



**PUBLIC MINUTES
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, May 3, 2017, 3:30 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
Mr. Dan Wiks, Member

ALSO PRESENT: Mr. Trent Lee, Municipal Inspector
Mr. Luc Durand, Fire Marshal and Municipal Inspector
Secretary, Ms. Debby Sackmann

- 1. Property Maintenance Appeal No. 04-2017
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
Daniel Prefontaine-Lamy
1012 Avenue H North – 17-ORC-071
(File No. PMAB. 4410-017-004)**

Introductions were held. The Chair commenced the hearing at 3:30 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Mr. Daniel Prefontaine-Lamy

APPEARED FOR THE RESPONDENT:

Mr. Trent Lee, Municipal Inspector, Saskatoon Fire Department
Mr. Luc Durand, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUNDS AND ISSUES:

The Appellant, Daniel Prefontaine-Lamy, 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-071 for the property at 1012 Avenue H North. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

There are several trees in the rear yard that are dead or have dead branches. There is broken branches ready to fall. This is creating a hazardous condition.

YOU ARE HEREBY DIRECTED TO:

By no later than April 17, 2017, cut down and remove the dead branches and trees that are falling down and all other dead trees from the property or provide a letter of assurance from a licensed arborist indicating the trees are healthy and pose no danger to persons or property.

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

2. CONTRAVENTION:

An accumulation of dead branches and piles of leaves, metal gate, panes of glass, blue tarp, items under blue tarp, water filters, automotive tires, black plastic bags, blue plastic tote, bricks, metal panels, OSB sheet, wood, and other junk and debris on the property creates an unsightly condition and provides a home for rodents and insects. This situation is also creating a nuisance and is affecting the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than April 17, 2017, remove the accumulation of dead branches and piles of leaves, metal gate, panes of glass, blue tarp, items under blue tarp, water filters, automotive tires, black plastic bags, blue plastic tote, bricks, metal panels, OSB sheet, wood 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.

3. CONTRAVENTION:

This residential, 1-storey house shingles are deteriorated to the point there is bare sheeting showing. There is very little rock left, cracks in the tar on the roof and shingles is evident. The shingles are not lying tight to the roof but curling and the joints in the roof do not appear to be watertight.

YOU ARE HEREBY DIRECTED TO:

By no later than May 31, 2017, replace the roof so that it is maintained in a watertight condition so as to prevent deterioration or leakage of water into the building.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 12, 22, and 24.

4. CONTRAVENTION:

A junked vehicle is located on the property. A tan Olds Alero with no SK plate attached, VIN# 1G3NK12F43C204682 is sitting in an abandoned condition in the driveway. It does not appear to have been plated since Feb 2015. This situation creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than April 17, 2017, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the tan Olds Alero with no SK plate attached, VIN# 1G3NK12F43C204682, 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 blue GMC van SK plate 792 FWX VIN#1GKDM19W4VB529941 is sitting in an abandoned condition in the driveway. There are flat tires and it does not appear to have been plated since December 2013. This situation creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than April 17, 2017, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the blue GMC van SK plate 792 FWX VIN#1GKDM19W4VB529941, 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:

A junked vehicle is located on the property. A rusty, black, brown, with blue paint on the sides Dodge panel van Street Van is sitting in an abandoned condition in the driveway. There is no SK plate attached and the VIN is not visible. There are flat tires and it appears to be used for storage. This situation creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than April 17, 2017, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the rusty, black, brown, with blue paint on the sides Dodge panel van Street Van with no SK plate, 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.

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:

“Need more time. Experiencing financial hardship. Contravention #1 appears to be in the wrong yard.”

EXHIBITS:

Exhibit A.1: Notice of Appeal from Daniel Prefontaine-Lamy to the Property Maintenance Appeals Board, received in City Clerk’s Office on April 10, 2017.

Exhibit B.1: Notice of Hearing dated April 20, 2017.

Exhibit R.1: Order to Remedy Contravention 17-ORC-071, for the property at 1012 Avenue H North, dated and received in City Clerk’s Office on March 31, 2017.

Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated March 30, 2017, received in the City Clerk’s Office on April 24, 2017.

Exhibit R.3: Site photographs, submitted by the Municipal Inspector at the hearing, dated May 3, 2017.

SUPPLEMENTARY NOTATIONS:

The Respondents, Mr. Trent Lee, Municipal Inspector; and Mr. Luc Durand, Fire Marshal and Municipal Inspector; and the Appellant, Mr. Daniel Prefontaine-Lamy, affirmed that any evidence given in this hearing would be the truth.

Municipal Inspector Lee and the Appellant gave evidence and argument as outlined in the Record of Decision dated May 15, 2017.

The hearing concluded at 3:53 p.m.

Mr. Fleming and Mr. Wiks both entered the meeting at 3:53 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated May 15, 2017, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-071, dated March 31, 2017, with respect to the property at 1012 Avenue H North be **UPHELD** and that the date for compliance for *Contraventions 2, 4, 5 and 6* be **EXTENDED** to **June 30, 2017**; and

That the requirements of the Order to Remedy Contravention 17-ORC-071, dated March 31, 2017, with respect to the property located at 1012 Avenue H North be **UPHELD** and that the date for compliance only for *Contravention 3* be **EXTENDED** to **NOVEMBER 1, 2017**.

2. **Property Maintenance Appeal No. 05-2017**
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
Angela Kortekaas
1035 Avenue J North – 17-ORC-090
(File No. PMAB. 4410-017-005)

Introductions were held. The Chair commenced the hearing at 4:01 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Ms. Angela Kortekaas

APPEARED FOR THE RESPONDENT:

Mr. Trent Lee, Municipal Inspector, Saskatoon Fire Department
Mr. Luc Durand, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUNDS AND ISSUES:

The Appellant, Angela Kortekaas, 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-090 for the property at 1035 Avenue J North. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

The fence on the property is not being maintained in a reasonable state of repair. Portions of the wooden fence are falling over and being supported by temporary posts. Fence boards are rotten, damaged or missing sections and boards.

YOU ARE HEREBY DIRECTED TO:

By no later than April 30, 2017, repair or replace all rotted and damaged fence boards, rails and posts or remove the fence from the property. If the owner chooses to remove the fence all components must be removed from the property.

Property Maintenance & Nuisance Abatement Bylaw 8175, Section 3(h), 5, 12 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:

“The fence posts need to be removed and replaced by April 30th, 2017 but the ground is still frozen. Work cannot begin until it is thawed and then it will require a reasonable amount of time from that point.”

EXHIBITS:

Exhibit A.1: Notice of Appeal from Angela Kortekaas to the Property Maintenance Appeals Board, received in City Clerk’s Office on April 19, 2017.

Exhibit B.1: Notice of Hearing dated April 20, 2017.

Exhibit R.1: Order to Remedy Contravention 17-ORC-090 for the property at 1035 Avenue J North, dated and received in City Clerk's Office on April 4, 2017.

Exhibit R.2: Site photographs, submitted by the Municipal Inspector, received in the City Clerk's Office on April 28, 2017.

Exhibit R.3: Site photographs, submitted by the Municipal Inspector at the hearing, dated May 3, 2017.

SUPPLEMENTARY NOTATIONS:

The Respondents, Mr. Trent Lee, Municipal Inspector; and Mr. Luc Durand, Fire Marshal and Municipal Inspector; and the Appellant, Ms. Angela Kortekaas, affirmed that any evidence given in this hearing would be the truth.

Municipal Inspector Lee and the Appellant gave evidence and argument as outlined in the Record of Decision dated May 15, 2017.

The hearing concluded at 4:07 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated May 15, 2017, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-090, dated April 4, 2017, with respect to the property at 1035 Avenue J North be **UPHELD** and **EXTENDED** to **June 30, 2017**.

3. **Property Maintenance Appeal No. 06-2017**
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
Walter Bigge
408 Avenue L North – 17-ORC-093
(File No. PMAB. 4410-017-006)

Introductions were held. The Chair commenced the hearing at 4:45 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Mr. Walter Bigge, absent without notification

APPEARED FOR THE RESPONDENT:

Mr. Trent Lee, Municipal Inspector, Saskatoon Fire Department
Mr. Luc Durand, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUNDS AND ISSUES:

The Appellant, Walter Bigge, 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-093 for the property at 408 Avenue L North. The Order to Remedy outlined the following:

1. “CONTRAVENTION:

A junked vehicle is located on the property. A black Subaru Outback SK plate 111 HVE is attached. The vehicle is in an abandoned condition in the rear yard. The vehicle is covered in items such as tarps, and construction materials. This situation creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than April 19, 2017, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the black Subaru Outback SK plate 111 HVE, 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.

2. CONTRAVENTION:

An accumulation of dead vegetation, metal, mattress, box springs, black bags, white pails, red handle, cardboard, carpet, speakers, plywood, orange pails, broken chair, bed frames, construction supplies and waste, chicken wire, automotive tires, propane tank, wood, lumber, concrete mixer, linoleum, white bags, blue tarp, drum, metal pieces, pylons, green pail, grey tarp, blue tarp, OSB, black chair, antlers, cardboard boxes, shingles, pallet, wooden chairs, metal chairs, hand tools, clothing, washing machine, jerry cans, wire, plastic, and other junk and debris on the property creates an unsightly condition and provides a home for rodents and insects. This situation is also creating a nuisance and is affecting the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than April 19, 2017, remove the accumulation of dead vegetation, metal, mattress, box springs, black bags, white pails, red handle, cardboard, carpet, speakers, plywood, orange pails, broken chair, bed frames, construction supplies and waste, chicken wire, automotive tires, propane tank, wood, lumber, concrete mixer, linoleum, white bags, blue tarp, drum, metal pieces, pylons, green pail, grey tarp, blue tarp, OSB, black chair, antlers, cardboard boxes, shingles, pallet, wooden chairs, metal chairs, hand tools, clothing, washing machine, jerry cans, wire, plastic, 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.

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:

“Not enough time to fulfill the clean-up. Black Subaru has been removed, but I require more time to do everything requested in this Order. I will do everything requested.”

EXHIBITS:

- Exhibit A.1: Notice of Appeal from Walter Bigge to the Property Maintenance Appeals Board, received in City Clerk’s Office on April 18, 2017.
- Exhibit B.1: Notice of Hearing dated April 20, 2017.
- Exhibit R.1: Order to Remedy Contravention 17-ORC-093 for the property at 408 Avenue L North, dated and received in City Clerk’s Office on April 4, 2017.
- Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated April 3, 2017, received in the City Clerk’s Office on April 24, 2017.
- Exhibit R.3: Site photographs, submitted by the Municipal Inspector at the hearing, dated May 3, 2017.

SUPPLEMENTARY NOTATIONS:

The Appellant, Mr. Walter Bigge, was absent without notification.

The Respondents, Mr. Trent Lee, Municipal Inspector; and Mr. Luc Durand, Fire Marshal and Municipal Inspector; affirmed that any evidence given in this hearing would be the truth.

Municipal Inspector Lee gave evidence and argument as outlined in the Record of Decision dated May 15, 2017.

The hearing concluded at 4:48 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated May 15, 2017, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-093, dated April 4, 2017, with respect to the property at 408 Avenue L North be **UPHELD** and **EXTENDED** to **June 5, 2017**.

The meeting adjourned at 4:51 p.m.

Mr. Ian Oliver, Chair

Ms. Debby Sackmann, Secretary