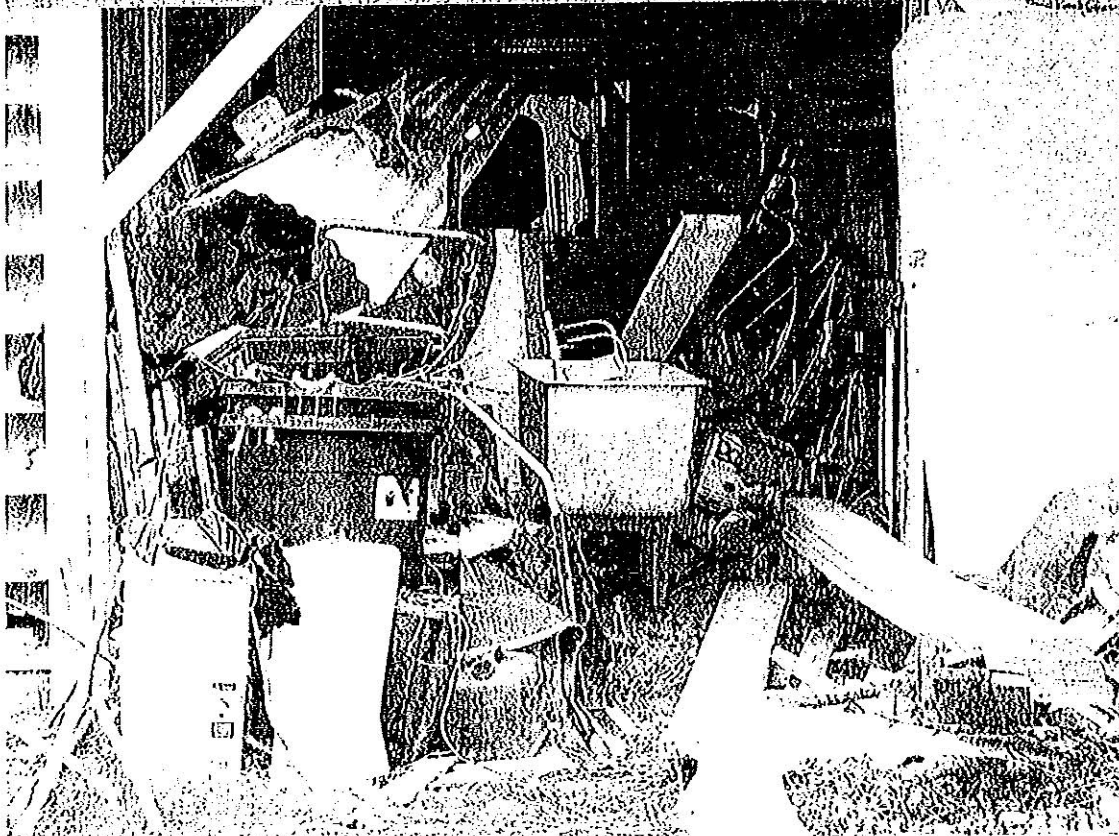
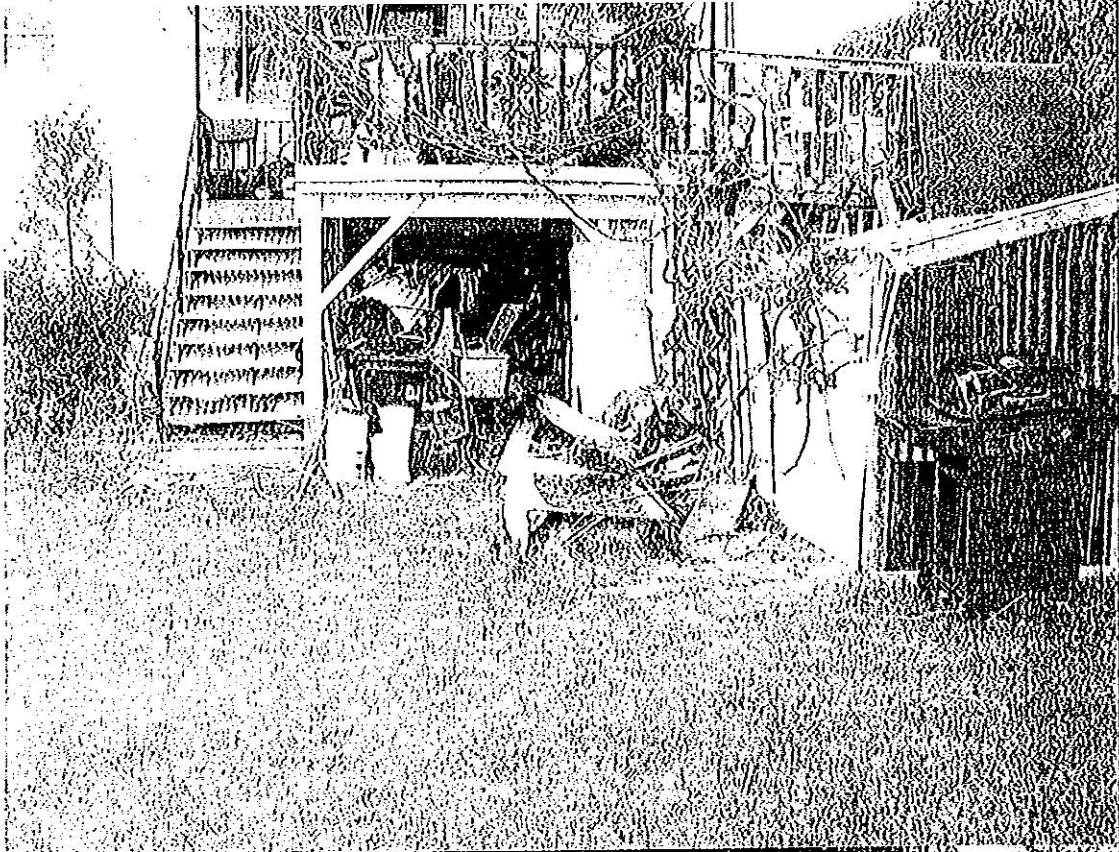
11460 Seabay Road -- February 29, 2008 -- Photos taken by Tracy Christopherson



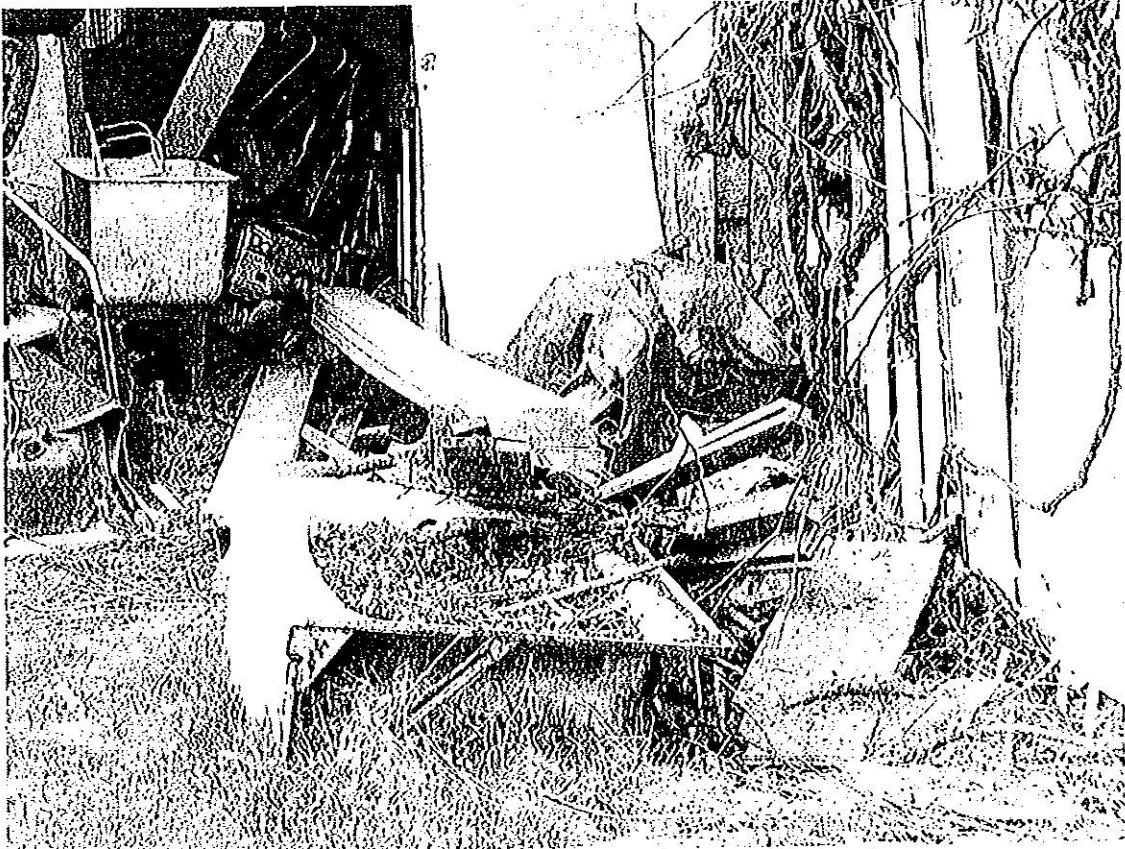
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