



**PUBLIC MINUTES  
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, October 4, 2017, 4:25 p.m.  
Committee Room B, City Hall**

**PRESENT:** Mr. Ian Oliver, Chair  
Mr. Michael Brockbank, Vice-Chair  
Mr. Roy Fleming, Member  
Mr. Dan Wiks, Member

**ABSENT:** Mr. Donald Stiller, Member

**ALSO PRESENT:** Mr. Russell Scott, Municipal Inspector  
Mr. Luc Durand, Fire Marshal and Municipal Inspector  
Secretary, Ms. Debby Sackmann

- 1. Property Maintenance Appeal No. 14-2017  
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003  
Ben Marianovits  
1235 10<sup>th</sup> Street East – 17-ORC-284  
(File No. PMAB. 4410-017-014)**

Introductions were held. The Chair commenced the hearing at 4:28 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

**APPEARED FOR THE APPELLANT:**

Mr. Ben Marianovits

**APPEARED FOR THE RESPONDENT:**

Mr. Russell Scott, Municipal Inspector, Saskatoon Fire Department  
Mr. Luc Durand, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

**GROUNDS AND ISSUES:**

The Appellant, Ben Marianovits, 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-284 for the property at 1235 10<sup>th</sup> Street East. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

The property is unsightly, untidy and has evidence of a bee and mouse infestation within the accumulation of two large mounds of organic material in the front yard and garbage, junk, refuse and debris on the property.

YOU ARE HEREBY DIRECTED TO:

By no later than September 18, 2017, remove the two large mounds of organic material in the front yard, level the area to a graded condition and remove all other garbage, junk, refuse and debris from the property.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 4, 5, 9 12, and 14.

2. CONTRAVENTION:

There is a 45 centimetres/18 inch excavation on the property from an abandoned illegal fire pit that is dangerous to public safety and health.

YOU ARE HEREBY DIRECTED TO:

By no later than September 18, 2017, remove the illegal fire pit, fill in the excavation and grade the area to a level condition.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 11 and 14.

3. CONTRAVENTION:

Overgrown grass and weeds on this property exceed 20 centimetres/8 inches in height.

YOU ARE HEREBY DIRECTED TO:

By no later than September 18, 2017, 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.

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:

“Please see attached documentation. Did not receive notice of property maintenance complaint. Supporting document delivery delayed.”

**EXHIBITS:**

- Exhibit A.1: Notice of Appeal from Ben Marianovits to the Property Maintenance Appeals Board, received in City Clerk’s Office on September 15, 2017.
- Exhibit A.2: Appellant’s submission, received in City Clerk’s Office on September 15, 2017.
- Exhibit B.1: Notice of Hearing dated September 26, 2017.
- Exhibit R.1: Order to Remedy Contravention 17-ORC-284 dated August 30, 2017, for the property at 1235 10<sup>th</sup> Street East, received in City Clerk’s Office on August 30, 2017.
- Exhibit R.2: Respondent’s submission from the Municipal Inspector, received in City Clerk’s Office on September 21, 2017.
- Exhibit R.3: Email Communication between Saskatoon Fire Department & Office of the Public Guardian & Trustee, received September 27, 2017.
- Exhibit R.4: Site photographs, submitted by the Municipal Inspector at the hearing, dated October 4, 2017.

**SUPPLEMENTARY NOTATIONS:**

The Respondent, Mr. Russell Scott, Municipal Inspector, and the Appellant, Mr. Ben Marianovits, 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 October 12, 2017.

The hearing concluded at 5:20 p.m.

**RESOLVED:** That for the reasons outlined in the Record of Decision dated October 12, 2017, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-284, dated August 30, 2017, with respect to the property at 1235 10<sup>th</sup> Street East be **UPHELD** and **EXTENDED to October 30, 2017**.

**2. ADOPTION OF MINUTES**

**Moved By:** D. Wiks

That the minutes of meeting held on September 20, 2017, be adopted.

**CARRIED**

The meeting adjourned at 5:25 p.m.

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Mr. Ian Oliver, Chair

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Ms. Debby Sackmann, Secretary