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## REPORT NAME

Urban Standards Bylaw No. 09-24: Cost Recovery Review and Appeal

## RECOMMENDATION

That Council deny the appellant's request to eliminate the invoice associated with costs paid for by Leduc County, when the appellant failed to comply with Urban Standards Bylaw No. 09-24.

### Options (if available):

In accordance with Urban Standards Bylaw No. 09-24, section 19.4: Upon a request to review the order, Council may confirm, vary, substitute or cancel the section 545 Order, pursuant to section 547(2) of the Municipal Government Act.

## IMPLICATIONS

**Reason:** To support the Urban Standards Bylaw No. 09-24

**Authority:** (MGA section/bylaw/policy number):

- Section 545 of the *Municipal Government Act*, pertaining to the contravention of a municipal bylaw, and
- Section 547(2) of the *Municipal Government Act*, pertaining to a person's request for a review of an order issued by a municipality.

**Amount of funding required:** N/A

**Funding source:** N/A

## BACKGROUND

- May 28, 2024: Revised Urban Standards Bylaw No. 09-24 was passed by Leduc County Council.
- July 2, 2024: Municipal Government of Alberta Orders were mailed to 35 owners of undeveloped, and developed lots in Diamond Estates, Royal Oaks, and New Sarepta, when the landowners failed to comply with the first cut due date of June 30, 2024 (listed in the Urban Standards Bylaw No. 09-24). No appeals were received by the July 16, 2024 due date.
- July 18, 2024: Leduc County contractors began cutting and cleaning the remaining 11 vacant lots, which failed to comply with the previous Order. Photos were taken of the lands before and after the cut.
- July 19, 2024: Leduc County received invoices for the work completed on all 11 non-compliance lots. The contractor invoices were paid by Leduc County.
- Sept 23, 2024: Leduc County mailed subsequent invoices, explanation letters and evidence photos to all 11 owners of undeveloped, and developed lands described above, who failed to comply with the Urban Standards Bylaw No. 09-24.
- Aug 5, 2024: Mr. Dan CHOUHAN appealed the invoice in question.

## ATTACHMENTS

1. Leduc County's Urban Standards Bylaw No. 09-24.
2. Leduc County's Fees & Charges Bylaw No. 16-24.

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**Submitted by:** Clarence Nelson, Director/Peace Officer – Enforcement Services

**Reviewed by:** Duane Coleman, County Manager

**Date:** 10/10/24

3. *Interpretations Act of Alberta*, section 23(2) – Presumption of Service.
4. July 2, 2024 MGA 545 Order, Notice of Entry, and instructions for appeal emailed to Mr. Dan CHOUHAN.
5. July 19, 2024 Leduc County contractor's invoice.
6. Sept 23, 2024 non-compliance letter, invoice and evidence photos mailed to Mr. Dan CHOUHAN.
7. Evidence photos taken of the land before and after it was cut by the contractor.
8. Mr. Dan CHOUHAN's letter of appeal.