

September 21, 2020

The Municipal Council for the Municipality of the County of Pictou met by teleconference/video-conference for a special meeting of Council on Monday, September 21, 2020 at 7:00 p.m.

PRESENT

Dist.	1	Clr. Don Butler
	2	Clr. Deborah Wadden
	3	Clr. Darla MacKeil
	4	Clr. Ronald Baillie
	5	Deputy Warden Wayne Murray
	6	Warden Robert Parker
	7	Clr. David Parker
	8	Clr. Larry Turner
	9	Clr. Peter Boyles
	10	Clr. Randy Palmer
	11	Clr. Andy Thompson
	12	Clr. Chester Dewar

IN ATTENDANCE

Brian Cullen, CAO, Municipal Clerk-Treasurer
Karen Cornish, Deputy Municipal Treasurer
Carolyn MacIntosh, Deputy Municipal Clerk
Sueann Musick, Communications Officer
Anne MacCarthy, By-Law Enforcement Officer
Jane Johnson, Recording Secretary

PURPOSE

The purpose of the meeting was to provide an opportunity for George Allen O'Laney and Kathleen Theresa O'Laney to attend Council and speak on a draft order for the demolition of structures at 813 River John Road, Hedgeville and the removal of debris at this location.

DANGEROUS & UNSIGHTLY PREMISES HEARING, GEORGE ALLEN O'LANEY & KATHLEEN THERESA O'LANEY, 813 RIVER JOHN ROAD, HEDGEVILLE

Warden R. Parker called the meeting to order and convened the Dangerous & Unsightly Premises hearing on the O'Laney property at 813 River John Road, Hedgeville.

The By-Law Enforcement Officer directed Councillors to view pictures that were taken earlier today and circulated in advance of the meeting by email. Notice of the Opportunity to Attend Council was posted on the lot on September 10th. She explained that the roof on the house has holes in it and there are wires connected to the property but there are no meters so she will contact NSP to address that issue. The shed is surrounded with wood siding and a variety of household garbage which is overgrown with vegetation in many of the pictures. The shed is emptied out into the yard and should also be included in the order. The shed behind the house is opened and sloped similar to the house. The By-Law Enforcement Officer pointed out most windows in the house are broken. The property is located on the River John Road and is visible to traffic. The property is 0.75 acres and taxes owing are \$3,000.00+ in arrears. The property has been vacant for some time however she has been advised that local family members have dropped off debris at this location. All mail sent to the owners has been returned by the post office undelivered.

The CAO reported the owners were provided with details to join this meeting electronically or by phone but have not done so.

Clr. Baillie commented that the pictures do not show the extent of the debris and the By-Law Officer replied that it is very treacherous getting around the property.

Clr. Wadden commented that the property on Little Harbour Road that was demolished has made quite a difference in the area so once this property is demolished it would be look similar.

Warden R. Parker asked what would prevent relatives from dumping more garbage on the property.

The CAO replied that the property would remain in the current owner's name so dumping might continue but we could monitor the property to keep the dumping under control.

Warden Baillie advised that the neighbor across the road will definitely keeping a close eye on the property so we will know if there is dumping on the property.

RESOLUTION – DEMOLITION ORDER

Clr. Baillie presented a resolution to Council as follows:

RESOLUTION

BE IT RESOLVED by the Municipal Council for the Municipality of the County of Pictou that Council finds that the property located at 813 River John Road, Hedgeville (Tax Account #02062895), and further described in the attached Order is dangerous and unsightly;

AND BE IT RESOLVED that Council, pursuant to Section 346 of Part 15 of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, make an Order in the form attached hereto and forming part of this resolution, the said Order to be signed and issued forthwith on behalf of the Council by the Chief Administrative Officer of the Municipality or his designate.

DATED at River John, N. S. this 21st day of September, 2020.

(Sgd.) Ron Baillie
Wayne Murray

ORDER

MUNICIPAL GOVERNMENT ACT, STATUES OF NOVA SCOTIA, 1998, CHAPTER 18 ORDER REQUIRING DEMOLITION

TO: George Allen O'Laney & Katherine Theresa O'Laney

TAKE NOTICE that pursuant to Section 346 of *The Municipal Government Act*, The Council of the Municipality of the County of Pictou ("the Council" and "the County") has determined that the property located at 813 River John Road, Hedgeville, Pictou County, Nova Scotia, associated with Tax Account Number 02062895, and PID #00821595, which lands are included in those more particularly described in Schedule "A" hereto attached and forming a part hereof ("the Property") is dangerous or unsightly.

AND FURTHER TAKE NOTICE that the Council orders you to remedy these conditions by doing all of the following work, acts or things ("the work") on the property, that is to say:

Complete all required work to the property as listed below:

- (1) Demolish the house structure and two shed structures, which are in a ruinous or dilapidated condition, leaving the site in a safe condition.
- (2) Remove all debris from the property and dispose at an approved site. For greater certainty, but not limiting the generality of this obligation, all debris on the entire property must be removed.

THE WORK IS TO BE COMPLETED AND DONE WITHIN THIRTY (30) DAYS OF THE DATE OF SERVICE OF THIS ORDER.

AND FURTHER TAKE NOTICE

THAT in the event of failure by you to comply with the requirements of this Order within Thirty (30) days after its date of service, the administrator may enter upon the property without warrant or other legal process and carry out the work specified in this Order;

THAT the cost of the work, with interest at the rate determined by the Council, from the date of the completion of the work until the date of payment:

- (a) Is the first lien on the property upon which the work was done and that the property is liable to be sold in a tax sale in accordance with *The Municipal Government Act*, and;
- (b) May at any time be sued for and recovered in an action in the name of the County.

THAT after this Order is served; any person who permits or causes a dangerous or unsightly condition, continues to permit or cause a dangerous or unsightly condition or fails to comply with the terms of the Order is liable, on summary conviction, to a penalty of not less than One Hundred (\$100.00) Dollars, and not more than Five Thousand (\$5000.00) Dollars, and, in default of payment, to imprisonment for not more than three (3) months;

THAT every day during which the condition is not remedied is a separate offence.

MOTION

It was moved by Clr. Baillie and seconded by Deputy Warden Murray that the preceding resolution be adopted as presented.

Motion carried.

ADJOURN

It was moved by Clr. Boyles and seconded by Clr. D. Parker that the meeting adjourn.

Motion carried. (7:14 p.m.)

Robert Parker
Warden

Brian Cullen
Municipal Clerk