

Saskatoon Fire Department – Boarded Buildings

ISSUE

Members of the community are reporting an increase in the number of houses that are boarded up in their neighbourhoods. Pleasant Hill and Caswell Hill have presented 56 and 16 locations; respectively. This increase is a blight on neighbourhoods. Vacant and derelict buildings are reported to the Saskatoon Fire Department (the Department), and when found unsecure and abandoned, are required to be boarded up to ensure public safety. How can the prevalence of boarded-up buildings be controlled?

BACKGROUND

History

Ongoing concerns were raised by members of the community, during the Communications portion of the August 12, 2019 Standing Policy Committee on Planning, Development and Community Services. During the meeting, the following resolution was made:

“That the Administration report back by fourth quarter in 2019 about current City and other agency engagement with currently boarded-up houses in Pleasant Hill and other neighbourhoods experiencing similar rates, identifying process to ensure more comprehensive and proactive follow up on this issue in our city”.

Current Status

The use of boards on building openings is a proven security measure to restrict unwanted access. Builders and contractors are permitted to use boards on building openings during construction, renovation, or alteration to prevent weather elements or vandals from entering. For example, property managers may use boards to cover broken windows and doors while awaiting delivery of the replacement. In some cases, boards on buildings have been used as a management tool to maintain security on a vacant building for longer durations.

The Department has closed and secured 37 structures in the past five years to protect the public from risk of injury. The majority of these closures, whether it be after a fire or an unsecured and abandoned building, resulted in the use of boarding material to secure windows and doors. Each of these closed and secured structures resulted in the property owner receiving an Order to Remedy Contravention (ORC) requiring the structure be brought back to minimum standards.

Public Engagement

The Department met with representatives from Pleasant Hill, King George, Riversdale, Westmount, and Caswell Hill Community Associations who provided feedback on concerns with boarded houses in their neighbourhood.

Consultations with the Saskatchewan Landlords Association (SLA) obtained feedback from their membership on the use of boards on building openings to provide security. Indications were that 74% do not use boards as a normal practice to provide security.

Of those who responded to the practice:

- 40% indicate the use of boards for a period of up to two weeks
- 20% two to four weeks
- 20% four to six weeks
- 20% unknown

Reasons for using boards include:

- renovations – 8%
- fire damage – 25%
- vacancy – 8%
- security – 17%
- other – 42%

Landlords indicated other measures used to provide security while a property is vacant include:

- security personnel surveillance
- fences
- frequent visits by staff
- locking of doors and windows
- hanging curtains
- using lights on timers
- shovelling walkways and cutting of grass

City of Saskatoon's Current Approach

Currently, the City does not track or prohibit boarded-up buildings nor is there a restriction on the length of time a building may remain in a boarded-up condition. *The Fire and Protective Services Bylaw, 2001 Bylaw No. 7990* prescribes how all vacant buildings must be secured against unauthorized entry.

Vacant buildings become a target of vandalism and arson. The Fire Chief has the legislative authority, pursuant to *The Cities Act and The Fire Safety Act*, to mitigate imminent public safety hazards and to close a building where it is deemed the conditions of and within a building subjects the occupants or potential occupants to harm. The Department will use boards applied to fire-damaged buildings to prevent the public from entering in order to eliminate the risk of injury or another fire. Fencing is used when structural damage prevents the use of boards. The Department can be called to an unsecured and abandoned property to install boards on windows and doors

to prevent unwanted entry. This is further supported by *The National Fire Code of Canada 2015* that requires vacant buildings shall be secured against unauthorized entry.

The Department received 62 complaints regarding vacant, unsecured, or unstable buildings in 2018 and 72 in 2019. There were 100 properties affected; all were designated as Priority 1 complaints due to potential risk to the public. **Note*** of the 56 locations identified by Pleasant Hill, 5 are active files with the Department resulting from complaints.

It is important to clarify, the Public Health Branch of the Saskatchewan Health Authority (SHA) issues notices to prohibit habitation where conditions in a building pose a health risk. SHA does not have the capability to install boards or otherwise secure buildings; they are reliant on the Department for this service.

Approaches in Other Jurisdictions

There are a very small number of cities across Canada that require a permit for boarded-up and/or vacant buildings.

The City of Hamilton has a dedicated vacant buildings bylaw requiring vacant buildings consisting of four or more dwellings be registered. These vacant buildings must be registered with a fee of \$1,082.99 and an initial administration fee of \$283.00. Additionally, a yearly inspection fee of \$707.96 is applied to the property being inspected quarterly. Dwellings with 1, 2 and 3 units are not required to register providing it can be shown the conditions are habitable.

The City of Winnipeg has a dedicated vacant building bylaw that is the most comprehensive approach the Administration has identified in Canada. A residential Boarded Building Permit fee is \$2,360.00 for a single-year permit. A commercial Boarded Building Permit fee is:

- \$2,360.00 for a first (one-year) permit
- \$4,150.00 for a second (one-year) permit
- \$5,850.00 for a third (one-year) permit
- \$7,610.00 for a fourth (one-year) permit
- each subsequent year increases by \$1,770.00

All vacant buildings are subject to an annual inspection fee of \$590.00 where orders are not required and \$1,170.00 if repair orders are issued. An occupancy certificate must be issued subject to a Boarded Building Permit, prior to any previously boarded buildings being inhabited. However, vacant buildings can continue to exist but simply must have a permit.

The City of Edmonton is currently researching the issue of vacant buildings to determine potential options.

Cities of Halifax and London have bylaws that regulate the condition of boarded or vacant building to designate as a derelict building. Neither has a registration or permit process, or restricts the time a building may remain boarded.

The options below are evaluated on the basis of how well they address and mitigate the boarding of buildings. Criteria that will be used to evaluate the options, during a set evaluation period, are:

- Number of boarded buildings
- Duration of buildings in a boarded state
- Number of buildings brought to a habitable state
- Further jurisdictional findings

Option 1 – Designate Boarded Buildings – Priority 1

This option would result in the Department adjusting the existing inspection model to designate boarded buildings a Priority 1. This will create a faster response to all boarded buildings in Saskatoon. Inspections of boarded buildings would allow for analysis of the reasons for which the building is boarded. As noted above currently there are only 5 active files of the 56 boarded buildings reported in Pleasant Hill. After inspection, existing tools and bylaws may be available to deal with the underlying issues. For example, all 56 homes in Pleasant Hill would be inspected and orders to remedy would result in building improvements or in some cases, demolition. This option would allow for some flexibility in dealing with the vacant and boarded buildings. The goal with this option would be to focus on the reason for the vacant building and the use of existing tools to encourage the repair of the building.

Re-adjusting existing practice does not generate any new financial, environmental, or legal implications. Fire prevention work is prioritized and outlined in an internal directive of the Department. In the past, boarded houses have not been deemed a Priority 1. Recent health and safety concerns have required the process to be reviewed.

Advantages

- Quickly identify and address boarded-up structures.
- A reduction in the numbers of boarded buildings as files are investigated and closed.
- Motivate property owners to repair structures.

Disadvantages

- Potential impact to fire prevention inspections.
- Demolition of non-compliant structures.

Option 2 – Comprehensive Approach to Regulate Vacant Boarded Buildings

This option proposes a major reform to the City’s approach to regulating vacant buildings. It proposes to implement a permitting regime to include fees, inspections, and enforcement. To implement this option, the City would require the enactment of a new bylaw to regulate vacant and boarded buildings. As with other jurisdictions this option would allow for the continuance of vacant and boarded buildings, but would require the owner to have a permit.

A regime to accept, review, process and monitor vacant buildings would need to be created. Additional resources will be needed to facilitate the management of a permit system including application acceptance, corresponding with applicants and permit holders, and fire inspections of vacant buildings.

Advantages

- Increased accuracy on number of vacant and boarded buildings.

Disadvantages

- Will require additional staffing resources for Bylaw Compliance and/or the Department.
- Increased landlord administration.
- May not address the vacancy of the building.
- Permit fees will offset only a portion of the costs, thereby requiring ongoing operating funding to support the program.

RECOMMENDATION

That the Standing Policy Committee on Planning, Development and Community Services endorse Option 1 outlined in this report; that the Department adjust the existing inspection model to designate boarded buildings a Priority 1 concern.

RATIONALE

The use of boards on building openings has a practical purpose for emergent or immediate security needs. Structures that are boarded up for long durations are often subject to substandard fire safety and property maintenance issues.

The Department believes dedicated staffing to deal exclusively with boarded buildings will see a reduction in the number of boarded buildings in Pleasant Hill and other affected neighbourhoods. If Option 1 is approved by City Council, the Administration could report on the effectiveness of this approach after an evaluation period of two years.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

The Department will continue collaboration with the Solicitor’s Office to evaluate the process.

COMMUNICATION ACTIVITIES

The Department will collaborate with SLA to identify reasons for boarded buildings and explore alternative security measures.

Report Approval

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