

Town of Bonnyville

June 1, 2007 New Policy No: 03-BL-037

OLD Policy No. 03-022-282

Department: Special Constable	Effective Date: September 9, 2003
Policy: Unsightly Properties - Clean Up Authority and Process	Page 1 of 2

Purpose: To develop a policy to deal with untidy properties where property is involved and could be potentially removed.

Policy: Bylaw Officer can use authority of the Town of Bonnyville under the Municipal Government Act, Sections 546 (0.1) and 550 (1) to clean up untidy properties.

Procedures:

1. Special Constable inspects the property and determines if it is in an unsightly or untidy condition. If the property is "*Detrimental to the surrounding area*" as defined in Section 546(0.1) of the Municipal Government Act, a Notice in accordance with Section 546(0.1) is issued. If the property does not fall under this definition, then a Notice in accordance with Section 545(1) is issued. Both Notices permit the property owner fourteen (14) days to remedy the situation.
2. The aforementioned Notices shall include:
 - a. Why the property is unsightly or untidy
 - b. Corrective action the property owner must take to remedy the situation
 - c. Time frame for the corrective action (14 days)
 - d. An appeal period for the property owner(7 days or 14 days)
 - e. That if corrective action is not taken, the Town will under take to have the work done.
3. Special Constable re-inspects the property after the 14 day period (if no appeals had been filed) and if required, a second Notice is issued. This Notice is hand served or sent Registered Mail to out-of-area property owners giving them a further 14 days to clean up.
4. Special Constable will then re-inspect after 14 days (if no appeals have been filed) and if the property still requires work, then the property owner will be advised in writing of the date and time of the arrival of the clean-up crew.
5. Public Works will supply the workers to conduct the clean-up.
6. Prior to attending the property a pre-work briefing will be held by the Special Constable to provide the work crew with information pertaining to the job, such as potential hazards, area to be cleaned, site rules and staff actions, if the work is obstructed or interfered with.
7. A minimum of one (1) Special Constable shall attend the property with the Public Works Crew and remain during the entire clean-up process.
8. The Special Constable shall photograph the property prior to work starting, and after work had stopped.

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9. The Special Constable shall video record the entire clean-up process.
10. At no time during the clean-up process shall any Special Constable or Public Works crew member enter any dwelling house on the property. This would also include any attached or detached garage or shed.
11. Should the clean-up work be obstructed or interfered with, the Special Constable and work crew will depart the property and re-commence once a Court Order is in place.
12. Should the property owner attempt to obstruct or interfere with the clean-up crew after the Court Order is in place they will be arrested and removed from the property for the duration of the work.
13. Anything that could potentially have value is stored at the Town landfill for a period of 60 days, and all other items are removed as garbage.
14. Property owner is charged for the storage of these items.
15. In some cases the stored items may reviewed by an assessor (farm equipment, old vehicles...etc) for value.
16. All fees and costs are billed to the property owner then placed on taxes should there be non-payment in accordance with the Municipal Government Act.

Approved by: <i>[Signature]</i>	Date Approved: <i>Sept 17, 2003</i>
Approved by: <i>[Signature]</i>	Date Approved: <i>Sept. 16, 2003</i>