



Item.....	04
Meeting.....	2010 March 15

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2010 March 10
FROM: DIRECTOR FINANCE **FILE:** RFS09-02215
SUBJECT: UNSIGHTLY PREMISES AT 236 FELL AVENUE
PURPOSE: To obtain Council authority for City staff or agents to enter the property at 236 Fell Avenue and remove unsightly materials at the property owner's expense, in accordance with the Unsightly Premises Bylaw.

RECOMMENDATION:

1. **THAT** Council authorize City staff or agents to enter the property at 236 Fell Avenue, to remove the accumulation of used automotive parts, used building materials, rubbish, and discarded items referred to in this report that have created unsightly conditions, the cost of which will be applied to the property taxes if unpaid by December 31 of the year in which the expenses were incurred.

REPORT

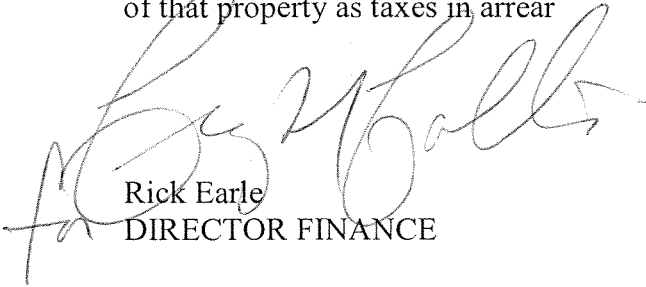
On 2009 September 23 the City received an unsightly premises complaint concerning a Residential District R9 zoned property located at 236 Fell Avenue. A 2009 September 28 inspection confirmed the accumulation of used automotive parts, used building materials and other discarded rubbish and debris strewn about the property contrary to the Unsightly Premises Bylaw.

Over the past 6 months staff has worked with the tenant Michael Kallops and the property owner John Kallops, in order to achieve voluntary bylaw compliance. Compliance letters have been sent to the tenant and owner on 2009 September 29, 2009 October 15, and 2009 December 09. In addition, several phone calls and two joint site inspections that involved City staff, the tenant and owner have been made in an attempt to achieve voluntary bylaw compliance. Despite these actions only minimal improvement has been made, and the property still remains in contravention of the Unsightly Premises Bylaw. Images of the property taken on 2010 March 03 are attached for the information of Council.

As a result of the continued bylaw violation, staff request Council approval to have City personnel enter the property to perform the necessary clean up and disposal of discarded materials and debris at the expense of the property owner. An estimate for the cleanup and removal of the discarded items on site is approximately \$2000.00

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Under the provisions of the Burnaby Unsightly Premises Bylaw No. 5533, Council may authorize the municipality by its workmen and others to enter the property and effect such removal at the expense of the person so defaulting and the charges for doing so, 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 that property as taxes in arrear



Rick Earle
DIRECTOR FINANCE

CJG:ml

