
TO: CITY MANAGER **DATE:** 2008 April 08

FROM: DIRECTOR FINANCE

SUBJECT: UNSIGHTLY/OVERGROWN PROPERTY AT 31 HYTHE AVENUE NORTH

PURPOSE: To obtain Council Authority for City staff to enter the property at 31 Hythe Avenue North to cut back, mow and remove the 'out of control' tall grass, weeds and tangled blackberry bushes - at the property owner's expense, in accordance with Burnaby's Unsightly Premises Bylaw.

RECOMMENDATION:

1. **THAT** Council authorize City staff to enter the property at 31 Hythe Avenue North, to cut back the unsightly overgrowth of tall weeds, grass and massive tangle of blackberry bushes and other miscellaneous discarded materials from the front, side and rear yards. All costs resulting from this cleanup and removal will be charged to the property owner and will be applied to the property taxes if unpaid by December 31 of the year in which the expenses were incurred.

REPORT

On 2003 July 10 the City received an unsightly premises complaint about the residential property at 31 Hythe Avenue North. An initial inspection confirmed the overgrown property on all four sides. Staff confirmed that the owner of the problem property – Mr. Mo K Chew, did indeed live at 31 Hythe Avenue. A letter was sent on 2003 August 31 and the file was subsequently closed on 2003 October 29 when it was discovered that Mr. Chew had done a reasonable job of cleaning up.

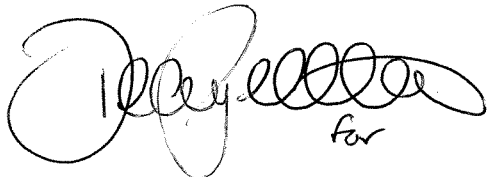
Since then the City has received four more complaints about this unsightly overgrown property in 2005, 2006, 2007 and 2008. A total of five letters were sent out over the years. Staff made numerous attempts to speak with the owner; knocking on the front door at various times of the day as well as on Thursday evenings. Business cards, notes, copies of Burnaby's Unsightly Premises bylaw have also been taped onto the front door. The property owner, Mr. Chew has never acknowledged receipt of any of the letters or cards and has never opened his front door to staff even when vehicles parked out front and lights on in the house have indicated a presence in the home. During the past four years, the blackberry bushes have taken over the yard.

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Attached are recent photos of the property taken on Wednesday, 2008 April 9.

As a result of the continued bylaw violations, staff request Council approval to have City crews enter the property, with the necessary equipment to conduct the cleanup in order to achieve compliance with the Unsightly Premises Bylaw. Engineering Department staff have estimated the cost for cleanup and disposal of the visible yard waste at somewhere between \$1000.00 and \$3000.00 dependent upon the type of debris that may be found under the thick mass of blackberry bushes in the back yard. Mr Chew was advised in a letter dated 2008 March 17 of this possible course of action and the estimated costs but still has not responded.

Under the provisions of the Unsightly Premises Bylaw No. 5533, Council may authorize the City of Burnaby, by its employees or other persons, at reasonable times and in a reasonable manner, may enter on the property and effect the clearing at the expense of the person who has failed to comply, and the expenses for so doing, if unpaid on the 31st day of December of the year in which the expenses are incurred, shall be added to and form part of the taxes payable in respect of that real property as taxes in arrear.

A handwritten signature in black ink, appearing to read "Rick Earle", with the word "for" written below it.

Rick Earle
DIRECTOR FINANCE

JM:sk

Attachments

Copied to: Director Engineering



Shed/outbuilding at laneway



Shot from the lane



← Patio

Shot from rear patio towards the laneway



115 Shot from laneway towards the rear of the house