

Date: November 1, 2024

To: **Mayor and Council.**

Name and title: Eric Depenau, Director of Administrative Services

Subject: Nuisance Abatement – 389 Nicholson Street

Attachment(s): None.

Recommendation(s):

1. THAT, pursuant to section 3.2(a) of City of Prince George Nuisance Abatement Bylaw 8940, 2018, Council DIRECTS, by way of written ORDER, that Leah Rose Dubois and Brian Joseph Dubois (collectively the “Owners”), being the registered owners of the property with the civic address of 389 Nicholson Street, Prince George BC and legally described as PID: 008-017-590, Lot 1 Block 73 District Lot 937 Cariboo District Plan 752 and PID: 008-017-638, Lot B (72794M) Block 73 District Lot 937 Cariboo District Plan 752 (collectively the “Property”), immediately cease causing, or allowing to be caused, the following nuisance activities on the Property:
 - a) The discarding and accumulation of garbage outdoors.
 - b) Allowing dogs to run at large.
 - c) Yelling, shouting, screaming and fighting; and,
 - d) The lighting of outdoor fires.
2. AND THAT Council DIRECTS that administration deliver to the Owners, a copy of the written order regarding the Property together with a notice that if a nuisance activity prohibited by the order is abated or caused to be abated by the City under section 3.3 of the City of Prince George Nuisance Abatement Bylaw 8940, 2018, then the cost of such abatement may be recovered from the Owners pursuant to sections 4.1 to 4.3 and Schedule “A” of that bylaw.

Purpose:

To recommend that Council issue an order that certain nuisance activities stop at the residence located at 389 Nicholson Street. If the nuisance activities do not stop despite the order, the City may recover the cost of abating the nuisance, or causing the nuisance to be abated, under the City of Prince George Nuisance Abatement Bylaw 8940, 2018.

Background:

Activities at the residence at 389 Nicholson Street have resulted in numerous attendances by Bylaw Services and the RCMP since 2019. The Property contains a single-family residence. The owners of the Property are Leah Rose Dubois and Brian Joseph Dubois and the Toronto Dominion Bank has a registered mortgage on title. Leah Dubois also appears to be residing there together with other occupants. Bylaw Services suspects that frequent illegal drug sales and consumption on the Property are resulting in nuisance activities.

Bylaw Services has attended 17 times since 2019. Each time the complaint has been substantiated and determined to be a nuisance. These calls have all been reported by neighbors of the residence. The calls have included:

- Mar 21, 2019 - Report from two different neighbors in relation to garbage on the Property and an aggressive dog.
- Jul 12, 2019 - Complaint about garbage on the Property.
- Oct 9, 2019 - Two complaints about garbage on the Property.
- Sep 8, 2020 - Complaint about long grass.
- Mar 15, 2022 - Complaint about garbage on the Property and two dogs being off leash and escaping from the Property and barking at people.
- Jan 23, 2023 - Complaint of dumpster full of garbage in the Property's driveway.
- Jun 12, 2023 - Complaint of garbage on Property and a motorhome with people alleged to be living in it in the back yard.
- June 21, 2023 - Bylaw Services developed the suspicion that criminal drug sales and consumption was taking place at the Property. The RCMP advised Bylaw Services that the RCMP attending the location on a regular basis. As such Bylaw Officers were instructed by the RCMP not to attend this residence alone.
- Dec 27, 2023 - Complaint of residents on this Property burning bags of garbage.
- Mar 11, 2024 - Complaint that Property was again accumulating garbage.
- July 19, 2024 - Complaint about large accumulation of garbage again by RCMP and a neighbor.

Prince George RCMP has attended 389 Nicholson Street 128 times since 2018. Many of these attendances resulted from calls from neighbors or occupants of the Property regarding yelling, shouting, screaming and fighting. These calls have resulted in investigations into assaults and forceable confinement. The RCMP has also conducted investigations regarding drug trafficking and on two occasions recovered stolen vehicles from the Property. The concern that the Property is being used as a "drug house" was further confirmed in 2024 after three separate Search Warrants were conducted by RCMP. During these searches fentanyl, cocaine, methamphetamine and firearms were seized.

Contact with Owners:

- On August 14, 2024, letters were delivered to the owners (Leah and Brian Dubois) of 389 Nicholson Street informing them that the Nuisance and Abatement process had been initiated by the City of Prince George. The letter stated the nuisance was to be abated by September 15, 2024.
- On November 4, 2024, a letter was provided to each of the two owners (Leah and Brian Dubois) explaining that they would be given an opportunity to address Council in relation to the Property. They were advised that the Council meeting would be held on November 18, 2024

Summary and conclusion:

The circumstances described at 389 Nicholson provide a strong example of why the Nuisance Abatement Bylaw was introduced in 2018. Bylaw Services and the RCMP have been called to deal with an inordinate number of nuisance activities. The Property is not a rental property and at least one of the owners is residing on the Property. The situation at the residence appears to be deteriorating further. The Nuisance Abatement Bylaw enables Council to formally order a cessation of those activities. Such an order is strengthened by the City's ability to recover certain abatement costs if the nuisance activities continue. The hope is that the nuisance activities will cease going forward.

Respectfully submitted: Eric Depenau, Director of Administrative Services

Prepared by Charlotte Peters, Manager Bylaw Services

Approved: Walter Babicz, City Manager

Meeting date: 2024/11/18