



**PUBLIC MINUTES
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, July 20, 2016, 3:30 p.m.
Committee Room E, City Hall**

PRESENT: Mr. Ian Oliver, Chair
Mr. Michael Brockbank, Vice-Chair
Mr. Donald Stiller, Member
Secretary, Ms. Debby Sackmann

- 1. PROPERTY MAINTENANCE APPEAL NO. 04-2016
BYLAW NO. 8175 – THE PROPERTY MAINTENANCE & NUISANCE
ABATEMENT BYLAW, 2003
JACK GROVER
1827A & B AVENUE D NORTH
(FILE NO. PMAB. 4410-016-004)**

Introductions were held. The Chair commenced the hearing at 3:33 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Mr. Jack Grover

APPEARED FOR THE RESPONDENT:

Mr. Craig Farrell, Municipal Inspector, Saskatoon Fire Department
Mr. Wayne Rodger, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUND AND ISSUES:

The Appellant, Jack Grover, 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 1827A Avenue D North. The Order to Remedy outlined the following:

“1. **CONTRAVENTION:**

There is an excessive accumulation of TVs, kitchen appliances, scrap wood, tires, indoor furniture, junk and garbage within the yard of the property. This situation is affecting the health and safety of residents and affecting the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than July 22, 2016, remove the excessive accumulation of TVs, kitchen appliances, scrap wood, tires, indoor furniture, junk and garbage from the property to eliminate the nuisance and to maintain the property, not harbour rodents or cause a nuisance to the neighbourhood.

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

2. CONTRAVENTION:

There are 3 junk vehicles on the yard of the property listed as follows:

- Silver Ford Focus 4 door sedan, VIN- 1FAFP33P44W167311. This vehicle appears inoperable and displays no current license plate.
- Purple Dodge Caravan minivan, VIN- 2B4GP44RXYP72566. This vehicle appears inoperable and displays no current license plate.
- White Dodge Coachman RV, with expired Saskatchewan license plate 675 IAV and appears inoperable.

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 July 22, 2016, remove the 3 above listed vehicles from the yard of the property or return the vehicles to a licensed condition and 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.

3. 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 July 22, 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.

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:

“Yard will be cleaned. I own the Coachman RV, van and car. I have to get fixed the van and car. So I like to keep till I get fixed and then sell it. It is my yard I have the right to park in the back.”

EXHIBITS:

Exhibit A.1: Notice of Appeal from Jack Grover to the Property Maintenance Appeals Board, received in City Clerk’s Office on July 13, 2016.

Exhibit B.1: Notice of Hearing dated July 14, 2016.

Exhibit R.1: Order to Remedy Contravention dated July 6, 2016, for the property at 1827A & B Avenue D North, received in City Clerk’s Office on July 8, 2016.

Exhibit R.2: Site photographs, submitted by the Municipal Inspector at the hearing, dated July 5, 2016.

SUPPLEMENTARY NOTATIONS:

The Respondents, Mr. Craig Farrell, Municipal Inspector; and Mr. Wayne Rodger, Fire Marshal and Municipal Inspector; and the Appellant, Mr. Jack Grover, 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 July 26, 2016.

The hearing concluded at 3:49 p.m.

RESOLVED: THAT the requirements of the Order to Remedy Contravention 16-ORC-050, dated July 6, 2016, with respect to the property at 1827A Avenue D North be **UPHELD** and that the date for compliance for *Contraventions 1 and 3* be **EXTENDED** to **AUGUST 15, 2016**; and

THAT the requirements of the Order to Remedy Contravention 16-ORC-050, dated July 6, 2016, with respect to the property located at 1827A Avenue D North be **UPHELD** and that the date for compliance only for *Contravention 2* be **EXTENDED** to **AUGUST 31, 2016**.

**2. APPOINTMENT OF CHAIR AND VICE-CHAIR FOR 2016
PROPERTY MAINTENANCE APPEALS BOARD (File No. CK. 225-54)**

The Secretary advised that the Board is required to appoint a Chair and Vice-Chair for 2016.

Moved By: D. Stiller

1. That Mr. Ian Oliver be appointed Chair for 2016; and
2. That Mr. Michael Brockbank be appointed Vice-Chair for 2016.

CARRIED

3. ADOPTION OF MINUTES

Moved By: M. Brockbank

That the minutes of meeting held on March 2, 2016, be adopted.

CARRIED

The meeting adjourned at 4:00 p.m.

Mr. Ian Oliver, Chair

Ms. Debby Sackmann, Secretary