

TITLE: DANGEROUS OR UNSIGHTLY PREMISES POLICY
DEPARTMENT: PLANNING AND DEVELOPMENT
POLICY NO: 66150-01

APPROVAL DATE: September 22, 2025

CAO Signature: 

PURPOSE

1. The purpose of this policy to delegate the Town's authority and set priority with regard to Part XV of the *Municipal Government Act* (Dangerous or Unsightly Premises).
2. Part XV of the *Municipal Government Act* states, "Every property in a municipality shall be maintained so as not to be dangerous or unsightly".

POLICY STATEMENT

3. Council delegates its authority to declare a property as dangerous or unsightly to the Dangerous or Unsightly Premises Administrator. The Administrator will determine whether or not a property is considered dangerous or unsightly in accordance with the definition of such in the *Municipal Government Act*.
4. Council delegates its authority under the provisions of the Dangerous or Unsightly Premises contained in the *Municipal Government Act* to issue an order to demolish a building to the Planning Advisory Committee.
5. Council delegates its authority to bring into compliance a property which has been declared dangerous or unsightly to the Administrator. The Administrator will utilize any and all tools listed in the Dangerous or Unsightly Premises Procedure to achieve compliance.
6. Council retains its authority under the provisions of the Dangerous or Unsightly Premises provisions contained in the *Municipal Government Act* to conduct appeal hearings when an appeal is launched against an order to demolish a building issued by the Planning Advisory Committee.
7. Council delegates its authority to conduct appeal hearings when an appeal is launched against a decision of the Administrator to the Planning Advisory Committee.

ROLES AND RESPONSIBILITIES

Administrator

8. Receive all complaints in relation to this policy;
9. Conduct an initial investigation of the complaint and determine if the property is dangerous or unsightly in accordance with the relevant provisions contained within the *Municipal Government Act*;

TITLE: DANGEROUS OR UNSIGHTLY PREMISES POLICY
DEPARTMENT: PLANNING AND DEVELOPMENT
POLICY NO: 66150-01

10. Utilize any and all tools listed in the Dangerous or Unsightly Premises Procedure to bring a property into compliance;
11. Provide a semi-annual report to Council detailing number of complaints, number of open files, number of resolved files, type of infraction, etc.

Planning Advisory Committee

12. Upon recommendation by the Administrator, the Planning Advisory Committee will make a decision on the issuance of an order to demolish a building.
13. Upon an appeal of a decision of the Administrator, the Planning Advisory Committee will determine if a property is dangerous or unsightly and any remedial action to be taken.

COMPLAINTS

14. Complaints shall be received in a written format either on a Town of Amherst Complaint Form or via letter or email. Each complaint must include the complainant's name and contact information. Anonymous complaints will not be investigated.
15. Complaints shall contain specific information, including the address of property where the alleged dangerous or unsightly condition exists, the date that the dangerous or unsightly condition existed and what specifically the complainant believes is causing the dangerous or unsightly condition.
16. Complaints may be received by staff or Council.
17. All complaints shall be submitted to the Administrator.
18. The Administrator shall acknowledge receipt of a complaint by regular mail to the complainant.
19. Complaints shall be considered confidential but are subject to Part XX of the *Municipal Government Act, Freedom of Information Protection of Privacy*.

ENFORCEMENT

20. The Administrator shall survey all streets at least twice per year, typically in spring and fall, to identify properties that fall within the definition of dangerous or unsightly as defined under the *Municipal Government Act*.
21. The Administrator may act in the absence of a complaint where the Administrator has determined that site conditions warrant the issuance of an Order immediately.

TITLE: DANGEROUS OR UNSIGHTLY PREMISES POLICY
DEPARTMENT: PLANNING AND DEVELOPMENT
POLICY NO: 66150-01

22. The following priority will be followed when dealing with dangerous or unsightly files:
- a. Dangerous Properties
 - b. Properties for which a written complaint is received
 - c. Properties identified by the Administrator under Section 21 of this Policy.
 - d. Properties identified by the Administrator under Section 20 of this Policy.

HEARINGS

23. Notification of any hearing will be sent via registered mail no less than 10 days prior to the hearing. In cases where the owner cannot be located, notice of the hearing may be posted on the property no less than 10 days prior to the hearing.
24. The complainant will be notified of the hearing in writing no less than seven days prior to the hearing.
25. The Administrator's report will not be made public prior to the hearing.

APPEALS (OF ADMINISTRATOR DECISIONS)

26. Any decision of the Administrator may be appealed to the Planning Advisory Committee within seven days of such decision. Such appeal must be submitted in writing to the Town of Amherst Office of the Clerk.
27. Appeals may be lodged by the property owner or complainant.
28. The Planning Advisory Committee may make any decision that the Administrator could have made.
29. A decision of the Planning Advisory Committee is not appealable.

APPEALS (OF PLANNING ADVISORY COMMITTEE DECISIONS ON DEMOLITIONS)

30. Decisions of the Planning Advisory Committee in relation to the demolition of a building may be appealed to Amherst Town Council within seven days of such decision. Such appeal must be submitted in writing to the Town of Amherst Office of the Clerk.
31. Appeals may be lodged by the property owner or complainant.
32. Council may make any decision that the Planning Advisory Committee could have made.
33. A decision of Council is not appealable.

TITLE: DANGEROUS OR UNSIGHTLY PREMISES POLICY
DEPARTMENT: PLANNING AND DEVELOPMENT
POLICY NO: 66150-01

ROLES AND RESPONSIBILITIES

Title/Role	Responsibilities
Dangerous and Unsightly Premises Administrator	Responsible for the provisions of this policy, except where otherwise stated.
Director of Planning and Economic Development	Approves the closing of Dangerous and Unsightly files.
Office of the Clerk	Receives appeals from owners or complainants regarding decisions of the Administrator and Planning Advisory Committee.

For Administrative Use Only:

VERSION LOG

Amendment Description	Procedure Owner	Approved By	Approval Date
<p>Minor 'housekeeping changes', as well as the following more substantial revisions:</p> <p>Section 13 currently requires that the Administrator report to Council monthly. The proposed change would require a semi-annual report, which reflects MGA requirements and current practice. Council can always ask for a status report and/or an update on a specific issue at any time throughout the year.</p> <p>Section 14 removes the requirement that the complaints be signed. This requirement is redundant so long as the complaint is in writing and includes the complainant's name and contact information.</p> <p>Add as Section 21 that the Administrator may act without the requirement of a complaint. This change reflects the Administrator's more proactive semi-annual survey of town streets.</p> <p>21.The Administrator may act in the absence of a complaint where the Administrator has determined that site conditions warrant the issuance of an Order immediately.</p>	Director of Planning & Economic Development	Council	September 22, 2025

Minutes Reference Date: February 27, 2006 May 26, 2008 April 27, 2009 April 26, 2010
 March 24, 2014 March 29, 2016 June 28, 2021 September 22, 2025