



**PUBLIC MINUTES
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, September 21, 2016, 3:30 p.m.
Committee Room B, City Hall**

PRESENT: Mr. Ian Oliver, Chair
Mr. Roy Fleming, Member
Mr. Donald Stiller, Member
Secretary, Ms. Debby Sackmann

- 1. PROPERTY MAINTENANCE APPEAL NO. 05-2016
BYLAW NO. 8175 – THE PROPERTY MAINTENANCE & NUISANCE
ABATEMENT BYLAW, 2003
JOY HALL
258 ANGLIN PLACE
(FILE NO. PMAB. 4410-016-005)**

Introductions were held. The Chair commenced the hearing at 3:31 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Ms. Joy Hall

APPEARED FOR THE RESPONDENT:

Mr. Luc Durand, Municipal Inspector, Saskatoon Fire Department
Mr. Wayne Rodger, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUND AND ISSUES:

The Appellant, Joy Hall, 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 for the property at 258 Anglin Place. The Order to Remedy outlined the following:

“1. **CONTRAVENTION:**

There is a junk vehicle on the driveway of the property listed as follows:

Silver Chrysler 300, VIN: 2C3HE66GX3H545348. This vehicle appears inoperable, abandoned and displays no current license plate.

This situation is creating a nuisance affecting the health and safety of residents and affecting the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than September 12, 2016, remove the above-listed vehicle from the driveway of the property – OR – provide confirmation that the vehicle is operable, has a valid license plate attached to the vehicle and provide verification of registration to the municipal inspector – OR – relocate the said vehicle into an approved structure to eliminate the nuisance that is affecting the health and safety of residents and affecting the amenity of the neighbourhood.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3 (f)(h), 4, 5, 10 and 14 (1)(b).

2. CONTRAVENTION:

The grass and weeds on the yard of the property are overgrown to a height in excess of 20 cm, creating a nuisance and unsightly condition affecting the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than September 12, 2016, cut and remove the overgrowth of grass and weeds (not to exceed 20 cm in height) from the yard of the property to correct the nuisance and unsightly condition affecting the amenity of the neighbourhood.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3 (h), 4, 5, 8 and 14.

3. CONTRAVENTION:

The rear deck attached to the house shows signs of deterioration (rotted & broken floor boards). The deck and railings shall be maintained in a safe condition and in good repair so that no components are broken, loose, rotted or warped. This condition of the property is also affecting the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than September 28, 2016, properly repair – OR – replace the rear deck to ensure it is maintained in a safe condition and capable of performing the function that it was intended to perform. The repairs or replacement of the rear deck shall conform to the minimum standards.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3 (h)(l), 4, 5, 12, 22 and 27.

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:

“The (main) complainant, Don Vogt, does not have “clean hands”, legally:

- He and his family have trespassed on my property, and did much vandalism.
- Some of the situations are the result of his vandalism and/or because he reneged on his responsibilities.
- Some of his complaints are pure fiction and/or exaggeration.”

EXHIBITS:

- Exhibit A.1: Notice of Appeal from Joy Hall to the Property Maintenance Appeals Board, received in City Clerk’s Office on September 6, 2016.
- Exhibit A.2: Cover Page document submitted by the Appellant, and received in City Clerk’s Office on September 7, 2016.
- Exhibit A.3: Site Map submitted by the Appellant, and received in City Clerk’s Office on September 7, 2016.
- Exhibit A.4: “Clean Hands” document submitted by the Appellant, and received in City Clerk’s Office on September 7, 2016.
- Exhibit A.5: “History/Background” document submitted by the Appellant, dated September 1, 2016, and received in City Clerk’s Office on September 7, 2016.
- Exhibit A.6: “Responses to Original Complaints/Related Emails” document submitted by the Appellant, and received in City Clerk’s Office on September 7, 2016.
- Exhibit A.7: Email correspondence submitted by the Appellant, dated from August 28, 2014, to August 30, 2016, and received in City Clerk’s Office on September 7, 2016.
- Exhibit A.8: “Response to Property Maintenance Inspection” document submitted by the Appellant, and received in City Clerk’s Office on September 7, 2016.
- Exhibit A.9: Site photographs submitted by the Appellant, and received in City Clerk’s Office on September 7, 2016.
- Exhibit B.1: Notice of Hearing dated September 9, 2016.
- Exhibit R.1: Order to Remedy Contravention dated August 19, 2016, for the property at 258 Anglin Place, received in City Clerk’s Office on August 22, 2016.
- Exhibit R.2: Property Maintenance Complaints submitted by the Municipal Inspector, dated from August 28, 2014, to June 27, 2016, and received in City Clerk’s Office on September 8, 2016.
- Exhibit R.3: Property Maintenance Inspection Report submitted by the Municipal Inspector, dated July 13, 2016, and received in City Clerk’s Office on September 8, 2016.
- Exhibit R.4: Email correspondence submitted by the Municipal Inspector, dated from August 2 to 29, 2016, and received in City Clerk’s Office on September 8, 2016.
- Exhibit R.5: Site photographs submitted by the Municipal Inspector, dated August 17, 2016, and received in City Clerk’s Office on September 8, 2016.

SUPPLEMENTARY NOTATIONS:

The Respondents, Mr. Luc Durand, Municipal Inspector; and Mr. Wayne Rodger, Fire Marshal and Municipal Inspector, both with the Saskatoon Fire Department; and the Appellant, Ms. Joy Hall, affirmed that any evidence given in this hearing would be the truth.

The Respondents and Appellant gave evidence and argument as outlined in the Record of Decision dated September 27, 2016.

The hearing concluded at 4:19 p.m.

RESOLVED: THAT the requirements of the Order to Remedy Contravention 16-ORC-075, dated August 19, 2016, with respect to the property at 258 Anglin Place be **UPHELD** and that the date for compliance for *Contraventions 1 and 2* be **EXTENDED** to **OCTOBER 11, 2016**; and

THAT the requirements of the Order to Remedy Contravention 16-ORC-075, dated August 19, 2016, with respect to the property located at 258 Anglin Place be **UPHELD** and that the date for compliance only for *Contravention 3* be **EXTENDED** to **NOVEMBER 30, 2016**.

2. ADOPTION OF MINUTES

Moved By: D. Stiller

That the minutes of meeting held on July 20, 2016, be adopted.

CARRIED

The meeting adjourned at 4:30 p.m.

Mr. Ian Oliver, Chair

Ms. Debby Sackmann, Secretary