

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 12.1.1
Appeals Standing Committee
December 12, 2019

TO: Chair and Members of Appeals Standing Committee

Original Signed

SUBMITTED BY:

Tanya Phillips, Acting Manager, Buildings and Compliance

DATE: November 28, 2019

SUBJECT: Appeal Report – Case 330741 (derelict vehicles), 332653 (debris), 332658 (exterior maintenance), 333495 (debris), 333497 (exterior maintenance), 333498 (exterior maintenance), 18658/18660 Highway 7, Tangier

ORIGIN

Appeal of an Order to Remedy the condition of a property pursuant to the Dangerous or Unsightly provisions of the *Halifax Regional Municipality Charter* (the "Charter").

LEGISLATIVE AUTHORITY

Sections 355, 356 and 3(q) of the *Halifax Regional Municipality Charter*, S.N.S., 2008 C.39.

MOTION FOR CONSIDERATION

In accordance with Section 58 of Administrative Order One, the motion before the Appeals Standing Committee is to allow the appeal.

RECOMMENDATION

It is recommended that the Appeals Standing Committee uphold the Order of the Administrator and thereby deny the appeal.

BACKGROUND:

The Compliance Officer noted there are violations of derelict vehicles, debris and exterior maintenance on both Civic#18658 and 18660; there are two PID's owned by the same property owner

There has been 1 previous dangerous or unsightly case at 18658 Highway 7. The case was closed as owner compliance.

There has been 1 previous dangerous or unsightly case at 18660 Highway 7. The case was closed as owner compliance.

The properties are zoned RE (Rural Resource Zone) and a review of the Hansen database system shows there was one permit for a storage shed issued to the property owner for civic#18660.

A complaint was received by service request on July 11, 2019. The complainant stated there were several derelict vehicles on the property.

This report will focus on the appeal dated August 15, 2019 by the property owner for:

Civic #18658 two Orders for case#330741(derelict vehicles) and case#332653 (debris).

Civic #18660 four Orders for case#332658 (exterior maintenance on first accessory structure), case#333495 (debris), case#333497 (exterior maintenance on second accessory structure) and case#333498 (exterior maintenance on third accessory structure).

CHRONOLOGY OF CASE ACTIVITIES:

18-Jun-2019 The Compliance Officer conducted a site inspection at 18658/18660 Highway 7, Tangier, hereinafter referred to as "the property" (attached as Appendix B and C). The Compliance Officer noted the following derelict vehicles, a blue Hyundai Santa Fe, a red Hyundai Santa Fe, and a Hitachi Trailer.

A 30-day Notice of Violation (attached as Appendix D) for derelict vehicles under case#330741 was left at the property.

19-Jun-2019 The Compliance Officer attempted a phone call to the phone number on file however the number was no longer in service.

18-Jul-2019 The Compliance Officer conducted a site inspection and noted the violation remains. In addition, violations were noted for: debris, derelict vehicles and exterior maintenance. Additional cases were created to address these violations.

09-Aug-2019 The Compliance Officer posted a 30-day Order to Remedy (attached as Appendix E) for derelict vehicles, a 30-day Order to Remedy (attached as Appendix F) for debris, a 30-day Order to Remedy (attached as Appendix G) for exterior maintenance, a 30-day Order to Remedy (attached as Appendix H) for debris, a 30-day Order to Remedy (attached as Appendix I) and a 30-day Order to Remedy (attached as Appendix J) for exterior maintenance.

15-Aug-2019 The property owner submitted a Notice of Appeal (attached as Appendix K) to the Municipal Clerk's Office.

17-Sept-2019 The Compliance Officer attempted to contact the property owner, however there was no answer.

- 13-Oct-2019 The Compliance Officer attempted to contact the property owner, however there was no answer.
- 28-Oct-2019 The Municipal Clerk's Office sent the property owner a letter advising the appeal would be heard at the December 12, 2019 Appeals Standing Committee meeting (attached as Appendix L).
- 01-Nov-2019 The Compliance Officer conducted a site inspection and noted the violations remain.

FINANCIAL IMPLICATIONS

There are no financial implications if the owner complies with the Order. If the Municipality is required to complete the work, the costs will form a debt against the property which may be collected in the same manner as taxes pursuant to the Halifax Regional Municipality Charter, S.N.S., 2008, C.39.

ALTERNATIVES

The Appeals Standing Committee may vary or overturn the Order to Remedy and in doing so, must provide reasons to be recorded in the minutes of the committee meeting.

RISK CONSIDERATIONS

There are no significant risks associated with the recommendations in this report. The risk consideration rates low.

ENVIRONMENTAL IMPLICATIONS

No environmental impact identified.

ATTACHMENTS

- Appendix A: Legislative Authority – Halifax Regional Municipality Charter
Appendix B: Copy of the Nova Scotia Property Records Map
Appendix C: Copy of the Nova Scotia Property Records Map
Appendix D: Copy of the Notice of Violation Case#330741 dated June 18, 2019
Appendix E: Copy of the Order to Remedy Case# 330741 dated August 9, 2019
Appendix F: Copy of the Order to Remedy Case#332653 dated August 9, 2019
Appendix G: Copy of the Order to Remedy Case#332658 dated August 9, 2019
Appendix H: Copy of the Order to Remedy Case#333495 dated August 9, 2019
Appendix I: Copy of the Order to Remedy Case#333497 dated August 9, 2019
Appendix J: Copy of the Order to Remedy Case#333498 dated August 9, 2019
Appendix K: Copy of the Notice of Appeal dated August 15, 2019
Appendix L: Copy of the letter from the Clerk's Office dated October 28, 2019

A copy of this report can be obtained online at Halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared For: Kim Northrop, Compliance Officer II, By-law Standards, 902.476.6567

Report Approved By:  Original Signed _____
Andrea MacDonald, Manager, License Standards 902.490.7371

Appendix A

Halifax Regional Municipality Charter ('HRM Charter') Subsection 355 (1) 356 and 3 (q)

HRM Charter, subsection 355(1) as follows:

- 355 (1) The Council may, by policy, delegate some or all of its authority pursuant to this Part, except the authority to order demolition, to the Administrator.

HRM Charter, subsection 356(1) as follows:

- 356 (1) Where a property is dangerous or unsightly, the Council may order the owner to remedy the condition by removal, demolition or repair, specifying in the order what is required to be done.

HRM Charter, subsections 356(2), (3A), as follows:

- 356 (2) An owner may appeal an order of the Administrator to the Council or to the committee to which the Council has delegated its authority within seven days after the order is made.
- (3A) Where the Council or the committee varies or overturns the order of the Administrator, the Council or committee shall provide reasons to be recorded in the minutes of the Council or committee meeting.

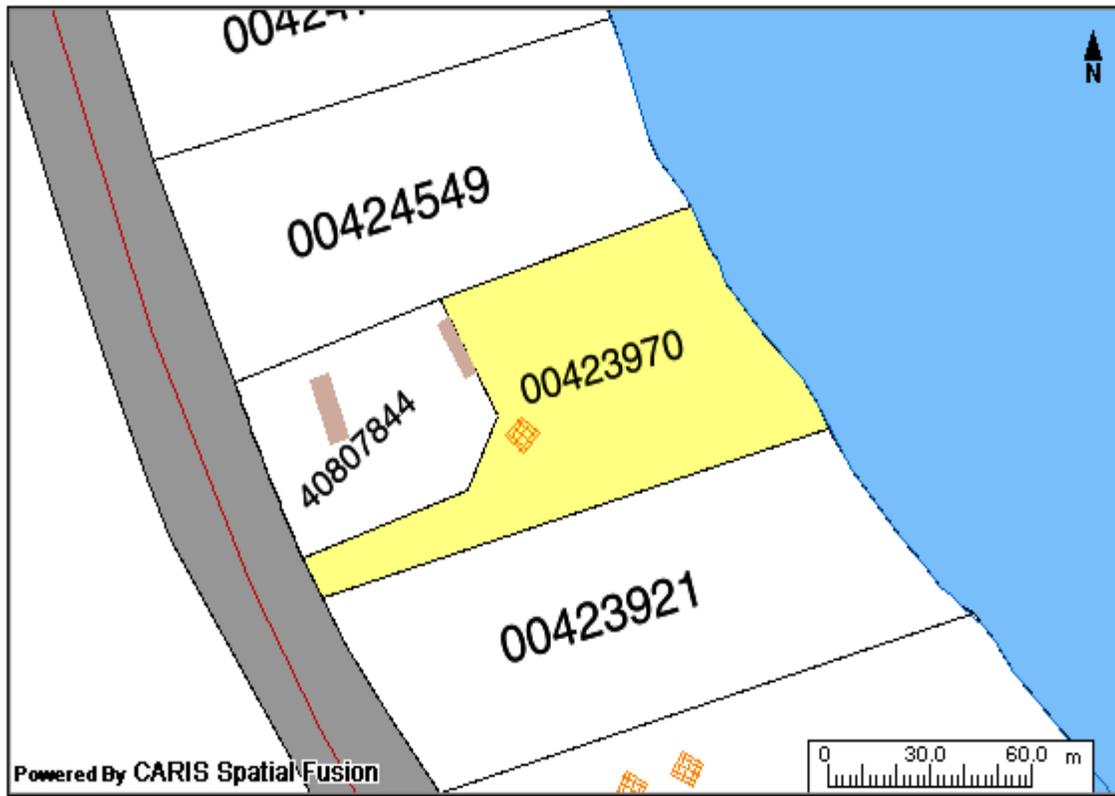
HRM Charter, subsection 3(q) as follows:

- (q) "dangerous or unsightly" means partly demolished, decayed, deteriorated or in a state of disrepair so as to be dangerous, unsightly or unhealthy, and includes property containing
- (i) ashes, junk, cleanings of yards or other rubbish or refuse or a derelict vehicle, vessel, item of equipment or machinery, or bodies of these or parts thereof,
 - (ii) an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material,
 - (iia) an accumulation or collection of materials or refuse that is stockpiled, hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person, or
 - (iii) any other thing that is dangerous, unsightly, unhealthy or offensive to a person, and includes property or a building or structure with or without structural deficiencies
 - (iv) that is in a ruinous or dilapidated condition,
 - (v) the condition of which seriously depreciates the value of land or buildings in the vicinity,
 - (vi) that is in such a state of non-repair as to be no longer suitable for human habitation or business purposes,
 - (vii) that is an allurement to children who may play there to their danger,
 - (viii) constituting a hazard to the health or safety of the public,
 - (ix) that is unsightly in relation to neighbouring properties because the exterior finish of the building or structure or the landscaping is not maintained,
 - (x) that is a fire hazard to itself or to surrounding lands or buildings,
 - (xi) that has been excavated or had fill placed on it in a manner that results in a hazard, or
 - (xii) that is in a poor state of hygiene or cleanliness;



Property Online Map

Date: Nov 28, 2019 4:50:02 PM



PID: 00423970 **Owner:** DANIEL PARSONS **AAN:** 02142953
County: HALIFAX COUNTY **Address:** 18658 HIGHWAY 7 **Value:** \$121,900 (2019 RESIDENTIAL TAXABLE)
LR Status: LAND REGISTRATION POPES HARBOUR

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

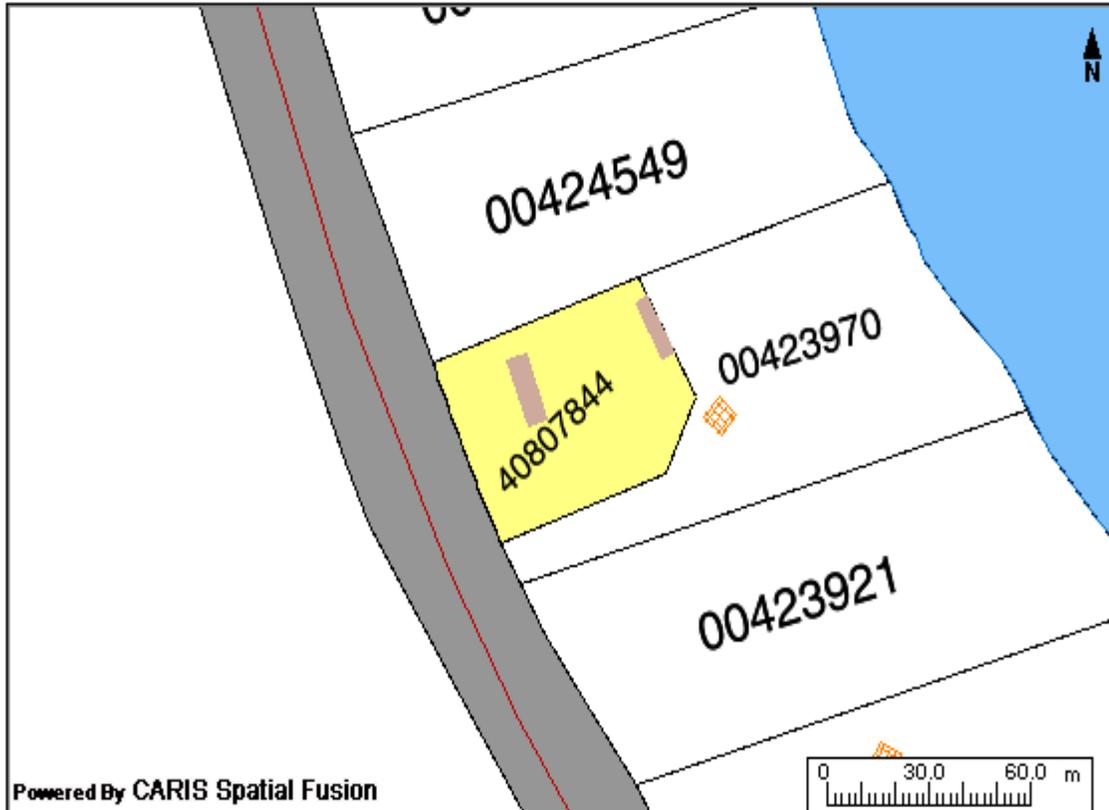
Property Online version 2.0

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Property Online Map

Date: Nov 28, 2019 4:56:24 PM



PID: 40807844 **Owner:** DANIEL PARSONS **AAN:** 08994285
County: HALIFAX COUNTY **Address:** 18660 HIGHWAY 7 **Value:** \$29,200 (2019 RESIDENTIAL TAXABLE)
LR Status: NOT LAND REGISTRATION POPES HARBOUR

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [*Land Registration Act* subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online version 2.0

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HALIFAX

Municipal Compliance

Notice of Violation

Notice Served Upon: Name _____
or address 18658 Hwy 7, Papes Hrbr.

This is to advise that you are in violation of the following municipal and/or provincial legislation:

- | | |
|---|---|
| <input type="checkbox"/> HRM By-law A-300 Animals | <input type="checkbox"/> HRM By-law S-300 Streets |
| <input type="checkbox"/> HRM By-law C-300 Civic Addressing | <input type="checkbox"/> HRM By-law S-600 Solid Waste |
| <input type="checkbox"/> HRM By-law C-501 Vending | <input type="checkbox"/> HRM By-law S-801 Temporary Signs |
| <input checked="" type="checkbox"/> HRM Charter, Part XV Respecting Dangerous or Unsightly Premises | <input type="checkbox"/> HRM By-law S-1000 Sidewalk Cafes |
| <input type="checkbox"/> HRM By-law N-300 Nuisances | <input type="checkbox"/> HRM By-law T-1000 Taxi & Limousine |
| | <input type="checkbox"/> Other: _____ |

Details of violation(s):

vehicle(s) that appear to be disused or abandoned by reason of its age, appearance, mechanical condition or, where required by law to be licensed or registered, by its lack of license plates or current vehicle registration: a large trailer (Hitachi T-1 Rocket), a blue Hyundai Santa Fe, a red Hyundai Santa Fe

Violation(s) to be rectified as per the following:

Repair, register, license and or remove listed vehicles.

Notice of Re-inspection:

A re-inspection will be performed on July 18, 2019 to confirm the above noted violations have been rectified. If you have any queries regarding this matter, please contact the issuing Officer prior to the re-inspection date.

C. Butler
Issuing Officer
(902) 476-1080
Issuing Officer Phone Number
Original Signed
Issuing Officer Signature

18-06-2019
Date (dd/mm/yy)
14:30
Time (hh/mm)
330741
Case Number

For information on municipal legislation visit the Halifax Website at www.halifax.ca/legislation or call the Citizen Contact Centre at 311. If calling outside the HRM but within NS call 1-800-835-6428 toll free.

HALIFAX

ORDER TO REMEDY DANGEROUS OR UNSIGHTLY PREMISES

IN THE MATTER OF: Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008 , C.39
Hereinafter referred to as the "Charter"

- and -

IN THE MATTER OF: Property located at 18658 HIGHWAY 7 , POPES HARBOUR, NS,
PID # [REDACTED] Tax # [REDACTED] Case # 330741
Hereinafter referred to as the "Property"

TO:
CATHERINE PARSONS
18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0
HARRY ALLEN PARSONS
18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0

WHEREAS you are the owner(s) of the Property;

AND WHEREAS located on the Property is an unsightly or dangerous condition due to a red Hyundai Santa Fe and a red Dodge truck deemed derelict due to the fact that they appear to be disused or abandoned by reason of their age, appearance, mechanical condition or their lack of licence plates or current vehicle registration, in accordance with Section 3(q) of the Charter;

TAKE NOTICE that you are hereby Ordered to remedy the condition of the Property by removing or repairing the red Hyundai Santa Fe and a red Dodge truck, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

TAKE FURTHER NOTICE that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

AND FURTHER TAKE NOTICE that your failure to comply with the requirements of this Order within thirty (30) days after service, the Administrator, or any person authorized by the Administrator, may enter upon the Property without warrant or other legal process and carry out the work specified in this Order.

AND FURTHER TAKE NOTICE that the costs of complying with this Order, including the cost of completing the work specified herein, incurred by the Halifax Regional Municipality ("HRM") or its agents, is a debt payable by you to HRM and that HRM has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the Charter;

AND FURTHER TAKE NOTICE that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

DATED at Halifax, Nova Scotia this 9th of August, 2019 AD. Original Signed

CARRIE BUTLER
COMPLIANCE OFFICER
Phone: (902)476-1080 x


SCOTT HILL
Administrator
Halifax Regional Municipality

HALIFAX

ORDER TO REMEDY DANGEROUS OR UNSIGHTLY PREMISES

IN THE MATTER OF: Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008, C.39
Hereinafter referred to as the "Charter"

- and -

IN THE MATTER OF: Property located at 18658 HIGHWAY 7, POPES HARBOUR, NS,
PID # [REDACTED] Tax # [REDACTED] Case # 332653
Hereinafter referred to as the "Property"

TO: CATHERINE PARSONS, 18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0
HARRY ALLEN PARSONS, 18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0

WHEREAS you are the owner(s) of the Property;

AND WHEREAS located on the Property is an unsightly or dangerous condition due to an accumulation of debris, including but not limited to; tiles, wire, large pieces of metal, metal racks, buckets, tools, engine parts, wood scraps, oil jugs, milk crates, car seats (removed from vehicles), a pool insert, siding, propane tanks, various tools, windows, metal table, shingles, paint cans, dishes, truck cab covers, hoses, bins of wires, large containers of oil and tar, sheets of metal, railing, netting, ropes, propane tanks, plastic tubing, broom, scrap wood, paint cans, carpet, metal burn bins and other scattered debris, in accordance with Section 3(q) of the Charter;

TAKE NOTICE that you are hereby Ordered to remedy the condition of the Property by removing the accumulation of debris, including but not limited to; tiles, wire, large pieces of metal, metal racks, buckets, tools, engine parts, wood scraps, oil jugs, milk crates, car seats (removed from vehicles), a pool insert, siding, propane tanks, various tools, windows, metal table, shingles, paint cans, dishes, truck cab covers, hoses, bins of wires, large containers of oil and tar, sheets of metal, railing, netting, ropes, propane tanks, plastic tubing, broom, scrap wood, paint cans, carpet, metal burn bins and other scattered debris, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

TAKE FURTHER NOTICE that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

AND FURTHER TAKE NOTICE that your failure to comply with the requirements of this Order within thirty (30) days after service, the Administrator, or any person authorized by the Administrator, may enter upon the Property without warrant or other legal process and carry out the work specified in this Order.

AND FURTHER TAKE NOTICE that the costs of complying with this Order, including the cost of completing the work specified herein, incurred by the Halifax Regional Municipality ("HRM") or its agents, is a debt payable by you to HRM and that HRM has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the Charter;

AND FURTHER TAKE NOTICE that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

DATED at Halifax, Nova Scotia this 9th of August, 2019 AD. **Original Signed**

CARRIE BUTLER
COMPLIANCE OFFICER
Phone: (902)476-1080 x


SCOTT HILL
Administrator
Halifax Regional Municipality

HALIFAX

ORDER TO REMEDY DANGEROUS OR UNSIGHTLY PREMISES

IN THE MATTER OF: Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008 , C.39
Hereinafter referred to as the "Charter"

- and -

IN THE MATTER OF: Property located at 18660 HIGHWAY 7 , POPES HARBOUR, NS,
PID # [REDACTED] Tax # [REDACTED] Case # 332658
Hereinafter referred to as the "Property"

TO: HARRY ALLEN PARSONS
18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0
CATHERINE PARSONS
18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0

WHEREAS you are the owner(s) of the Property;

AND WHEREAS located on the Property is an unsightly or dangerous condition due to a lack of exterior maintenance to the accessory structure, including but not limited to damaged and/or missing soffits and fascia, missing doors, missing and failing siding, broken windows, rotting wood, and other deteriorating features, in accordance with Section 3(q) of the Charter;

TAKE NOTICE that you are hereby Ordered to remedy the condition of the Property by repairing the accessory structure, including but not limited to damaged and/or missing soffits and fascia, missing doors, missing and failing siding, broken windows, rotting wood, and other deteriorating features, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

TAKE FURTHER NOTICE that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

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AND FURTHER TAKE NOTICE that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

DATED at Halifax, Nova Scotia this 9th of August, 2019 AD. **Original Signed**

CARRIE BUTLER
COMPLIANCE OFFICER
Phone: (902)476-1080 x


SCOTT HILL
Administrator
Halifax Regional Municipality

HALIFAX

ORDER TO REMEDY DANGEROUS OR UNSIGHTLY PREMISES

IN THE MATTER OF: Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008, C.39
Hereinafter referred to as the "Charter"

- and -

IN THE MATTER OF: Property located at 18660 HIGHWAY 7, POPES HARBOUR, NS,
PID # [REDACTED] Tax # [REDACTED] Case # 333495
Hereinafter referred to as the "Property"

TO: HARRY ALLEN PARSONS, 18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0
CATHERINE PARSONS, 18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0

WHEREAS you are the owner(s) of the Property;

AND WHEREAS located on the Property is an unsightly or dangerous condition due to an accumulation of debris including but not limited to car parts, tarps, shingles, metal boxes, scrap wood, milk crates, tools, chemical containers, buckets, vehicles seats, pool shell, propane tanks, cement mixer, tie-downs, tires, doors, windows, rolls of tar paper, paint cans, dishes, traffic cones, buoys, truck caps, wires, rope, portable lamps, scrap metal, tool boxes, shelving, broken children's items, insulation, bags of clothing, plastic piping, siding, metal grating, tables, sinks, car mats, coolers, netting and other scattered debris, in accordance with Section 3(q) of the Charter;

TAKE NOTICE that you are hereby Ordered to remedy the condition of the Property by removing the accumulation of debris including but not limited to car parts, tarps, shingles, metal boxes, scrap wood, milk crates, tools, chemical containers, buckets, vehicles seats, pool shell, propane tanks, cement mixer, tie-downs, tires, doors, windows, rolls of tar paper, paint cans, dishes, traffic cones, buoys, truck caps, wires, rope, portable lamps, scrap metal, tool boxes, shelving, broken children's items, insulation, bags of clothing, plastic piping, siding, metal grating, tables, sinks, car mats, coolers, netting and other scattered debris, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

TAKE FURTHER NOTICE that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

AND FURTHER TAKE NOTICE that your failure to comply with the requirements of this Order within thirty (30) days after service, the Administrator, or any person authorized by the Administrator, may enter upon the Property without warrant or other legal process and carry out the work specified in this Order.

AND FURTHER TAKE NOTICE that the costs of complying with this Order, including the cost of completing the work specified herein, incurred by the Halifax Regional Municipality ("HRM") or its agents, is a debt payable by you to HRM and that HRM has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the Charter;

AND FURTHER TAKE NOTICE that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

DATED at Halifax, Nova Scotia this 9th of August, 2019 AD. **Original Signed**

CARRIE BUTLER
COMPLIANCE OFFICER
Phone: (902)476-1080 x


SCOTT HILL
Administrator
Halifax Regional Municipality

HALIFAX

ORDER TO REMEDY DANGEROUS OR UNSIGHTLY PREMISES

IN THE MATTER OF: Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008 , C.39
Hereinafter referred to as the "Charter"

- and -

IN THE MATTER OF: Property located at 18660 HIGHWAY 7 , POPES HARBOUR, NS,
PID # [REDACTED] Tax # [REDACTED] Case # 333497
Hereinafter referred to as the "Property"

TO: HARRY ALLEN PARSONS
18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0
CATHERINE PARSONS
18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0

WHEREAS you are the owner(s) of the Property;

AND WHEREAS located on the Property is an unsightly or dangerous condition due to a lack of exterior maintenance to the second accessory structure, including but not limited to damaged and/or missing soffits and fascia, missing doors, missing and failing siding, broken windows, rotting wood and other deteriorating features, in accordance with Section 3(q) of the Charter;

TAKE NOTICE that you are hereby Ordered to remedy the condition of the Property by repairing the second accessory structure, including but not limited to damaged and/or missing soffits and fascia, missing doors, missing and failing siding, broken windows, rotting wood and other deteriorating features, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

TAKE FURTHER NOTICE that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

AND FURTHER TAKE NOTICE that your failure to comply with the requirements of this Order within thirty (30) days after service, the Administrator, or any person authorized by the Administrator, may enter upon the Property without warrant or other legal process and carry out the work specified in this Order.

AND FURTHER TAKE NOTICE that the costs of complying with this Order, including the cost of completing the work specified herein, incurred by the Halifax Regional Municipality ("HRM") or its agents, is a debt payable by you to HRM and that HRM has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the Charter;

AND FURTHER TAKE NOTICE that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

DATED at Halifax, Nova Scotia this 9th of August, 2019 AD. **Original Signed**

CARRIE BUTLER
COMPLIANCE OFFICER
Phone: (902)476-1080 x


SCOTT HILL
Administrator
Halifax Regional Municipality

HALIFAX

ORDER TO REMEDY DANGEROUS OR UNSIGHTLY PREMISES

IN THE MATTER OF: Section 356 of The Halifax Regional Municipality Charter, S.N.S., 2008, C.39
Hereinafter referred to as the "Charter"

- and -

IN THE MATTER OF: Property located at 18660 HIGHWAY 7, POPES HARBOUR, NS,
PID # [REDACTED] Tax # [REDACTED] Case # 333498
Hereinafter referred to as the "Property"

TO: HARRY ALLEN PARSONS
18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0
CATHERINE PARSONS
18658 HIGHWAY 7 RR 1, TANGIER, NS, B0J 3H0

WHEREAS you are the owner(s) of the Property;

AND WHEREAS located on the Property is an unsightly or dangerous condition due to a lack of exterior maintenance to the third accessory structure, including but not limited to damaged and/or missing soffits and fascia, missing doors, missing and failing siding, broken windows, rotting wood and other deteriorating features, in accordance with Section 3(q) of the Charter;

TAKE NOTICE that you are hereby Ordered to remedy the condition of the Property by repairing the third accessory structure, including but not limited to damaged and/or missing soffits and fascia, missing doors, missing and failing siding, broken windows, rotting wood and other deteriorating features, so as to leave the Property in a neat, tidy, environmentally compliant and safe condition;

TAKE FURTHER NOTICE that you have the right to appeal this Order to the Appeals Standing Committee of the Halifax Regional Municipality ("HRM") by filing a Notice of Appeal with the Municipal Clerk by mail at City Hall, P.O. Box 1749, Halifax, NS, B3J 3A5 or by fax to (902) 490-4208, within seven (7) days after the Order is posted in a conspicuous place upon the Property or served upon you;

AND FURTHER TAKE NOTICE that your failure to comply with the requirements of this Order within thirty (30) days after service, the Administrator, or any person authorized by the Administrator, may enter upon the Property without warrant or other legal process and carry out the work specified in this Order.

AND FURTHER TAKE NOTICE that the costs of complying with this Order, including the cost of completing the work specified herein, incurred by the Halifax Regional Municipality ("HRM") or its agents, is a debt payable by you to HRM and that HRM has a first lien on the Property in the amount of the debt which may be collected in the same manner and with the same rights and remedies as rates and taxes pursuant to the Charter;

AND FURTHER TAKE NOTICE that upon service of this Order any person who aids, assists, permits or causes a dangerous or unsightly condition or fails to comply with the terms of this Order is liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) and every day during which the condition is not remedied is a separate offense.

DATED at Halifax, Nova Scotia this 9th of August, 2019 AD. **Original Signed**

CARRIE BUTLER
COMPLIANCE OFFICER
Phone: (902)476-1080 x


SCOTT HILL
Administrator
Halifax Regional Municipality

Appendix K

902-490-4208

I am appealing case numbers

333498

333497

333495

332653

332658

330741

Please send me info on
what I have to do.

18658 #7 highway

Tamzier N.S.

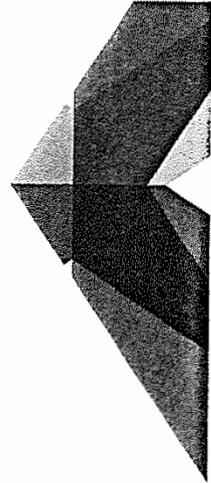
B05-3H0

Original Signed

HALIFAX REGIONAL
MUNICIPALITY
AUG 15 2019
Original Signed
MUNICIPAL CLERK

Appendix L

		REGISTERED DOMESTIC	RECOMMANDÉ RÉGIME INTÉRIEUR	
		CUSTOMER RECEIPT	REÇU DU CLIENT	
To Destinataire				
Name	Nom			
Address		FOR DELIVERY CONFIRMATION / CONFIRMATION DE LA LIVRAISON		
City / Prov. / Postal Code		1 888 550-6333		
Declared Value	Valeur déclarée	CPC Tracking Number / Numéro de repérage de la CCP		
	\$	RN 389 562 056 CA		
33-888-584 (17-12)				



October 28, 2019

REGISTERED MAIL

Harry Allen and Catherine Parsons
18658 Highway 7 RR 1
Tangier, NS B0J 3H0

Re: RESCHEDULED – Cases 330741, 332658, 332653, 333498, 333495 & 333497 – 18658 Highway 7, Popes Harbour, NS

This is to advise that your appeal of the Order to Remedy Dangerous and Unsightly Premises for the property located at 18658 Highway 7 has been rescheduled. Your appeal will now be heard by the Appeals Standing Committee on **December 12th, 2019**. The hearing will be held in the Council Chamber, 3rd Floor, City Hall, 1841 Argyle Street, Halifax, in a public session, open to the public and media. Please arrive for 10 a.m., but note that there may be other cases heard before yours on the agenda.

The staff report for this matter will be posted online to the Appeals Standing Committee web page at Halifax.ca by end of day Friday, December 6th, 2019. (<https://www.halifax.ca/city-hall/agendas-meetings-reports?category=131>) If you require a hard copy of the report, please contact our office.

Should you be unable to attend, you may have a representative attend to present the appeal to the Committee. Please note that your representative is required to have a letter signed by you giving permission. You or your representative may have witnesses or other evidence in support of the appeal and will be permitted up to 10 minutes to make a verbal submission. A copy of the appeals process is attached. If neither you nor a representative appears, the hearing will proceed and you will be advised of the Committee's decision.

If you have any questions regarding this process, please contact me at 902-490-6519.

Sincerely,
Original Signed

Simon Ross-Siegel
Legislative Assistant
Office of the Municipal Clerk

cc: Tanya Phillips, Manager, By-law Standards
Scott Hill, Supervisor, Regional Compliance
Erin Dobson, Supervisor, Support Services
Natalie Matheson, Adjudication Clerk
Karen MacDonald, Senior Solicitor, HRM Legal Services
Carrie Butler, Compliance Officer

HALIFAX

Halifax Regional Municipality
PO Box 1749, Halifax, Nova Scotia
Canada B3J 3A5

halifax.ca