

THE FOLLOWING DOCUMENT HAS BEEN REPRODUCED FOR CONVENIENCE ONLY and is a consolidation of the following:

1. Maple Ridge Vacant / Abandoned Building Bylaw No. 6958-2012
2. Maple Ridge Vacant / Abandoned Building Amending Bylaw No. 7186-2015

Individual copies of any of the above bylaws can be obtained by contacting the Clerk's Department.

CITY OF MAPLE RIDGE

BYLAW NO. 6958-2012

A Bylaw to control the condition of vacant / abandoned buildings
so as to reduce the risk these buildings pose

WHEREAS, the Community Charter, provides that Council may by bylaw impose requirements in relation to buildings and other structures;

AND WHEREAS, vacant/abandoned buildings pose a physical risk to citizens and emergency responders of the City as vacant buildings are often in such a state of disrepair that a fire starting in them is likely to spread rapidly endangering life and property;

AND WHEREAS, vacant buildings are frequently found to contain hazardous materials including but not limited to asbestos;

AND WHEREAS, vacant/abandoned buildings negatively affect the form and character of the City;

NOW THEREFORE, the Council of the City of Maple Ridge enacts as follows:

1. This bylaw may be cited as "Maple Ridge Vacant / Abandoned Building Bylaw No. 6958-2012"

DEFINITIONS:

2. In this Bylaw, unless the context otherwise requires:

"Building" means a structure whether temporary or permanent, used or built for shelter, accommodation, or enclosure of persons, animals, materials or equipment;

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"Bylaw Officer" means any person appointed by the Director of Licences, Permits and Bylaws, or their designate, to exercise the powers under this Bylaw;

"Building Official" means the Chief Building Official for the City, and every Building Official appointed by the City to inspect Buildings or Structures in respect of building, plumbing, gas or electrical safety standards;

"City" means the City of Maple Ridge;

"Council" means the Municipal Council of the City of Maple Ridge;

"Director" means the Director of Licences, Permits and Bylaws of the City;

"Fire Chief" means the person who is head of the Maple Ridge Fire Department and his or her designate;

"Inspector" means:

- (a) the Fire Chief, and applicable designate, to be an officer or employee of Maple Ridge Fire Department;
- (b) the Chief Building Official for the City, and every Building Official appointed by the City to inspect Buildings or Structures in respect of building, plumbing, gas or electrical standards;
- (c) a Peace Officer, including a member of the Royal Canadian Mounted Police;
- (d) the Director of Licences, Permits and Bylaws;
- (e) a Bylaw Enforcement Officer;

"Owner" includes the following:

- (a) the registered owner of the land on which the building is situated;
- (b) the owner of a building;
- (c) the person managing or receiving the rent of the land or the building, or who would receive the rent if the land and building were let, whether on the person's own account or as agent or trustee or receiver of any other person;
- (d) a vendor of the building under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement;
- (e) the person for the time being receiving installments of the purchase price if the building were sold under an agreement for the sale; and
- (f) a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the building;

"Vacant/Abandoned" means any building, unit within a building, portion of a building or structure, that is not occupied and that, by reason of its unfinished or dilapidated, or fire damaged condition, that a fire starting in the building will spread rapidly, endangering life and property and or, is open to the elements or is in a state such that there is no control over unauthorized entry to the building or structure.

SECURING OF VACANT/ABANDONED BUILDINGS

3. An owner of any Vacant/Abandoned Building must ensure the premises are made and kept secure against unauthorized entry or occupation at all times.

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4. Acceptable measures to maintain secure Vacant/Abandoned Buildings include one or more of the following:
 - (a) Affix solid barriers to windows, doors, and other potential points of ingress to preclude entry. Solid barriers to be of such material and installed in such a manner that they will maintain security measures at all times and be able to withstand environmental stressors.
 - (b) Install continuous security fencing around the perimeter of the building so as to preclude entry. Fencing to be of a minimum 1.8 meters in height and must be maintained effective at all times.
 - (c) Post an onsite security guard and maintain patrols on a frequent basis so as to preclude entry at any and all times.

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5. Upon initial identification or complaint that a building within the City is Vacant/Abandoned, the Inspector, may attend the property and assess its condition. Upon confirmation that the building(s) is/are found to be in contravention of this bylaw, the inspector will order the owner to secure the premise within 48 hours as per Section 4(a) and/or (b) and/or (c). The inspector will attempt to contact the owner by telephone or in person and written notification will also be sent to the address registered with the City.
 - (a) The inspector will attempt to contact the registered owner upon confirmation of the first two occurrences of the property observed found in contravention of this bylaw. Subsequent occurrences will result in the Inspector making arrangements to secure and or make the building secure as per Section 4(a), and/or (b), and/or (c). All costs associated with securing and or guarding the premise will be invoiced to and are the sole responsibility of the Owner.

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6. Where public safety is of paramount concern and the vacant or abandoned building creates an immediate hazard, the Inspector may make arrangements to secure and or make the building secure as per Section 4(a), and/or (b), and/or (c) as soon as possible, without prior notification of the Owner. All costs associated with securing and or guarding the premise will be invoiced to and are the sole responsibility of the Owner.

NON-COMPLIANCE BY OWNER

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7. Should the Owner either:

- (a) Fail to secure the building as per written order within the specified time period, or
- (b) Prove to be unable to be contacted phone or in person,

The officers may, at his/her discretion procure services to secure the premise as per Section 4(a) and/or (b) and/or (c). All costs associated with securing and or guarding the premise will be invoiced to and are the sole responsibility of the Owner.

FEEES FOR RE-INSPECTION OF VACANT/ABANDONDED BUILDING

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- 8. After the vacant/abandoned building has been identified and secured as per Section 4, and upon re-inspection, the building is found to be once again insecure, the Owner shall be subject to a re-inspection fee(s) stipulated in "Schedule A" and must be paid to the City.
- 9. In addition to the re inspection fee, the Owner must abide by an order the Inspector writes to secure or re-secure the building. Failure to comply may result in action taken in accordance with Section 7.

REMOVAL OF VACANT/ABANDONED BUILDINGS

- 10. Any building found kept in such a condition, or be situated in such a location, so as the safety of the general public is compromised or may become compromised, Council may order the building demolished, foundation removed and property graded so as to remove the hazard.
- 11. All costs associated with action taken under Section 10 are the sole responsibility of the Owner.

APPLICATION FOR RE INSPECTION FEE REDUCTION

- 12. Any Owner of vacant / abandoned building(s) who has had re-inspection fees assessed against his/her property may apply in writing to the Fire Chief to have the re-inspection fees reduced by 75% provided that any one of following conditions have been met :
 - (a) The owner has applied to the City for a building permit to restore the building to a habitable condition within 30 days of the first inspection. The building must be maintained secure, as per Section 4, at all times while the building permit is open and active.

- (b) The owner has applied for a demolition permit from the City within 30 days of the first inspection, *and*, the building has been demolished, foundation removed and property graded so as to remove the hazard, within 60 days of the first inspection.

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13. Any reduction in fees owed applies only to re-inspection fees assessed and not to any costs incurred for the securing, re-securing as per Sections 6 and 7, or demolition of the building.

INVOICING

14. Where a fee is charged to the owner of property, the City will invoice the owner of the property (and notify the owner) for the response service.

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15. An administration fee stipulated in "Schedule A" will be added all of the costs associated securing, protecting and or guarding as per Section 4.
16. Any invoice issued under the Bylaw are due and payable within 30 days of issuance.
17. All invoices that remain unpaid as of December 31st in the year in which they were incurred will be added to and form part of the taxes payable on the real property to which services were provided or fees assessed as taxes in arrears.

SEVERABILITY

18. If any Section, subsection or clause of this Bylaw is declared or held to be invalid by a court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been enacted and adopted without the invalid and severed Section.

READ a first time the 27th day of November, 2012.

READ a second time the 27th day of November, 2012.

READ a third time the 27th day of November, 2012.

RECONSIDERED AND ADOPTED on the 11th day of December, 2012.

PRESIDING MEMBER

CORPORATE OFFICER

Attachments:
Schedule A

**CITY OF MAPLE RIDGE
BYLAW NO. 6958-2012**

SCHEDULE "A"

SCHEDULE OF COSTS FOR RE-INSPECTION FEES

A. FEE STRUCTURES ASSOCIATED WITH RE-INSPECTION OF VACANT BUILDING(S):

Should the building be found to be in non-compliance with Maple Ridge Vacant / Abandoned Building Bylaw No. 6958-2012, after initial notification of owner, the charges are as follows:

Step 1	First re-inspection	\$150.00
Step 2	Second re-inspection	\$300.00
Step 3	Third re-inspection	\$600.00
Step 4	Fourth re-inspection	\$1200.00
Step 5	All subsequent re-inspections	\$2400.00

B. ADMINISTRATION COSTS

An Administration and Overhead charge of 15% will be added to all services and costs incurred under Section 4 and subsequently invoiced to the owner.