



City of St. Albert
CITY COUNCIL POLICY

Private Infrastructure Management

AUTHORITY	APPROVED	Res. No.	mm dd	REVISED	Res. No.	mm dd
City Council		C47-2013	02 04		AR-19-003	01 21

Purpose

To ensure that the appearance and upkeep of privately owned infrastructure within St. Albert is consistent with the upkeep of City owned infrastructure.

This shall occur through established standards for reporting situations of unkempt privately owned infrastructure, requesting repairs and following up with corrective actions in a timely manner in order to improve the infrastructure appearance, upkeep, and reduce potential risks to the community.

Policy

The City considers that unkempt private infrastructure is unsightly and desires to reduce the occurrence of these issues within St. Albert due to the negative impact on resident, business, and visitor perception of the community.

The Chief Administrative Officer shall require Private Property owners responsible for unkempt infrastructure, where possible, to adhere to standards in relation to the maintenance of this infrastructure. The Chief Administrative Officer shall also encourage residents to report situations of unkempt infrastructure to the City. Depending upon the severity of issues, unkempt infrastructure may also be deemed unsafe or a risk to the public and a Private Property owner may be compelled to address the situation.

Definitions

"Chief Administrative Officer" or "CAO" means the individual appointed by Council to the position of Chief Administrative Officer under section 205 of the *Municipal Government Act* and pursuant to the Chief Administrative Officer Bylaw.

"City" means the City of St. Albert.

"Private Property" means infrastructure or property not owned by the City; examples of these include, but are not limited to: street light poles, utility cabinets and pedestals, meter/regulator stations, transit benches, exposed communication/data cable service lines, sign structures, and other structures or amenities not owned by the City.



“Unkempt Private Infrastructure” means private property which is not properly maintained or cared for and has deteriorated due to exposure to natural elements or damaged due to physical strikes, is in a state of disrepair that may be considered unsightly or, may be in a status being deemed unsafe and would pose immanent risk or danger to the public.

“Unsightly” means unpleasant or offensive to look at.

Responsibilities

1. The CAO shall ensure that Private Property owners be responsible for their private infrastructure including, but not limited to:
 - a. Ensuring that all reasonable efforts are taken to reduce or prevent situations where their infrastructure or property would become unkempt or otherwise unsafe.
 - b. Undertaking regular inspections of their infrastructure or property.
 - c. Repairing or replacing any infrastructure or property that has been deemed unsightly, damaged, or otherwise unsafe.
2. The CAO shall report confirmed situations of unkempt private infrastructure in a timely manner to the appropriate Private Property owners. Photographic evidence and data on location, time, or other matters shall be provided where available.

Standards

1. Notifications and Warnings

- a. In circumstances where there is imminent risk to the public or to public property, the CAO may notify the appropriate authorities to coordinate actions to make the situation safe. Private Property owners may be responsible for associated costs.
- b. In circumstances where Unkempt Private Infrastructure is a potential risk to the public or to public property, the CAO may notify the Private Property owner to repair or replace the infrastructure.
- c. In circumstances where Unkempt Private Infrastructure is deemed unsightly, damaged, or otherwise in need of maintenance, but does not pose immanent risk or danger to the public, the CAO may notify the Private Property owner to repair or replace the infrastructure.
- d. If permitted by law, the CAO may issue notices, warnings, or violation tickets to Private Property owners in response to unkempt or unsafe infrastructure that has not been addressed following notification.



2. Communications and Agreements

- a. On an ongoing basis, the CAO shall communicate with Private Property owners to review the City's expectation for private infrastructure.
- b. The CAO shall ensure all future agreements, including utility franchise agreements, are negotiated to include the standards of care prescribed by this policy.

3. Infrastructure Design and Construction

The CAO shall ensure that Private Property owners incorporate the City's brand on or into improvements and upgrades of private infrastructure, where possible and appropriate.

4. Public Awareness

The CAO shall undertake public communications from time to time to encourage the reporting of unkempt private infrastructure within the city and the standards of care prescribed by this policy.





City of St. Albert

ADMINISTRATIVE PROCEDURES

Private Infrastructure Management

AUTHORITY

Chief Administrative Officer

SIGNATURE
APPROVED:

dd mm yyyy

28 02 2014

REVISED:

21 01 2019

Preamble

It has been determined that Private Infrastructure maintenance matters cannot currently be enforced under the Community Standards Bylaw. However a Municipality does have enforcement ability when dealing with an “emergency” or a “dangerous structure” as defined in the *Municipal Government Act* (MGA). Only a “Designated Officer” as defined in the MGA has the authority to order private property owners to remedy a “dangerous structure”.

These procedures have taken the above into consideration but it needs to be clear that unless the matter has been deemed an “emergency” or “dangerous structure”, Administration is unable to order, direct or compel private infrastructure owners to repair unkempt infrastructure.

Procedures

1. Notifications and Warnings

- a. Reports of unkempt private infrastructure are normally received directly by the Municipal Enforcement Services (MES), Planning and Engineering and Public Works departments. Each department shall forward information regarding reports of unkempt private infrastructure in a timely manner onto the appropriate department.

If the report of unkempt infrastructure is applicable to the receiving department, the following information shall be attained:

- i. photographic evidence of the infrastructure (where practical)
 - ii. general description and location of the unkempt infrastructure
 - iii. time and date the unkempt infrastructure was discovered/reported
- b. Each department shall maintain a database of unkempt infrastructure incidents respective to their individual department responsibility that shall include:
 - i. photographic evidence of the infrastructure (where practical)
 - ii. general description and location information
 - iii. response for corrective repairs or maintenance
 - iv. correspondence on the issue with private property representatives

- c. MES shall inform private property owners of their responsibilities within the time frames subject to the Procedures Priorities. Notification provided to private property owners shall include:
 - i. Timelines for corrective repairs or maintenance (where applicable)
 - ii. General description, location and/or photographic evidence of the infrastructure (where practical)
 - iii. requested repairs and/or improvements
- d. MES shall take action or assist in the coordination of taking action pursuant to the authorities granted to a Municipality under Part 4 Division 4 under the MGA. This includes the authority to deal with emergency situations as well as any dangerous structures.
- e. A referrals Matrix shall be kept up-to-date with designated departments/positions responsible for the respective private or public infrastructure issues.

2. Priorities

a. Priority 1:

- i. In circumstances where unkempt infrastructure causes an emergency situation and is an immanent danger to the public or of serious harm to property the responding department designates shall notify the appropriate authorities (Police or Fire) to coordinate actions to make the situation safe.
- ii. In circumstances where infrastructure is a potential risk to the public or may be an unsafe situation:

Normally, within three (3) days of receiving a report, MES shall investigate the reported infrastructure status or situation; if at the discretion of MES the infrastructure is deemed a potential risk to the public or unsafe situation, MES shall notify the owner or occupant and request that applicable repairs or maintenance be undertaken such that the infrastructure is in a state where it would not pose potential risk to the public or an unsafe situation. MES will follow-up to verify if and/or what corrective actions have been undertaken. If actions have not been taken, MES will assist in the service and follow up of an order pursuant to the MGA that compels an owner to take action.

b. Priority 2:

Unkempt private infrastructure that is deemed as unsightly, damaged or otherwise in need of maintenance and does not create an “emergency” or “dangerous structure” pursuant to the MGA:

MES shall notify the owner or occupant of a private property of reports of infrastructure that is unsightly, damaged, or otherwise in need of maintenance and request that the

infrastructure be repaired and/or improved when it is deemed an operationally effective or efficient time to do so; MES will not follow-up to ensure compliance of Priority 2 reports.

3. Data Summary and Reporting

- a. All reports of unkempt private infrastructure and subsequent notifications to private property owners shall be tracked by applicable departments.
- b. On a semi-annual basis a summary of all reports and notifications shall be generated and provided to the respective private property owners at the discretion of the Chief Administrative Officer.