

CANADA
PROVINCE OF NEW BRUNSWICK
COUNTY OF SAINT JOHN

IN THE MATTER OF THE BUILDING THAT IS LOCATED AT

22 McLaughlin Road, SAINT JOHN, N.B. (PID number 333930)

AFFIDAVIT OF SERVICE

I, Catherine Lowe, 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 May 21, 2019, at approximately 4:43pm, 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 22 McLaughlin Road, Saint John, N.B.

Sworn To before me at the
City of Saint John, N.B.,
on the 11th day of
June, 2019

Julie Rocca
Commissioner of Oaths
My Commission Expires
December 31, 2022

Julie Rocca

Catherine Lowe
Catherine Lowe

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

Parcel identifier:

PID #333930

Address: 22 McLaughlin Road, Saint John, New Brunswick

Owner(s) or Occupier(s):

Name: Boutilier, Michael Ward

Address: 24 McLaughlin Road, Saint John, New Brunswick, E2J 4S2

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 May 17, 2019 prepared by Catherine Lowe, EIT, By-law Enforcement Officer, reviewed and concurred in by Rachel Van Wart, 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

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 : 333930

Adresse : 22, rue McLaughlin, Saint John, Nouveau-Brunswick

Propriétaire(s) ou occupant(s) :

Nom : Boutilier, Michael Ward

Adresse : 24, rue McLaughlin, Saint John, Nouveau-Brunswick, E2J 4S2

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 17 mai 2019 et préparé par Catherine Lowe, IS, une agente chargée de l'exécution des arrêtés du gouvernement local, révisé et en d'accorde avec par Rachel Van Wart, ing., une agente chargée de l'exécution des arrêtés du gouvernement local.

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 remédie 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

demolition of the building and the disposal of debris and 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.

Date before which the condition must be corrected: 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 15 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.

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

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.

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.

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).

à la démolition du bâtiment et la disposition des débris 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.

Délai imparti pour y remédier : ¹

- a) La démolition du bâtiment et le nettoyage des lieux doivent être complétées, ou à laquelle les plans et demande de permis pour les mesures des réparations, doivent être soumises, dans les 15 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 limite pour donner l'avis d'appel: Dans les 14 jours qui suivent la notification de l'avis de conformité.

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.

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.

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 17 day of May, 2019.

Fait à Saint John le ____ mai, 2019.

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:

Catherine Lowe

Contact information of the officer of the local government:

Coordonnées du fonctionnaire du gouvernement local:

Name: Catherine Lowe, EIT
Mailing address:

Nom : Catherine Lowe, 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: catherine.lowe@saintjohn.ca
Fax: (506) 632-6199

Téléphone : (506) 658-2911
Adresse électronique: catherine.lowe@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.

INSPECTION REPORT
Schedule "A"
22 McLaughlin Road
Saint John, New Brunswick
PID# 333930

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

Dated at Saint John,
this 17 day of
May 2019.

Catherine Lowe
Standards Officer

Inspection Date: May 17, 2019
Inspection Conducted by: Catherine Lowe, EIT

Introduction

Inspections of the property at 22 McLaughlin Road, PID# 333930, have revealed that there is one building on the premise (the "Building"); a single-storey, single unit dwelling. Staff first became aware of the property's vacancy in April 2019 and began standard enforcement procedures. On May 4, 2019 the Building suffered extensive damage due to a fire. The Saint John Fire Department deemed the Building a total loss. The property is located on the City's East Side in a rural residential zone. The property is land locked and may only be accessed by a right of way through the driveway of the property at 20 McLaughlin Road. The Building is a hazard to the safety of the public by reason of being open, 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; piled wooden boards, discarded wood, wood pallets, tires, large plastic barrels, a section of a transport truck cab, various discarded machinery and appliances, fire damaged debris, broken glass and other various loose garbage. The aforementioned accumulation of junk, rubbish, and refuse is unsightly.
2. The Building is dilapidated. The fire started at the rear of the Building and made its way into the attic space and towards the front of the Building. A section of the wall at the rear left corner of the Building is missing, likely due to extensive damage and firefighting efforts. The interior of the rear of the Building is completely charred. The roof at the rear of the Building has collapsed, while other sections are sagging. There are many holes in the walls of all sides of the Building due to firefighting efforts. All the windows of the Building are broken with jagged glass remaining in the window frame. 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 owner has confirmed that they no longer live at the property and the Building is vacant. The owner also confirmed there is no insurance on the Building. The owner does not have plans to repair the Building and believes that it is no longer their responsibility. There is a judgement on title from the Bank of Montreal, however attempts to contact a responsible party at the Bank have yielded no results. Essentially the Building is abandoned and its current condition will not be remedied. The Building's condition will only worsen over time if action is not taken.
2. Buildings that are in a dilapidated condition can attract vandalism, arson, or criminal activity as well as pose a hazard to the safety of the public and devalue properties in the surrounding area. The Building is not secure as all doors are open and a portion of the rear wall has been removed. Power was disconnected to the Building by Saint John Energy on May 4, 2019 when the fire occurred. Major repairs would have to be undertaken in order to have power services restored. The property is not serviced by the City's water department as it has a well and septic system. Septic and well systems that are not maintained can create serious environmental concerns as well as health concerns for the neighbors who also rely on well water.
3. The fire that occurred at the Building is negatively affecting the neighbors on McLaughlin Road. The property is adjacent to 20 McLaughlin Road, is directly behind 28 McLaughlin Road and is diagonal to the rear of 32 McLaughlin Road. All three properties are single family homes. The owners appear to take very good care of their respective properties and are now being subject to a dangerous and vacant, fire damaged building to the rear of their properties. If another fire were to occur at the Building it could spread to the neighboring properties which could cause damage to the buildings and endanger the lives of the occupants.
4. There is a concern for emergency personnel safety in the event of an emergency. There is a lot of junk scattered around the property. There is now glass and fire damaged debris with protruding nails scattered across the property. There is also a septic system to the right of the Building that does not meet code. The opening of the septic tank is covered only by rotten wooden boards and the ground around the boards is soft. These conditions pose a hazard to emergency personnel and could hinder their movements around the property should they need to respond to an event.

Dilapidated and 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 dilapidation and by reason of unsoundness of structural strength for the following reasons:

1. The Building is dilapidated and structurally unsound. The fire appears to have begun at the rear of the Building and spread into the attic and towards the front of the Building. The walls of the rear left corner of the Building have been removed, revealing the interior of the rear portion of the Building. All ceilings, walls, floors and items that were in this portion of the Building are charred black due to fire damage. Sections of wall towards the roof line of the rear and left side of the Building have been removed, revealing extremely charred framing members. A section of the roof has completely collapsed while the remaining roof structure is sagging and fire damaged. Not only is the structural integrity of the roof system compromised by fire damage, it is now also subject to the elements which could cause further failure due to material deterioration.
2. A section of floor at the rear of the Building has been removed, revealing the ground beneath the Building. The Building is built on a pier and beam foundation directly on the soil. Now that the soil is exposed to water from firefighting efforts and rain, it could become more saturated and unstable. The increase in moisture beneath the Building could cause the wooden beams to deteriorate, causing further unsoundness of structural strength.
3. The concrete cinder blocks which aided in supporting the Building and enclosed the pier and beam foundation have failed in a number of locations on the left side of the Building. Some blocks are missing entirely while others are significantly out of plumb. This condition coupled with the severe fire damage in this area renders the Building structurally unsound.
4. Through the broken windows of the Building the interior can be seen. Most items and surfaces in the Building suffered major fire damage. The odour given off by the charred materials can be smelt even beyond the property lines. Areas that were not significantly damaged by the fire are water damaged due to firefighting efforts and exposure to the elements. Insulation and drywall from the ceiling and walls rests in wet piles on the floor and over items in the Building. Damp materials left in this condition can cause mold growth. Both the odour and mold spores can be carried from the Building to the surrounding area by wind. These conditions are a respiratory hazard to anyone near the property.

Required Remedial Actions

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

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

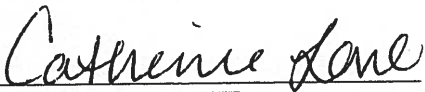
1. The Building must be completely repaired to remedy the above mentioned hazards to public safety while meeting the requirements of the *National Building Code of Canada (2010)* as well as all other applicable by-laws.
2. The Building must be maintained, kept secure, and monitored on a routine basis 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.

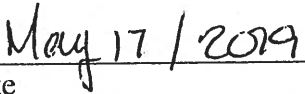
5. A building permit must be obtained for any and all applicable work prior to commencing said work from the City of Saint John in order to comply with the *Saint John Building By-law*, By-law Number C.P. 102 and amendments thereto (the "*Saint John Building By-law*").
6. The premise must be cleared 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:

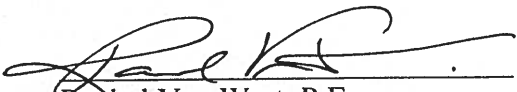
1. The Building must be demolished to remove the hazard to the safety of the public by reason of dilapidation and by reason of being vacant or unoccupied.
2. A demolition permit must be obtained from the City of Saint John in order to comply with the *Saint John Building By-law*.
3. The premise must 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.

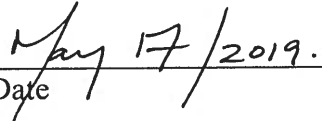
Prepared by:


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


 Date

Reviewed by and concurred in by:


 Rachel Van Wart, P.Eng.
 Technical Services Officer
 Growth and Community Development Services


 Date

This is Exhibit "B"
Referred to in the Affidavit of
Catherine Loue
Sworn before me at the City
Saint John, New Brunswick
the 11 day of June 2019
Julie Rodda
Commissioner of Oaths

Schedule "A"

FORM 1
NOTICE OF APPEAL

Annexe « A »

FORMULE 1
AVIS D'APPEL

File No.: _____

N° du dossier : _____

BETWEEN :

ENTRE :

_____,
Appellant(s),
- and -

_____,
Appelant(s),
- 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:

L'appelant ou les appelants susnommé(s) n'accepte(nt)
pas les modalités ou les conditions qui sont énoncés
dans :

(a) a Notice that was given under section 7 of the
*Saint John Unsightly Premises and Dangerous
Buildings and Structures By-Law*; or

(a) un AVIS qui a été donné en vertu de l'article 7 de
l'Arrêté relatif aux lieux inesthétiques et aux
bâtiments et constructions dangereux dans *The
City of Saint John*; ou

(b) an Order that was issued under section 25 of the
*Saint John Minimum Property Standards By-
Law*;

(b) une ORDONNANCE qui a été émise en vertu de
l'article 25 de l'Arrêté concernant les normes
minimales régissant les résidences de Saint John

and therefore appeals to the *Saint John Substandard
Properties Appeal Committee*.

et fait ainsi appel devant le *Comité des appels sur les
résidences non conformes 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'appelant(s) dans le présent
appel sont les suivants (énoncer les motifs de façon

claire et concise) :

Dated at _____ the _____ day of _____, 20____.

Fait à _____ le _____ 20____.

Signature of owner or occupier

Signature du propriétaire ou de l'occupant

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

L'appelant a ou les appelants 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 Common Clerk within **fourteen (14) days** after having been given the Notice or Order at the following address:*

*Veillez faire parvenir votre AVIS D'APPEL par courrier recommandé au greffier communal dans les **quatorze (14) jours** qui suivent la notification de l'AVIS ou de l'ORDONNANCE 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
Facsimile: 506-674-4214

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

Notes:

Notes :

1. A Notice or Order that is not appealed within **fourteen (14) days** after having been given or issued shall be deemed to be confirmed.
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.
3. On an appeal, the *Saint John Substandard Properties Appeal Committee* may confirm, modify or rescind the Notice or Order, or extend the time for complying with the Notice or Order.
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.

1. Un AVIS ou une ORDONNANCE dont il n'est pas interjeté appel dans les **quatorze (14) jours** qui suivent la notification de l'AVIS ou l'émission de l'ORDONNANCE est réputé confirmé.
2. Lors d'un appel, le *Comité des appels sur les résidences non conformes 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 ou les occupants qui interjette(nt) appel a (ont) le droit d'être entendu(s) et peut (peuvent) se faire représenter par un avocat.
3. Lors d'un appel, le *Comité des appels sur les résidences non conformes aux normes de Saint John* peut confirmer, modifier ou annuler l'AVIS ou l'ORDONNANCE ou proroger le délai pour s'y conformer.
4. Le *Comité des appels sur les résidences non conformes aux normes de Saint John* doit fournir une copie de sa décision au(x) propriétaire(s) ou à l'occupant ou aux occupants 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) who is provided with a copy of a decision from the *Saint John Substandard Properties Appeal Committee* regarding a Notice, 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 by-law was not followed, or (b) the decision is unreasonable.

5. Le(s) propriétaire(s) ou l'occupant ou les occupants à qui une copie d'une décision a été fournie par le *Comité des appels sur les résidences non conformes aux normes de Saint John* concernant un AVIS peut (peuvent), 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 l'arrêté n'a pas été suivie, ou (b) la décision est déraisonnable.