

CANADA
PROVINCE OF NEW BRUNSWICK
COUNTY OF SAINT JOHN

IN THE MATTER OF THE BUILDING THAT IS LOCATED AT

76 St. James Street West, SAINT JOHN, N.B. (PID number SS145916)

AFFIDAVIT OF SERVICE

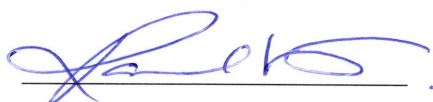
I, Catherine Love, of Saint John, N.B., Make Oath And Say As Follows:

1. I am employed by The City of Saint John in its Growth and Community Development Services Department. I have personal knowledge of the matters herein deposed except where otherwise stated.

2. On December 21, 2018, at approximately 1:27 pm, I posted a copy of the attached Notice to Comply, marked Exhibit "A" and Notice of Appeal, marked Exhibit "B" to the front door of the building that is located at

76 St. James Street, Saint John, N.B.
West.

Sworn To before me at the
City of Saint John, N.B.,
on the 21 day of
December, 2018



RACHEL A VAN WART
COMMISSIONER OF OATHS
MY COMMISSION EXPIRES
DECEMBER 31ST, 2022

Catherine Love
Catherine Love

FORM 4
NOTICE TO COMPLY – DANGEROUS OR
UNSAFELY PREMISES
(Local Governance Act, S.N.B., 2017, c.18, s 132(2))

Parcel identifier:

PID #55145916

Address: 76 St. James Street West, Saint John,
New Brunswick

Owner(s) or Occupier(s):

Name: Durant, Denis Denver

Address: 97 Dundee Road, Squantum North
Quincy, Massachusetts, 02171

Local government giving notice: The City of Saint John

By-law contravened: Saint John Unsightly Premises and Dangerous Buildings and Structures By-Law, By-law Number M-30 and amendments thereto (the "By-law").

Provision(s) contravened: Subsections 6(1), 6(2) and 6(3) of the By-law.

Conditions(s) that exist: The premise is unsightly by permitting junk, rubbish, refuse and a dilapidated building to remain on the premise. The building has become a hazard to the safety of the public by reason of being vacant or unoccupied and has become a hazard to the safety of the public by reason of dilapidation and by reason of unsoundness of structural strength. The conditions of the building and premise are described in Schedule "A", a true copy of the inspection report dated December 20, 2018 prepared by Rachel Van Wart, EIT, By-law Enforcement Officer, reviewed and concurred in by Amy Poffenroth, P. Eng., By-law Enforcement Officer.

What must be done to correct the condition: The owner is to remedy the conditions by complying with the required remedial actions of the aforementioned inspection report and bring the building and premises into compliance with the aforesaid By-law.

In the event that the owner does not remedy the condition of the building and premises in the time prescribed by this Notice to Comply, the building may be demolished as the corrective action to address the hazard to the safety of the public and the premises may be cleaned up.

In the event of demolition, all debris and items on the premises will be disposed of as the corrective action to address the hazard to the safety of the public.

The aforementioned remedial actions relating to the demolition of the building and the disposal of debris and

FORMULE 4
AVIS DE CONFORMITÉ – LIEUX
DANGEREUX
OU INESTHÉTIQUES
(Loi sur la gouvernance locale,
L.N.-B. 2017, ch. 18, par. 132(2))

Numéro d'identification de la parcelle :

NID : 55145916

Adresse : 76, rue St. James ouest, Saint John,
Nouveau-Brunswick

Propriétaire(s) ou occupant(s) :

Nom : Durant, Denis Denver

Adresse : 97, route Dundee, North Quincy,
Massachusetts, 02171

Gouvernement local signifiant l'avis : The City of Saint John

Arrêté enfreint : Arrêté relatif aux lieux inesthétiques et aux bâtiments et constructions dangereux de Saint John, Arrêté numéro M-30, ainsi que ses modifications ci-afférentes (l'« Arrêté »).

Disposition(s) enfreinte(s) : Les paragraphes 6(1), 6(2) et paragraphe 6(3) de l'Arrêté.

Description de la (des) situation(s) : Les lieux sont inesthétiques en permettant la présence de ferraille, de débris et le bâtiment délabré. Le bâtiment est devenu dangereux pour la sécurité du public du fait de son inhabitation ou de son inoccupation et est devenu dangereux pour la sécurité du public du fait de son délabrement et du fait de manque de solidité. Les conditions du bâtiment et des lieux sont décrites à l'annexe « A », une copie conforme du rapport d'inspection en date du 20 décembre 2018 et préparé par Rachel Van Wart, IS, une agente chargée de l'exécution des arrêtés municipaux, révisé et en d'accorde avec par Amy Poffenroth, ing., une agente chargée de l'exécution des arrêtés municipaux.

Ce qu'il y a lieu de faire pour y remédier: La propriétaire doit restaurer les conditions en se conformant aux recommandations du rapport d'inspection susmentionné et d'amener le bâtiment et les lieux en conformité avec l'Arrêté.

Dans l'éventualité que la propriétaire ne remédient pas le bâtiment et les lieux dans le temps prescrit par le présent avis de conformité, le bâtiment pourront être démolis comme mesure corrective compte tenu qu'il représente un danger pour la sécurité du public et les lieux pourront être nettoyés.

Dans l'éventualité de démolition, tous les débris et autres items sur les lieux seront disposés comme mesure corrective dans le but de remédier le danger pour la sécurité du public.

Les mesures correctives susmentionnées relativement à la démolition du bâtiment et la disposition des débris

items on the premises do not include the carry-out clean-up, site rehabilitation, restoration of land, premises or personal property or other remedial action in order to control or reduce, eliminate the release, alter the manner of release or the release of any contaminant into or upon the environment or any part of the environment.

et autres items sur les lieux ne comprennent pas le nettoyage, la remise en état des lieux, des terrains ou des biens personnels ou toute autre mesure corrective dans le but de contrôler ou de réduire, d'éliminer le déversement, de modifier le mode de déversement ou le déversement d'un polluant dans ou sur l'environnement ou toute partie de l'environnement.

Date before which the condition must be corrected:¹

Délai imparti pour y remédier :¹

- a) The demolition of the building, clean-up of the property and related remedies must be complete, or plans and permit applications for repair related remedies, must be submitted: within 45 days of being served with the Notice to Comply.
- b) The repair related remedies must be complete within 120 days of being served with the Notice to Comply.

- a) La démolition du bâtiment et le nettoyage des lieux doivent être complétés, ou à laquelle les plans et demande de permis pour les mesures des réparations, doivent être soumises, dans les 45 jours qui suivent la signification de l'avis de conformité.
- b) Les réparations reliées aux mesures doivent être complétées dans les 120 jours qui suivent la signification de l'avis de conformité.

Date for giving notice of appeal: Within 14 days of being served with the Notice to Comply.

Date limite pour donner l'avis d'appel: Dans les 14 jours qui suivent la notification de l'avis de conformité.

Process to appeal: The owner may within 14 days after having been served with this Notice to Comply, send a Notice of Appeal by registered mail to the Common Clerk of The City of Saint John, City Hall – 8th Floor, 15 Market Square, Saint John, New Brunswick, E2L 4L1.

Processus d'appel : La propriétaire peut dans les 14 jours qui suivent la notification de l'avis de conformité, envoyé un avis d'appel par courrier recommandé à la greffière communale de la municipalité, à The City of Saint John, Édifice de l'hôtel de ville, 8^e étage, 15 Market Square, Saint John, Nouveau-Brunswick, E2L 4L1.

Potential penalty for not complying with notice within time set out in notice:² Subsection 11(1) of the By-law states that a person who fails to comply with the terms of a Notice to Comply given under section 7 of the said By-law, commits an offence that is punishable under Part 2 of the *Provincial Offences Procedure Act* as a category F offence.

Peine possible en cas d'omission de se conformer aux exigences de l'avis dans le délai y imparti :² Le paragraphe 11(1) de l'Arrêté prévoit quiconque omet de se conformer aux exigences formulées dans un avis de conformité notifié aux termes de l'article 7 de ladite Arrêté, commet une infraction qui est punissable en vertu de la partie 2 de la *Loi sur la procédure applicable aux infractions provinciales* à titre d'infraction de la classe F.

Where an offence under subsection 11(1) continues for more than one day, the minimum fine that may be imposed is the minimum fine set by the *Provincial Offences Procedure Act* for a category F offence multiplied by the number of days during which the offence continues pursuant to subparagraph 11(3)(b)(i).

Lorsqu'une infraction prévue au paragraphe 11(1) se poursuit pendant plus d'une journée, l'amende minimale qui peut être imposée est l'amende minimale prévue par la *Loi sur la procédure applicable aux infractions provinciales* pour une infraction de la classe F multipliée par le nombre de jours pendant lesquels l'infraction se poursuit conformément à l'alinéa 11(3)b)i).

Local government's authority to undertake repairs or remedy:³ Paragraphs 12(1)(a), 12(1)(b) and 12(1)(c) of the By-law state that if an owner or occupier does not comply with a Notice to Comply given under section 7 within the time set out in the said Notice, the City may, cause the premises of that owner or occupier to be cleaned up or repaired, or cause the building or other structure of that owner or occupier to be repaired or demolished. Further, subsection 12(3) of the By-law states that the cost of carrying out such work, including any associated charge or fee, is chargeable to the owner or occupier and becomes a debt due to the City.

Pouvoir du gouvernement local d'entreprendre des réparations ou de remédier à la situation :³ Conformément aux alinéas 12(1)a), 12(1)b) et 12(1)c) de l'Arrêté, si un avis de conformité a été signifié aux termes de l'article 7 de ladite Arrêté et, que le propriétaire ou l'occupant ne se conforme pas à cet avis de conformité dans le délai imparti et tel qu'il est réputé confirmé ou tel qu'il est confirmé ou modifié par un comité du conseil ou par un juge en vertu le paragraphe 12(3) de ladite Arrêté, la municipalité peut faire nettoyer ou réparer les lieux de ce propriétaire ou de cet occupant ou de faire réparer ou démolir le bâtiment ou autre construction de ce propriétaire ou de cet occupant, et les coûts afférents à l'exécution des ouvrages, y compris toute redevance ou tout droit connexe, sont mis à la charge du propriétaire ou de l'occupant et deviennent une créance de la municipalité.

Dated at Saint John the 20th day of December, 2018.

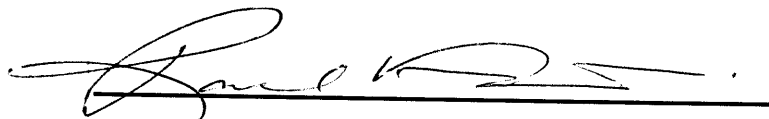
Fait à Saint John le ____ décembre, 2018.

Local government: The City of Saint John

Gouvernement locale : The City of Saint John

Signature of the officer of the local government:

Signature du fonctionnaire du gouvernement local:



Contact information of the officer of the local government:

Coordonnées du fonctionnaire du gouvernement local:

Name: Rachel Van Wart, EIT
Mailing address:

Nom : Rachel Van Wart, IS
Adresse postale:

Growth and Community Development Services

Service de la Croissance et du Développement
Communautaire

The City of Saint John
15 Market Square
City Hall Building, 10th Floor
P. O. Box 1971
Saint John, New Brunswick
E2L 4L1

The City of Saint John
15 Market Square
Édifice de l'hôtel de ville, 10^e étage
Case postale 1971
Saint John (Nouveau-Brunswick)
E2L 4L1

Telephone: (506) 658-2911
E-mail: rachel.vanwart@saintjohn.ca
Fax: (506) 632-6199

Téléphone : (506) 658-2911
Adresse électronique: rachel.vanwart@saintjohn.ca
Télécopieur : (506) 632-6199

Corporate seal of the local government



Sceau du gouvernement local

Notes:

1. All appropriate permits must be obtained and all relevant legislation must be complied with in the course of carrying out the required remedial action.

2. Payment of the fine does not alleviate the obligation to comply with the by-law, standard or notice.

3. Costs become a debt due to the local government and may be added to the joint local government and provincial Real Property Assessment and Tax Notice.

Notes :

1. Tous les permis prescrits doivent être obtenus et toute la législation pertinente doit être respectée pendant l'exécution des mesures de remédiation.

2. Le paiement de l'amende n'a pas pour effet d'annuler l'obligation de se conformer à l'arrêté, à la norme ou à l'avis.

3. Les coûts deviennent une créance du gouvernement local et peuvent être ajoutés à l'avis commun d'évaluation et d'impôt foncier des gouvernements local et provincial.

hereby certify that this document is a true copy of the original.

INSPECTION REPORT
Schedule "A"
76 St. James Street West
Saint John, New Brunswick
PID# 55145916

Dated at Saint John,
this 20th day of
December 2018


Standards Officer

Inspection Date: November 8, 2018

Inspection Conducted by: Rachel Van Wart, EIT and Catherine Lowe, EIT

Introduction

Inspections of the property at 76 St. James Street West, PID# 55145916, have revealed that there is one building on the premise; a single-storey, single family, wood framed house (the "Building"). Staff first became aware of the property's vacancy in November 2017 and began standard enforcement procedures. The property is located in the City's West Side in a two-unit residential zone. The building is a hazard to the safety of the public by reason of being vacant, by reason of dilapidation and by reason of unsoundness of structural strength.

Discussion

The Building is not in compliance with the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law*, By-law Number M-30, and amendments thereto (the "By-law").

Unsightly Premise Conditions

Subsection 6(1) of the By-law states:

No person shall permit premises owned or occupied by him or her to be unsightly by permitting to remain on any part of such premises

- (a) any ashes, junk, rubbish or refuse;
- (b) an accumulation of wood shavings, paper, sawdust or other residue of production or construction;
- (c) a derelict vehicle, equipment, machinery or the body of any part of a vehicle equipment or machinery, or
- (d) a dilapidated building.

1. There is an accumulation of junk, rubbish, and refuse on the property. These items include, but are not limited to; a metal bed frame, garbage cans, mattresses and a box spring, a lawn mower, a large blue barrel on the rear deck, a blue tarp, and other loose garbage.
2. The metal chain link fence at the rear of the building is unsightly. The fence is attached at the left side foundation and is leaning.
3. The Building is dilapidated. The roof shingles are peeling with algae growth. The paint on the wooden clapboard siding, shingle siding and wooden trim is peeling. Siding in various locations is rotten or missing. The eaves trough at the front of the Building is rusted and hanging. The window on the front porch is broken with vegetation growth protruding out of the broken glass from the interior. The rear ell of the Building is unsound and the interior flooring members have collapsed. The ell has pulled away from the main structure and the roof has collapsed. A large blue tarp hangs from the ceiling. The deck at the rear of the Building is dilapidated with rotten members. These conditions are unsightly.

Vacant and Unoccupied

Subsection 6(2) of the By-law states:

No person shall permit a building or other structure owned or occupied by the person to become a hazard to the safety of the public by reason of being vacant or unoccupied.

The Building is a hazard to the safety of the public by reason of being vacant or unoccupied for the following reasons:

1. The Building is abandoned. An entry warrant was required to conduct an internal inspection of the Building. Buildings in a dilapidated condition that are known to be vacant and left open can attract vandalism, arson and criminal activity. The condition of the property affects the quality of life of neighboring properties and negatively impacts property value of real estate in the area due to negative perceptions of unsafe and deteriorating conditions. To add to the longevity of the vacancy, the City of Saint John Finance department confirmed that the water has been turned off since the year 2000. Saint John Energy confirmed that the power has been disconnected since January 2014.
2. There is a higher risk of a fire event occurring at the property since it may be known to the public that the Building is vacant. There are two neighboring single family homes located at 84 St. James Street West and 72 St. James Street West. In addition, a structure has been attached to 76 St. James Street West for the apparent use of the neighboring property as a carport. If a fire event were to occur within the Building it could potentially spread to the neighboring properties, causing damage to the buildings and endangering the lives of the occupants.
3. There is a concern for emergency personnel safety in the event of a fire or emergency. If firefighters suspect there may be people inside the Building, it would be reasonable to expect they may be required to enter it. The interior condition of the Building is not known to firefighters which pose a hazard to their safety and others who may be inside in the event of a fire. The flooring system of the rear ell of the Building has collapsed; firefighters may open the door leading to the rear ell from the kitchen and step out, which would cause serious personal injury. These conditions could restrict the movement or cause injury to emergency personnel should they need to gain entry into the Building.

Dilapidated Building Conditions

Subsection 6(3) of the By-law states

No person shall permit a building or other structure owned or occupied by the person to become a hazard to the safety of the public by reason of dilapidation or unsoundness of structural strength.

The Building is a hazard to the safety of the public by reason of dilapidation for the following reasons:

1. Interior Conditions:

The right front window of the front porch is broken with vegetation growing through the hole. The porch is also sloped; the interior screen door does not open without dragging along the ceiling of the porch. The paint is peeling from the walls and ceiling of the porch. An exterior support column at the right front has detached from the porch, is leaning, and provides no structural support.

There is an accumulation of junk throughout the entire Building. This includes large appliances, furniture, construction material, and household items. The Building has been left in a state of renovation. Many floors are not finished, with

the subfloor material exposed. Ceiling plaster in the kitchen is missing, cracked or hanging in many locations, exposing the ceiling lathe. Paint is peeling from the ceiling of the left front room of the Building.

On the second floor there is access to the attic space via an attic access hatch in the ceiling of the front bedroom closet. There appears to have been water damage via this hatch. Water damage is also evident below the front bedroom window on the second storey. The ceiling in the rear bedroom is discoloured in some locations which could indicate water damage.

There is evidence of raccoons in the Building. There are what appear to be feces on the floor of the kitchen. The Raccoons appear to be gaining access to the Building by way of the open attic access door on the second storey. The wall below the door is covered in dirt and appears to have scratch marks in the wallpaper. There is a ladder beneath the door which may be allowing the animals to enter and exit. In the rear bedroom, stuffing material has been shredded which is an indication of animal presence. The bathroom door is closed to the rest of the Building; however there is evidence of raccoons in the bathroom. It was discovered that there is a hole in the rear wall of the bathroom which allows rodent access. Wild animals such as raccoons can carry diseases and cause concern for public safety, in addition to affecting the quality of life of neighboring property owners.

2. Exterior Conditions:

The roof shingles are peeling with algae growth. The paint on the wooden clapboard siding, shingle siding and wooden trim is peeling. The eaves trough at the front of the Building is rusted and hanging. Should this loose piece fall, it could potentially injure pedestrians on the sidewalk below. The window on the front porch is broken with vegetation growth protruding out of the broken glass from the interior.

The rear ell of the Building is unsound and the interior flooring members have collapsed. The ell has pulled away from the main structure and the roof has collapsed. A large blue tarp hangs from the ceiling, which may have been used in the past to prevent further damage from precipitation.

There are numerous cracks in the foundation wall on the left side of the Building which indicates movement of the main structure. The rear left corner of the foundation is cracked with crumbling concrete.

The deck at the rear of the Building is dilapidated. The floor boards appear to be rotten and the deck does not conform to the National Building Code of Canada, with lack of proper handrails and guards. The deck also holds a large blue, metal barrel full of water, adding to the dead load that the deck would carry; precipitation gathering in this barrel in addition to snow load could cause the deck to collapse.

Structurally Unsound Building Conditions

Subsection 6(3) of the By-law states

No person shall permit a building or other structure owned or occupied by the person to become a hazard to the safety of the public by reason of dilapidation or unsoundness of structural strength.

The Building is a hazard to the safety of the public by reason of unsoundness of structural strength for the following reasons:

1. The rear ell of the building is structurally unsound. The flooring system has collapsed and the ell has separated from the main structure. There is a large hole

down the centre of the rear wall of the ell, which is causing both side walls to lean inward. In addition, a portion of the rear wall is missing wooden shingles and sheathing. Holes in the roof structure are visible through the hole in the rear wall. Access from the main structure is gained via a door in the kitchen. The roof and flooring members which have collapsed now rest in a pile within the rear ell. Ground level is approximately seven feet from the base of the door. If someone were to unknowingly step through this door or accidentally fall, they would be seriously injured. The rear ell is hazardous for neighbours and anyone who may enter the property.

Required Remedial Actions

The owner must comply with one of the two options stated below:

Option 1: Remedy the conditions of the Building through all repair and remedial actions as follows:

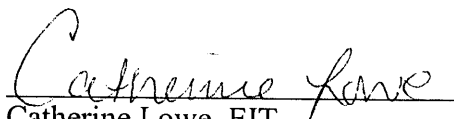
1. The Building must be must be completely repaired to remedy the above mentioned hazards to public safety while meeting the requirements of the *National Building Code of Canada (2010)* as well as all other applicable by-laws.
2. The Building must be maintained, kept secure, and monitored on a routine basis while the property remains vacant or unoccupied.
3. A detailed plan must be submitted to the Growth and Community Development Services Department of the City of Saint John (the "Department") for review and approval. The plan should also include a schedule for the work that is to be carried out. The repaired Building must meet the *National Building Code of Canada (2010)* as well as other applicable codes.
4. The detailed plan, including schedules and any engineering reports, must be approved by the Department prior to commencing repair work.
5. A building permit must be obtained for any and all applicable work prior to commencing said work from the City of Saint John in order to comply with the *Saint John Building By-law*, By-law Number C.P. 102 and amendments thereto (the "*Saint John Building By-law*").
6. The premise must be cleared of all debris found on the property, including any and all rubbish that may be considered hazardous or unsightly. The debris from the premise must be disposed of at an approved solid waste disposal site, in accordance with all applicable by-laws, acts and regulations. Documented proof, that clearly demonstrates an approved solid waste disposal site was used for the disposal of debris, must be provided to the Department. The premise must comply with all applicable By-laws, Acts, Codes and Regulations.

Option 2: Demolition of the Building and cleanup of all debris on the premise by complying with all the remedial actions as follows:

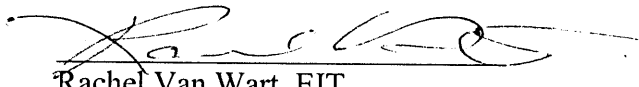
1. The Building must be demolished to remove the hazard to the safety of the public by reason of dilapidation and by reason of being vacant or unoccupied.
2. A demolition permit must be obtained from the City of Saint John in order to comply with the *Saint John Building By-law*.
3. The premise must be cleared of the debris from the demolition and the lot must be made reasonably level with grade so as to not create a tripping or falling hazard. All debris must be disposed of at an approved solid waste disposal site, and in accordance with all applicable By-laws, Acts and Regulations. Documented proof, that clearly demonstrates an approved solid waste disposal site was used for the disposal of debris, must be provided to the Department.

4. All debris that is currently on the premise must be removed and disposed of at an approved solid waste disposal site, and in accordance with all applicable By-laws, Acts and Regulations. Documented proof, that clearly demonstrates an approved solid waste disposal site was used for the disposal of debris, must be provided to the Department.
5. The property must be in compliance with all applicable By-laws, Acts and Regulations.

Prepared by:

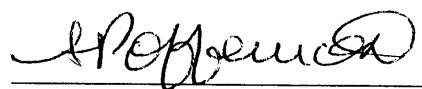

Catherine Lowe, EIT
Technical Services Officer
Growth and Community Development Services

Dec 20/2018
Date


Rachel Van Wart, EIT
Technical Services Officer
Growth and Community Development Services

Dec 20/18
Date

Reviewed by and concurred in by:


Amy Poffenroth, P. Eng., MBA
Building Inspector
Deputy Commissioner
Growth and Community Development Services

December 20, 2018
Date

NOTICE OF APPEAL
FORM 1
(Municipalities Act, R.S.N.B. 1973,
c. M-22, s.190.021(1))

This is Exhibit "B"
Referred to in the Affidavit of

Catherine Lowe

Sworn before me at the City of
Saint John, New Brunswick
the 21 day of December /2018

Rachel
Commissioner of Oaths

AVIS D'APPEL
FORMULE 1

(Loi sur les municipalités, L.R.N.-B. de 1973,
ch. M-22, par. 190.021(1))

File No.: _____

N° du dossier : _____

BETWEEN :

ENTRE :

Appellant(s),

Appelant(s),

- and -

- et -

THE CITY OF SAINT JOHN,

THE CITY OF SAINT JOHN,

Respondent.

Intimée.

Parcel Identifier : PID #

Numéro d'identification de la parcelle : # NID

Parcel Address: _____

Adresse de la parcelle : _____

Owner(s) or Occupier(s):

Propriétaire(s) ou occupant(s) :

Name: _____

Nom : _____

Address: _____

Adresse : _____

Telephone: _____

Téléphone: _____

Name: _____

Nom : _____

Address: _____

Adresse : _____

Telephone: _____

Téléphone: _____

The above named appellant(s) is (are) not satisfied with the terms and conditions set out in the notice that has been given under section 190.011 of the *Municipalities Act* and appeals to the *Saint John Substandard Properties Appeal Committee*.

L'appellant(s) susnommé(s) n'accepte(nt) pas les modalités ou les conditions qui y sont énoncés dans l'avis qui a été notifié aux termes de l'article 190.011 de la *Loi sur les municipalités* et fait appel au *Comité d'appel des propriétés inférieures aux normes de Saint John*.

The appellant's grounds for this appeal are as follows (set out the grounds clearly but briefly):

Les motifs d'appel de l'appellant(s) dans le présent appel sont les suivants (énoncer les motifs de façon claire et concise) :

Dated at _____ the _____ day of _____, 2018.

Fait à _____ le _____ 2018.

Signature of owner or occupier

Signature du propriétaire ou l'occupant

The appellant(s) intends to proceed in the English or French language (Please check the appropriate box).

L'appellant(s) a (ont) l'intention d'utiliser la langue française ou anglaise (Veuillez cocher la case appropriée).

*Please forward your Notice of Appeal by registered mail to the clerk of The City of Saint John within **fourteen (14) days** after having been given the notice at the following address:*

*Veillez faire parvenir votre Avis d'appel par courrier recommandé au secrétaire de The City of Saint John dans les **quatorze (14) jours** qui suivent la notification de l'avis à l'adresse suivante :*

Common Clerk's Office
15 Market Square, City Hall Building, 8th Floor
P. O. Box 1971
Saint John, New Brunswick
E2L 4L1

Bureau du greffier communal
15 Market Square, Édifice de l'hôtel de ville, 8^e étage
Case postale 1971
Saint John (Nouveau-Brunswick)
E2L 4L1

Telephone: 506-658-2862
Telecopier: 506-674-4214

Téléphone: 506-658-2862
Télécopieur: 506-674-4214

Notes:

Notes :

1. A notice that is not appealed within **fourteen (14) days** after having been given the notice shall be deemed to be confirmed.

1. Un avis dont il n'est pas interjeté appel dans les **quatorze (14) jours** qui suivent la notification de l'avis est réputée confirmé.

2. On an appeal, the *Saint John Substandard Properties Appeal Committee* shall hold a hearing into the matter at which the owner(s) or occupier(s) bringing the appeal has (have) a right to be heard and may be represented by counsel.
2. Lors d'un appel, le *Comité d'appel des propriétés inférieures aux normes de Saint John* doit tenir, sur le point en litige, une audience au cours de laquelle le(s) propriétaire(s) ou l'occupant(s) qui interjette(nt) appel a (ont) le droit d'être entendu(s) et peut(vent) se faire représenter par un avocat.
3. On an appeal, the *Saint John Substandard Properties Appeal Committee* may confirm, modify or rescind the notice or extend the time for complying with the notice.
3. Lors d'un appel, le *Comité d'appel des propriétés inférieures aux normes de Saint John* peut confirmer, modifier ou annuler l'avis ou proroger le délai pour s'y conformer.
4. The *Saint John Substandard Properties Appeal Committee* shall provide a copy of its decision to the owner(s) or occupier(s) of the premises, building or structure who brought the appeal within **fourteen (14) days** after making its decision.
4. Le *Comité d'appel des propriétés inférieures aux normes de Saint John* doit fournir une copie de sa décision au(x) propriétaire(s) ou à l'occupant(s) des lieux, du bâtiment ou de la construction qui lui a(ont) interjeté appel dans les **quatorze (14) jours** suivant la date à laquelle il a rendu sa décision.
5. The owner(s) or occupier(s) provided with a copy of a decision from the *Saint John Substandard Properties Appeal Committee* may appeal the decision to a judge of The Court of Queen's Bench of New Brunswick within **fourteen (14) days** after the copy of the decision was provided to the owner(s) or occupier(s) on the grounds that (a) the procedure required to be followed by the *Municipalities Act* was not followed, or (b) the decision is patently unreasonable.
5. Le(s) propriétaire(s) ou l'occupant(s) à qui une copie d'une décision a été fournie par le *Comité d'appel des propriétés inférieures aux normes de Saint John* peut(vent), dans les **quatorze (14) jours** qui suivent, interjeter appel de la décision devant un juge de la Cour du Banc de la Reine du Nouveau-Brunswick au motif que (a) la démarche à suivre en vertu de la *Loi sur les municipalités* n'a pas été suivie, ou (b) la décision est manifestement déraisonnable.