

BACKGROUND:

There have been nine previous dangerous or unsightly cases at this property. The cases have all been closed with owner compliance.

The property is zoned R-2 (two family dwelling).

A review of the HRM database system shows no permits issued for the property.

A complaint was received by service request on April 21, 2023. The complainant reported the grass had not been cut in years, garbage and junk were laying around the property and there was a derelict vehicle on site. The complainant said they were concerned about gas and oil leaking from the vehicle.

While the Officer was investigating these complaints for lack of civic addressing and improperly placed curbside waste were actioned. The property owner complied, and these issues have been resolved.

There have been no subsequent complaints regarding the property.

This report will focus on the appeal dated May 25, 2023, by the property owner of the Orders to Remedy for the debris, a derelict vehicle, a lack of maintenance to the building and overgrown landscaping.

CHRONOLOGY OF CASE ACTIVITIES:

02-May-2023 The Compliance Officer conducted a site inspection at 40 Mountain Road, Halifax hereinafter referred to as “the property” (attached as Appendix B).

The Compliance Officer noted debris scattered over the property including but not limited to assorted construction materials, scrap wood, metal, plastic, oil tanks, wood stove, chip board, oil drum, wheel barrel, roof shingles, tar paper, soffit, windows, glass, stereo, wheel, tire, tarpaulin, carpet, litter, and other scattered debris.

The Compliance Officer also noted a lack of landscaping and a derelict green Ford Grand Torino with flat tires, rust and sinking into the ground.

The other violation noted by the Officer was a lack of exterior maintenance to the main dwelling including but not limited to the front and rear steps, decks, railings and supports and a broken window on the screen door.

The Compliance Officer posted a 7-day Notice of Violation for debris (attached as Appendix C), a 7-day Notice of Violation for the derelict vehicle (attached as Appendix D), a 7-day Notice of Violation for the steps and window (attached as Appendix E), and a 7-day Notice of Violation for landscaping (attached as Appendix F) at the property.

The Compliance Officer left a voice message for the property owner requesting that they return the Officer’s call.

17-May-2023 The Compliance Officer conducted a site inspection and noted the violations remain. It appeared that some construction materials had been removed from the property. The derelict green Ford Grand Torino was now covered in a tarp. Tarping is a short-term solution as the requirement is that a derelict vehicle be repaired or removed so as not to be derelict.

The Compliance Officer left a voice message for the property owner and explained that 7-day Orders to Remedy would be issued for debris, derelict Ford Grand Torino, and lack of maintenance to the main dwelling and landscaping.

19-May-2023 The Compliance Officer conducted a site inspection and noted that the violations still exist.

The Compliance Officer posted a 7-day Order to Remedy debris (attached as Appendix G), a 7-day Order to Remedy the vehicle (attached as Appendix H), a 7-day Order to Remedy the steps and window (attached as Appendix I), and a 7-day Order to Remedy landscaping (attached as Appendix J) at the property. A copy of the Order was sent to the property owner through registered mail.

25-May-2023 The property owner submitted a Notice of Appeal (attached as Appendix K) to the Municipal Clerk's Office.

26-May-2023 The Municipal Clerk's Office sent the property owner a letter advising the appeal would be heard at the July 13, 2023, Appeals Standing Committee meeting (attached as Appendix L).

30-Jun-2023 The Municipal Clerk's Office sent the property owner a second letter advising the appeal would be heard at the July 13, 2023, Appeals Standing Committee meeting (attached as Appendix M).

FINANCIAL IMPLICATIONS

There are no financial implications if the owner complies with the Orders. 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.

RISK CONSIDERATIONS

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

ENVIRONMENTAL IMPLICATIONS

No environmental impacts identified.

ALTERNATIVES

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

ATTACHMENTS

- Appendix A: Legislative Authority – Halifax Regional Municipality Charter
- Appendix B: Copy of the Nova Scotia Property Records Map
- Appendix C: Copy of the Notice of Violation debris dated May 2, 2023
- Appendix D: Copy of the Notice of Violation vehicle dated May 2, 2023
- Appendix E: Copy of the Notice of Violation steps and window dated May 2, 2023
- Appendix F: Copy of the Notice of Violation landscaping dated May 2, 2023
- Appendix G: Copy of the Order to Remedy debris dated May 19, 2023
- Appendix H: Copy of the Order to Remedy vehicle dated May 19, 2023
- Appendix I: Copy of the Order to Remedy steps and window May 19, 2023
- Appendix J: Copy of the Order to Remedy landscaping dated May 19, 2023
- Appendix K: Copy of the Notice of Appeal dated May 25, 2023
- Appendix L: Copy of the letter from the Clerk's Office dated May 26, 2023
- Appendix M: Copy of the letter from the Clerk's Office dated June 30, 2023

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: Trevor Oliver, Compliance Officer II, By-law Standards, 902.476.4257

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: May 29, 2023 1:00:13 PM



PID: 00308601 Owner: STEVEN BAIGENT AAN: 01896946
County: HALIFAX COUNTY Address: 40 MOUNTAIN ROAD Value: \$245,400 (2023 RESIDENTIAL TAXABLE)
LR Status: LAND REGISTRATION HALIFAX

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 40 Mountain Road
or address Halifax, Nova Scotia

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 Unightly 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):

Debris including but not limited to unwanted construction materials, scrap wood, metal, plastic, oil tanks, wood shims, chip board, oil drum, wheel barrel, roof shingles, tin paper, soffit, windows, glass, stereo, wheel, tire, tarpaulin, carpet, litter and other scattered debris

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

Remove all the debris

Notice of Re-inspection:

A re-inspection will be performed on May 9, 2023 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.

Trevor Oliver
Issuing Officer
902-476-4257
Issuing Officer Phone Number

Issuing Officer Signature

08/05/23
Date (dd/mm/yy)
1510
Time (hh/mm)
2023-009230
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 Municipal Compliance

Notice of Violation

Notice Served Upon: Name 40 Mountain Road
or address Halifax, Nova Scotia

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- | | |
|---|---|
| <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):
1 derelict green Ford Chan Torino

Violation(s) to be rectified as per the following:
Repair or remove the derelict green Ford Chan Torino

Notice of Re-inspection:
A re-inspection will be performed on May 9, 2023 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.

Issuing Officer Trevor Oliver
Issuing Officer Phone Number 902-476-4257
Issuing Officer signature 

Date (dd/mm/yy) 02/05/23
Time (hh/mm) 1510
Case Number 2023-009230

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

Municipal Compliance

Notice of Violation

Notice Served Upon: Name 40 Mountain Road
or address Halifax, Nova Scotia

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

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|--|---|
| <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 Unightly 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):

A lack of exterior maintenance to the main dwelling including but not limited to front and rear steps, deck railings and supports and broken windows on the rear screen door

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

Repair or remove the front and rear steps, deck railings and supports, Repair or board over the broken window in the rear screen door

Notice of Re-inspection:

A re-inspection will be performed on May 9, 2023 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.

Issuing Officer Trevor Oliver

Issuing Officer Phone Number 902-476-4257

Issuing Officer Signature [Redacted]

Date (dd/mm/yy) 02/05/23

Time (hh/mm) 1510

Case Number 2023-009230

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 **Municipal Compliance**

Notice of Violation

Notice Served Upon: Name 40 Mountain Road
 or address Halifax, Nova Scotia

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<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 Unightly 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):
a lack of landscaping resulting in overgrown grass, weeds and shrubs

Violation(s) to be rectified as per the following:
Mowing or cutting all overgrown grass, weeds and shrubs

Notice of Re-inspection:
 A re-inspection will be performed on May 9, 2023 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.

Issuing Officer Trevor Oliver Date (dd/mm/yy) 02/05/23
 Issuing Officer Phone Number 902-476-4257 Time (hh/mm) 1510
 Issuing Officer Signature [Redacted] Case Number 2023-009230

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.

Appendix G



**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 40 MOUNTAIN RD, HALIFAX, NS B3N3E8;
[REDACTED]
Case # CF-2023-009230;
Hereinafter referred to as the "Property"

TO: STEVEN BAIGENT
[REDACTED]

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

AND WHEREAS located on the Property is an unsightly or dangerous condition due to accumulation of debris including but not limited to assorted construction materials, oil tanks, scrap wood, metal plastic, roof shingles, tar paper, umbrella, glass, tire, wood stove, metal drums, tarpaulin, foam, door, litter 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 assorted construction materials, oil tanks, scrap wood, metal plastic, roof shingles, tar paper, umbrella, glass, tire, wood stove, metal drums, tarpaulin, foam, door, litter 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 seven (7) 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 19th of May 2023.

Original signed

TREVOR OLIVER
COMPLIANCE OFFICER
Phone: 902-476-4257

SCOTT HILL
Administrator
Halifax Regional Municipality

Appendix H

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 40 MOUNTAIN RD, HALIFAX, NS B3N3E8;
[REDACTED]
Case # CF-2023-009230;
Hereinafter referred to as the "Property"

TO: STEVEN BAIGENT
[REDACTED]

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

AND WHEREAS located on the Property is an unsightly or dangerous condition due to a green Ford Gran Torino that has been deemed to be derelict as it appears to be disused or abandoned by reason of its age, appearance, mechanical condition or lack of license plate 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 repairing or removing the green Ford Gran, 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 seven (7) 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 19th of May 2023.

Original signed

TREVOR OLIVER
COMPLIANCE OFFICER
Phone: 902-476-4257

SCOTT HILL
Administrator
Halifax Regional Municipality

Appendix I



**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 40 MOUNTAIN RD, HALIFAX, NS B3N3E8;
[REDACTED]
Case # CF-2023-009230;
Hereinafter referred to as the "Property"

TO: STEVEN BAIGENT
[REDACTED]

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

AND WHEREAS located on the Property is an unsightly or dangerous condition due a lack of exterior maintenance to the main dwelling and front and rear steps resulting in deteriorating, missing and broken components including but not limited to railings, risers, treads, stringers, posts, joists, decking boards, a broken window on the rear screen door 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 or removing the front and side steps and by repairing or boarding up the broken window, 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 seven (7) 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 19th of May 2023.

Original signed

TREVOR OLIVER
COMPLIANCE OFFICER
Phone: 902-476-4257

SCOTT HILL
Administrator
Halifax Regional Municipality



**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 40 MOUNTAIN RD, HALIFAX, NS B3N3E8;
[REDACTED]
Case # CF-2023-009230;
Hereinafter referred to as the "Property"

TO: STEVEN BAIGENT
[REDACTED]

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

AND WHEREAS located on the Property is an unsightly or dangerous condition due to lack of landscaping resulting in overgrown grass, weeds and shrubs, in accordance with Section 3(q) of the Charter;

TAKE NOTICE that you are hereby Ordered to remedy the condition of the Property by cutting or mowing the overgrown grass, weeds and shrubs, 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 seven (7) 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 19th of May 2023.

Original signed

TREVOR OLIVER
COMPLIANCE OFFICER
Phone: 902-476-4257

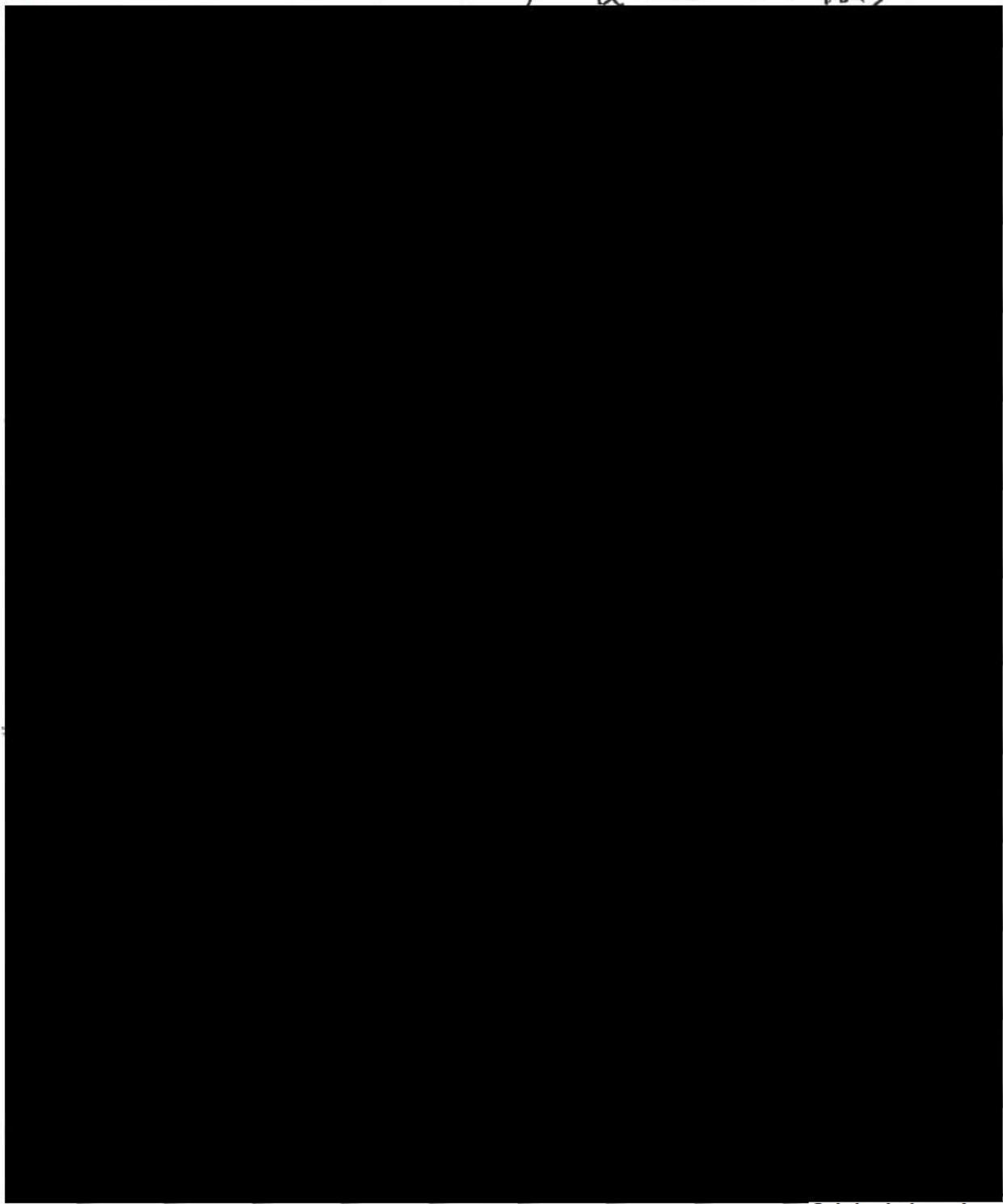
SCOTT HILL
Administrator
Halifax Regional Municipality



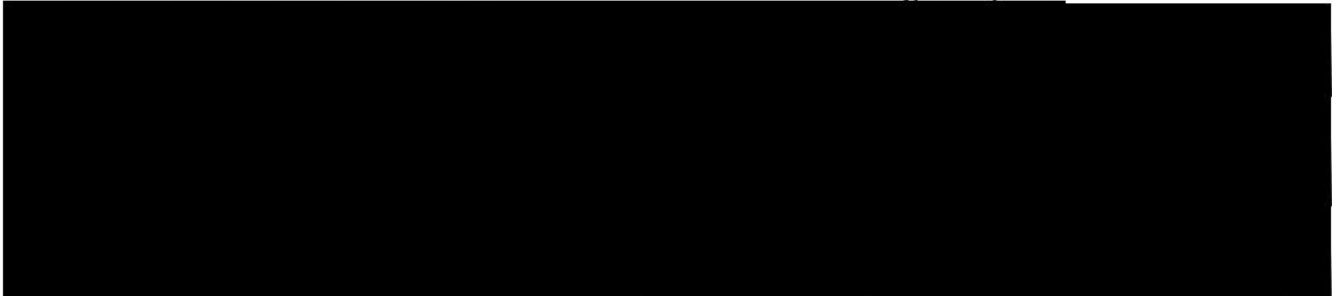
I WISH TO APPEAL
CONCERNING

WILKINSON, SCOTT HILL
CASE # _____
CF 2023-009230

VALID

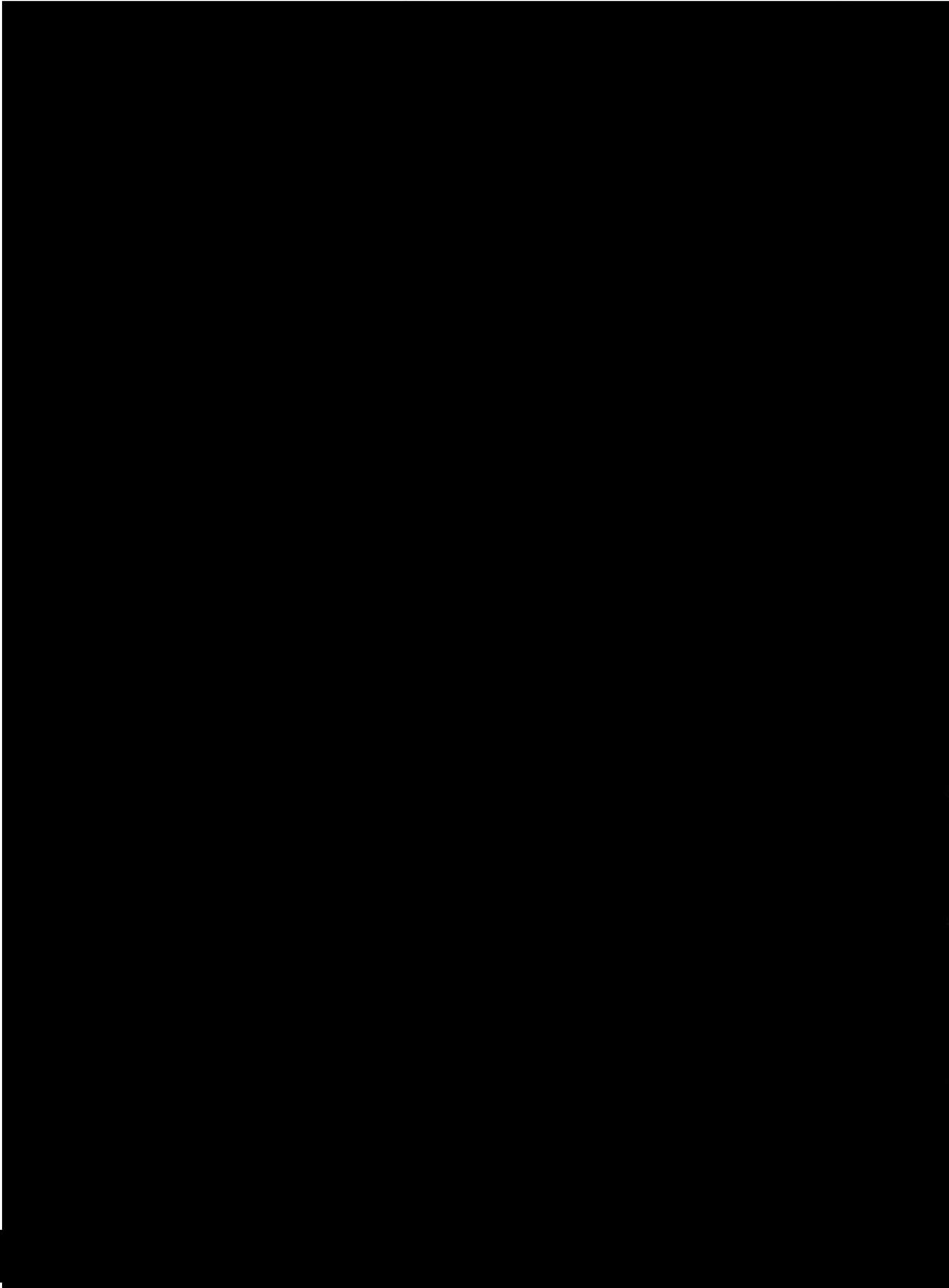


Original signed

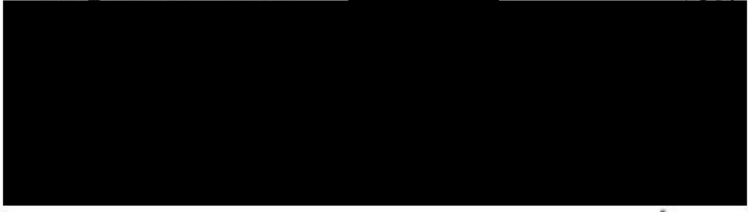


I WISH TO
APPEAL

477E MINUTE BOOK 200 SCOTT
CONCERNING CASE# HILL
CF 2023-009230

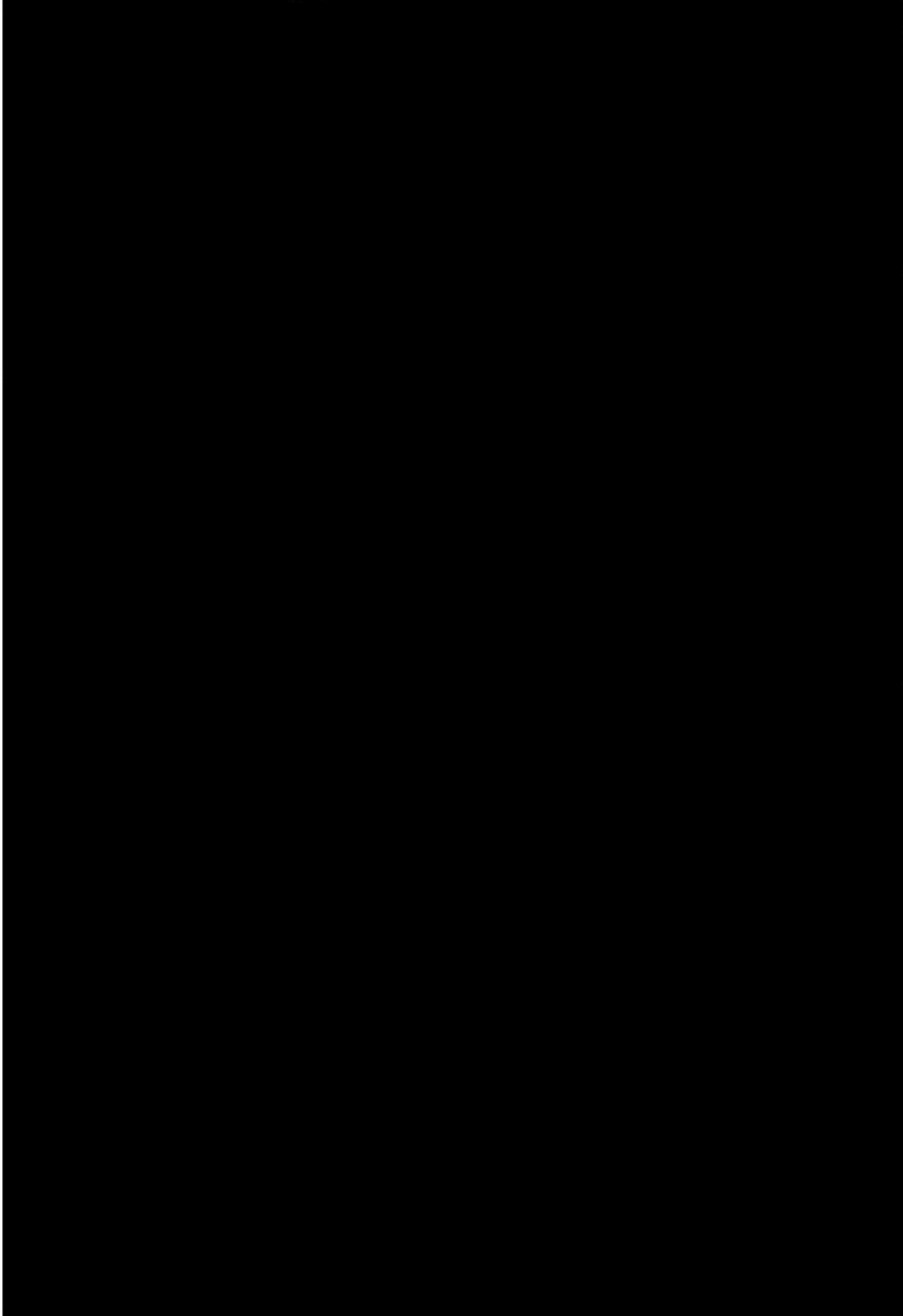


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CASE #

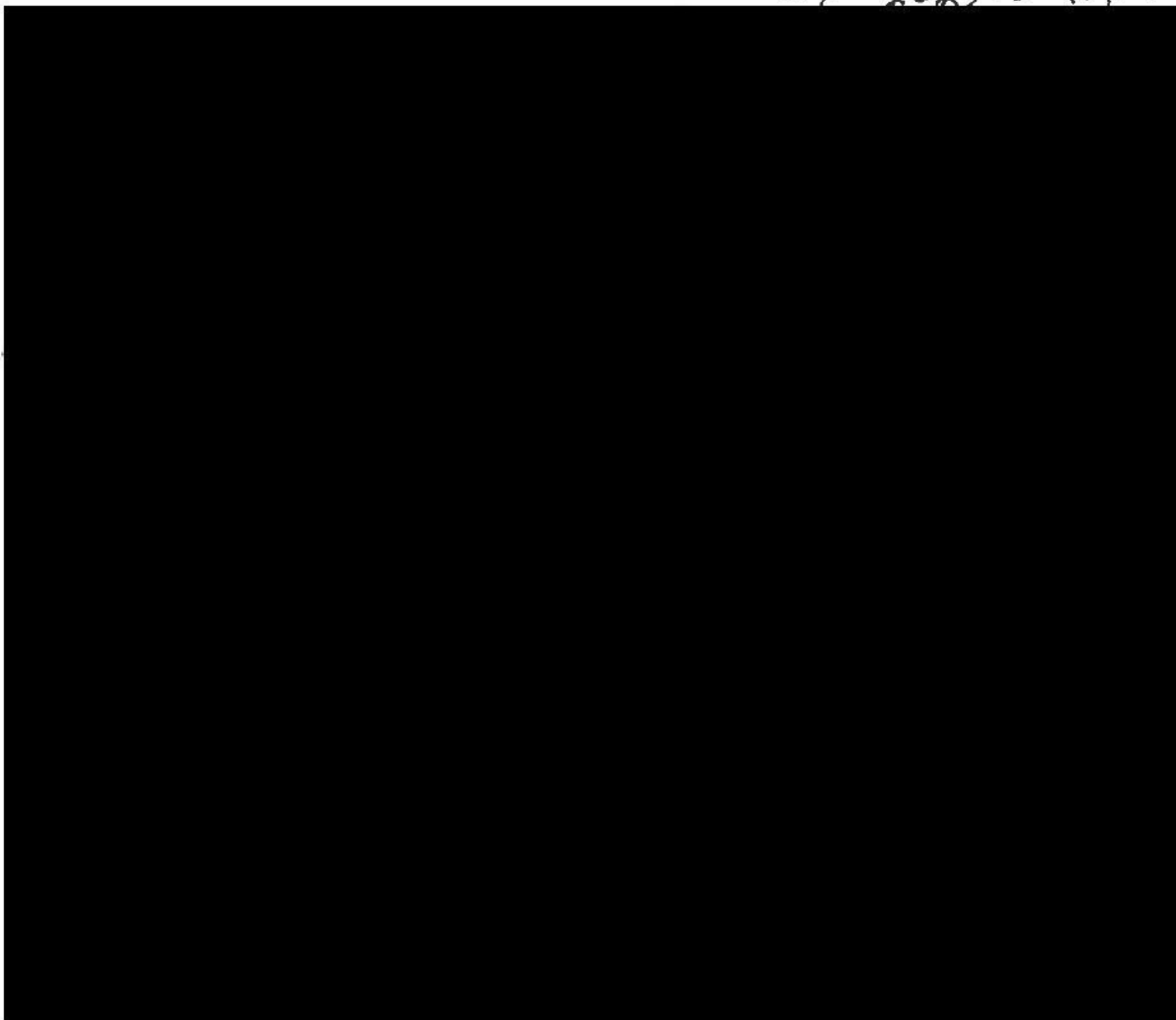
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CASE #

CF-2023-009230

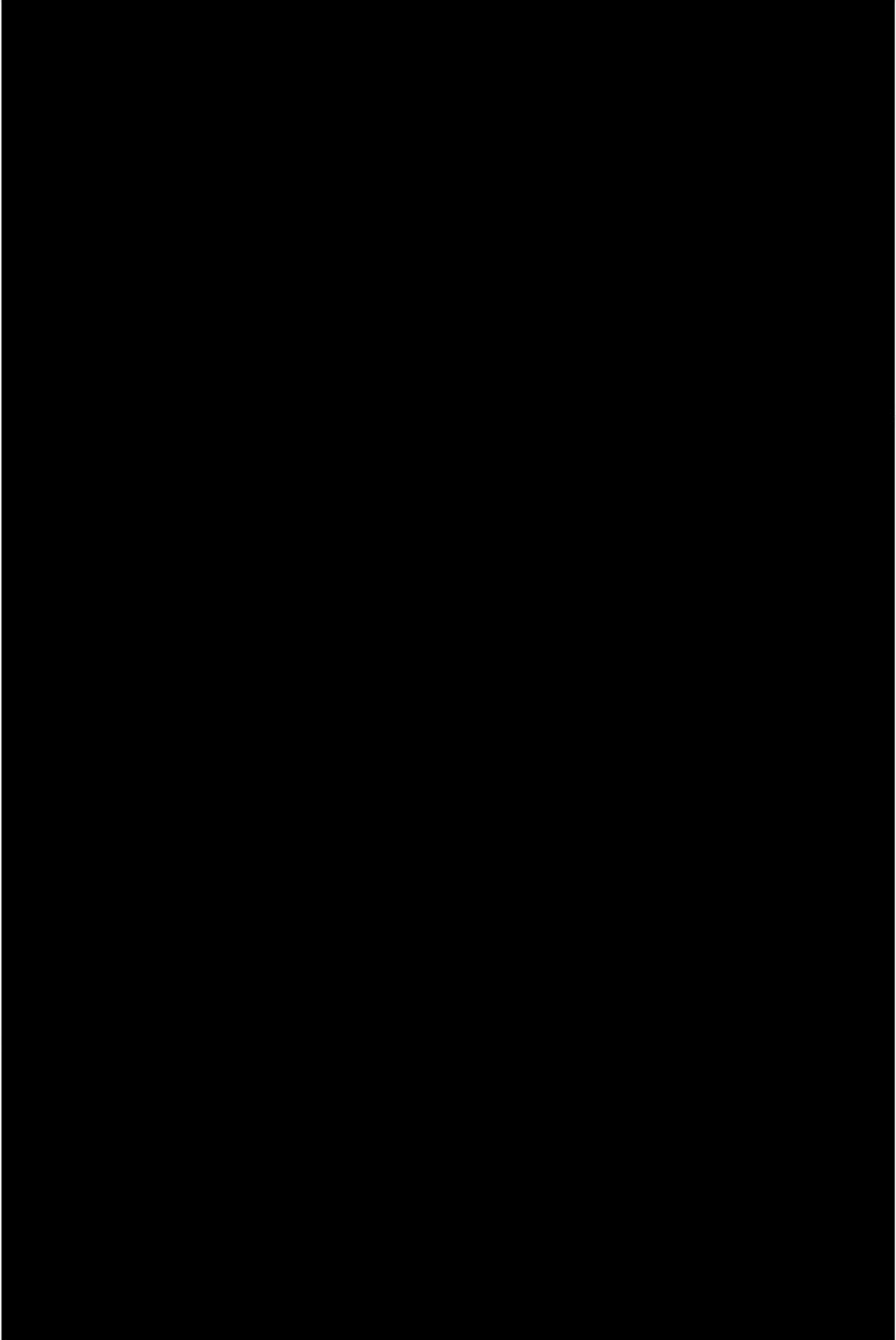


Original signed





CASE # CF 2023-009230



Appendix L

CANADA POSTES POST CANADA		REGISTERED DOMESTIC CUSTOMER RECEIPT	RECOMMANDÉ RÉGIME INTÉRIEUR REÇU DU CLIENT	R
No	Steven Baignet			
Name	40 Mountain Road		FOR DELIVERY CONFIRMATION CONFIRMATION DE LA LIVRAISON	
Address	Halifax, NS B3N 1A2		canadapost.ca postescanada.ca	
City / Prov. / Postal Code	Ville / Prov. / Code postal		1 888 550-6333	
Declared Value	Valeur déclarée \$		188 550-6333	
33-888-684 (17-12)				

May 26, 2023

REGISTERED MAIL .

Steven Baignet

Re: Case CF-2023-009230, 40 Mountain Road, Halifax

This is to advise that your appeal will be heard by the Appeals Committee on **Thursday, July 13, 2023**. The hearing will be held in the Council Chamber, 3rd Floor, City Hall, 1841 Argyle Street, Halifax. 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, July 7, 2023. If you require a hard copy of the report, please contact our office.

Please be advised that your submission and appeal documents will form part of the public record, and will be posted on-line at www.halifax.ca. If you feel that information you consider to be personal is necessary for your appeal, please attach that as a separate document, clearly marked "PERSONAL". It will be provided to the committee and/or council members and staff, and will form part of the public record, but it will not be posted on-line. You will be contacted if there are any concerns.

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) 240-7164.

Sincerely,
Original signed

Andrea Lovasi-Wood
Legislative Assistant
Office of the Municipal Clerk

cc: Tanya Phillips, Manager, By-law Standards
Scott Hill, Supervisor, Regional Compliance
Vicki Aguinaga, Supervisor, Support Services
Laurie Lauder, Adjudication Clerk
Trevor Oliver, Compliance Officer

Enclosure: Order of Proceedings for Appeals Standing Committee

HALIFAX

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

halifax.ca

Appendix L

Order of Proceedings for Appeals Standing Committee

The Chair will open each of the hearings and address the following:

- The Chair will ask the Appellant (property owner) to identify themselves and provide their contact information
- If a person is appearing on behalf of an Appellant who is not present (legal counsel, family member, friend), they must provide written authorization to act on the Appellant's behalf
- The Chair will briefly explain the hearing will proceed (as follows):
- **Staff Presentation:** The HRM staff presenter explains the basis for the order under review and presents evidence in support of the order (including any documents or recent photos of the property, if applicable)
- The Committee may ask questions of the HRM staff presenter for clarification
- The Appellant may ask questions of the HRM staff presenter for clarification
- Non-party witnesses* may be permitted to provide factual evidence relevant to the appeal
- The Appellant may ask questions of non-party witnesses for clarification
- **Appellant's Presentation:** The Appellant is granted reasonable time to present evidence in support of the appeal (documents/photos/witnesses)
- The Committee may ask questions to the Appellant and/or their witnesses
- The Appellant or their representative is then permitted up to 10 minutes to make a verbal submission in support of their case to reverse the order
- The Committee may ask questions to the Appellant and also further questions of HRM staff (subject to Appellant's response to the answers)
- Staff may ask questions to the Appellant (subject to Appellant's response to the answers)
- The Committee then debates their decision and renders a decision with the Appellant or their representative present
- Upon motion the Committee may move In Camera (In Private) to obtain confidential legal advice at any time during the process
- The Committee has four (4) options:
 - cancel the order (allow the appeal)
 - amend the order (change the conditions)
 - keep the order as is (appeal dismissed)
 - continue the hearing at a later date (defer)

*Non-Party Witnesses

Persons who are not parties to the appeal may be permitted to provide relevant evidence of factual matters within their personal knowledge to the Appeals Standing Committee. Non-party witnesses will be given an appropriate amount of time to present their information.

Hearings of the Appeals Standing Committee are open to the public and any information, including personal information, which is provided or obtained in relation to your appeal, will be a matter of public record.

The Appeals Standing Committee meetings begin at 10:00 a.m. and cases will be heard as they appear on the approved agenda.

APPENDIX M

June 30, 2023

REGULAR MAIL

SENT VIA REGISTERED MAIL JUNE 29, 2023

Steven Baignet
[REDACTED]

Re: Case CF-2023-009230, 40 Mountain Road, Halifax

On May 26, 2023, I mailed you an appeal notification letter via registered mail. This letter was returned to the Clerk's Office on June 27, 2023 marked as "Unclaimed". I telephoned you and left a voice mail message on June 27, 2023 asking you to telephone me regarding your appeal. On June 29, 2023 I returned your phone message and read the contents of the May 26, 2023 appeal notification letter which informed you of the appeal hearing date. In this message I told you that I would send you the appeal notification letter a second time via registered mail and advised you to telephone the Clerk's Office at (902) 490-4210 if you had any questions.

This is to advise that your appeal will be heard by the Appeals Committee on **Thursday, July 13, 2023**. The hearing will be held in the Council Chamber, 3rd Floor, City Hall, 1841 Argyle Street, Halifax. Please arrive for 10 a.m. but note that there may be other cases heard before yours on the agenda.

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If you have any questions regarding this process, please contact me at (902) 240-7164.

Sincerely,

[REDACTED]

-Original Signed -

Andrea Lovasi-Wood
Legislative Assistant
Office of the Municipal Clerk

HALIFAX

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

halifax.ca

cc: Tanya Phillips, Manager, By-law Standards
Scott Hill, Supervisor, Regional Compliance
Vicki Aguinaga, Supervisor, Support Services
Laurie Lauder, Adjudication Clerk
Michelle LaPierre, Adjudication Clerk
Trevor Oliver, Compliance Officer

Enclosure: Order of Proceedings for Appeals Standing Committee

APPENDIX M

Order of Proceedings for Appeals Standing Committee

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- The Committee may ask questions of the HRM staff presenter for clarification
- The Appellant may ask questions of the HRM staff presenter for clarification
- Non-party witnesses* may be permitted to provide factual evidence relevant to the appeal
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- **Appellant's Presentation:** The Appellant is granted reasonable time to present evidence in support of the appeal (documents/photos/witnesses)
- The Committee may ask questions to the Appellant and/or their witnesses
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