

To: Chris Ross  
Cc: Council  
From: Matthew Goudy, CAO  
Date: October 22, 2019

**Reference: 11/154/2019-212**

## RE: Enforcement of Unsightly Properties

Thank you for your query regarding the enforcement process of unsightly properties.

As Bylaw Enforcement Services works with owners of unsightly properties, the most favorable outcome to be achieved is compliance with the new Community Standards Bylaw. This message was directed by Council during the Bylaw Services Review in late 2018, early 2019.

If Bylaw Enforcement Services were to only ticket the owners of unsightly properties, this would not always result with the corrective actions being completed to clean up the unsightly properties. In the event the City's contractor is needed for clean up purposes, the only way to do so, is through an Order to Remedy process, which must follow the MGA sections 541 to 556.

Upon noticing an Unsightly Property (or after receiving a complaint regarding one) the process City staff follow is:

1. **Educate the Citizens** - Speak to the property owner to let them know that there is an issue which contravenes the Community Standards Bylaw. The staff will allow for a time frame (usually one week) to see if the property owner complies without any other intervention.
2. **Inspection** - If there hasn't been a correction to the infraction, there will be an official Notice of Intent to Inspect the property sent out. This will alert the property owner that an official process is starting to take place to deal with the unsightly premises. This notice gives goes out one to two weeks in advance of the inspection.
3. **Order to Remedy** - On the day of the inspection, Bylaw Enforcement will arrive with the Order to Remedy in hand with a date of completion on it. If the property owner has already complied and fixed the infraction - the order is destroyed. If no compliance is shown, the property owner is given 14 days to appeal the order and then an extra 14 days to comply with the Order to Remedy.
4. **Remedial Action** - If there is still no compliance to remedy the unsightly property, a Notice of Remedial Action will be sent to the property owner. The City's contractors will be contacted and an agreed upon time will be arranged. Depending on schedules, this could take from 7 to 14 days.
5. **Enforcement** - If this process happens repeatedly at a same address, there will be a ticket attached to the Notice of the Intent to Inspect a property for each infraction as well as completing the Order to Remedy process.

When remedial actions have taken place by the City's contractor, the invoice to the property owner cannot be completed unless Bylaw Enforcement Services follows the MGA's process. This process is crucial in the event that the remedial action invoice does not get paid, as only then, it can be put onto



the property taxes. Tickets and fines cannot be transferred to the property tax account. Dealing with unsightly properties is a long process and any delay will only worsen the issue. In 2019, there has been more than 100 files that Bylaw Enforcement Services have worked on regarding unsightly properties as per the old Nuisance Bylaw and the new Community Standards Bylaw. This is up from 2018, when there was 89 incidents in the entire year.

There was also a question regarding violations of not cleaning up after pets. There is no tolerance for this and if it is witnessed it will initiate a ticket being issued on the spot. Unfortunately, it is rare that Bylaw Enforcement Services actually see this happen. Whenever Bylaw Enforcement is in an area, everyone is on their best behaviour. Citizens who witness others not picking up after their pet would need to acquire some identifying information such as a photograph of the incident, as well as a tag number, a name or address of the offending dog owner which would need to be given to Bylaw Enforcement Services; regrettably many times this is never attained. If Bylaw is able get some information and track down the owners, a ticket would be issued immediately. In 2019 there have been 59 incidents as per the Responsible Animal Ownership Bylaw and the old Dog Control Bylaw. In 2018 there 86 incidents in total.

A bike patrol initiative is planned for 2020. This will allow Bylaw Enforcement Services to be on the trails and in parks through a very agile and mobile means. They will be able to quickly bike from one area to another without having to drive to one location and then walk the trails or park to try to catch infractions. The staff are excited to take on this initiative, pending the 2020 budget.

We trust this letter satisfactorily addresses your questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Goudy', with a large, sweeping flourish underneath.

Matthew Goudy, P.Eng  
Chief Administrative Officer