



Town of Onoway Request for Decision

Meeting:	Council Meeting
Meeting Date:	July 13, 2023
Presented By:	Jennifer Thompson, CAO
Title:	Property Maintenance Bylaw 735-17 – Clean Up Order

BACKGROUND / PROPOSAL

Council has directed Administration and Community Peace Officers to enforce bylaws of the Town of Onoway. This service is mostly complaint driven and the service provided by Lac Ste Anne Community Peace Officers is valuable for the peace and enjoyment of residents and businesses in Onoway.

Untidy and unsightly complaints are a process that is within Bylaw 735-17 Property Maintenance Bylaw.

DISCUSSION / OPTIONS / BENEFITS / DISADVANTAGES

An unsightly order on a property in Onoway has been issued. The owner had a 30-day timeframe to comply and it has passed. To remedy the contravention, the process is for the CPO's to obtain three quotes to have a contractor complete the work to be undertaken and clean up costs, to be borne by the owner are estimated at \$2,500. If the amount remains unpaid, it may be added to the taxes of the property. This cost is to remove and dispose of old building material, garbage and cut grass. The cost to the resident is a significant expense when there is contravention of Bylaw 735-17.

Bylaw 735-17 is in force and regulates community standards with respect to property maintenance. Section 6, 7 and 23 are below.

LAND

- 6 A person shall not cause or permit a nuisance to exist on land they own or occupy.
- 7 For the purpose of greater certainty a nuisance, in respect of land, means land that shows signs of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, some examples of which include:
 - (a) excessive accumulation of uncovered material including but not limited to building materials, appliances, household goods, boxes, tires, vehicle parts, garbage or refuse, whether of any apparent value or not;
 - (b) smelly or messy compost heaps;
 - (c) unkempt grass or weeds higher than 15 centimeters;
 - (d) excessive accumulation of grass clippings, or fallen leaves.
 - (e) production of any excessively offensive odors including those caused by animal feces.
 - (f) any tree, shrub, other type of vegetation or any structure:
 - (i) that interferes or could interfere with any public work or utility;
 - (ii) that obstructs any sidewalk adjacent to the land; or
 - (iii) that interferes with the lawful enjoyment of adjacent property owners
 - (g) unauthorized drainage of water from one person's property to another.

POWERS OF THE CHIEF ADMINISTRATIVE OFFICER

23. Without restricting any other power, duty or function granted by this bylaw the Chief Administrative Officer or Bylaw Officer may:
- (c) take any steps or carry out any actions required to remedy a contravention of this bylaw;

Administration is providing this as information to Council and to answer questions that may arise from enforcement of bylaws on remedy and costs.

STRATEGIC ALIGNMENT

Service Excellence / Good Governance

COSTS / SOURCE OF FUNDING

Estimate \$2,500 to be billed to the owner or added to taxes for non-payment.

RECOMMENDED ACTION

THAT Council accept the discussion regarding the remedy and costs of contravention of Bylaw 735-17 Property Maintenance Bylaw for information.

ATTACHMENTS

None