
Town of Mulgrave

Dangerous or Unsightly Premises Policy

Title:

1. This Policy is entitled the “*Dangerous or Unsightly Premises Policy*”.

Purpose:

2. It is the intention of Council to establish a consistent pattern of enforcing the Dangerous or Unsightly Premises Section of the *Municipal Government Act*.

Interpretation:

3. Council hereby delegates its authority to issue dangerous or unsightly premises orders, but not including demolition orders, to the Administrator of Dangerous or Unsightly Premises, as designated by the Chief Administrative Officer to be responsible for the dangerous or unsightly premises provisions of the *Municipal Government Act* or successor legislation.
4. All persons making complaints or reporting to councillors or municipal staff allegations of dangerous or unsightly premises contrary to the *Municipal Government Act* shall be referred directly to the administrator.
5. The Administrator shall require every complainant to submit a signed complaint in written form. When a written, signed complaint is received from a resident, the administrator shall then prepare a written report, including pictures and recommendations, concerning the property and shall present this report to the Chief Administrative Officer.
6. At the earliest meeting of the Council following receipt of the administrator’s report, the Chief Administrative Officer shall present the complaint and report to Council.
7. Written complaints shall be held on file by the Administrator together with a record of the Administrator’s response and reasons for same.
8. The Administrator shall have discretion whether to investigate complaints which are made anonymously or where the complainant refuses to put the complaint in writing.
9. In every case, the Administrator shall make reasonable efforts to identify the legal owner or occupant of the subject property for purposes of services of notice and orders.
10. The Administrator shall be responsible for giving notices and directions to property owners with respect to dangerous or unsightly premises and requirements for remedial action.

Town of Mulgrave Policy & Procedures Manual
Dangerous or Unsightly Premises Policy

11. The Administrator shall develop standard form notices including letter form notices to property owners with respect the requirements of Part XV of the Municipal Government Act and directions for remediation.
12. The Administrator shall copy such standard form notices to the Chief Administrative Officer for review and comment.
13. The Administrator shall be responsible to develop standardized practices insofar as possible for posting notices at premises where service on an individual property owner is not feasible.
14. The Administrator shall have access to the Town Solicitor for advice and opinion and for purposes of drafting and delivery of notices and remedial orders.
15. The Administrator shall be responsible to maintain written records, including photographic evidence, where investigation finds dangerous or unsightly premises which are not remedied by the owner when directed by the Administrator.
16. The Administrator shall provide a true copy of any remedial order issued to the Chief Administrative Officer for the subject municipality by way of information.
17. Every written notice or order issued by the Administrator or Council shall refer to specifically to Part XV of the Municipal Government Act and the definitions of dangerous or unsightly premises which are alleged to have been breached.
18. Every written notice or order issued by the Administrator or Council shall provide appropriate contact information including, as applicable, notices of rights to appeal.
19. The records of the Administrator shall be the property of the Town of Mulgrave in which the subject premises are situate, and shall be turned over to the administrator to the Town Solicitor in any case where the Town requests or the matter proceeds to court.
20. The Administrator may ask to appear before Council whether in Regular Session or Committee of the Whole or other Special Meeting to present a submission and recommendation with respect to dangerous or unsightly premises.
21. Appeal of a remedial order shall be made to Council.
22. In the event of appeal of a remedial order, the Administrator shall be required to appear at the Council meeting hearing the appeal to present the case and grounds for the remedial order.
23. In any case where a demolition order is being contemplated, the Council shall hear from the Administrator with respect to the subject premises and the actions and notices taken to encourage and require remediation.

Town of Mulgrave Policy & Procedures Manual
Dangerous or Unsightly Premises Policy

24. In any case where a court application is made by the Town or by the property owner, the Administrator shall cooperate with the Town Solicitor to support and present the municipality's case.
25. All former policies with respect to Dangerous or Unsightly Premises are hereby repealed and this policy substituted therefore.

Certification for Town of Mulgrave Policy & Procedures Manual:

Date of notice to Council Members of Intent to Consider [7 Day minimum]: February 16th, 2009

Date of Passage of Current Policy: March 2nd, 2009

I certify that this *Dangerous or Unsightly Premises Policy* was adopted by Council as indicated above.

Municipal Clerk

Date