

## **Appendix A: Jurisdictional Scan**

A jurisdictional scan of the following cities was undertaken to better understand the operations of similar cities across the country:

- Saskatoon
- Prince Albert
- North Battleford
- Moose Jaw
- Estevan
- Winnipeg
- Brandon
- Surrey
- New Westminster
- Hamilton
- Edmonton
- Calgary

There are a very small number of cities across Canada that require a permit for boarded-up and/or vacant buildings. The majority of the municipalities surveyed followed the applicable provincial legislation without additional measures. A large number of Saskatchewan municipalities were investigated as they are bound by the same provincial legislation for enforcement as set out in *The Cities Act* which would have allowed for more easily adopted changes. The review revealed that reliance on the Act is common, with no additional measures set out for managing property maintenance issues including vacant, abandoned, unsecured, boarded or fire damaged structures. There were also no other significant policies or bylaws that provided opportunities that could be used in Regina.

The following municipalities have implemented programming to enhance the management of vacant, abandoned, boarded up and burned residential properties:

- Saskatoon
- Winnipeg
- Brandon
- Halifax
- New Westminster

A select few have also instituted additional measures to manage repeat offenders, both properties and owners:

- Hamilton
- Edmonton
- New Westminster

Based on the review of all jurisdictions, the proposed changes for Regina have been modelled after the authority set out in *The Cities Act*.

### **Saskatoon**

The City of Saskatoon implemented several changes to improve efficiency handling bylaw violations. A priority enforcement system was implemented in May 2020 to manage property maintenance cases more effectively in the community, and in particular boarded buildings in key

neighbourhoods. Several other options were examined and determined to be costly and require significant resources to be effective.

In a September 2020, update to the Saskatoon City Council, it was revealed that the average time to inspect cases related to boarded structures was reduced from 46.4 days to 2.5 days. These cases are in various stages of the Order process, including repair and demolition, the priority system has better enabled the City of Saskatoon Fire & Emergency Department to manage properties and communicate with owners in order to resolve cases. Using the authority set out in *The Cities Act*, Saskatoon has also implemented a cost-recovery system where work performed by the City of Saskatoon is charged to the property taxes of the owner in the event that compliance is not achieved within a reasonable timeframe.

Saskatoon has implemented a procedure in relation to contraventions where a Notice of Violation of the Bylaw is subject to pay increasing penalties: first contravention, \$250; second contravention, \$500; and a third contravention, \$750. This is similar to the voluntary payment schedule currently implemented in Regina.

Saskatoon was chosen as a preferred model based on transferability to our community as their bylaws are governed by the same provincial legislation. While the organizational structure is different, there are elements of their enforcement practices that can be implemented in Regina.

### **New Westminster**

Governed by the *Community Charter*, the *Local Government Act* and the *Interpretation Act*, New Westminster introduced a bylaw to regulate rental units in 2004. These pieces of legislation differ from the governance structure found in Saskatchewan, providing the authority to manage bylaws that regulate property management and levy fines against contraventions, including the ability to create a fee-for-service model when resources are consumed, regardless of whether it is voluntary use. This is not available to Saskatchewan municipalities under *The Cities Act*, which does not have the same legislative authority for these types of issues.

The *Business Regulations and Licensing (Rental Units) Bylaw* aims to manage rental tenancy standards for residential properties and rental units similar to *The Community Standards Bylaw* and *Building Standards Bylaw* for any residence larger than a single dwelling unit or single dwelling unit with no more than one secondary suite. Building Inspectors manage violations of this nature under this model. The City of New Westminster requires property owners to obtain a business license to operate the rental unit and provide information about that unit. Corresponding to the rental unit, a tenant register is required to be kept by the owner and produced upon request. Bylaw violations arising at rental properties may result in the revocation of the business license and proactive property management by the City of Westminster.

New Westminster has also enacted bylaw language to manage repeat offenders. Under Nuisances, repeat offenders having three or more nuisance service calls for a single residential property within 12 months can be charged an “excessive nuisance abatement fee” for each additional call to the property. Charges are as follows:

- Police Nuisance Response and Abatement Service Call - \$250/call
- City Staff Nuisance Response and Abatement Service Call - \$100/hour
- Administration Fee – 10 per cent on Total Service Call Fees
- Plus, any applicable taxes

## **Winnipeg**

The City of Winnipeg's dedicated vacant building bylaw is a comprehensive piece of legislation that requires permits and encompasses both residential and commercial properties. Residential boarding permits are \$2,360 per year. Commercial boarding permits are as follows:

- Year 1 - \$2,360
- Year 2 - \$4,150
- Year 3 - \$5,850
- Year 4 - \$7,610
- Each year after – add \$1,770 to previous year's fee

All vacant properties are also subject to an annual inspection fee of \$590 for compliant properties and \$1,170 if repair orders are issued. Should the building become occupied or have boards removed, an occupancy permit must first be issued.

It is important to note that *The Manitoba Municipal Act* identifies Derelict Properties as a concern and bestows authority to cities to develop strategies. Saskatchewan municipalities rely heavily on the language in *The Cities Act* which does not have the same legislative authority for these types of issues.

## **Brandon**

The City of Brandon has a similar system to Winnipeg with two classifications for unoccupied buildings. The Bylaw Enforcement Branch manages all exterior issues, and the Building Standards Branch is responsible for ensuring the interior of structures is maintained within the bylaws.

The Vacant Building Program requires owners to maintain habitable properties, including the yard and all buildings on the property, as well as obtain a Vacant Building Certificate. A Boarded Building Permit is issued to properties that are dilapidated, have structural issues, are placarded or have been found to be at risk of break-ins. This system was created as part of the downtown revitalization plan and is used to motivate property owners to reoccupy or demolish rundown buildings. The programs run on a cost-recovery basis and is not meant to be punitive, typically with only one demolition being done each year by the City of Brandon and only three to four complaints being received for boarded buildings across the community.

As above, it is also important to note that *The Cities Act* does not provide for as prescriptive legislation as is found in *The Manitoba Municipalities Act*.

## **Hamilton**

The City of Hamilton implemented a bylaw dedicated to managing vacant buildings, including a multi-family dwelling registry for properties with four or more suites. Properties with less than four suites are not required to be registered with the City of Hamilton when vacant. If a property with four or more suites has tenants, they are also not required to register with the City of Hamilton. Owners are required to inform the City of Hamilton if that building is empty and pay associated fees for inspections and administration of the vacant property. Fees include:

- Registration - \$1,082.99
- Administration fees = \$283
- Yearly inspection fee - \$707.96

**Edmonton**

The City of Edmonton has a two-tier response system for bylaw complaints. Community Standards Peace Officers respond to on-the-spot bylaw concerns and deal with issues on public property. Municipal Enforcement Officers investigate complaints relating to *The Community Standards Bylaw* and other non-urgent bylaw violations on private property.

While they do not currently have dedicated bylaws for managing vacant or boarded buildings, the City of Edmonton does have language within *The Community Standards Bylaw* to govern how and when boarding is used and how other property maintenance issues are managed. Contained within their bylaw is also language to manage repeat offenders through increasing fines for non-compliance.