Council Direction: Committee of the Whole, at its meeting of January 12, 2009, approved the Vacant Building Protocol which provides a proactive approach to Property Standards enforcement of vacant buildings and a comprehensive/consistent procedure for monitoring vacant buildings to protect them against continued deterioration.

Information: To date there are approximately 158 buildings on the vacant building list, which are subject to regular inspections at three month intervals. Buildings are added to the list through Fire Department, Municipal Law Enforcement, or Building Services staff and by public complaint.

Due to considerable media attention to the subject of vacant and possibly contaminated properties throughout the City, the City Manager directed staff to undertake a comprehensive multi-Department investigation/enforcement effort.

On August 12, 2010, Fire, Public Health Services, Building Services Division, and Municipal Law Enforcement staff, along with the Ministry of the Environment (MOE), executed a proactive inspection of five potential problem properties that had some similarities to the two high profile properties at 249 Hess Street and 350 Catharine Street. The results of this special enforcement are contained in Appendix “A” to this Report.

There were no immediate or major concerns found at any of the properties. Only one property ended up accumulating multiple Orders from Municipal Law Enforcement, Fire
and MOE. This property was already being monitored by MOE and Building Services had already dealt with a concern regarding "open to trespass".

Staff from all agencies will be reviewing the criteria for problem properties; coordinating a secondary multi-agency proactive inspection; and, reviewing the potential of enhancing cross-agency information updates via a shared database.

Also, in accordance with the monitoring of vacant buildings under the City Council approved Vacant Building Protocol, staff will include a requirement for Municipal Law Enforcement Officers to report any suspected environmental issues for appropriate action.

**APPENDICES / SCHEDULES**

Appendix “A” to Report PED10234 – Potential Problem Properties Blitz Overview

MH/BY/dt
Attach.
Potential Problem Properties Blitz Overview

On Thursday, August 12, 2010 three Departments from the City of Hamilton, along with the Ministry of the Environment (MOE), executed a proactive, multi-agency blitz of five potential problem properties. The purpose of this blitz was to ensure proactive and strategic enforcement of a broad range of legislation in order to mitigate potential health and safety issues. This type of approach allows for rapid responses to properties that require immediate attention with all agencies prepared to provide the property owner with Orders reflecting the minimal timelines allowable in their legislation. The agencies that were involved in this coordinated effort included Municipal By-law Enforcement (MLE), Fire, Building Services, Public Health Services and the MOE. Each agency had a minimal of one representative in attendance at the blitz. Prior to executing the blitz all agencies met to:

- share information;
- establish criteria to generate an initial list of properties;
- develop an action plan for the blitz; and,
- examine the development of a longer-term monitoring of potentially high risk properties through a multi-agency Task Force.

For a property to be categorized as a potential problem property and part of the initial blitz, it must have met three or more of the criteria below:

- Known vacant building;
- A former industrial property;
- Not in good standing regarding its property taxes (i.e. in tax arrears);
- Open to trespass more than four (4) times in a six (6) month Period;
- Received four (4) or more Orders or complaints for Property Standards or garbage and debris in a six (6) month period; and/or,
- A history with the Ministry of the Environment (MOE).

Outcomes from blitz:

None of the properties were found to have any immediate Public Health concerns or unsafe buildings, therefore no Orders were issued from Building Services or Public Health Services. Only one of the properties visited during the blitz had no issues at all from any of the participating agencies. The Ministry of the Environment already has an Order in place for one of these properties and will be going back to three properties for further inspections and investigations. Fire found violations at two of the properties; one of which had three violations. Three properties were issued
Property Standards Orders, with one of the three also receiving an Order for Backyard By-law violations. These three properties had between four (4) and fifteen (15) MLE violations.

The property that contained the most violations is located at 245 Catherine Street North. This property consists of a single family detached brick house that is enclosed within a 6’ chain link fence that also surrounds a commercial steel clad building. Multiple Property Standards breaches were captured on the Single Family Dwelling. Multiple Property Standards violations were also identified within the commercial premises. Two (2) Property Standards Orders will be issued against each structure. The owner will be limited to nineteen (19) days to comply with the Orders. This is the property that already has an Order on it from the Ministry of the Environment regarding vats/barrels, which are contained inside the premises. Public Health Services will work with the lone occupant to see if he can be relocated to another residence due to concerns noted from the Fire Department regarding electrical wiring within the house. Fire has notified Electrical Safety Authority (ESA) to attend this property.