
TO: CITY MANAGER **DATE:** 2010 June 30
FROM: DIRECTOR FINANCE **FILE:** RFS09-01538
SUBJECT: UNSIGHTLY PREMISES AT 6227 PORTLAND STREET
PURPOSE: To obtain Council authority for City staff or agents to enter the property at 6227 Portland Street to remove unsightly materials and overgrowth at the property owner's expense, in accordance with the Burnaby Unsightly Premises Bylaw.

RECOMMENDATION:

1. **THAT** Council authorize City staff or agents to enter the property at 6227 Portland Street, to remove and dispose of the accumulation of rubbish, discarded materials and overgrowth referred to in this report that have created unsightly conditions, the costs of which will be charged to the property taxes if unpaid by December 31 of the year in which the expenses were incurred.

REPORT

The property at 6227 Portland Street is zoned as a RESIDENTIAL DISTRICT (R5) and is owned by Randall Warwick. The property has a single family dwelling that is currently occupied by the property owner.

In 2004 the property was the subject of a complaint of unsightliness which was eventually resolved in April of 2007, when City staff performed a Council authorized clean up of the property under the Burnaby Unsightly Premises Bylaw. In July of 2009, the current complaint was received claiming that the property was again unsightly. Site inspections performed by staff have confirmed that the property is once again in violation of the Bylaw.

Although the site had previously been cleaned by City personnel, upon receiving the 2009 complaint, staff attempted to work with the property owner to achieve voluntary compliance and avoid repeated City action. The most recent inspection revealed that the amount of discarded materials and overgrowth on the property is similar to that of 2007 when last Council authorized a clean up of the subject property.

To: City Manager
From: Director Finance
Re: UNSIGHTLY PREMISES AT 6227 PORTLAND STREET

2010 June 30Page 2

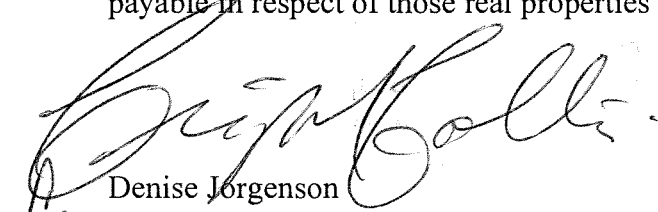
The accumulation of unsightly materials on the property includes items such as; used lumber, metal brackets and clay roof tiles. The bulk of the property, and especially the rear yard, are overgrown with grass, blackberries and other thorny vegetation. Images of the property taken on 2010 June 29, are provided for the information of Council as **Attachment 1**.

Compliance letters were sent to the property owner on 2009 July 13 and again on 2009 August 26. Staff also placed phone calls to the property owner only to be met with either a busy signal or no answer. Staff have also attended the property and knocked on the front door with no response. Neighbourhood inquiries reveal that a male does regularly attend the property.

A registered compliance letter was sent to the property owner on 2010 May 17. Canada Post attempted to deliver this letter on 2010 May 26 with no success. To date it remains uncollected at the local Post Office. Additional copies of all three letters sent to the property owner were affixed to the front door of the dwelling. For these reasons, the Licence Office recommends a direct clean up effort rather than utilizing a Bylaw Violation Notice sent through the mail.

Despite staff efforts to achieve voluntary compliance with the Bylaw the property remains in an unsightly state. As a result of the continued bylaw violation, staff request Council approval to have City personnel or agents enter the property to perform the necessary clean up, removal and disposal of discarded materials, debris and overgrowth contributing to unsightly conditions, at the expense of the property owner. An estimate for the cost to perform the clean up has been provided by staff from the Engineering Department at \$1,800.00.

Under the provisions of the Burnaby Unsightly Premises Bylaw No. 5533, Council may authorize the municipality by its workmen, or others, to enter upon the said real property and effect such removal at the expense of the persons so defaulting and the charges for so doing, if unpaid on the 31st day of December in any year, shall be added to and form part of the taxes payable in respect of those real properties as taxes in arrear.


Denise Jorgenson
for DIRECTOR FINANCE

RG:sf

Attachment

Copied to: Director Engineering

