



BILL NO. 41

Government Bill

*3rd Session, 61st General Assembly
Nova Scotia
60 Elizabeth II, 2011*

An Act to Strengthen Municipal Restrictions on Dangerous and Unsightly Premises

CHAPTER 4
ACTS OF 2011

**AS ASSENTED TO BY THE ADMINISTRATOR OF THE PROVINCE
MAY 19, 2011**

The Honourable John MacDonell
Minister of Service Nova Scotia and Municipal Relations

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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An Act to Strengthen Municipal Restrictions on Dangerous and Unsightly Premises

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *Dangerous and Unsightly Premises Amendment (2011) Act*.

2 Clause 3(q) of Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*, as amended by Chapter 64 of the Acts of 2010, is further amended by

(a) striking out “or” at the end of subclause (ii); and

(b) adding immediately after subclause (ii), the following subclause:

(ia) an accumulation or collection of materials or refuse that is stock-piled, hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person, or

3 Section 355 of Chapter 39 is amended by adding immediately following subsection (2), the following subsection:

(3) The Administrator shall at least twice per year table a public report to the Council describing the status of dangerous or unsightly property orders including remedial progress made regarding properties for which orders were issued pursuant to this Part.

4 Section 356 of Chapter 39 is amended by adding immediately following subsection (3), the following subsection:

(3A) Where the Council or the committee varies or overturns the order of the Administrator, the Council or committee shall provide reasons to be recorded in the minutes of the Council or committee meeting.

5 Section 358 of Chapter 39 is amended by adding immediately following subsection (4), the following subsection:

(4A) Any monetary penalty payable pursuant to subsection (4) may not be remitted pursuant to the *Remission of Penalties Act* unless the penalty relates to a property that is the primary residence of a person required to pay the penalty.

6 Clause 3(r) of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, as amended by Chapter 35 of the Acts of 2001, Chapter 9 of the Acts of 2003 and Chapter 64 of the Acts of 2010, is further amended by

(a) striking out “or” at the end of subclause (ii); and

(b) adding immediately after subclause (ii) the following subclause:

(iia) an accumulation or collection of materials or refuse that is stock-piled, hidden or stored away and is dangerous, unsightly, unhealthy or offensive to a person, or

7 Section 345 of Chapter 18 is amended by adding immediately after subsection (2) the following subsection:

(3) The administrator shall at least twice per year table a public report to the council describing the status of dangerous or unsightly property orders including remedial progress made regarding properties for which orders were issued pursuant to this Part.

8 Section 346 of Chapter 18, as amended by Chapter 9 of the Acts of 2000 is further amended by adding immediately after subsection (3) the following subsection:

(3A) Where the council or the committee varies or overturns the order of the administrator, the council or committee shall provide reasons to be recorded in the minutes of the council or committee meeting.

9 Section 348 of Chapter 18, as amended by Chapter 35 of the Acts of 2001, Chapter 9 of the Acts of 2003 and Chapter 40 of the Acts of 2006, is further amended by adding immediately after subsection (4) the following subsection:

(4A) Any monetary penalty payable pursuant to subsection (4) may not be remitted pursuant to the *Remission of Penalties Act* unless the penalty relates to a property that is the primary residence of the person required to pay the penalty.

10 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
