

October 19, 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, October 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
	8	Clr. Larry Turner
	9	Clr. Peter Boyles
	10	Clr. Randy Palmer
	11	Clr. Andy Thompson
	12	Clr. Chester Dewar

ABSENT

Dist.	7	Clr. David Parker
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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/Dog Control Officer
Jane Johnson, Recording Secretary

PURPOSE

The purpose of the meeting was to provide an opportunity for Craig John Fawcett and/or the Estate of Craig John Fawcett & Phillippe Dimopoulous to attend Council and speak on a draft order for the demolition of structures at 44 Priestville Loop, Priestville and the removal of debris at this location.

DANGEROUS & UNSIGHTLY PREMISES HEARING, CRAIG JOHN FAWCETT AND/OR THE ESTATE OF CRAIG JOHN FAWCETT & PHILLIPE DIMOPOULOUS, 44 PRIESTVILLE LOOP, PRIESTVILLE, 7:00 P.M.

Warden R. Parker called the meeting to order and convened the Dangerous & Unsightly Premises hearing on the Fawcett property at 44 Priestville Loop, Priestville. No one was present representing the owners or Estate.

The By-Law/Cog Control Officer directed Councillors to pictures that were taken earlier today and circulated in advance of the meeting by email. She reported that complaints were received on March 16, 2020 in regard to animals at large, garbage on the property and potentially dangerous and/or unsightly conditions. There were also concerns that people were residing in a travel trailer at the site because the house had previously been condemned. She made inquiries as to the agency that condemned the site, to no avail. On July 7th, 2020 she sent a notice giving the property owner until July 27th to address concerns. On July 14th, 2020 she received an email stating that Mr. Fawcett had passed away on March 16th, 2020. Mr. Fawcett's girlfriend (Ms. Charlton) was attempting to clean up the property. The By-Law/Dog Control Officer informed Council that she visited the site on August 11th and spoke with Ms. Charlton regarding the garbage, buildings, animals (fowl) running at large. Ms. Charlton had informed her that she has no legal

right to the property so she would not be cleaning it up, but that she had arranged for someone to collect the ducks and chickens. On August 11th, 2020 she requested a title search. On August 16th the ducks and chickens were removed from the site. The title search was received on September 9th and the Notice of Opportunity to appear before Council was posted on October 7th. The property is 0.16 acres m/l and both water and sewer services are available. The assessed value of the property is \$22,200 with no arrears on taxes. The By-Law/Dog Control Officer recommended complete demolition of the structures and removal of all debris.

Warden R. Parker asked if the house was also in poor condition and the By-Law Officer replied that a wall inside the house has collapsed.

Clr. Boyles reported he was talking to the RCMP about having the owners clean up the property but that nothing was done.

Clr. Wadden asked if the owner was still living in the trailer and the By-Law/Dog Control Officer advised that the trailer has been abandoned.

The By-Law Officer informed Council that she included a map that shows the density of population in the area, noting that the surrounding properties are well kept.

RESOLUTION – DEMOLITION ORDER

Clr. Boyles 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 44 Priestville Loop, Priestville (Tax Account #04661427), 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 Hillside, NS this 19th day of October, 2020.

(Sgd.) Peter Boyles
Darla MacKeil

ORDER

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

TO: Craig John Fawcett and/or the Estate of Craig John Fawcett and Phillipe Dimopoulous

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 44 Priestville Loop, Priestville, Pictou County, Nova Scotia, associated with Tax Account Number 04661427, and PID #00874917, 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, barn and 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 the travel trailer 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. Boyles and seconded by Clr. MacKeil that the preceding resolution be adopted as presented.

Motion carried.

ADJOURN

It was moved by Deputy Warden Murray and seconded by Clr Butler that the meeting adjourn.

Motion carried. (7:09 p.m.)

Robert Parker
Warden

Brian Cullen
Municipal Clerk