

**TOWN OF PORT HAWKESBURY
DANGEROUS AND UNSIGHTLY PREMISES POLICY**

1. This Policy is entitled the *Dangerous and Unsightly Premises Policy*.
2. 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, designated by the Chief Administrative Officer to be responsible for the dangerous or unsightly premises provisions of the *Municipal Government Act* for the Municipality.
3. 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.
4. In the instance where a complaint of allegations of dangerous or unsightly premises contrary to the *Municipal Government Act* is submitted by a municipal Councillor the Councillor shall declare a conflict of interest and remove themselves from all discussion and/or Council decisions relative to the complaint.
5. The Administrator shall request every complaint be provided in written form and shall provide complainants with a standardized complaint form for this purpose. A standardized complaint form is attached as **Schedule "A"** to this policy.
6. The Administrator may amend the standardized form from time to time subject to forwarding a copy of such amended form with cover letter to the Chief Administrative Officer for circulation to Council.
7. Complaint forms completed by a complainant 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 to determine the appropriate time frame and manner of response to any complaint.

9. The Administrator shall have discretion whether to investigate complaints which are made anonymously or where the complainant refuses to put the complaint in writing.
10. In every case, the Administrator shall make reasonable efforts to identify the legal owner or occupant of the subject property for purposes of service of notices and orders.
11. 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.
12. The Administrator shall develop standard form notices including letter form notices to property owners with respect to the requirements of Part XV of the Municipal Government Act and directions for remediation.
13. The Administrator shall copy such standard form notices to the Chief Administrative Officer of the Municipality for review and comment.
14. 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.
15. The Administrator shall have access to the Municipal Solicitor for advice and opinion and for purposes of drafting and delivery of notices and remedial orders.
16. The Administrator shall be responsible to maintain written records, including photographic evidence, where investigation finds dangerous and unsightly premises which are not remedied by the owner when directed by the Administrator.
17. The Director shall provide a true copy of any remedial order issued to the Chief Administrative Officer for the subject municipality by way of information.

18. Every written notice or order issued by the Administrator or Council shall refer specifically to Part XV of the Municipal Government Act and the definitions of dangerous or unsightly premises which are alleged to have been breached.
19. Every written notice or order issued by the Administrator or Council shall provide appropriate contact information including, as applicable, notice of rights to appeal.
20. The records of the Administrator shall be the property of the Municipality in which the subject premises are situate and shall be turned over by the Administrator to the municipal solicitor in any case where the Municipality directs or the matter proceeds to court.
21. 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.
22. Appeal of a remedial order shall be made to Council.
23. 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 remedial order.
24. 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.
25. In any case where a court application is taken by the Municipality or by the property owner, the Administrator shall cooperate with the Municipal Solicitor to support and present the Municipality's case.

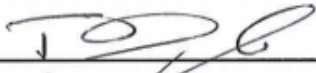
CAO's Annotation for Official Policy Book

Policy Review Notification: September 17, 2019

Policy Review Date: September 17, 2019

Amended by Council: October 1, 2019

I certify this to be a true copy of the Dangerous and Unsightly Premises Policy as amended and adopted by the Town Council of Port Hawkesbury at a Public Meeting, October 1, 2019.



Terry Doyle, P. Eng.

Chief Administrative Officer