

Town of Portugal Cove-St. Philip's

Dangerous or Unsightly Properties By-Law

Pursuant to the authority conferred in section 8 of the *Towns and Local Service Districts Act, 2025*, the Town Council of Portugal Cove-St. Philip's has adopted the following By-Law on September 23, 2025.

1. TITLE

- 1.1. This document shall be known as the "Dangerous or Unsightly Properties By-Law".

2. PURPOSE

- 2.1. The purpose of this By-Law is to address dangerous or unsightly properties.

3. INTERPRETATION/DEFINITION

- 3.1. "**Towns Act**" shall mean the Towns and Local Service Districts Act, SNL 2023, c. T-6.2, as amended.
- 3.2. "**Town**" shall mean the Town of Portugal Cove-St. Philip's as incorporated under the Towns Act.
- 3.3. "**Council**" shall mean the duly elected Council of the Town.
- 3.4. "**Management**" shall mean the Chief Administrative Officer and/or the Director of Planning and Development.
- 3.5. "**Staff**" shall mean an employee of the Town within the Planning and Development Department, excluding the Director of Planning and Development.
- 3.6. "**Dangerous Property**" shall mean a property, structure, or other development identified as being dangerous by:
- (a) the Fire Chief of the Portugal Cove-St. Philip's Volunteer Fire Department,
 - (b) a professional engineer or architect, or
 - (c) another professional engaged by Council.
- 3.7. "**Unsightly Property**" shall mean a property which contains the presence and accumulation of such things, or as determined by Council:
- (a) Objects, vehicles and trailers that are in a wrecked, discarded and abandoned condition.
 - (b) Litter, garbage, rubbish, refuse and other debris.

4. APPLICATION

- 4.1 This By-Law applies to all properties within the municipal boundaries of the Town of Portugal Cove-St. Philip's.

5. PROCEDURE

- 5.1. Upon receipt of a complaint regarding a dangerous or unsightly property, staff will contact the property owner to advise them of the complaint received. With respect to a

dangerous property complaint, the complaint will also be addressed with the Chief Administrative Officer for direction on proceeding.

- 5.2. If it is determined that the property is dangerous or unsightly, correspondence will be sent to the property owner requesting that they submit a written timeline to rectify the condition of the property to the Town within seven (7) days.
 - 5.2.1. If the timeline submitted is 30 calendar days or less, the timeline may be accepted by staff.
 - 5.2.2. If the timeline submitted is greater than 30 calendar days, the timeline may be accepted by management.
 - 5.2.3. If no timeline is submitted, the matter will be brought to Council for direction on proceeding.
- 5.3. Once the accepted deadline has passed, staff will contact the property owner to discuss completion of the required work.
 - 5.3.1. If the property owner indicates that the work has been completed, staff will schedule a site visit to confirm.
 - 5.3.2. If the property owner indicates that the work has not been completed, or the site visit completed in accordance with 5.3.1 identifies that the required work has not been completed, additional time may be granted by management, or the matter may be brought to Council for direction on proceeding, which may result in the issuance of an Order in accordance with the Towns Act.
- 5.4. At any point in this procedure, Council may issue an Order regarding a dangerous or unsightly property.
- 5.5. The Town shall, every 2 years, conduct a review of this By-law and consider the areas which may be improved.

6. PENALTIES

- 6.1. Penalties may be applied in accordance with Division 6 of the *Towns and Local Service Districts Act*.
- 6.2. This by-law shall not exclude the application of other penalties not expressly listed.

7. REPEAL OF PREVIOUS REGULATIONS AND AMENDMENTS

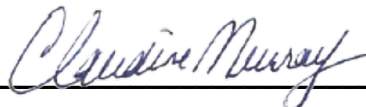
- 7.1. This by-law shall repeal the Untidy Properties Policy, enacted on October 18, 2022.

8. CAME INTO EFFECT

- 8.1. This By-Law first came into effect on September 23, 2025, through a resolution of Council, #2025-314.



Carol McDonald, Mayor



Claudine Murray, Town Clerk