

Unightly and Dangerous Premises**1. Purpose**

Every property in the Municipality shall be maintained so as not to be dangerous or unsightly. This policy describes the delegation of authority and processes to carry out municipal responsibilities for unsightly and dangerous properties as provided in the *Municipal Government Act*.

2. Authority

Sub-section 3(r) of the *Municipal Government Act* defines “dangerous or unsightly.”

Section 41 of the *Municipal Government Act* provides that the chief administrative officer may designate a county employee to be the administrator responsible for dangerous and unsightly premises provisions of the Act.

Part XV of the *Municipal Government Act* provides authority for:

- Council to delegate its authority for acting in circumstances of unsightly and dangerous premises, except authority to order demolition;
- Orders to be issued to remedy dangerous or unsightly conditions and how they are provided to property owners;
- Undertaking the work to remedy conditions if the property owner does not act and to recover the costs;
- Fines to be imposed on property owners permitting dangerous or unsightly conditions;
- Requiring an unsafe property to be vacated;
- Administrator to enter and inspect properties;
- Twice yearly reports to council; and
- Property owners to appeal an order of the administrator to council.

3. Definitions

Terms used in this policy shall have the same meaning as in the *Municipal Government Act*, or as their context applies according to a dictionary of the English language.

4. Delegation

Council delegates its authority to act regarding dangerous and unsightly premises to the administrator, except the authority to order demolition.

Council delegates its authority to hear appeals and order demolition of dangerous or unsightly premises to the Committee of the Whole.

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When public safety requires immediate action, the administrator may act as necessary to eliminate danger as quickly as possible including removal of a dangerous structure or condition. Such circumstances do not require Council to issue an order for demolition.

5. Reports of Dangerous or Unightly Properties (Step 1)

Any resident or ratepayer may report a dangerous or unightly property. Each report will be recorded on a form for this purpose and followed up with an initial inspection within fourteen (14) days.

Complaints shall be considered confidential but are subject to Part XX of the *Municipal Government Act*, Freedom of Information Protection of Privacy.

6. Investigations and Notices Regarding Dangerous or Unightly Properties (Step 2)

The administrator or investigator shall determine, based upon the site inspection report prepared by an investigator or by personal inspection, whether the property is dangerous or unightly.

If the administrator determines a property is not dangerous or unightly, no action will be taken.

If the administrator determines a property is unsafe, the administrator may make an order to have the property vacated.

If the administrator determines a property is dangerous or unightly, they shall advise the property owner by notice delivered by mail, courier, posting or personal service (or combination). The notice shall state what is required to remedy the unightly or dangerous condition and require them to contact the administrator or an investigator within thirty (30) days of the date of the notice.

The administrator or an investigator shall advise of the action taken on a complaint to the complainant who reported the dangerous or unightly condition.

At least quarterly, an information report shall be submitted by the administrator to Committee of the Whole summarizing complaints, actions taken, and status with respect to dangerous or unightly premises.

7. Issuing Orders Regarding Dangerous or Unightly Properties (Step 3)

If a dangerous or unightly condition has not been remedied in accordance with a notice as provided above, the administrator or investigator may issue an order requiring the owner to remedy the unightly or dangerous condition within thirty (30) days. The order shall be posted on the property with a copy provided to the property owner by courier or registered or mail.

A property owner may appeal an order from the administrator to Committee of the Whole within seven (7) days of the date of the order.

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8. Demolition Orders

When the administrator is proposing council issue an order for demolition, at least seven (7) days' notice shall be provided to the property owner specifying the date, time and place of the meeting at which the order will be considered. The property owner(s) shall be given the opportunity to appear and be heard before any order is issued.

9. Court Orders

Notwithstanding any other provisions of this policy, the municipality may apply to a court of competent jurisdiction for a declaration that a property is dangerous or unsightly and / or an order requiring necessary work to remedy the condition.

10. Charges and Penalties

When a property owner fails to comply with an order and the administrator determines it is necessary for the municipality to carry out the specified work, the costs (plus interest) shall be recovered from the property owner in the manner provided under the *Municipal Government Act* and as may be amended from time to time (currently section 507).

When the property owner fails to comply with an order within the specified time, the owner may be charged a penalty pursuant to the powers granted under the *Municipal Government Act* and as may be amended from time to time (currently sub-section 348(4)).

11. Notifications to Councillors

The administrator shall notify the councillor of the area by phone or email (as appropriate) prior to issuing a notice or order. A copy of all correspondence shall also be provided to the councillor.

12. REPEAL

AM-1.4.15 Unsightly and Dangerous Premises Policy, adopted by Municipal Council of the County of Annapolis on October 25, 2022, is hereby repealed.

Annotation for Official Policy Book

I certify that this policy was adopted by Municipal Council as indicated below:

Seven (7) Day Notice **May 13, 2025**
Council Approval **May 20, 2025**

Chris McNeill

Chief Administrative Officer

May 20, 2025

Date

At Annapolis Royal, Nova Scotia