



**PUBLIC MINUTES
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, June 20, 2018, 3:40 p.m.
Committee Room B, City Hall**

PRESENT: Mr. Ian Oliver, Chair
Mr. Michael Brockbank, Vice-Chair
Mr. Roy Fleming, Member
Mr. Donald Stiller, Member

ABSENT: Mr. Dan Wiks, Member

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

- 1. Property Maintenance Appeal No. 06-2018
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
91 MacLean Crescent – 18-ORC-085
Joanne Regier
(File No. PMAB. 4410-018-006)**

Introductions were held. The Chair commenced the hearing at 3:40 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Ms. Joanne Regier

APPEARED FOR THE RESPONDENT:

Ms. Trudy Bartel, Municipal Inspector, Saskatoon Fire Department

GROUND AND ISSUES:

The Appellant, Joanne Regier, 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 18-ORC-085 for the property at 91 MacLean Crescent. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

There is an excessive accumulation of plastic containers, plastic bags, branches, broken furniture, broken shovels, windows, microwave, detached fence sections, cardboard, garbage, junk and debris which is affecting the health and safety of the neighborhood.

YOU ARE HEREBY DIRECTED TO:

By no later than May 31, 2018, remove the accumulation plastic containers, plastic bags, branches, broken furniture, broken shovels, windows, microwave, detached fence sections, cardboard, 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.

2. CONTRAVENTION:

Overgrown grass and weeds on this property exceed 20 centimeters in height.

YOU ARE HEREBY DIRECTED TO:

By no later than May 31, 2018, cut down and remove all overgrown grass and weeds from all areas of this property.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 8 and 14.

3. CONTRAVENTION:

A junked vehicle is located on the property. A white Ford F150 truck with attached Saskatchewan plate 769 IWW has been left in an abandoned condition. The truck box is full of plastic tubs, plastic containers, scrap metal, garbage junk and debris. Tires are flattened, the vehicle is covered and surrounded by pine cones, needles and other debris. This creates an unsafe and unsightly condition that affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than May 31, 2018, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the vehicle, a white Ford F150 truck with attached Saskatchewan plate 769 IWW, is in an operable condition with valid registration plates attached -OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, 10 and 14.

4. CONTRAVENTION:

A junked vehicle is located on the property. A white vehicle trailer has been left in an abandoned condition. The trailer is covered and surrounded by dead vegetation and other debris; grass and weeds have grown up to surround the trailer. This creates an unsafe and unsightly condition that affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than May 31, 2018, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the vehicle, a white vehicle trailer, is in an operable condition with valid registration plates attached - OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, 10 and 14.

5. CONTRAVENTION:

A junked vehicle is located on the property. A gold Chrysler Neon with attached Saskatchewan plate 861 JUL has been left in an abandoned condition. The vehicle is surrounded by overgrown grass, weeds and other debris. This creates an unsafe and unsightly condition that affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than May 31, 2018, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the vehicle, gold Chrysler Neon with attached Saskatchewan plate 861 JUL, is in an operable condition with valid registration plates attached -OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, 10 and 14.

6. CONTRAVENTION:

The fence along the alley and south side of the property is not being maintained in a safe and reasonable state of repair. Sections of the fence are leaning into the alley and in danger of falling over. Fence sections have been detached and are lying on the ground. The protective covering of paint is peeling off.

YOU ARE HEREBY DIRECTED TO:

By no later than May 31, 2018, Repair the fence so as to be solid and sturdy or remove the fence from the property including all fence boards and posts.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 5, and 20.

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 need more time to get everything done. I am going in for [a medical procedure] and have been told that I will need to have a minimum of 2 weeks recovery time, so I will not be able to attend to any of the remaining issues until after that.”

EXHIBITS:

- Exhibit A.1: Notice of Appeal from Joanne Regier to the Property Maintenance Appeals Board, received in City Clerk’s Office on May 28, 2018.
- Exhibit A.2: Appellant’s Supplementary Material (medical note), received in City Clerk’s Office on May 28, 2018.
- Exhibit B.1: Notice of Hearing dated June 5, 2018.
- Exhibit R.1: Order to Remedy Contravention 18-ORC-085 for the property at 91 MacLean Crescent, dated and received in City Clerk’s Office on May 17, 2018.
- Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated May 15, 2018, received in the City Clerk’s Office on June 4, 2018.
- Exhibit R.3: Site photographs, submitted by the Municipal Inspector, dated and received in City Clerk’s Office on June 20, 2018.

SUPPLEMENTARY NOTATIONS:

The Respondent, Ms. Trudy Bartel, Municipal Inspector, and the Appellant, Ms. Joanne Regier, 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 June 27, 2018.

The hearing concluded at 3:58 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated June 27, 2018, the Board determined that the requirements of the Order to Remedy Contravention 18-ORC-085, dated May 17, 2018, with respect to the property at 91 MacLean Crescent be **UPHELD** and **EXTENDED** to **AUGUST 10, 2018**.

2. **ADOPTION OF MINUTES**

Moved By: D. Stiller

That the minutes of meeting held on June 6, 2018, be adopted.

CARRIED

The meeting adjourned at 4:15 p.m.

Mr. Ian Oliver, Chair

Ms. Debby Sackmann, Secretary