

COUNCIL REPORT

M&C No.	2019-30
Report Date	March 11, 2019
Meeting Date	March 25, 2019
Service Area	Growth and Community Development Services

His Worship Mayor Don Darling and Members of Common Council

SUBJECT: Adoption of updated Provisions Governing the Procedure and Operation of the Saint John Substandard Properties Appeal Committee

OPEN OR CLOSED SESSION

This matter is to be discussed in open session of Common Council.

AUTHORIZATION

Primary Author	Commissioner/Dept. Head	City Manager
<i>Christopher McKiel</i>	<i>J Hamilton / A Poffenroth</i>	<i>John Collin</i>

RECOMMENDATION

Your City Manager recommends that Common Council adopt the updated Provisions Governing the Procedure and Operation of the Saint John Substandard Properties Appeal Committee as submitted.

EXECUTIVE SUMMARY

The purpose of this report is to adopt the updated Provisions Governing the Procedure and Operation of the Saint John Substandard Properties Appeal Committee so that they may be put into practice. The amendments reflect recent changes in the *Local Governance Act*, the *Saint John Minimum Property Standards By-law* and the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law* and are necessary to meet legislative requirements under the *Local Governance Act*.

PREVIOUS RESOLUTION

N/A

STRATEGIC ALIGNMENT

This report aligns with Council's Vibrant, Safe City priority.

REPORT

The Saint John Substandard Properties Appeal Committee (“the Appeal Committee”) is a committee of Council required by the *Local Governance Act* in order to assist with the administration of Part 13 of the Act, the *Saint John Minimum Property Standards By-Law* and the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-Law*. The Appeal Committee hears appeals from owners or occupiers of premises, buildings or structures who have been given a Notice to Comply or an Order to Comply and are not satisfied with the terms and conditions set out in the Notice or Order. The Appeal Committee may confirm, modify or rescind the Notice or Order. The decisions of the Appeal Committee are binding on the City. The Appeal Committee consists of a group of three practicing lawyers who have been in active legal practice for at least five years. For the purpose of hearing an appeal, at least one committee member is required to be present to constitute a quorum. The appeal committee would typically hear one to two appeals on average per year.

The purpose of this report is to adopt the updated Provisions Governing the Procedure and Operation of the Saint John Substandard Properties Appeal Committee so that they may be put into practice. The amendments reflect recent changes in the Local Governance Act, the *Saint John Minimum Property Standards By-law* and the *Saint John Unsightly Premises and Dangerous Buildings and Structures By-law* and are necessary to meet legislative requirements under the Local Governance Act.

SERVICE AND FINANCIAL OUTCOMES

The Saint John Substandard Properties Appeals Committee provides a fair and impartial avenue to have concerns heard once a property owner has been issued a Notice to Comply or an Order to Comply.

INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS

Staff of Growth and Community Development Services and the Legal Department jointly drafted the revised Provisions Governing the Procedure and Operation of the Saint John Substandard Properties Appeal Committee.

ATTACHMENTS

Provisions Governing the Procedure and Operation of the Saint John Substandard Properties Appeal Committee

Règlement intérieur du Comité des appels sur les résidences non conformes aux normes de Saint John