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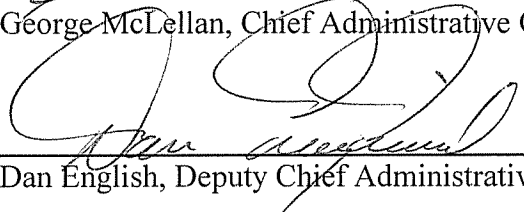
10.1.4

Halifax Regional Council
December 2, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


George McLellan, Chief Administrative Officer


Dan English, Deputy Chief Administrative Officer

DATE: November 18, 2003

SUBJECT: **Proposed Amendments to the *Municipal Government Act* (MGA)
relative to Vacant Dwellings**

ORIGIN

A May 20, 2003, motion of Regional Council requesting a staff report addressing the following items:

1. An examination of the Winnipeg By-Law and the *Municipal Government Act* (MGA) to outline the abilities and inabilities HRM has in regard to authority under the MGA to deal with vacant and boarded up buildings.
2. What can be included under the MGA to include graffiti eradication on vacant buildings as well as the possibility of allowing for these buildings to be rented on a square footage basis.
3. An examination of the possibility of changing the zoning on these properties to allow other uses as well as examine the possibility of youth groups taking over these buildings for use.
4. An examination giving a greater mandate and authority to the By-Law Enforcement officers to shorten the time frame from thirty days so that action can be taken to address situations sooner.

RECOMMENDATION

It is recommended that:

1. Regional Council direct staff to prepare a formal request to the province to adopt the amendment to the MGA outlined in Appendix B; and
2. If and when the Province approves the amendment outlined in Appendix "A" to the MGA, that Council instruct the By-Law Working Group to proceed to identify the policy lead to draft a Vacant Dwellings By-Law for Councils consideration.

BACKGROUND

Staff prepared an information report for Regional Council dated May 6, 2003 which provided information on the events that occur which lead to buildings being boarded up and the effects that these buildings have on neighbouring properties and the community in general. The report also identified the current enforcement efforts that are being carried out to deal with the issue of boarded up and abandoned buildings.

Council requested that staff look at the City of Winnipeg by-law relative to vacant dwellings, to see how they deal with the issue of boarded up buildings, and to see if the MGA can be amended to provide the authority to create a by-law that addresses the eyesores created on properties that have vacant dwellings.

DISCUSSION

1. An examination of the Winnipeg By-Law and the Municipal Government Act (MGA) to outline the abilities and inabilities HRM has in regard to authority under the MGA to deal with vacant and boarded up buildings.

Staff have reviewed the Winnipeg by-law, included as appendix A, which deals with the issue of vacant dwellings, and the City of Winnipeg Act, which gives the city the authority to create and enforce the by-law.

The intent of the Winnipeg by-law is to refrain property owners from continually boarding up buildings. It establishes a system to regulate the condition and maintenance of vacant dwellings, and restricts property owners from leaving a building boarded up for more than 18 months during a 5 year period.

The by-law does not force all owners to occupy their dwellings. Instead, it provides them with an option to either secure the dwelling from unauthorized entry, or permit the building to be board up as a temporary solution. The by-law prescribes standards to which boarded up buildings have to be

maintained; it requires permits for boarded up buildings, and increases the permit fees and fines the longer the building remains boarded up. A permit period is six months, and includes an option to renew the permits 2 times in a 5 year period.

The City of Winnipeg Act includes provisions that authorize their by-law. Attached as appendix "B" are proposed amendments to the *Municipal Government Act*. If approved by the Province, it would give the HRM the authority to create a vacant dwelling by-law for the Halifax Regional Municipality.

2. What can be included under the MGA to include graffiti eradication on vacant buildings as well as the possibility of allowing for these buildings to be rented on a square footage basis.

The issue of graffiti eradication is being addressed through another initiative by staff in Legal Services, the Community Response Initiative, Community Projects and Halifax Regional Police. It has been determined that there is adequate authority to charge perpetrators. However, staff are exploring other areas to see if there is any benefit to amending the definitions of Dangerous and Unsightly in the MGA to include graffiti and or drafting a by-law.

As advised in the staff report dated May 6, 2003, it is the legal right of a property owner to determine whether a property is occupied or not, and if the owner chooses to keep it vacant, it is their right to determine how long to leave it vacant. That being said, whether a property is occupied or not, the owner does have a common law duty to his neighbours to keep the property from becoming unsafe and unsightly.

3. An examination of the possibility of changing the zoning on these properties to allow other uses as well as examine the possibility of youth groups taking over these buildings for use.

There are vacant dwellings throughout the municipality. Changing the zoning of these properties would generally be initiated by the property owner and could be approved provided the rezoning complies with the policies of the Municipal Planning Strategy. Any possibility of youth groups taking over these buildings would be at the discretion of the property owner. It should be noted that if any "assembly" occupancy is introduced into a building, there may be significant upgrades/renovations required in order to meet the Building Code.

4. An examination giving a greater mandate and authority to the By-Law Enforcement officers to shorten the time frame from thirty days so that action can be taken to address situations sooner.

In May 2003, the Province approved an amendment to the Dangerous & Unsightly Legislation, Part XV, Section 348(3) of the MGA to give By-Law Enforcement officers the authority to expedite orders to remedy instead of waiting 30 days.

Attached as appendix "C" are time frames for compliance for dangerous or unsightly violations, which have been utilized since June 2003.

BUDGET IMPLICATIONS

There are no current year budget implications. However, budget implications are foreseeable if and when a vacant dwelling by-law is approved by Regional Council.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

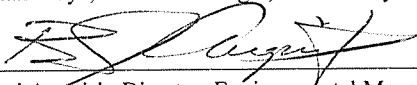
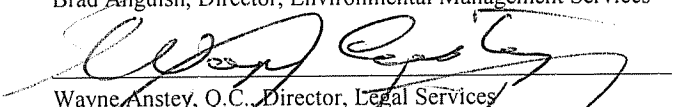
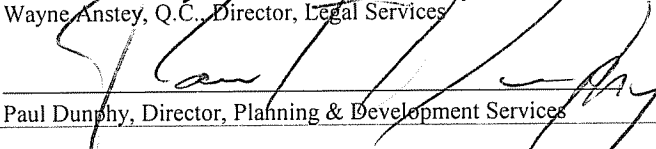
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

If Council's desire is to have a by-law in place to deal with vacant dwellings and ultimately reduce the time period a building can remain boarded up, there is no alternative but to request that the *Municipal Government Act* be amended in order to gain the required authority to enforce such a by-law.

ATTACHMENTS

- Appendix A: City of Winnipeg By-Law "The Vacant Dwelling By-Law" No.7983/2002
- Appendix B: Proposed provisions to the Municipal Government Act to authorize a "Vacant Dwelling" by-law in the HRM.
- Appendix C: Time Frames for Compliance for Dangerous or Unsightly Violations

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.		
Report Prepared by:	Craig Horton, Project Controller, Community Projects, EMS	490-4432
	Allan Waye, General Manager, Community Projects, EMS	490-6484
Report Approved by:	 Brad Anguish, Director, Environmental Management Services	
	 Wayne Anstey, Q.C., Director, Legal Services	490-4229
	 Paul Dunphy, Director, Planning & Development Services	490-4933

APPENDIX A:

City of Winnipeg By-Law “The Vacant Dwelling By-Law”
No.7983/2002

This document is an office consolidation of by-law amendments which has been prepared for the convenience of the user. The City of Winnipeg expressly disclaims any responsibility for errors or omissions. For a certified copy of the original enactment and amending by-laws, contact City Hall Information Service at 986-2171.

CONSOLIDATION UPDATE: JUNE 25, 2003

THE CITY OF WINNIPEG

THE VACANT DWELLINGS BY-LAW
NO. 7983/2002

**A By-law of the City of Winnipeg to
establish a system to regulate the
condition and maintenance of vacant
dwellings.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Short title

- 1 This By-law may be referred to as **"The Vacant Dwellings By-law."**

Definitions

amended 116/2003

- 2 In this By-law

"areaway" has the same meaning as in The Winnipeg Building By-law.

"boarded dwelling" means a vacant dwelling in which some or all of the windows and doors have been covered for more than 7 days by affixing wood, metal or some other substance over them so as to prevent entry.

"Committee" means the Standing Policy Committee on Property and Development.

"designated officer" means the Zoning and Permits Administrator of the City of Winnipeg or designate.

"dwelling" includes a building, part of a building, trailer, mobile home or other covering structure, the whole or any portion of which has been used, is being used or is designed to be used for the purposes of human habitation, together with the land and premises appurtenant thereto and all outbuildings, accessory buildings, fences or structures thereon or therein and every dwelling unit within the dwelling.

amended 8080/2002

"enforcement officer" means a City employee who has been authorized by the Chief Administrative Officer pursuant to this By-law to exercise some or all of the powers of enforcement under this By-law.

"fire alarm system" means an early warning system consisting of interconnected devices such as a control unit, manually activated signalling boxes, heat detectors and smoke detectors and audible signal appliances operating in a coordinated manner.

amended 116/2003

"fire protection system" includes a fire alarm system or a smoke alarm system.

amended 116/2003

"permit" means a Boarding Permit issued under this By-law.

"smoke alarm system" means an early warning system consisting primarily of smoke alarms installed and interconnected so that the activation of any smoke alarm will sound a similar signal in each of the interconnected devices, but which may also utilize heat detectors and audible signal appliances.

"vacant dwelling" means a dwelling in which no human is residing with the consent of the owner.

Requirements for all vacant dwellings

- 3 (1) The owner of a vacant dwelling must ensure that the dwelling is in compliance with the requirements of Schedule "A" to this By-law.

Choice between securing or boarding-up

- (2) The owner of a vacant dwelling must ensure that the dwelling is secure from unauthorized entry by complying either with section 4 or section 5 of this By-law.

Securing a vacant dwelling from unauthorized entry

4 An owner of a vacant dwelling may make the dwelling secure from unauthorized entry by ensuring that:

- (a) every exterior door to the dwelling is operational, fits tightly within its frame when closed and is locked so as to prevent entry;
- (b) all windows are either permanently sealed or locked so as to prevent entry;

- (c) all windows, doors, basement and attic hatchways and their frames are so constructed and maintained to completely exclude rain and substantially exclude wind from entering the structure;
- (d) every window is kept in good repair, and properly glazed.

Requirements for boarded dwellings

- 5 (1) An owner of a vacant building may make the dwelling secure by:
- (a) in addition with complying with the requirements set out in Schedule A, complying with the requirements set out in Schedule B; and
 - (b) obtaining a Permit.

Boarded Building Permit

- (2) Upon payment of the relevant fee as set out in subsection (3) and upon the owner providing the information set out in subsection (4), the Designated Officer must issue an initial permit to an owner of a vacant building permitting the dwelling to be boarded for up to six months and may issue up to two additional permits for a particular dwelling within five years of a first permit being issued. In issuing second and third permits within a five year period for a particular building, the Designated Officer may take into account compliance with this By-law by the owner or owners of the building during the effective period of previous permits.

amended 8080/2002

Permit fees

- (3) The fees for permits with respect to a particular dwelling are hereby established as follows:

First Permit within a five year period	\$10.00
Second Permit within a five year period	\$200.00
Third Permit within a five year period	\$800.00

Address for service

- (4) The owner of a vacant dwelling must:
- (a) at the time of applying for a permit, provide an address for personal service of notices and orders during the time that the permit is valid; and
 - (b) provide prompt notice of any change in the address given for service.

Appointment of enforcement officers

6 The Chief Administrative Officer and his or her delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with *The City of Winnipeg Charter* and, for those purposes, have the powers of a designated employee under *The City of Winnipeg Charter*.¹

amended 8162/2002

Entry to vacant dwellings

7 (1) An enforcement officer may enter onto land without notice to and without the consent of the owner in order to inspect a dwelling that is boarded or appears to be vacant in order to determine

- (a) whether the dwelling is vacant; and
- (b) whether the dwelling complies with this by-law.

amended 8162/2002

Entry prior to securing vacant dwellings

(2) Where a vacant dwelling is not secure, an enforcement officer may enter the interior of the dwelling before securing the dwelling to ensure that no individuals or animals would be trapped inside the dwelling after it has been secured.

amended 8162/2002

Procedure to inspect interior of boarded dwellings

8 (1) An enforcement officer may enter a boarded dwelling and conduct an inspection of its interior after sending notice of the date and time of the inspection by ordinary mail at least 10 days prior to the inspection to the owner of the boarded dwelling at the address for service provided under section 5 or, if no permit has been obtained or no address has been provided, to the address maintained by the tax collector for the purpose of issuing the tax notice for that property.

amended 8080/2002; 8162/2002

Objection to interior inspection of boarded dwelling

(2) An owner who objects to an inspection of a boarded dwelling may, at least two days prior to the scheduled inspection, provide details of his or her objections to the scheduled inspection to the Director of Planning, Property and Development of the City of Winnipeg who, after considering the objections presented by the owner, may allow the inspection to take place as scheduled or may require the inspection to be rescheduled or cancelled.

Order where no permit

9 (1) Any order to remedy a contravention of this By-law must be issued in accordance with *The City of Winnipeg Charter*.²
amended 8162/2002

(2) In addition to any other order that may be issued by the enforcement officer, where a dwelling is boarded but lacks a permit, the enforcement officer may issue an order requiring the owner within 14 days either to obtain a permit or to bring the dwelling into compliance with section 4 of this By-law.
amended 8162/2002

Address for service of order

9 (3) Where an address for sending an order or other document is required, one of the following shall be used:

(a) the address for service provided by the owner under s. 5 of this by-law or

(b) the address maintained by the tax collector for the purpose of issuing the tax notice for that property.³
amended 8162/2002; 116/2003

No demolition permit necessary

9 (4) Where the City acts to bring a dwelling into compliance with this By-law by demolishing the dwelling, no permit for the demolition under the Winnipeg Building By-law No. 4555/87 or By-law No. 4665/87 is required.
amended 8162/2002; 116/2003

Appeal of order

10 (1) An appeal from an order to remedy a contravention of this By-law or a decision made under this By-law may be made in accordance with *The City of Winnipeg Charter*⁴ to the Committee.

Additional permit

(2) An owner who has obtained three permits within a period of five years may apply to the Committee and the Committee may grant an additional permit of up to one year at a fee of \$2,000.00.

Criteria for granting additional permit

(3) In considering an application for an additional permit under subsection (2), the Committee must take into account

(a) the impact of the boarding-up on adjacent dwellings and the surrounding neighbourhood;

- (b) the owner's plans to bring the dwelling into compliance and maintain it in compliance with this By-law and other By-laws;
- (c) the likelihood that the dwelling will be occupied in the future.

Reduction of fee

- (4) The Committee may reduce or waive any permit fee imposed under this By-law where the Committee is convinced that
 - (a) the owner of a vacant building is taking all reasonable steps to ensure the occupancy of a vacant dwelling, including rehabilitating the dwelling, where this is required;
 - (b) continued boarding-up of the dwelling is justifiable, having regard to the factors set out in subsection (3);
 - (c) waiving or reducing the permit fee will significantly assist in the rehabilitation or occupancy of the dwelling.

Offence and penalty for failing to comply with by-law

- 11 (1) An owner of a vacant dwelling who fails to comply with this By-law or an order under this By-law is guilty of an offence and is subject on summary conviction to the following penalties:
amended 8080/2002
- (a) for a first offence, to a fine of not less than \$500.00;
 - (b) for a second offence, to a fine of not less than \$1,000.00;
 - (c) for a third or each subsequent offence, to a fine of not less than \$2,000.00.

Offence and penalty for failing to obtain boarding-up permit

- (2) Notwithstanding subsection (1), an owner who lacks a valid permit for a boarded dwelling commits an offence punishable upon summary conviction to a fine of no less than \$2000.00.

Obligation to obtain permit

- (3) A conviction under subsection (2) does not excuse an owner from the obligation to obtain a permit for a boarded dwelling.
- (4) *repealed 8162/2002*

Consequential amendment of The Winnipeg Building By-law

12 The Winnipeg Building By-law is amended by adding the following after subsection 12.7:

12.8 Subsections 12.2 and 12.4 do not apply to dwellings as defined in the Vacant Dwellings By-law.

DONE AND PASSED, in Council assembled, this 27th day of February, 2002.

1 See sections 180-181 and sections 183-188 of The City of Winnipeg Charter for information about some of the key powers given to designated employees.

2 See sections 180 to 184 and sections 116 and 117 of The City of Winnipeg Charter for information about the powers given to designated employees to issue compliance orders and how they must be served.

3 See sections 116 and 117 of The City of Winnipeg Charter for information about how to serve orders, decisions and other documents.

4 See sections 189 and 121 of *The City of Winnipeg Charter* for information about appeals, including information about the time limit for appeals and how appeals are to be filed.

SCHEDULE A**Requirements For Vacant Dwellings**

The owner of a vacant dwelling must ensure that the dwelling meets the following requirements:

Exterior walls

- 1 (1) The exterior of every dwelling must be constructed, repaired and maintained in order to
 - (a) ensure the integrity of the building envelope to protect the dwelling from the weather and from infestations of pests, and
 - (b) prevent a substantial depreciation in property values in the immediate neighbourhood.
- (2) Without restricting the general obligation set out in subsection (1)
 - (a) all exterior surfaces must consist of materials that provide adequate protection from the weather;
 - (b) all exterior walls and their components, including coping and flashing, must be maintained in good repair;
 - (c) all exterior walls must be free of holes, breaks, loose or rotting boards or timbers and any other condition which might admit insects, rodents or other pests to the interior of the wall or the interior of the dwelling;
 - (d) exterior wood surfaces must be adequately protected against deterioration by the periodic application of paint, stain or other protective coating;
 - (e) no more than 25% percent of any painted area of any exterior wall may be blistered, cracked, flaked, scaled, or chalked away;
 - (f) The mortar of any masonry or stone exterior wall may not be loose or dislodged;
 - (g) the exterior of every dwelling must be free of graffiti.

Roofs

- 2 (1) Roofs must be constructed and maintained so as to prevent

- (a) rainwater or melting snow falling on the roof from entering the dwelling; and
 - (b) rainwater or melting snow falling on the roof from negatively affecting neighbouring buildings or properties;
 - (c) objects and materials from falling from the roof.
- (2) Without restricting the general obligation set out in subsection (1)
 - (a) all roofs, including fascia boards, soffits, cornices, flashing, eavestroughing and downspouts must be maintained in a watertight condition;
 - (b) roof drainage must be controlled in order to eliminate or minimize runoff to neighbouring properties that
 - (i) accumulates or causes ground erosion;
 - (ii) causes dampness in the walls, ceilings or floors of any portion of any neighbouring building;
 - (iii) accumulates on sidewalks or stairs in a manner so as to create a hazardous condition;
 - (c) loose or unsecured objects and materials, including dangerous accumulations of snow or ice or both, must be removed from the roof of a dwelling or an accessory dwelling;

Foundations

- 3 (1) Every foundation wall forming part of a dwelling must be structurally sound and maintained in a condition so as to prevent undue settlement of the dwelling and prevent the entrance of moisture, insects, rodents or pests.
- (2) Without restricting the general obligation set out in subsection (1)
 - (a) Basement walls and floors must be constructed of masonry, concrete, preserved wood or other material impervious to external moisture;
 - (b) Floors must be so constructed as to effectively drain all water into a catch basin which shall be connected to a sewerage system, or a subsurface water drainage system;
 - (c) Every part of a dwelling shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any normal load to which it may be subjected.

- (d) Materials that have been damaged, or show evidence of rot or other deterioration must be repaired or replaced.
- (e) Dwellings on a surface foundation must maintain structural soundness and must not contain broken or rotted beams or joists.

Porches and stairs

- 4 (1) Every porch and stairway within, on or attached to a dwelling must be maintained in good repair so as to afford safe passage under normal use and weather conditions.
- (2) Without restricting the general obligation set out in subsection (1)
- (a) component parts of a porch or stairway must not be broken, loose, rotted, warped, out-of-plumb, off-level or out of alignment;
 - (b) exterior steps must be protected against deterioration by the application of appropriate protective coating.

Guards, balustrades and handrails

- 5 (1) Every exterior or interior stair that has more than two risers must have the sides of the stair, the landing and the floor level around the stairwell enclosed by walls or protected by balustrades, except that a stair to an unfinished basement may have one unprotected side.
- (2) Every exterior landing or porch more than 900 millimetres above the adjacent grade and every balcony, mezzanine, gallery, raised walkway and roof to which access is provided for other than maintenance purposes, shall be protected by balustrades or guards on all open sides.
- (3) All guards, handrails and balustrades shall be maintained in good repair and firmly attached so as to provide reasonable protection against accident and injury.

Floors

6. Every floor must be maintained:
- (a) free of loose, warped, protruding or rotting floors boards;
 - (b) free of wide holes or cracks;
 - (c) free of other defects that may be a fire, health or other hazard.

Walls and ceilings

- 7 Every wall and ceiling in a dwelling shall be maintained in safe condition and free from loose plaster and other hazards.

Fire protection systems

- 8 (1) All existing fire protection systems must be maintained in an operational condition to the satisfaction of an enforcement officer and must be connected to a central monitoring system.
- (2) All existing sprinkler and standpipe systems in vacant apartment buildings must be maintained in an operational condition to the satisfaction of an enforcement officer.
- (3) Combustible materials may not be stored in a vacant dwelling.

Yards

- 9 (1) Yards surrounding a vacant dwelling must be maintained so as to prevent
- (a) the depreciation of property values in the immediate neighbourhood as a result of the vacancy of the dwelling;
 - (b) drainage of water that negatively affects neighbouring properties or creates hazardous conditions.
- (2) Without restricting the general obligation under subsection (1), yards surrounding a vacant dwelling must be maintained so as to prevent the accumulation of:
- (a) rubbish, garbage, junk and other debris;
 - (b) wrecked, dismantled, partially dismantled, inoperative, discarded, abandoned or unused vehicles, trailers and other machinery or any parts thereof;
 - (c) objects and conditions, including holes and excavations, that pose health, fire or accident hazards.
- (3) Plants and vegetation in yards surrounding vacant dwellings must be kept trimmed.
- (4) Yards surrounding vacant dwellings must be:
- (a) covered with sufficient ground cover to prevent erosion; and
 - (b) graded in such a manner so as to prevent:
 - (i) excessive or reoccurring ponding of water; or

- (ii) excessive dampness from occurring in buildings on or adjacent to the yard; or
- (iii) any hazardous condition from being created on any private or public walkway.

Walks and driveways

- 10
- (1) Access from a public street to the principal entrance of every vacant dwelling must be afforded by way of a walk or driveway.
 - (2) Every walk or driveway and parking space must be surfaced with stone, asphalt, concrete or other material capable of providing a hard surface and must be maintained and cleared of snow so as to afford safe passage under normal use and weather conditions.

Fences and accessory buildings

- 11 All fences and all accessory buildings must be kept:
- (a) weather resistant by the application of appropriate materials, including paint or preservatives; and
 - (b) in good repair.

SCHEDULE B**Requirements for boarded-up buildings**

In order to comply with section 5, the owner of a boarded-up dwelling must ensure that the dwelling meets the following requirements:

- (a) All doors, windows and other openings at the basement and first floor levels must be covered with a solid piece of plywood, at least 11 millimeters thick and secured with screws or coated nails at least 50 millimeters in length, spaced not more than 150 millimeters on centre.
amended 8080/2002
- (b) All doors, windows and other openings above the first floor must be covered with a solid piece of plywood, at least 8 millimeters thick, adequately secured with nails or screws at least 50 millimeters in length, spaced not more than 150 millimeters on centre.
amended 8080/2002
- (c) Where plywood is applied to openings, it must be installed from the exterior, fitted within the frames in a watertight manner, and protected from the elements with paint or preservatives in a manner that does not detract from the value of other properties in the immediate vicinity.
- (d) Exterior access to floors above the first floor, including fire escapes and ladders, must be rendered inaccessible by removing them to a height of at least four meters or guarded in some other manner acceptable to an enforcement officer.
- (e) Openings to areaways must be adequately secured and protected by one of the following methods:
 - (i) covered by a metal plate of at least 8 millimeters thick and secured so as to prevent it from shifting;
 - (ii) filled with concrete or unshrinkable fill.
- (f) Loose material on the exterior of a building must be removed and any condition which is or may become dangerous must be eliminated.
- (g) Electricity, natural gas and water must not be cut off where they are necessary to maintain fire protection systems or fire alarms.
- (h) Where they are not necessary to maintain fire protection systems or fire alarms, electricity, natural gas and water may be cut off in a manner satisfactory to an enforcement officer.

- (i) Any doors, windows or other openings that are not boarded-up must be secured in a watertight condition.
- (j) Hard-wired fixed-temperature heat detectors must be installed on the ceiling of every storey in conformance with installation instructions, must be maintained in an operable condition and must be connected to a central monitoring service.

amended 8080/2002

APPENDIX B

Proposed provisions to the *Municipal Government Act* to authorize a “Vacant Dwelling” by-law in the HRM.

63A The council may make by-laws establishing a system to regulate the condition and maintenance of vacant buildings, structures and properties, or classes of them, and without limiting the generality of the foregoing, such regulations may include provisions

- (a) adopting property maintenance and performance standards for boarded-up and vacant buildings, structures and properties,
- (b) prescribing the manner in which the buildings or structures must be secured by owners or, on default, may be secured by the municipality,
- (c) providing for the inspection by the municipality of the condition of the buildings, structures and properties,
- (d) limiting the length of time that buildings or structures may remain boarded up,
- (e) requiring that a license be obtained for boarded-up buildings or structures,
- (f) imposing minimum and progressive fees for licenses,
- (g) imposing minimum and progressive penalties and fines for non-compliance, and
- (h) providing for the forfeiture to the municipality of title, free and clear from all encumbrances, except for easements, to vacant and boarded-up buildings and structures that repeatedly violate the regulations or fail to remit fines and the properties on which they are situated.

APPENDIX C**Time Frames for Compliance for Dangerous or Unsightly Violations**

Type of Violation	Clarification	Inspection Report Time Frame for Compliance Request	Order to Remedy Time Frame for Compliance Directive
Major Painting (i.e. entire building)	Painting season is approximately June 1 to September 30. If the violation is identified outside of painting season, the Inspection Report issued will have a Deadline Date of May 30.	Inspection Report issued with 14 day Deadline Date for compliance.	30 day Order to Remedy issued.
Minor Painting (i.e. trim, eaves)	Painting season is approximately June 1 to September 30. If the violation is identified outside of painting season, the Inspection Report issued will have a Deadline Date of May 30.	Inspection Report issued with 7 day Deadline Date for compliance.	14 day Order to Remedy issued.
Solid Waste or Minor Debris Removal (i.e. bagged solid waste, scattered litter, etc.)	Solid Waste or Minor Debris to be removed.	Inspection Report issued with 1 day (24 hours) Deadline Date for compliance.	7 day Order to Remedy issued.
Major Debris Removal (appliance, large auto parts, etc.)	Major Debris to be removed.	Inspection Report issued with 7 day Deadline Date for compliance.	14 day Order to Remedy issued.
Derelict Vehicle(s)	Derelict vehicle(s) to be removed.	Inspection Report issued with 7 day Deadline Date for compliance.	7 day Order to Remedy issued.
Major Property Repairs (roof, structural repairs)	Repairs to be complete.	Inspection Report issued with 14 day Deadline Date for compliance.	30 day Order to Remedy issued.
Minor Property Repairs (railings, etc)	Repairs to be complete.	Inspection Report issued with 7 day Deadline Date for compliance.	14 day Order to Remedy issued.

Please note, for repeat offences on the same property, an S.O.T. (Summary Offence Ticket) will be issued and we will proceed immediately to an Order to Remedy.