



**PUBLIC MINUTES
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, January 3, 2018, 3:28 p.m.
Committee Room B, City Hall**

PRESENT: Mr. Ian Oliver, Chair
Mr. Michael Brockbank, Vice-Chair
Mr. Donald Stiller, Member
Mr. Dan Wiks, Member

ABSENT: Mr. Roy Fleming, Member

ALSO PRESENT: Ms. Trudy Bartel, Municipal Inspector
Secretary, Ms. Debby Sackmann

1. Appointment of Chair and Vice-Chair for 2018 (File No. CK. 225-54)

The Secretary reported that City Council, at its Regular Business Meeting held on November 20, 2017 made the following reappointments to the end of 2019:

Property Maintenance Appeals Board, Saskatoon Private Swimming Pools Appeals Board, and Environmental Management Appeals Board

- Mr. Michael Brockbank
- Mr. Donald Stiller
- Mr. Dan Wiks

The Board is requested to appoint a Chair and Vice-Chair for 2018. Mr. Ian Oliver was Chair and Mr. Michael Brockbank was Vice-Chair for 2017.

Mr. Ian Oliver was nominated for Chair and Mr. Michael Brockbank was nominated for Vice-Chair.

Moved By: D. Wiks

That Ian Oliver be appointed Chair and Michael Brockbank be appointed Vice-Chair for 2018.

CARRIED

2. Property Maintenance Appeal No. 01-2018
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
102 Wilson Crescent – 17-ORC-338
Marygrace Semenoff
(File No. PMAB. 4410-018-001)

Introductions were held. The Chair commenced the hearing at 3:28 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Mr. Jan Semenoff

APPEARED FOR THE RESPONDENT:

Ms. Trudy Bartel, Municipal Inspector, Saskatoon Fire Department

GROUNDS AND ISSUES:

The Appellant, Marygrace Semenoff, launched an appeal under Section 56(1) of *Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003* and Section 329 of *The Cities Act*, in connection with an Order to Remedy Contravention 17-ORC-338 for the property at 102 Wilson Crescent. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

There are trees in the yard with dead and damaged branches/limbs of a size that could cause damage to property or injury to persons in the event they become dislodged from the trees; the bark is missing off numerous branches/limbs. This is creating a hazardous condition.

YOU ARE HEREBY DIRECTED TO:

By no later than March 26, 2018, cut down and remove from the property all dead or dying branches and limbs from trees on the property or provide a letter of assurance from a licensed arborist indicating the trees are healthy and pose no danger to persons or property.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 12 and 14(f).

2. CONTRAVENTION:

There is an accumulation of branches, garbage, junk and debris on the property. This is creating a nuisance which may affect the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than March 26, 2018, remove the accumulation of branches and all other garbage, junk and debris from the property.

Property Maintenance and Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 9, 12 and 14.

Note: The owner is responsible to comply with all other Acts and Regulations, building permits, electrical and plumbing permits.”

As set out in the Notice of Appeal to the Property Maintenance Appeals Board (Exhibit A.1), the Appellant outlined the reasons for appealing, as follows:

“I completely agree the tree should come down, but I request an extension in time because March can still be very snowy/icy. I have contacted an arborist (used by other family members so recommended highly for safe work ethic). However, at this date, he has not come for inspection (or quote). Due to Sask. weather, I will certainly have the tree removed in April/May (or June).”

EXHIBITS:

- Exhibit A.1: Notice of Appeal from Marygrace Semenoff to the Property Maintenance Appeals Board, received in City Clerk’s Office on December 12, 2017.
- Exhibit A.2: Appellant’s Letter of Explanation, received in City Clerk’s Office on December 11, 2017.
- Exhibit B.1: Notice of Hearing dated December 19, 2017.
- Exhibit R.1: Order to Remedy Contravention 17-ORC-338 dated November 29, 2017, for the property at 102 Wilson Crescent, received in City Clerk’s Office on November 29, 2017.
- Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated November 23, 2017, received in the City Clerk’s Office on January 2, 2018.

SUPPLEMENTARY NOTATIONS:

The Respondent, Ms. Trudy Bartel, Municipal Inspector, and the Appellant's Representative, Mr. Jan Semenoff, affirmed that any evidence given in this hearing would be the truth.

The Respondent and Appellant gave evidence and argument as outlined in the Record of Decision dated January 10, 2018.

The hearing concluded at 3:41 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated January 10, 2018, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-338, dated November 29, 2017, with respect to the property at 102 Wilson Crescent be **UPHELD** and that the date for compliance for *Contravention 1* be **EXTENDED to June 30, 2018**; and

THAT the requirements of the Order to Remedy Contravention 17-ORC-338, dated November 29, 2017, with respect to the property located at 102 Wilson Crescent be **UPHELD** for *Contravention 2*.

3. ADOPTION OF MINUTES

Moved By: D. Stiller

That the minutes of meeting held on December 13, 2017, be adopted.

CARRIED

The meeting adjourned at 3:56 p.m.

Mr. Ian Oliver, Chair

Ms. Debby Sackmann, Secretary