



**THE MUNICIPALITY OF THE DISTRICT OF SHELburne  
BY-LAW ENFORCEMENT**

414 Woodlawn Drive, PO Box 280 Shelburne, NS BOT 1W0

Phone: (902) 875-6773 – Fax: (902) 875-1278

[www.municipalityofshelburne.ca](http://www.municipalityofshelburne.ca)

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**STAFF REPORT**

To: Members of Shelburne Municipal Council

From: Darrell Locke, Administrator Dangerous or Unsightly Premises

Approved By: Marcia d'Eon, Director of Operations & Protective Services

Date: March 7, 2023

Subject: Property located at 4625 Hwy. 103, Jordan Falls

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**ORIGIN:**

This is a continuation of the Dangerous or Unsightly Property file that was before Council most recently on September 13, 2023, regarding the property located 4625 Hwy. 103, Jordan Falls. At that meeting the property owner was present and asked Council to extend the time by 60 days to allow him to complete the cleanup of the property. Council agreed to grant an extension of additional days as requested. The property owner committed to have the cleanup completed to the satisfaction of the Administrator before the expiration of the 60 days.

**RECOMMENDED MOTION:**

Be it resolved that the Council of the Municipality of the District of Shelburne hereby issues an order as per Section 507 of the Municipal Government Act: and authorizes the Warden to sign off on this demolition and clean up order for the property located at 4625 Hwy. 103, Jordan Falls.

**DISCUSSION:**

That the Municipality of the District of Shelburne holds that the condition of the property located at 4625 Highway 103, Jordan Falls justifies that the property is in violation of the provisions of the Municipal Government Act, S.N.S. 1998, c.18 because the property is Dangerous or Unsightly because but not limited to: the property contains junk, and other rubbish or refuse or derelict vehicles or vessels items of equipment or machinery, or bodies of these or parts thereof. The property contains but not limited to propane tanks, used timbers, truck and trailer bodies, tires, boat stands, which is dangerous, unsightly, or offensive to a person. The property or building is in such a condition that seriously depreciates the value of land or buildings in the vicinity. The property or building is in such a state of non-repair that they are not suitable for human habitation or business.

The property or building is an allurements to children who may play there to their danger. The property or building constitutes a hazard to the health or safety of the public. The property or building is unsightly in relation to the neighbouring properties because the exterior finish of the building or the landscaping is not maintained.

As a result of the decision of Council at their meeting of September 13, 2023, an information package was prepared and sent by registered mail to John Alliker. The package was returned undelivered by Canada Post. The package was subsequently personally served on Mr. Alliker on October 4, 2023. There was no response from Mr. Alliker to enter into an agreement with the Municipality outlining the details of the time extension that he had requested. There has been no response by Mr. Alliker to any correspondence sent by the Administrator other than to attend at the September 13, 2023, Council meeting.

**ATTACHMENTS:**

Correspondence package containing a cover letter and an Agreement Form, a blank Form 6 sent by registered mail September 14, 2023.

Correspondence package sent by registered mail on September 14, 2023, unclaimed and returned by Canada Post September 29, 2023.

Correspondence dated March 4, 2024; proof of registered mail sent March 5, 2024.

Copy of notification of registered mail delivery on March 7, 2024.



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September 14, 2023

John Alliker  
c/o Gail Ringer  
6397 Hwy. 3  
Jordan Falls  
BOT 1J0

Dear Mr. Alliker,

As you know Council passed a motion last evening (September 13, 2023) allowing for a 60 day time extension for you to complete the demolition and cleanup of your property located at 4625 Hwy. 103, Jordan Falls. Your date for completion of the demolition and cleanup of the property to the satisfaction of the Administrator is **NOVEMBER 15, 2023**.

Please find attached an Agreement between you and the Municipality of the District of Shelburne stating the terms of the Agreement. Please sign and return the Agreement either by mail or drop it off at the Municipal Office located at 414 Woodlawn Drive.

I have also attached a copy of the Order for the Demolition and Cleanup under the Nova Scotia Municipal Government Act, Municipality of the District of Shelburne (unsigned and undated). I provide this simply for your information purposes.

Please review the information that I have provided, should you have any questions or require any clarification do not hesitate to contact me at 902-875-6773.

Yours truly,

Darrell Locke  
By Law Enforcement Officer  
Administrator, Dangerous or Unsightly Property Policy  
Municipality of the District of Shelburne



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**AGREEMENT**

This agreement is between **JOHN ALLIKER** as the registered property owner of property located at **4625 HWY. 103, JORDAN FALLS** in the Municipality of the District of Shelburne:

And,

**The Municipality of the District of Shelburne**

The property located at 4625 Hwy. 103; Jordan falls owned by John Alliker was discussed at the September 13, 2023, regular Council Meeting of the Municipality of the District of Shelburne. The discussion was regarding a Dangerous or Unsightly Property Order that had been issued against the property. Council heard from the Administrator of the Dangerous or Unsightly Policy and from John Alliker, owner of the property.

Mr. Alliker is currently in the process of demolition and cleanup of the property. Mr. Alliker asked Council for an extension of time to conduct the work as ordered in the Dangerous or Unsightly Property File.

Council made and passed a motion allowing Mr. Alliker until **NOVEMBER 15, 2023 (60 DAYS)** to complete the required demolition and cleanup of his property located at 4625 Hwy. 103, Jordan Falls to the satisfaction of the Administrator. If for one reason or another the demolition and cleanup is not complete by **NOVEMBER 15, 2023**, the file will be returned to Council and further action will be requested to complete the file.

\_\_\_\_\_  
 Municipality of Shelburne

Date: \_\_\_\_\_

\_\_\_\_\_  
 John Alliker

Date: \_\_\_\_\_

Form 6

**ORDER FOR THE DEMOLITION AND CLEANUP UNDER THE**

**NOVA SCOTIA MUNICIPAL GOVERNMENT ACT**

**MUNICIPALITY OF THE DISTRICT OF SHELBURNE**

To: JOHN ALLIKER  
C/O GAIL RINGER  
6397 HWY. 3  
JORDAN FALLS  
BOT 1J0

The property located at 4625 HWY. 103, JORDAN FALLS is in breach of the Dangerous or Unightly Property provisions of the *Municipal Government Act* due to the following conditions:

- The property contains junk and other rubbish or refuse or derelict vehicles or vessels, items of equipment or machinery, or bodies of these or parts thereof.
- The property contains an accumulation of wood shavings, paper, sawdust, dry and inflammable grass or weeds or other combustible material.
- The property contains but not limited to propane tanks, used timbers, truck and trailer bodies, tires, boat stands, which is dangerous, unsightly or offensive to a person.
- The property or building is in such a condition that it seriously depreciates the value of the land or buildings in the vicinity.
- The property or buildings are in such a state of non-repair that they are not suitable for human habitation or business.
- The property or building is an allurements to children who may play there to their danger.

- The property or building constitutes a hazard to the health or safety of the public.
- The property or building is unsightly in relation to the neighboring properties because the exterior finish of the building or landscaping is not maintained.

The Council holds that the condition of the property justifies demolition of the structure and removal of the demolition material (NO BURNING OR BURYING PERMITTED). Removal of the derelict sailboat and shipping container, and cleanup of assorted waste (as described) that is distributed around the property to the satisfaction of the Administrator.

You are hereby ordered to demolish the structure, remove the demolition material. (NO BURNING OR BURYING PERMITTED). Remove the derelict sailboat and shipping container, cleanup and remove the assorted waste distributed around the property to the satisfaction of the Administrator located at 4625 HWY. 103, JORDAN FALLS within — days of receipt of this Order.

If you fail to comply with the terms of this Order the Administrator or his delegate may enter onto the property to carry out the work specified in this Order. Pursuant to Section 348(6) of the Municipal Government Act, the Administrator may cause any occupants of the building to be removed by force.

Any costs incurred by the Administrator or his delegates in this action will constitute a first lien upon your property pursuant to Section 507 of the *Municipal Government Act* and are enforceable as a tax on your property.

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Date

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Warden

33-100-009 (17-14)



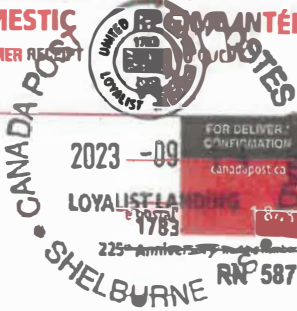
REGISTERED  
DOMESTIC  
CUSTOMER RECEIPT

RECOMMANDÉ  
RECOMMANDÉ  
DOMESTIQUE



To Destinataire

John Alker  
c/o Gail Ringer  
6397 Hwy 103  
Jordan Falls, NS  
BOT 1J0



2023-09

LOYALIST LAKE  
NS  
1783

FOR DELIVERY  
CONFIRMATION

canadapost.ca

CONFIRMATION  
DE LA LIVRAISON

postescanada.ca

1-877-550-6333

225- Arrivee / Date de reception

RN 587 343 597 CA

33-886-584 (17-12)



**Tracking number:**

RN587343597CA

**Notice left**

**Shipping service:** Registered Mail

**Delivery standard:** Sept. 19, 2023

**Latest updates**

| Date           | Time    | Location     | Progress   | Post office |
|----------------|---------|--------------|--|-------------|
| Sept. 15, 2023 | 2:14 pm | SHELBURNE,NS | Notice card left indicating where and when to pick up item |             |
| Sept. 14, 2023 | 1:36 pm | SHELBURNE,NS | Item accepted at the Post Office                           |             |

**Features and options**

Signature Required

4037

RTS ↑

043559



**043559 816 004 037**

SHELBURNE PO  
SHELBURNE PO  
162 MOWATT  
SHELBURNE NS B0T 1W0



~~John Allker  
c/o Gail Ringer  
6397 Hwy 103  
Jordan Falls, NS  
B0T 1J0~~

*Returned by Post Office  
September 29, 2023*

**Return to Sender / Renvoi à l'expéditeur**

**This item is being returned because: / Envoi retourné pour la raison suivante :**

|                     |                                     |                     |
|---------------------|-------------------------------------|---------------------|
| Unclaimed           | <input checked="" type="checkbox"/> | Non réclamé         |
| No such Address     | <input type="checkbox"/>            | Adresse inexistante |
| Address Incomplete  | <input type="checkbox"/>            | Adresse incomplète  |
| Moved/Unknown       | <input type="checkbox"/>            | Déménagé / Inconnu  |
| No such Post Office | <input type="checkbox"/>            | Bureau inexistant   |
| Refused             | <input type="checkbox"/>            | Refusé              |

**Amount Due / Montant dû**  
\$ [ ]

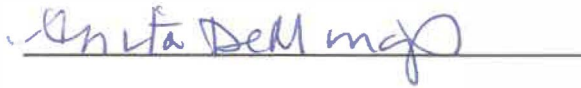
**TRACKING NL / N° DE REPÉRAGE**  
33-086-584 (17-12) / 33-086-648 (1080)

**SIGNATURE**

AFFIDAVIT OF SERVICE

I **Darrell Locke**, By-Law Enforcement Officer for the Municipality of Shelburne make oath and say that on **OCTOBER 4, 2022**, at **8:29 am** I did personally deliver a true copy of the attached document to **JOHN ALLIKER** at **64 King Street, Shelburne**, Shelburne County, Nova Scotia.

Sworn to this 4<sup>th</sup> day  
of October, 2023 at  
Shelburne, Nova Scotia.



A Commissioner of the Supreme  
Court of Nova Scotia

Anita A. DeMings  
A Commissioner of the  
Supreme Court  
of Nova Scotia



Darrell Locke



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March 4, 2024

John Alliker  
c/o Gail Ringer  
6397Hwy.3  
Jordan Falls  
B0T 1J0

Dear Mr. Alliker,

As you may recall, I have been sending you documentation regarding your property located at 4625 Hwy. 103, Jordan Falls as it relates to being Dangerous or Unsightly. The most recent documentation began again in July 2023.

You chose to basically ignore most of the requirements of the documentation. You demolished the structure that was on the property, albeit without a demolition permit. You also chose to dispose of some of the solid waste generated by the unpermitted demolition by burning, contrary to the Municipalities Solid Waste By Law S-200.

On September 13, 2023, you attended the regularly scheduled Municipal Council Meeting. At that meeting you asked Council for a time extension to complete the clean up of your property to the satisfaction of the Administrator. You gave Councilor's your commitment to have the work completed within 60 days and you were granted the extension that you asked for with the new completion date being November 15, 2023. A formal agreement document with a cover letter was produced and sent to you by registered mail. You refused delivery of the information package which was returned to the Municipality by Canada Post. Subsequently the information package was personally delivered to you at 64 King Street, Shelburne on October 4, 2023, at 8:29 am.

You chose not to complete the documentation that was provided, and you did not honor your commitment to have the work completed to the satisfaction of the Administrator by November 15, 2023. I have attached two copies of photographs that I took on November 28, 2023, for your reference.

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Darrell Locke, By-Law Enforcement Officer  
Email: [Darrell.locke@municipalityofshelburne.ca](mailto:Darrell.locke@municipalityofshelburne.ca)

As mentioned in the last line of the last paragraph in the Agreement the file was returned to Municipal Council at the February 14,2023 meeting.

I will bring the file for your property back to Council at their March 27, 2023, meeting and ask Council to authorize the Warden to sign Form 6, Order for the Demolition and Cleanup Under the Nova Scotia Municipal Government Act, Municipality of the District of Shelburne.

Please review the information that I have provided, should you have any questions please feel free to contact me at 902-875-6773, [darrell.locke@municipalityofshelburne.ca](mailto:darrell.locke@municipalityofshelburne.ca) or stop at my office located at 414 Woodlawn Drive.

Your truly,

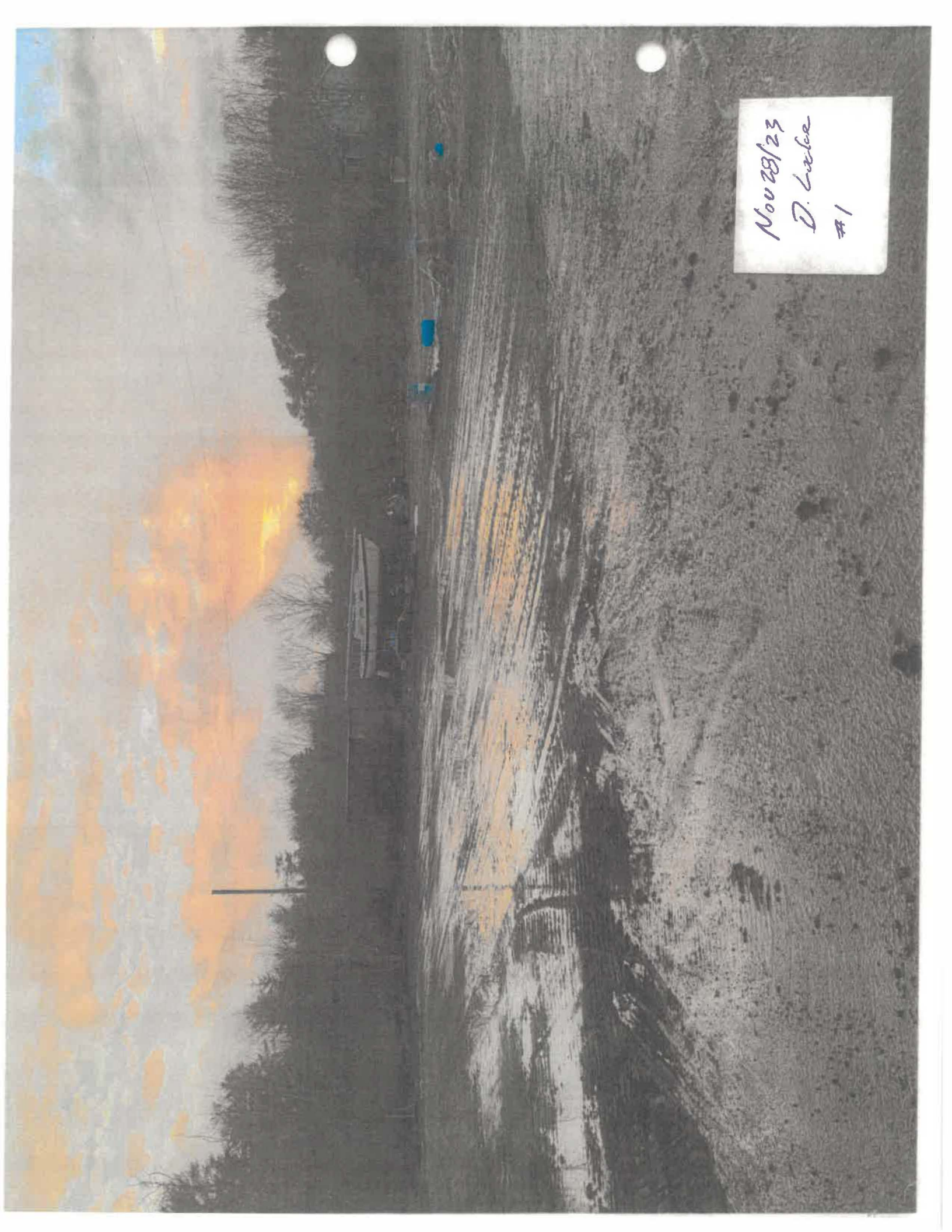


Darrell Locke  
By Law Enforcement Officer  
Administrator, Dangerous or Unsightly Property Policy  
Municipality of the District of Shelburne

Nov 28/23

D. Lake

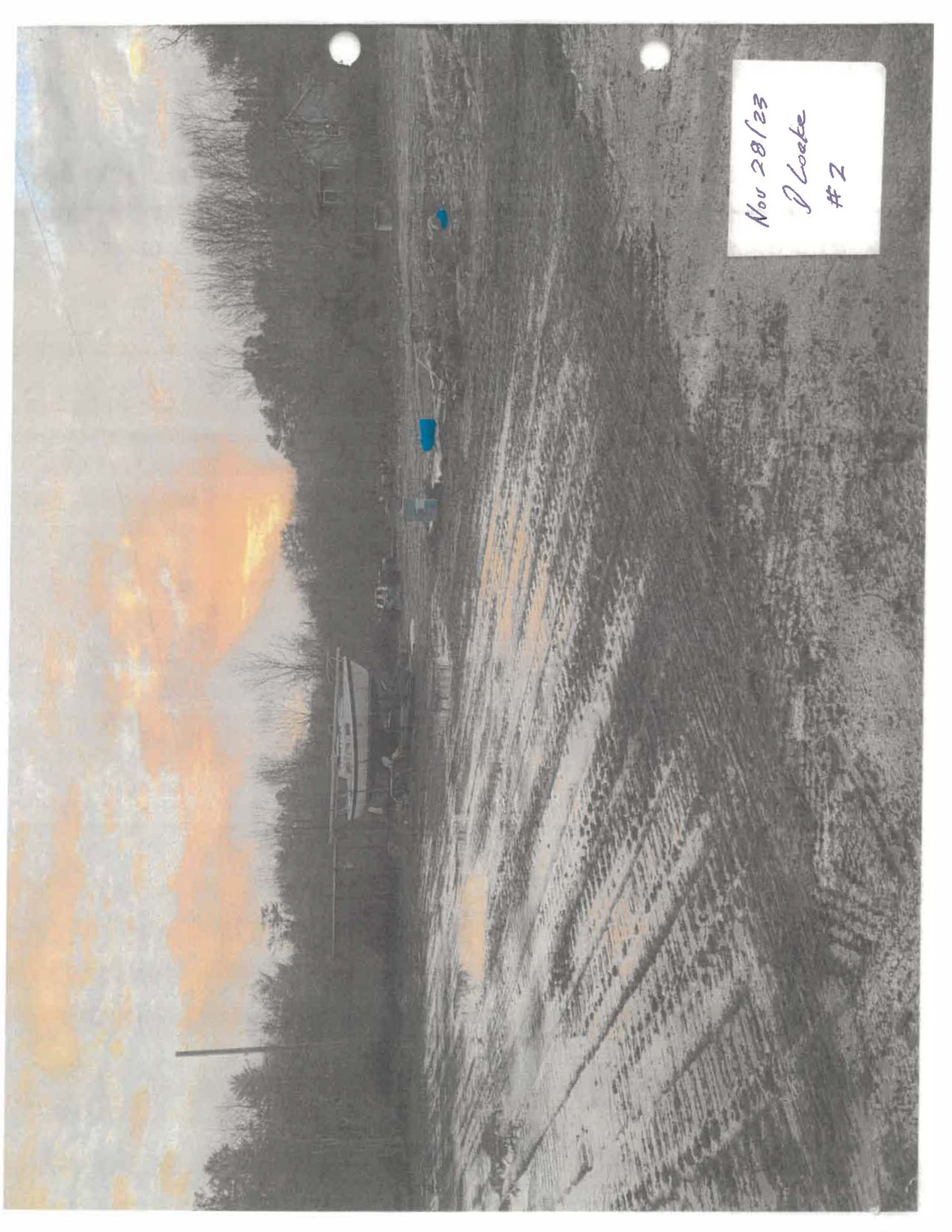
#1



Nov 28/23

P Loate

# 2





**REGISTERED  
DOMESTIC**  
CUSTOMER RECEIPT

**RECOMMANDÉ  
RÉGIME INTÉRIEUR**  
REÇU DU CLIENT



Dangerous  
3 Uninsightly

To: **John Alliter**  
 Name: **Gail Ringer**  
 Address: **6397 Hwy 3**  
 City / Prov. / Postal Code: **Jordan Falls NS**  
 Declared Value: **\$ BOT 1TD**

FOR DELIVERY CONFIRMATION  
 canadapost.ca  
 CONFIRMATION DE LA LIVRAISON  
 postescanada.ca  
 1 888 550-6333  
 CPC Tracking Number: **RN 687 908 447 CA**  
 Numéro de l'expédition de la SCP

33-086-584 (17-12)

Darrell Locke.  
 CANADA POST / POSTES  
 2024 -03- 05  
 LUNenburg  
 1783  
 225<sup>th</sup> Anniversary  
 SHELBURNE NS

**Tracking number:**

RN687908447CA

**Delivered****Latest updates**

| <b>Date</b> | <b>Time</b> | <b>Location</b> | <b>Progress</b>  | <b>Post office</b> |
|-------------|-------------|-----------------|--|--------------------|
| Mar. 7      | 3:47 pm     |                 | Signature available  |                    |
| Mar. 7      | 3:47 pm     | SHELBURNE,NS    | Delivered  |                    |
| Mar. 5      | 1:38 pm     | SHELBURNE,NS    | Item available for pickup at Post Office                   | SHELBURNE<br>PO    |
| Mar. 5      | 11:58 am    | SHELBURNE,NS    | Notice card left indicating where and when to pick up item |                    |

**Features and options**

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