



COUNCIL POLICY

NAME Remedial Properties and Derelict Buildings	POLICY NUMBER C-02-22
DEPARTMENT: Emergency and Protective Services	ATTACHMENTS

DATE APPROVED: February 7, 2022	REVISION DATE:
SUPERSEDES:	

1. POLICY STATEMENT

The Town of Drumheller is implementing an initiative and process to seek the remediation or removal of derelict buildings and unkempt residential properties.

2. PURPOSE

To continue to build on the Town of Drumheller as a desirable community to live and work, and to capitalize on growth and development while protecting the health, safety, and welfare of the public.

This policy will guide the implementation of remedying any public nuisance problems to prevent deterioration, unsightly, unsafe, blight and consequent adverse impacts on the value of any nearby properties

3. SCOPE

This policy applies to all owners and occupiers of property within the Town of Drumheller.

4. DEFINITIONS

- (a) "Notice to Remedy" means a notice issued pursuant to town bylaws that requests remediation of a condition that is not in compliance with provisions of town bylaws.
- (b) "Remedial Order" means an order written pursuant to Section 545 and Section 546 of the Municipal Government Act.
- (c) "Unsightly Property" means in respect of a Building, includes a Building whose exterior shows signs of significant physical deterioration, and in respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep, and which is in the opinion of the designated officer, detrimental to the surrounding area

5. SET STANDARDS

No owner or occupier of property shall permit on the premises:

- (a) unsafe structure(s);
- (b) unsightly items, refuse or any accumulation of either

6. PROCESS AND AUTHORITY

In order to achieve greater compliance in a shorter period of time and to obtain a more accurate picture of the work that needs to be completed to prevent further deterioration, safety and degradation of property values the following steps have been put in place by the Town of Drumheller and will be undertaken by Municipal Enforcement:

Authority for the initiative is derived from the *Municipal Government Act RSA 2000 Chapter M-26*, specifically, Section 546.

6.1 Identification

- 6.1.1 Street by street analyses of the Town to identify all properties and buildings not in compliance with the authority of bylaws, safety, and building code requirements in place.

6.2 Investigation

- 6.2.1 If issues are detected, contact will be made with the Owner or Occupier to perform a full exterior inspection. If Owner or Occupier are not receptive, officers will attempt to conduct initial assessment from adjacent public land.
- 6.2.2 Level of distress documented; steps will be determined as to what needs to take place to rectify issues detected;
 - (a) cosmetic work
 - (b) rehabilitation and economic feasibility of such
 - (c) demolition recommended/not economically feasible for rehabilitation or obvious safety issues. In extreme instances, immediate demolition may be deemed necessary

6.3 Resolution Process

- 6.3.1 If little or no progress has been attempted, the Enforcement Officer will issue a Notice to Remedy which permits a two-week time frame for work to be completed, under extenuating circumstances an extension may be issued by the Officer.
- 6.3.2 If there is little to no change after the allotted time the Officer will issue a Remedial Order stating the deficiencies and the tasks that must be completed with a further deadline of two-weeks. The property owner may file an appeal with the town within 14 days of receiving the order.

6.3.3 If the Remedial Order is not complied with;

- (a) A fine of \$500 may be applicable under the Community Standards Bylaw.
- (b) The town solicitor may make an application to the Court of Queen's Bench for a Court Order.

6.3.4 If the Court Order is granted it will grant the property owner additional time to voluntarily remedy property deficiencies. If the property owner fails to correct the deficiencies within that timeframe the town may access the property, and perform such work required to remediate the premises at the owners expense. This shall be added to the tax roll for the property and the work to remediate can start immediately without property owner or property resident consent.


7. REFERENCES

Municipal Government Act RSA 2000 Chapter M-26


Safety Codes Act RSA 2000 Chapter S-1

Community Standards Bylaw 06.19

Land Use Bylaw 16.20



MAYOR



CHIEF ADMINISTRATIVE OFFICER

REVISIONS	
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