



AGENDA

Committee of the Whole
to be held on September 27, 2022 at 1:00 p.m.
977 South Maquinna Drive in Council Chambers and by electronic means

Remote Access

To attend this meeting remotely via Microsoft Teams/ phone
Join the Village of Tahsis Microsoft Teams Meeting
[Click here to join the meeting](#)
Or call in (audio only)
Toronto, Canada
+1 437-703-5480
Phone Conference ID: 693 613 527#

Microsoft Teams may be hosted on servers in the U.S., so the name you use with Microsoft Teams and metadata about how you use the application may be stored on servers outside of Canada. If you have privacy concerns: a) don't create your own account with Microsoft Teams, b) provide only your first name or a nickname when you join a session, c) keep your camera off and microphone muted, as much as you can, and d) try to avoid sharing any identifying information.

Call to Order

Land Acknowledgement

Mayor Davis will acknowledge and respect that we are meeting upon Mowachaht/Muchalaht territory.

Introduction of Late Items

None.

Approval of the Agenda

New Business

**M 1 Re: Paracy, Terry, 374 Alpine View Road: Failure to comply with Notice
Issued on August 25, 2022 under the Property Maintenance Regulation
Bylaw No. 614, 2019**

Adjournment



Village of Tahsis

September 20, 2022

Terry Paracy
374 Alpine View Road
Tahsis, BC
VOP 1X0

HAND DELIVERED

Notice of Council Meeting Regarding 374 Alpine View Road

RE: 374 Alpine View Road, Lot 67, Plan VIP 30721, DL595, Nootka Land District, Property Maintenance Regulation Bylaw No. 614, 2019

On July 21, 2022 and on August 25, 2022 the Village of Tahsis Bylaw Compliance Officer served you with Notices to Comply (attached) pursuant to s. 34 of the Property Maintenance Regulation Bylaw No. 614, 2019.

The relevant sections of the Bylaw are attached.

You failed to comply with the Bylaw by the dates stated in the Notice.

On September 27, 2022 at 1 PM Council will decide whether to order you, as the Property Owner, to comply with the Bylaw. Prior to making that decision, Council will provide you with an opportunity to be heard at the Council meeting.

Please contact the Village office (reception@villageoftahsis.com or 250-934-6344) to advise if you will address Council at this meeting.

Sincerely,

Mark Tatchell
Chief Administrative Officer

Village of Tahsis
977 South Maquinna Drive
P.O. Box 219 Tahsis BC VOP 1X0
TEL: (250) 934-6344 FAX: (250) 934-6622
www.villageoftahsis.com

Property Maintenance Regulation Bylaw No. 614 (ss 34-40)

NOTICE TO COMPLY

34. *In addition to any other remedy under any enactment or otherwise available at law, if a Bylaw Enforcement Officer determines that the Owner or Occupier of Land or a Building or any other person, does not comply with this Bylaw, the Bylaw Enforcement Officer may, by written notice, require the Owner, Occupier or other person to comply with this Bylaw.*
35. *Each notice pursuant to this Bylaw must contain the following:*
- (a) in the case of a notice to an Owner or Occupier,*
 - (i) the name of the Owner or Occupier to which it is directed, and the municipal address or location of any Land or Building to which it applies;*
 - (ii) particulars to describe how the Owner or Occupier fails to comply with this Bylaw;*
 - (iii) reasonable particulars of what is required in order to bring the Owner or Occupier into compliance with this Bylaw;*
 - (iv) a reasonable time within which to complete any repairs, work or other actions necessary to bring the Owner or Occupier into compliance with this Bylaw;*
 - (v) a statement that if such repairs, work or other actions are not completed within the time given, the matter may proceed to Council for an order to comply; and*
 - (vi) a statement that if such repairs, work or other actions are not completed within the time given in an order to comply issued by the Council, the Village may proceed to carry out such repairs, work or other actions, and the costs of the Village in doing so will be charged to the Owner or Occupier and may be recovered as a debt to the Village, and if not paid by December 31st of the year in which the costs are incurred, will be added to the property taxes for the Land and Building of the Owner or Occupier as taxes in arrears;*
 - (b) in the case of a notice to another person,*
 - (i) the name of the person to which it is directed, and the municipal address or location of any Land or Public Place to which it applies;*
 - (ii) particulars to describe how the person fails to comply with this Bylaw; (iii) reasonable particulars of what is required in order to bring the person into*

compliance with this Bylaw; (iv) a reasonable time within which to complete any work or other actions necessary to bring the person into compliance with this Bylaw;

(v) a statement that if such work or other actions are not completed within the time given, the matter may proceed to Council for an order to comply; and

(vi) a statement that if such work or other actions are not completed within the time given in an order to comply issued by the Council, the Village may proceed to carry out such work or other actions, and the costs of the Village in doing so will be charged to the person and may be recovered as a debt to the Village.

36. *Any notice required to be given pursuant to this Bylaw must be served by one of the following methods:*

(a) being personally delivered to the person to whom it is addressed;

(b) being left with a person apparently over the age of sixteen years at the location of the Land or Building to which it relates;

(c) being mailed by registered mail to the most recent address of the person to whom it is addressed as shown on the Village's property tax records; or

(d) being posted in a conspicuous place on the Land or Building to which it relates, including near the front entrance of any Building on the Land.

ORDER TO COMPLY

37. *If an Owner or Occupier fails to comply with a notice from a Bylaw Enforcement Officer, Council may order the Owner or Occupier to comply, within a time specified in the order, with the requirements of this Bylaw that are not being met in respect of the Land or Building of the Owner or Occupier.*

38. *Prior to Council making an order under section 37, the Owner or Occupier of the Land or Building shall be given the opportunity to be heard by Council in respect of the matter contained in the notice from the Bylaw Enforcement Officer.*

39. *If the Owner or Occupier fails to comply with an order of Council under section 37, the Village, by its employees, contractors or agents, may act in accordance with section 17 of the Community Charter to fulfil the requirements of the order and to recover the costs of doing so as a debt due to the Village from the Owner or Occupier of the Land or Building which is the subject of the order.*

40. *If any of the costs of carrying out the order of Council under section 37 remains unpaid on December 31st of the year in which the costs were incurred, the costs may be added to the property taxes for the Land and be recovered as taxes in arrears.*



July 21, 2022

SENT VIA REGISTERED MAIL

NOTICE TO COMPLY

Terry J Paracy
PO Box 290
374 Alpine View Road
Tahsis, B.C
VOP 1X0

Dear Mr. Paracy,

You are the registered owner of 374 Alpine View Road in Tahsis. Our office has received a complaint alleging contraventions of the Property Maintenance Regulation Bylaw No. 614, 2019.

An inspection of your property was conducted on June 23, 2022. The inspection found the following:

- Accumulation of garbage, discarded materials, and junk.

The above constitute contraventions of the Village of Tahsis Property Maintenance Regulation Bylaw No. 614, 2019.

Section 2 defines an unsightly property as:

***“Unsightly Property”** includes Land with any one or more of the following characteristics or conditions to such an extent that as a whole the Land looks unkempt, unmaintained, dilapidated or in disrepair:*

(a) The accumulation of Refuse, Graffiti, Derelict Vehicles or Derelict Boats

(b) plants, bushes, hedges, shrubs, and trees that are decaying, dying or dead or are demonstrating uncontrolled growth;

(c) uncontained compost piles;

(d) unused landscaping materials;

(e) any building, other structures, fence, or external surfaces, or part thereof, that contains, holes, breaks, rot, or that is crumbling or crackling, or is covered with rust or peeling paint, or any other evidence of physical decay, neglect, excessive use, or lack of maintenance; or

(f) any other condition similar to those described on paragraph (a) to (e), regardless of the condition of other properties in the neighbourhood in which the Land is located;

Part II: STANDARDS FOR MAINTENANCE OF PROPERTY

UNSIGHTLINESS, UNSANITARY CONDITIONS AND GRAFFITI

9. (1) *An Owner or Occupier must not cause or permit Refuse or other noxious, offensive or unwholesome objects, materials or items to collect or accumulate on or around the Land of that Owner or Occupier.*

(2) *An Owner or Occupier must not cause or permit the Land of the Owner or Occupier to become or remain an untidy or Unsightly Property.*

Please bring this property into compliance with the bylaw by August 4, 2022 by carrying out the following:

- 1. Remove the accumulated refuse on the property.**

This letter is a Notice to Comply issued under s. 34 of the Property Maintenance Regulation Bylaw, No. 614, 2019.

Be advised that if the property is not brought into compliance by carrying out the above direction within the time given in this Notice to Comply, the matter will be referred to Council which may issue an Order to Comply. If Council issues an Order to Comply, the Village will undertake the work necessary to bring the property into compliance, using its own forces or contractors, the cost of which will be charged to you as the property owner and may be recovered as a debt to the Village.

Thank you for your prompt attention and cooperation in this matter. Should you have any further questions, please do not hesitate to contact me at 778.346.9142.

Sincerely,

John Gelacio
BYLAW COMPLIANCE OFFICER

Enclosed: Captured photographs of June, 23, 2022 property inspection.



August 25, 2022

SENT VIA REGISTERED MAIL

NOTICE TO COMPLY LETTER

Terry J Paracy
PO Box 290
374 Alpine View Road
Tahsis, B.C
VOP 1X0

Re: Unsightly Property contrary to zoning at 374 Alpine View Road, Tahsis, B.C

Dear Mr. Paracy,

Our records indicate that you are the registered owner of 374 Alpine View Road in Tahsis. Our office has received a complaint about the unsightly condition of this address.

An inspection of your property was conducted on June 23, 2022 and the accumulation of refuse was found to be in contravention of the Village of Tahsis Property Maintenance Bylaw No. 614, 2019.

Section 2 defines an unsightly property as:

“Unsightly Property” includes Land with any one or more of the following characteristics or conditions to such an extent that as a whole the Land looks unkempt, unmaintained, dilapidated or in disrepair:

(a) The accumulation of Refuse, Graffiti, Derelict Vehicles or Derelict Boats

(b) plants, bushes, hedges, shrubs, and trees that are decaying, dying or dead or are demonstrating uncontrolled growth;

(c) uncontained compost piles;

(d) unused landscaping materials;

(e) any building, other structures, fence, or external surfaces, or part thereof, that contains, holes, breaks, rot, or that is crumbling or crackling, or is covered with rust or peeling paint, or any other evidence of physical decay, neglect, excessive use, or lack of maintenance; or

(f) any other condition similar to those described on paragraph (a) to (e), regardless of the condition of other properties in the neighbourhood in which the Land is located;

Part II: STANDARDS FOR MAINTENANCE OF PROPERTY

UNSIGHTLINESS, UNSANITARY CONDITIONS AND GRAFFITI

9. (1) *An Owner or Occupier must not cause or permit Refuse or other noxious, offensive or unwholesome objects, materials or items to collect or accumulate on or around the Land of that Owner or Occupier.*

(2) *An Owner or Occupier must not cause or permit the Land of the Owner or Occupier to become or remain an untidy or Unsightly Property.*

Please bring this property into compliance with the bylaw by September 2, 2022 by carrying out the following:

1. Remove the accumulated refuse on the property.

Thank you for your prompt attention and cooperation in this matter. Should you have any further questions, please do not hesitate to contact the office at 250-934-6344.

ORDER TO COMPLY

37. *If an Owner or Occupier fails to comply with a notice from a Bylaw Enforcement Officer, Council may order the Owner or Occupier to comply, within a time specified in the order, with the requirements of this Bylaw that are not being met in respect of the Land or Building of the Owner or Occupier*

38. *Prior to Council making an order under section 37, the Owner or Occupier of the Land or Building shall be given the opportunity to be heard by Council in respect of the matter contained in the notice from the Bylaw Enforcement Officer.*

39. *If the Owner or Occupier fails to comply with an order of Council under section 37, the Village, by its employees, contractors or agents, may act in accordance with section 17 of the Community Charter to fulfil the requirements of the order and to recover the costs of doing so as a debt due to the Village from the Owner or Occupier of the Land or Building which is the subject of the order.*

40. *If any of the costs of carrying out the order of Council under section 37 remains unpaid on December 31st of the year in which the costs were incurred, the costs may be added to the property taxes for the Land and be recovered as taxes in arrears.*

Sincerely,

John Gelacio
BYLAW COMPLIANCE OFFICER



Aug 23/22



Aug 23, 2022