



City of Surrey

Council-in-Committee

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, MAY 12, 2008
Time: 4:46 p.m.

Present:

Mayor Watts - Chair
Councillor Villeneuve
Councillor Steele
Councillor Gill
Councillor Martin
Councillor Hepner
Councillor Bose
Councillor Hunt
Councillor Higginbotham

Absent:

Staff Present:

City Manager
City Clerk
Deputy City Clerk
General Manager, Planning & Development
City Solicitor
General Manager, Engineering
General Manager, Finance & Technology
General Manager, Parks, Recreation & Culture
General Manager, Human Resources

A. DELEGATIONS

1. Gerry Morden, Chairperson Whalley Enhancement Association File: 7450-20; 0550-20-10

Gerry Morden, Chairperson, Whalley Enhancement Association, was in attendance to make a presentation with respect to the concerns regarding various homes in the Whalley area and the associated problems. Comments were as follows:

- The City of Surrey should sponsor a program to help residents abate problems in their neighborhood such as unsightly properties, illegal dumping, excessive noise, gang activity, prostitution, drug activity, trespassing, etc.
- Solutions should be found that fast track and correct problem houses and repeat problem houses should have increased fines and less time to resolve repeated problems.
- Property owners need to be more responsible for using their property in an ordinary and reasonable manner that is conducive to the peace and harmony of the neighborhood and does not interfere with the comfortable enjoyment of life and property by others.
- Property owners should be responsible for anyone who violates the law or bylaws by allowing a problem to exist on their property whether they live there or not.
- The theft of thousands of dollars pales in comparison to the theft of quality of life and theft of property values, which can be in the millions of dollars.
- It only takes a few to cause so much damage to a neighborhood.
- There are laws/bylaws in the United States that fast track civil suits with the City assisting in these civil actions which empowers neighborhoods to fight back and be compensated for the negative effects these properties have on the neighborhood.
- There should be a law or bylaw (see attached U.S. document for drug houses – Model Drug Nuisance Abatement Act) that makes property owners responsible for their property.

- Under such a Neighborhood Nuisance Law or bylaw, the affected residents work with a City of Surrey representative who guides them through a process to abate the problem.
- The process could involve the following steps: collection of evidence, documentation of the problem affects on the neighborhood, notification and negotiation with the property owner, and demand that the problem be stopped, etc.
- The City of Surrey could collect fines and recover costs through existing bylaws and/or upgraded bylaws regarding problem properties.
- In addition; since neighborhood properties are devalued due to problem properties, the City could support the idea that when an owner fails to abate the problem, the residents can file a suit in a small claims court.
- The can describe the problem(s) and their efforts to resolve it.
- The Judge has the power to order the property owner to abate the problem, and/or pay monetary damages to the residents.
- Civil courts do not require proof beyond a reasonable doubt..
- We believe a proactive approach as well as the complaint driven method resolving our issues is needed.
- Bylaw enforcement in Surrey seems to be complaint driven.
- Some problem properties in our neighborhood are not being addressed.
- This creates frustration and apathy.
- Trying to improve our neighborhood may be a task, but the task is made easier by working together.
- Enforcement should be assigned to diligent, motivated employees who are good at working with people and problem solving.
- Enforcement Officers should be mandated and encouraged to work with neighborhoods to resolve problem properties.
- Stiffer fines should be given for illegal dumping.
- Shopping carts taken out of store parking lots should result in a fine.
- Commercial Bins should be in secured areas not be stored on city roads or easement.
- Construction sites should be completely clean of debris prior to construction and areas affected by the job sites should be cleaned daily by the developer/owner.
- People can be irresponsible; sane, but irresponsible people are often quite receptive to fines and this should abate most problems.
- We are suggesting that a draft “Vacant Building Bylaw” that declares both vacant and unsecured or boarded buildings as public nuisances. It would require property owners, once their property becomes vacant, to submit a “Statement of Intent” describing their short-term and long-term plans for the property. Further, the bylaw could require owners to:
 - secure, clean, and fence vacant properties;
 - submit and implement a maintenance agreement plan for the period the property is to remain vacant; and
 - submit a plan and time line for the lawful occupancy, rehabilitation or demolition of the structure.

Failure to comply with the requirements of the bylaw may result in imposition of civil and/or administrative penalties.

- Flop houses, recovery houses and similar types of services need to be regulated by a regulatory body.
- Meeting the needs of the disadvantaged and addicted is important in order to ensure the success of any program.
- Responsible, regulated services are needed to help ensure the success of individuals in the program.
- Another recovery house has been placed in our neighborhood with no consultation with residents - we have enough recovery houses here.
- Services brought into a neighborhood should be properly managed and meet neighborhood needs; the neighborhood should be confident the services will work.
- Existing, older bylaws should be reviewed and updated to reflect current neighborhood problems with any and all loop-holes corrected.
- Start something new such as a pilot project to address our problems.
- Reducing crime and situations that could promote criminal activity needs to be addressed. Working with such programs as Adopt a Street and Block Watch and involvement with Community Police should be encouraged and promoted.
- Our neighborhoods are an extension of our homes and, just as we should take care of our homes, we should also take care of our neighborhoods.
- Building and maintaining our neighborhood requires a group effort, and we would like to work with the City to do our part.

Council made the following comments:

- A number of issues were touched upon for which we shall have Staff come back to address in a report.
- There is presently a nuisance by-law and an unsightly premises bylaw in place.
- In a period of approximately two years, the City did remove more than 200 houses in the same condition as those provided in the presentation. Very recently two homes were taken down in the Whalley area.
- The program that provides for these houses to be removed has been stepped up. Once the notice has been issued to the owner, the statutory obligation of 30 days is given. Once the 30 days have expired, the Engineering department becomes active in taking the next steps by doing the work and then charging the costs back to the property owners.
- Talking to the MLAs in the Whalley area may provide the delegation with a greater opportunity to address some of the issues noted above, as it has been noted that many of the owners of some of these properties are often reluctant to take the houses down because they will be charged a higher taxation fee with the house taken down. The provincial legislation in this regard is a bit of a stumbling block for the City.
- Perhaps an area the City could consider is to see if there can be some latitude with the provincial government for those property owners that are holding properties for future development. As the reluctance in removing the homes may be, in many cases, the increased taxation fee, it may be suggested, for example, that houses that are taken down on property that is being held for future development will not be taxed at a higher rate if they are not developed over a five year period of time.

- The delegation should contact District #1 with respect to the Whalley Integrated Services Team meetings that are held each month. The meetings involve many organizations including the Whalley Residents Association as well as the City's bylaw enforcement, fire, parks and recreation, planning and transportation staff, that provide an integrated approach to addressing many of the issues raised by the delegation.
- Both Councillor Steele, Chair of the City's Public Safety Committee, and Lance Talbot, Crime Reduction Strategy Manager, can be contacted directly with any further questions or concerns.

The delegation was thanked for the materials provided, and it was noted that the information presented will be referred to the Public Safety Committee for review.

B. ITEMS REFERRED BY COUNCIL

C. CORPORATE REPORTS

D. DELEGATION REQUESTS

E. COUNCILLORS' REPORTS

F. OTHER COMPETENT BUSINESS

G. ADJOURNMENT


It was

now adjourn.

Moved by Councillor Higginbotham
Seconded by Councillor Steele
That the Council-in-Committee meeting do

Carried

The Council-in-Committee adjourned at 5:07 p.m.



Jane Sowik, Acting City Clerk



Mayor Watts, Chair
Council-in- Committee