



Memorandum

To: Alain D. Muise CAO

From: Mitch Colburn By-Law Enforcement Officer

RE: Recommendation to Council of Demolition

In the best interest of the community and the Fire and Life Safety issues involved with a property at 8233 Highway 3 here in Tusket I am requesting the process to commence for demolition. The purpose of this request is to conclude this file.

This property has been an ongoing issue for By-Law Enforcement since August 10 of 2017. This is an abandoned one and a half storey wood frame structure which is in a collapsible condition and a severe fire hazard to its neighbors and Firefighters responding to an incident. This property was secured from entry by the Municipality and has been recently broken into and promptly resecured by our staff. After I noticed the break in, I was able to take present day photos of the inside and out. This structure is not salvageable in any way and extremely dangerous to enter. If you require any information or photos, they are all on file.

After years of correspondence, the property owner finally researched a quote for demolition and notified us of the fact. We agreed and sent her a demolition permit. There has been no action on demolition since our agreement letter of February 2, 2022.

Recently our staff quickly noticed the day the property was listed and put up for sale which states that there is an available quote for demolition. The sale of this property could take some time especially with a demolition required first.

I am requesting the process of demolition to commence as soon as possible in the interest of public safety.

I have reviewed along with the CAO the policies and MGA regulations for Dangerous or Unsightly premises and the rules associated with this action.

I have prepared the following package for your review with the following documents:

1. The map of where the property is located
2. The formal complaint received about this property
3. Correspondence between the property owner and the Municipality
4. Article C13 – Dangerous or Unsightly Premises Policy for the Municipality of Argyle
5. Copy of the Municipal Government Act Part XV
6. Timeline of events between the Property Owner and the Municipality
7. Photos of the property on two separate dates are included in a separate attachment

John Sullivan

From: >
Sent: Friday, October 22, 2021 2:48 PM
To: John Sullivan
Subject: inspector@munargyle -- Acknowledgement

Alain Muise -Chief Administration Officer
Municipality of Argyle
Tusket

Dear Alain

Thank you for your Office's letter of concern.

I will respond cooperatively with your Office later today.

It is my hope the matter can be resolved amicably with due consideration on both sides in the best interest of my property maintenance in keeping with the Municipal regulations.

Thank you for informing me

Sincerely

Copy
File: Tusket Civic #8233

MUNICIPALITY OF ARGYLE
Department of Property
Inspection & Public Works



MUNICIPALITÉ D'ARGYLE
Le Service d'Inspection des
Propriétés et les Travaux Publics

September 20, 2021

COPY

RE: Order to Remedy - Dangerous or Unightly Premises - Civic # 8233 Highway 3, Tusket NS – PID # 90086000

Dear

Please be advised that the above noted property has been determined to be *dangerous or unsightly*, as defined in Part XV of the Municipal Government Act (MGA) and you are hereby ordered to remedy the situation, this is including but is not limited to repairs to make the dwelling habitable or removal of the structure.

You have **30 days** after service of this order, to remedy the above items.

Please contact this office at 902-648-2623 to advise this office of your plans to fulfill this order. Failure to comply with this order will result in action from the Municipality of Argyle in accordance with Section 346 of the MGA.

Any and all costs incurred by the Municipality to remedy the situation will be recovered as a first lien pursuant to Section 507 of the MGA.

As in Section 346 (2) MGA you may appeal this order to Council within seven days upon receipt of this posting. Your appeal may be brought forwarded to:

Municipality of Argyle
Attn: Alain Muise, Chief Administrative Officer
P.O. Box 10
Tusket, NS B0W 3M0

Yours truly


Alain Muise
Chief Administrative Officer

Subject:

RE: Formal complaint PID 9008600 Civic #8233

-----Original Message-----

Sent: Thursday, August 5, 2021 2:14 PM
To: John Sullivan <JSullivan@munargyle.com>
Subject: Formal complaint PID 9008600 Civic #8233

Good afternoon John,

I would like to launch a formal complaint about the property mentioned in the subject line above !

It is both dangerous & unsightly and on the brink of collapse, I would mention ... it's something I should have done yrs ago as it is not acceptable in for this beautiful community we live in !
In my opinion it devalues our properties as well as being an eyesore.

It is my understanding that this building has been unoccupied for 30 years, I should think it's time something were done

- 1/ the grounds are unkept
- 2/ it has structural discrepancies
- 3/ in ruins & or dilapidated condition
- 4/ in such a state of non repair it can no longer be used for human habitation
- 5/it seriously depreciates any land of buildings in the vicinity
- 6/ unsightly with respect to neighboring properties & homes

And yes not last but least, it is now in my backyard & I feel quite strongly about the situation ... It should be repaired or removed.. this is my opinion.

Could you please look into this for me as a resident of Tusket, that pays its fair share of tax, as well as the rest of the community! I'm fairly certain that the new owners of 8230 will be filing a complaint as well, in the not so distant future, maybe we can avoid any further complaints ??

I would very much like you to look into this & get back to me with your solutions as soon as possibly please .

Sincerely



Property Mapping

carte de propriété



July 19, 2022 04:47:31 PM

Data at 20210915

OWNER ASSESSMENT

AAN: 03365972

PID

PID: 90086000 Civic address: 8233 HIGHWAY 3 TUSKET

Type: District: 01

Status: Lot:

LR Status: No Acres: 0.2020202

ZONING UTILITIES HERITAGE DESIGNATION

Zone: MU Sanitary sewer: Yes Heritage property: No

PERMIT DATE ISSUED PROJECT USE VALUE NOTE

This product includes map data derived from the Nova Scotia Topographic Database (NSTDB), Nova Scotia Civic Address File (NSCAF), Nova Scotia Property Records Database (NSPRD) and is crown © copyright 2022, Province of Nova Scotia Used by permission of Service Nova Scotia and Municipal Relations License. This map is not to be construed or used as a legal description of properties. It is intended for reference purposes only. This map may not be reproduced in whole or in part by any means-graphic, electronic or mechanical without the written permission of the Municipality of Argyle © 2022.

MUNICIPALITY OF ARGYLE
Department of Property
Inspection & Public Works



MUNICIPALITÉ D'ARGYLE
Le Service d'Inspection des
Propriétés et les Travaux Publics

February 2, 2022

Dear

After receiving your letter dated November 29, 2021, the Municipality has agreed to your decision to have someone dismantle and clear the home for ten thousand dollars. There is a process for doing this, so we have included with this letter a demolition permit application which needs to be filled out and returned to our office within 14 days.

Once your demolition permit has been completed, processed, and issued you will have 30 days to complete the demolition.

Thank you for getting back to us with a remedy that is acceptable.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Boudreau", written over a horizontal line.

Kyle Boudreau
Acting CAO Municipality of Argyle

Mitch Colburn

From: Kyle Boudreau
Sent: April 4, 2022 3:34 PM
To:
Cc: Mitch Colburn
Subject: RE: Dangerous and Unsightly

Thanks for the response. Do we have a timeline on that dismantling of the structure as myself and Mitch our By-Law officer have had more conversations around this today and are going to need a firmer timeline for council?

Thank you for your cooperation.



Kyle Boudreau
Director of Operational Services

5 J.E. Hatfield Court / PO Box 10
Tusket, Nova Scotia B0W 3M0

📞 902-648-2623 📠 902-774-1553 📠 902-648-0367

✉️ kboudreau@munargyle.com

🌐 www.munargyle.com



From:
Sent: March 28, 2022 5:58 PM
To: Kyle Boudreau <kboudreau@munargyle.com>
Subject: Re: Dangerous and Unsightly

Thank you Kyle.

was to meet you, and visit Yarmouth but got held up. found someone who would dismantle house for \$8500.00. I will move on this and contact again.

Please keep me informed, and know I am doing my part, and the bring down can be done cheaper provided I was helped.

Thank you

On Mon, Mar 28, 2022 at 10:21 AM Kyle Boudreau <kboudreau@munargyle.com> wrote:

MUNICIPALITY OF ARGYLE
Department of Property
Inspection & Public Works



MUNICIPALITÉ D'ARGYLE
Le Service d'Inspection des
Propriétés et les Travaux Publics

July 19, 2022

**RE: Recommendation to Demolish of building on property at 8233 Highway 3,
Tusket, N.S. – PID # 90086000**

Dear

TAKE NOTICE that the Municipality of the District of Argyle Council intends to consider whether an ORDER TO DEMOLISH a building on above noted address should be issued to you. In absence of an executed plan of action on your part as the owner, the recommendation shall be that the Municipality shall arrange to demolish the above noted property and will seek to recover its costs pursuant to Section 507 of the Municipal Government Act.

AND TAKE FURTHER NOTICE that this matter will be discussed by Council on:

Date: August 10, 2022

Time: 6:30 p.m. or soon after

Place: Municipality of the District of Argyle Council Chambers, 5 J. E. Hatfield Crt, Tusket, Nova Scotia.

At this time, you will be given an opportunity to appear and be heard in relation to this matter. You may speak on your own behalf or may be represented by a solicitor or agent. Consider this letter to be an effective notice of the upcoming meeting. We have attached the Dangerous or Unsightly Property Policy for your examination, which highlights the powers of Council in this situation.

Sincerely,

Mitch Colburn
BY-LAW ENFORCEMENT OFFICER
Municipality of Argyle

5 J.E. Hatfield Court
P.O. Box 10
Tusket, NS B0W 3M0

Phone: 902-648-2623
Website: munargyle.com

5 Rue J.E. Hatfield
C.P. Box 10
Tusket, N.É B0W 3M0

MUNICIPALITY OF THE DISTRICT OF ARGYLE POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER _____
SECTION ADMINISTRATION	SUBJECT DANGEROUS & UNSIGHTLY PREMISES POLICY

1. TITLE

1.1. This policy is entitled the “Dangerous and Unsightly Premises Policy”

2. DEFINITIONS

2.1. In this policy “**an order to demolish**” includes an order to completely remove a building and includes an order in which demolition or complete removal of a building is ordered only in the event of non-compliance by an owner of some other directive.

2.2. **Argyle** means the Municipality of the District of Argyle.

2.3. **Argyle TLC Program** is a financial relief application program led by Argyle to assist a qualified taxpayer in their effort to maintain or clean up a property that was considered Dangerous or Unsightly as defined in 2.4 below.

2.4. **Dangerous or unsightly** means partly demolished, decayed, deteriorated or in a state of disrepair so as to be dangerous, unsightly or unhealthy, and includes property containing

- a) ashes, junk, cleanings of yards or other rubbish or refuse or a derelict vehicle, vessel, item of equipment or machinery, or bodies of these or parts thereof,
- b) an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material,
- c) an accumulation or collection of materials or refuse that is stockpiled, hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person,
- d) any other thing that is dangerous, unsightly, unhealthy or offensive to a person, and includes property or a building or structure with or without structural deficiencies
- e) that is in a ruinous or dilapidated condition,
- f) the condition of which seriously depreciates the value of land or buildings in the vicinity,
- g) that is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,
- h) that is an allurements to children who may play there to their danger,
- i) constituting a hazard to the health or safety of the public,
- j) that is unsightly in relation to neighbouring properties because the exterior finish of

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the building or structure or the landscaping is not maintained,

- k) that is a fire hazard to itself or to surrounding lands or buildings,
- l) that has been excavated or had fill placed on it in a manner that results in a hazard,
- m) that is in a poor state of hygiene or cleanliness;

2.5. Derelict vehicle, vessel, item of equipment or machinery includes a vehicle, vessel, item of equipment or machinery that,

- a) is left on property, with or without lawful authority, and
- b) appears to the administrator to be disused or abandoned by reason of its age, appearance, mechanical condition or, where required by law to be licensed or registered, by its lack of licence plates or current vehicle registration;

2.6. Qualified property means an owner-occupied residential property located within the Municipality of the District of Argyle, and does not include non-profit owned buildings, nor does it include business or industrial premises.

2.7. Qualified taxpayer means a resident and qualified property owner that was ordered to demolish or clean their property by our Bylaw Enforcement Officer through the provisions of this policy, **and** that meets one or both of the following criteria as indicated on the application form in appendix XVI

- a) Physical or mental health restrictions that prevents the taxpayer(s) from effectively cleaning their property;
- b) Financial restrictions that prevents the taxpayer(s) from effectively cleaning the property.

2.8. TLC Relief means the lump sum dollar amount to be subtracted from the total remedial costs accumulated during actions initiated by Argyle on behalf of the qualified taxpayer, with eligibility elements in section 5.

2.9. TLC Repayment Plan means a monthly payment plan agreement, not exceeding seven (7) years, between the qualified taxpayer and Argyle, resulting from a clean up of a Dangerous or Unsightly property in Argyle.

2.10. TLC Repayment plan interest means 4% per annum.

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3. GENERAL GUIDELINES

- 3.1. Council shall carry out hearings and issue dangerous or unsightly premises orders in incidences where an order to demolish is being considered.
- 3.2. Council delegates its authority to issue all other dangerous or unsightly premises orders to the Administrator of dangerous and unsightly premises, an employee of the Municipality designated by the Chief Administrative Officer to be responsible for the dangerous or unsightly premises provisions of the Municipal Government Act or successor legislation.
- 3.3. In circumstances where a complaint is received whereby premises are described as being dangerous or unsightly the following procedure shall be followed;
- a) The complaint shall be received in writing by the Administrator and duly documented;
 - b) The Administrator shall cause a visit to be undertaken upon the property which is the subject of the complaint and photos shall be taken as a result of the complaint; if as a result of the investigation, it is determined that demolition is proposed then the provisions of Clause 3.4 below shall be applied; if demolition is not proposed then that which follows in this Clause 3.3 shall be followed;
 - c) If the Administrator determines the property to be dangerous and/or unsightly, the owner or duly authorized representative of the owner shall be contacted to advise the owner or representative of his/her findings and shall explain to the owner of the work expected to be completed in order to remedy the condition. The Administrator shall issue an Order confirming the remedial work to be carried out and setting a deadline for the remedial work to be completed;
 - d) The Administrator shall serve a copy of the Order on the owner by mailing the Order using the current address contained in the Municipality's tax records and shall post a copy of the Order in a conspicuous place on the subject property;
 - e) The Administrator shall cause a visit of the property and premises to be conducted immediately after the date in the Order by which the condition is to be remedied in order to ascertain whether or not compliance has been met with regards to remedying the condition;
 - f) The Administrator shall verify with the appropriate parties in order to determine whether or not the property is on the tax sale roll, such actions shall ensure all interested parties at the yearly "Tax Sale" are aware of any/or all "Orders" against the property;
 - g) If the Administrator determines that the property is not dangerous or unsightly the Administrator shall advise the person who filed the complaint of his/her decision;

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- h) The focus of the Municipality and the Administrator is to encourage and incent the property owner to clean their own property without legal intervention from the Municipality. The CAO shall be permitted reasonable latitude in providing incentives. These incentives may include a **temporary** use of municipal staff to clean and/or transport items off the residents' property, if the environment is deemed a safe work environment.
- i) Further to section 3.3(h) above, the CAO may authorize a temporary release of the maximum weight restrictions as imposed by the Yarmouth County Solid Waste Management Authority. If, in the CAO's opinion, the resident is making a sincere effort in cleaning his/her own property subsequent to a request from the Municipality, the CAO may contact the Yarmouth County Solid Waste Management Authority authorizing a temporary elimination of the maximum weight restriction of 220kgs per household per week. The CAO shall be guided in this decision by the following factors:
 - 3.3.i.1. The resident was asked to clean up their property under the provisions of this policy;
 - 3.3.i.2. The resident has already delivered material to the landfill and making a sincere effort to deliver additional material;
 - 3.3.i.3. The material on site, in the opinion of the Administrator, is well in excess of 220 kgs;
 - 3.3.i.4. In the opinion of the Administrator, the property would be cleaned more efficiently, to the benefit of neighbors and taxpayers.
- j) There is a right to appeal a decision of the Administrator by submitting a letter to the Chief Administrative Officer no later than nine days after the date of the Order of the letter advising of the rejection of the complaint;
- k) When a notice of appeal is received, the Administrator shall cause to be prepared a package for Council containing the following information,
 - 3.3.k.1. Copy of the complaint received;
 - 3.3.k.2. Copies of the photos caused to be taken by the Administrator;
 - 3.3.k.3. A copy of the letter from the Administrator confirming the initial contact with the owner of the property or the representative of the owner, as the case may be;
 - 3.3.k.4. A copy of the order to remedy as issued by the Administrator;

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3.3.k.5. Arc Map mapping or photos to show the property boundaries;

3.3.k.6. Property on-line details of ownership;

3.3.k.7. Any other item of information deemed relevant in the circumstances.

- l) If the owner appeals the order of the Administrator and the appeal is granted in whole or in part, then either the order to remedy shall immediately be terminated or that portion of the order deemed not necessary by Council shall be removed from the order;
- m) If the owner files an appeal and, as a result of the appeal, Council confirms the order to remedy or, after the allotted period of time for an appeal has expired and no satisfactory remedial action has been taken by the owner then, in accordance with Section 348(3) of the Municipal Government Act the Administrator may enter upon the property without warrant or other legal process and carry out the work specified in the order. This work shall be carried out by a contractor engaged in accordance with the [procurement] policy of the Municipality of the District of Argyle in effect from time to time;
- n) Upon the remedial work being completed then the Administrator shall report to the CAO that the work has in fact been completed and shall also advise the owner that the work has been completed and that the cost shall be added as a first lien on the property in accordance with Section 507 of the Municipal Government Act.

3.4. If, as a result of a complaint received and investigated in accordance with Clause 3.3(a) and 3.3(b) above, it is determined that a demolition order is to be proposed, then the following procedure shall be followed:

- a) Upon the complaint being determined to be valid by the Administrator, the owner or duly authorized representative of the owner shall be contacted; the Administrator shall cause the owner or representative, as the case may be, to be explained the nature of the complaint as well as the results of the investigation conducted and, then, shall be provided with an explanation of the reasons why demolition is required;
- b) The Administrator shall cause a letter to be forwarded to the owner whereby that which is described in (a) above shall be outlined in writing,
- c) If, the Administrator is recommending an order of demolition to Council then the Administrator shall cause to be prepared a package for Council containing the following information.

3.4.c.1. Copy of the complaint received;

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- 3.4.c.2. Copies of the photos caused to be taken by the Administrator;
 - 3.4.c.3. A copy of the letter from the Administrator confirming the initial contact with the owner of the property or the representative of the owner, as the case may be;
 - 3.4.c.4. Arc Map mapping or photos to show the property boundaries;
 - 3.4.c.5. Property on-line details of ownership;
 - 3.4.c.6. Any other item of information deemed relevant in the circumstances;
- d) In consultation with the Administrator the Chief Administrative Officer of the Municipality shall set a date when the proposed order for demolition shall be considered by Council and no less than seven (7) days before the date so set notice specifying the date, time and place of the meeting when Council shall consider the proposed order shall be given to the owner in the manner prescribed by sub-section 346(4) of the Municipal Government Act;
 - e) Upon the date set for the above mentioned meeting the owner shall be given the opportunity to appear and be heard; thereafter Council shall decide whether or not to make an order to demolish in the circumstances; Council may adjourn the hearing to a later date if deemed appropriate;
 - f) If Council makes a decision to issue an Order to demolish the Order will include a date by which the owner must have the demolition carried out, and shall advise the owner that after the date the Municipality shall enter the lands and carry out the demolition and the costs of such work shall constitute a lien against the property pursuant to Section 507 of the Municipal Government Act;
 - g) The Administrator serve a copy of the Order on the owner by mailing the Order using the current address contained in the Municipality's tax records and shall post a copy of the Order in a conspicuous place on the subject property;
- 3.5.** Notwithstanding that which precedes, pursuant to section 347 of the Municipal Government Act, Council may decide under any circumstances that the Municipality shall apply to a court of competent jurisdiction for a declaration that a property is dangerous or unsightly and for an order specifying the work required to be done to remedy the condition by removal, demolition or repair.
- 3.6.** The following order of priority will be used by the policy Administrator to determine which complaints or inspected properties are the most urgent to remediate:
- a) Dangerous structure or situation within a pre-defined distance (say 30-50 meters) of a roadway or a single-family dwelling;

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- b) Unsightly situation within a pre-defined distance of a roadway or a single-family dwelling;
- c) Derelict vehicles.

4. COMMUNITY INSPECTIONS

- 4.1. In an attempt to decrease the amount of dangerous or unsightly properties, staff may, if resources and time permit, proactively inspect communities two (2) times a year (spring and fall) and look for dangerous or unsightly properties using the scope of inspections and order of priority established in this policy. The department of PIPW can then contact the owners of a dangerous or unsightly property to discuss their intentions and/or help if needed.
- 4.2. To focus staff's work, Council has chosen to concentrate its efforts on Highway #3, Highway #308, Highway #334, Highway #335 and Highway #203 as the properties on these roads are typically the most visible.

5. RELIEF OF DANGEROUS AND UNSIGHTLY COSTS - ARGYLE TLC PROGRAM

- 5.1. Argyle, in recognition of the needs of certain taxpayers is implementing a program named Argyle TLC Program, to financially assist qualified taxpayers in the Municipality. Property owners affected by dangerous or unsightly enforcement orders may apply for relief by completing the application forms as attached in the Appendix.
- 5.2. The Argyle TLC Program has two levels of assistance; namely the TLC Repayment Plan, which provides for a longer-term payment plan at a reduced rate of interest of 4% and the TLC Relief, which provides a forgiveness of a portion of the costs of clean up.

5.3. TLC Repayment Plan:

- a) The TLC Repayment Plan cannot exceed seven (7) years, and must be paid via monthly payments;
- b) On completion of the TLC Repayment Plan agreement, it is considered a first lien levied against the taxpayer's property in accordance with Sections 507 and 133(3) of the Municipal Government Act.
- c) In the event of default of three (3) payments, consecutive or not, under the TLC Repayment Plan, the outstanding balance shall be immediately due and payable. Interest shall no longer be at the rate of the TLC Repayment Plan Interest and shall instead be at the interest rate on outstanding taxes as set by Council at each Annual Meeting in April of each year. The remaining outstanding amount be treated identical to outstanding taxes payable and shall follow the same proceedings as municipal taxes for tax sale purposes.

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- d) If the qualified taxpayer sells the property while there is an outstanding balance on the clean up subject to a repayment plan, the entire amount shall become payable and treated as taxes on the date of sale, except as to the interest otherwise payable thereon, and the owner shall be responsible for the entire outstanding amount.

5.4. TLC Relief:

- a) A qualified taxpayer may be entitled to a TLC relief amount if acceptable arrangements have first been made under the TLC repayment plan. The repayment plan arrangement shall presume no TLC relief in the determination of monthly payments.
- b) The TLC Relief amount shall be earned by the qualified taxpayer only after the municipality is in receipt of 12 monthly payments on the repayment plan. The relief shall be applied once a year at the end of the fiscal year for those qualifying for the relief.
- c) The qualified taxpayer loses eligibility for the TLC Relief if in the first 12 months, there were two missed payments.
- d) The qualified taxpayer is not entitled to a TLC Relief if at the time of the 12-month anniversary, the property remains unsightly, in the opinion of the Administrator.
- e) The Maximum funding under the TLC Relief is the lower of the following three calculations:
 - 5.4.e.1. 100% of the cost of tipping fees for material brought to a qualified landfill or transfer station;
 - 5.4.e.2. 20% of the total cost of the remediation to correct the site conditions;
 - 5.4.e.3. \$2,000.00.

5.5. Any material taken from the property that has material value, in excess of \$500 dollars, shall be applied against the costs incurred by Argyle in a cleanup and not to the benefit of a qualified taxpayer.

6. TRANSITIONAL PERIOD

6.1. The Municipality has outstanding balances for property cleanup performed prior to December 31, 2019. These properties will only be entitled to TLC Relief as outlined in Section 5 if they are a qualified property, and the work was completed based on a dangerous property decision led by our Bylaw Enforcement Officer(s).

6.2. Unsightly clean ups of qualified properties prior to December 31, 2019 are limited to a grant

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not exceeding \$1,500. If those properties have been cleaned prior to December 31, 2019 and are still found to be unsightly at April 30, 2020, there will be no TLC Relief issued.

6.3.For clarity, any clean up of a qualified property, regardless of date, is eligible to apply for the TLC Repayment Plan.

<u>Chief Administrative Officers' Annotation for Official Policy Book</u>	
Date of Notice to Council Members Of Intent to Consider [7 days minimum]: <u>September 10, 2019</u>	
Date of Passage of Current Policy: <u>January 14, 2020,</u>	
I certify that this Policy was adopted by Council as indicated above.	
<u>Original Signed</u> Warden	<u>February 6, 2020</u> Date
<u>Original Signed</u> Chief Administrative Officer	<u>February 10, 2020</u> Date

PART XV

DANGEROUS OR UNSIGHTLY PREMISES

Requirement to maintain property

344 Every property in a municipality shall be maintained so as not to be dangerous or unsightly.

Authority to delegate

345 (1) The council may, by policy, delegate some or all of its authority pursuant to this Part, except the authority to order demolition, to the administrator.

(2) The council may, by policy, delegate its authority pursuant to this Part, or such of its authority as is not delegated to the administrator, to a community council or to a standing committee, for all or part of the municipality.

Order to remedy condition

346 (1) Where a property is dangerous or unsightly, the council may order the owner to remedy the condition by removal, demolition or repair, specifying in the order what is required to be done.

(2) An owner may appeal an order of the administrator to the council or to the committee to which the council has delegated its authority within seven days after the order is made.

(3) Where it is proposed to order demolition, before the order is made not less than seven days notice shall be given to the owner specifying the date, time and place of the meeting at which the order will be considered and that the owner will be given the opportunity to appear and be heard before any order is made.

(4) The notice may be served by being posted in a conspicuous place upon the property or may be personally served upon the owner.

Timeline

August 10, 2017 - Complaint received. Site visit by Hans Phiel. Notes to file and pics taken.

August 11, 2017 - Letter sent by Hans to [redacted]. First warning. 30 days to contact with intentions.

September 5, 2017 - [redacted] called very upset. Sons will do cleanup.

September 7, 2017 - Email received from [redacted]. Will start cleaning up in two weeks.

September 7, 2017 - Email sent by Hans to [redacted] asking for intentions and a timeline.

2018 - No contact, notes, or paperwork

September 30, 2019 - Site visit and site assessment done by Hans and [redacted]. Deemed structurally unsafe and dangerous and may require demolition.

September 30, 2019 - Letter sent to [redacted] as to assessment and asking for intentions.

October 21, 2019 - [redacted] called office requesting more time and information on demolition costs.

October 21, 2019 - [redacted] sent email to Hans. Ill but will work with staff to remedy

October 31, 2019 - Email from [redacted] to Hans asking us to enter and remove some boxes.

January 10, 2020 - Email from HP to [redacted]. Unsafe to enter and need to board up.

January 10, 2020 - Email from [redacted] to Hans stated son will board up.

January 13, 2020 - Email from [redacted] to Hans asking for cost of plywood.

January 13, 2020 - Email from Hans to [redacted] offering to put up plywood until demolition.

September 11, 2021 - CAO fills out Dangerous and Unsightly Assessment form. Demolition recommended.

September 20, 2021 - letter sent by CAO as Order to repair or demolish. Order posted on property.

October 22, 2021 - Email from [redacted] to CAO. Hope to resolve soon.

November 4, 2021 - Site visit by Mitch. Conditions unchanged and deteriorating.

November 5, 2021 - Mitch did a site visit and filled out Dangerous and Unsightly Assessment Form. demolition recommended.

December 2, 2021 - Email from [redacted] to CAO. States she has someone to demolish for \$10,000.

February 2, 2022 - Letter sent from Kyle to [redacted] agreeing to her decision to demolish and sent demolition permit with letter.

March 28, 2022 - Email from [redacted] to Kyle. Now has someone to demolish for \$8,500.

April 4, 2022 - Email to [redacted] from Kyle asking for timeline for dismantling of structure.

April 21, 2022 – Site visit by Mitch of present conditions and found house was broken into with plywood removed from front door. Notified staff immediately and reboarded up the next day. MC took present day pics and was only able to take one step inside to take pics as the floor was deemed to unsafe to enter. Notified Fire Chiefs of danger and to not enter the structure.

July 12, 2022- Site visit by Mitch for updated pics. The structure has deteriorated considerably since pics taken before winter of last year.

July 19, 2022- Letter sent to [redacted] about upcoming Council meeting to discuss the recommendation to demolish the building.