

EDMONTON
COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE

Citation: Weisershao Holding Inc. v Community Standards and Neighbourhoods (City of Edmonton), 2026 ABECSLAC 10026

Date:	July 22, 2026
Order Number:	659492105-001
CSLAC File Number:	CSLAC-26-026

Between:

Weisershao Holding Inc.

and

The City of Edmonton, Community Standards and Neighbourhoods

Committee Members

Kathy Cherniawsky, Chair
Don Fleming
Joel McDonald

DECISION

- [1] On July 10, 2026, the Community Standards and Licence Appeal Committee (the “Committee”) heard a request for review of an Order that was filed on June 9, 2026. The request for review concerned the decision of Community Standards and Neighbourhoods to issue an Order pursuant to Section 545(1) of *Municipal Government Act*, RSA 2000, c M-26 (the “*Municipal Government Act*”). The Order was dated May 25, 2026 and was mailed on May 26, 2026 and required the following action:

Remove all graffiti displayed on the building and/or structure that is visible from any surrounding property.

- [2] The subject property is located at 10729 - 108 Street NW, Edmonton.
- [3] The hearing on July 10, 2026 was held through a combination of written submissions and video conference. The following documents were received prior to the hearing and form part of the record:

- Copy of the Order issued pursuant to the *Municipal Government Act*;
- The Applicant's written request for review; and
- The Respondent's written submission, including other evidence.

Preliminary Matters

- [4] At the outset of the hearing, the Chair confirmed with the parties in attendance that there was no opposition to the composition of the panel.
- [5] The Chair outlined how the hearing would be conducted, including the order of appearance of parties, and no opposition was noted.
- [6] CSLAC-26-026 and CSLAC-26-027 were heard together.
- [7] The requests for review were filed on time, in accordance with Section 547 of the *Municipal Government Act*.

Summary of Hearing:

i) Position of the Applicant:

- [8] The Applicant's primary goal is not to challenge the City's authority or avoid responsibility, but to ensure compliance with City orders accurately, efficiently, and promptly.
- [9] As an English-as-a-second-language (ESL) speaker, they find it difficult to fully comprehend complex, technical, or legal enforcement wording.
- [10] They require clear, written, and itemized instructions (including photos, exact locations, dates, and specific required actions) to review carefully, communicate accurately with contractors, and perform repairs correctly.
- [11] They object to the City's procedure of withholding inspection photos unless the owner goes through the formal appeal process. Without these photos, owners are left "guessing" what the officer is referencing.
- [12] Order 659492105-001 (to remove graffiti visible from surrounding properties), did not identify the specific walls, structures, or exact graffiti tags that needed removal.
- [13] Order 656296057-001 (to remove waste, wood pallets, carpet, etc.), was too general and failed to specify the exact locations, photo references, quantities, or areas of the property where the debris was observed.
- [14] Because property conditions change constantly, precise photos from the exact date of the order are necessary to differentiate between original violations and new issues.

- [15] The Applicant submitted photographic evidence proving they have fully complied with both Orders.
- [16] The active orders should now be closed. Moving forward, they want the City to provide more detailed, photo-supported information directly with any issued orders to facilitate quick and cooperative compliance.
- [17] The Applicant provided the following information in response to questions from the Committee:
- a. When asked if there was a mess when the Order was received on May 20th, and if that was what he cleaned up, the Applicant stated they were not personally at the property on that day. They were aware of the mess, and once the order was received, they did their best to have everything cleaned up. The property is now in compliance.
 - b. They hire contractors who clean the property every couple of days and inspections of the property are done almost every day.
 - c. Managing the property is difficult because even when people are asked to leave, they often return in the middle of the night when staff cannot be there to monitor them.
 - d. When asked how they will ensure these issues do not continue to happen at the property, the Applicant stated that they will increase the frequency of patrols on the property. Specifically, they will have someone inspect the property first thing in the morning so they can immediately identify and address any issues that occurred overnight.
 - e. Some photos submitted are of neighbouring properties located directly across the alley. These photos show that graffiti is a widespread issue in the entire area, not just on his property.
 - f. The graffiti on the neighbour's building has been left untouched for months, whereas they work hard to clean up any graffiti on his own property within a day or two of finding it.
 - g. When asked if they were objecting to the City's authority to issue the order, or if they agreed it was justified but were frustrated with the process, the Applicant agreed the City had the right to issue the order, but objected to the lack of detail provided.
 - h. The Chair summarized the Applicant's position about Order 659492105-001 (graffiti), "You're saying you're not objecting to orders or the issues. You're objecting to not having enough detail to know what to do. Is that right?" The Applicant agreed and added that the order was complied within the timeframe.
 - i. The Chair asked a similar question regarding the Order 656296057-001 (to remove waste bags, pallets, carpet, etc.), "But you don't object to the City having issued that order. You're not saying they shouldn't have issued that order. You're just saying

“We've met it.” Is that right?” The Applicant agreed and confirmed they complied, but requested that the City give warning notices before issuing formal orders.

- j. When the Chair summarized the position of the Applicant as follows, "And I haven't heard you really object to the orders. You're objecting to how it's done. Is that right?". The Applicant confirmed this summarization.

Decision

[18] **The Orders are Confirmed.**

Reasons for Decision

- [19] The Committee held a joint hearing for requests to review two orders (the “Orders”) issued pursuant to Section 545(1) of *Municipal Government Act*, RSA 2000, c M-26 (the “MGA”).
- [20] The Orders were issued on the same day to the same Applicant. They concern the same subject property. The Applicant submitted a single written submission applicable to both requests for review.
- [21] These reasons apply equally to both requests for review unless otherwise stated.
- [22] Section 545 of the *MGA* provides that if a designated officer finds that a person is contravening this or any other enactment or bylaw that the municipality is authorized to enforce, then the designated officer may (by written order) require the person responsible for the contravention to remedy it if the circumstances so require.
- [23] Any person who receives a written order under section 545 may by written notice within 14 days after the order is received, request a review of that order (*MGA* section 547(1))
- [24] Pursuant to section 547(2) of the *MGA* and the provisions of the *Community Standards and Licence Appeal Committee Bylaw 19003*, the Committee has the authority to conduct the review and to then confirm, vary, substitute or cancel the Order.
- [25] The first order addressed graffiti (the “Graffiti Order”). It alleged a contravention of section 9(1) of the *Community Standards Bylaw 14600*. It was dated May 25, 2026 and was mailed on May 26, 2026. The Graffiti Order required the Applicant to take the following action before June 25, 2026:
 - Remove all graffiti displayed on the building and/or structure that is visible from any surrounding property;
- [26] The second order addressed conditions on the subject property (the “Debris Order” as named by the Applicant). It alleged a contravention of section 6(1) of the *Community*

Standards Bylaw. The Debris Order was dated May 25, 2026 and was mailed on May 26, 2026. It required the Applicant to take the following action before June 25, 2026:

Remove all waste bags, wood, pallets, carpet, window screens, cardboard, bike parts, shoes, other loose litter and debris from the entire property.

[27] The Applicant outlined his objections and requested remedies in his written request for review dated June 11, 2026 as follows:

I respectfully request that the Committee review these Orders and grant one or more of the following remedies: Cancel or withdraw the Orders, if the Committee finds that the conditions do not justify a formal MGA section 545 Order;

Alternatively, vary the Orders to provide clear, specific, and reasonable requirements limited to actual confirmed contraventions;

Confirm that no enforcement action, municipal remediation, tax-roll charges, prosecution, or further penalties will proceed while this review is pending;
Allow the owner a reasonable opportunity to complete any remaining minor items, if the Committee finds that any issue still exists.

The owner does not refuse to maintain the property. We have consistently taken steps to address property concerns and will continue to do so. However, these Orders are concerning because they appear to be broad and potentially disproportionate in the circumstances.

With respect to the graffiti Order, graffiti is often a recurring third-party issue in urban areas. Property owners can remove graffiti, but they cannot fully prevent unknown third parties from reapplying graffiti after removal. A formal MGA order should not be used in a way that effectively punishes an owner for the conduct of unknown persons where the owner is willing to remediate within a reasonable timeframe.

With respect to the debris Order, the wording is very broad and includes multiple categories of alleged items across the "entire property." The Order does not provide sufficient itemized photographic particulars showing exactly where each alleged item was located, whether each item was waste or construction/maintenance material, or whether the alleged condition remained in place after the inspection. Some materials on site may relate to ongoing maintenance, repairs, tenant turnover, or lawful property operations. A broad order should be narrowed to actual nuisance debris only, if any remains.

The owner respectfully submits that the Orders should be cancelled or varied for the following reasons:

1. The owner is willing and able to comply voluntarily. The owner has no intention of ignoring legitimate maintenance concerns. Where specific issues are identified, the owner can and will address them promptly. Formal enforcement should be a last resort, especially where voluntary correction is available.
2. The Orders are broad and should be particularized. The debris Order refers to numerous categories of items but does not provide sufficient detail in the Order itself to identify each specific alleged violation. The owner requests that any enforceable requirement be limited to clearly identified, current, and verified conditions.
3. Graffiti is a recurring third-party issue. The owner can remove graffiti, but the owner should not be treated as though the owner created the graffiti or deliberately allowed it. Any order should recognize the practical reality that graffiti may recur despite reasonable owner efforts.
4. The compliance timeline and enforcement consequences are serious. The Orders warn of potential prosecution, fines up to \$10,000, municipal remediation costs, and tax-roll consequences. Given these serious consequences, the Orders should be reviewed carefully and should not remain in place unless they are necessary, proportionate, and clearly supported.
5. The owner requests procedural fairness and a reasonable opportunity to respond. The owner requests disclosure of all inspection notes, photographs, complaint records, and any evidence relied upon in issuing these Orders. The owner also requests the opportunity to provide evidence of cleanup, graffiti removal, maintenance work, and any other relevant corrective action.

For these reasons, I respectfully request that the Committee schedule this matter for review and either cancel the Orders or vary them into a reasonable, specific, and practical compliance direction.

Please confirm receipt of this request and advise of the next steps, including hearing date, disclosure process, evidence submission deadline, and whether enforcement will be stayed pending the review.

- [28] On July 10, 2026 the Applicant made two additional submissions by email to the Committee.
- [29] The first email included pictures taken of the subject property on that day to show that it is being actively monitored and maintained and specifically to show that the piles of waste bags, pallets, carpet, bike, parts, shoes, or abandoned debris, visible across the

property had been removed, and that the graffiti areas have also been addressed or painted over. This email included additional submissions:

- i)* The Applicant requested to be told whether or not the City had additional items that it wanted addressed at this time and that the City specifically identify exact locations and provide photographs of whatever work or items needed to be addressed.
- ii)* With respect to the graffiti, he asked that the City identify the exact wall, structure, tag and location together with a photo for reference. He noted that the Graffiti Order refers generally to all graffiti visible from surrounding property, but does not identify those specifics.
- iii)* He emphasized he is not refusing to comply, but rather he wished to point out that because the consequences of noncompliance are serious, the standard should be clear, itemized, photo supported, and capable of objective confirmation.
- iv)* He asked the Committee to recognize that he is actively managing the property and trying to comply and that the City ought to provide written confirmation of compliance so that the Applicant is not left uncertain or afraid of summons, despite attempting to comply.

[30] The second email attached photos of nearby properties. The Applicant indicated he was not asking the Committee to decide whether those properties are compliant or not. He was using them to illustrate that graffiti and exterior vandalism is a broader condition in the area and not unique to his property. He asked for this to be treated as a dynamic exterior condition and that enforcement be clear, consistent, proportionate, and based on specific evidence. He also was concerned that when similar exterior conditions exist in the surrounding area, enforcement against his property should be proportionate and should not treat every new graffiti incident as “owner neglect.”

[31] The Applicant reaffirmed these submissions at the in person hearing. He also affirmed throughout his presentation that he is not questioning that the issues needed to be addressed and he is more than willing to comply. His concern centers on the level of detail in the two Orders and on the fact that there are other properties in the area with similar situations that seem to exist chronically.

[32] The Respondent did not appear but sent written materials specific to each of the two Orders.

[33] With respect to the Graffiti Order, the Respondent asserted that it was valid and asked for it to be upheld. Their written submission about the Graffiti Order contained a description of the investigation and the following counterarguments to the five points raised by the Applicant:

The Appellant contends that formal enforcement should be a "last resort" because they are willing to comply voluntarily.

- Section 545(1) of the MGA states that if a designated officer finds that a person contravening a bylaw, the officer may by written order require the person responsible to remedy the contravention.
- The statutory trigger for an MGA order is the existence of a contravention, not the subjective intent or willingness of the property owner. While voluntary compliance is always encouraged, the issuance of a formal MGA Order provides instructions and a timeline to ensure community standards are restored. Past compliance efforts do not invalidate an officer's current legislative authority to issue an Order upon finding a violation.

The Appellant contends the Order is overly broad.

- MGA Section 545(1) requires the order to direct the person to take "whatever actions or measures are necessary to remedy the contravention." It must give fair notice of what is wrong and what must be done.
- The Order explicitly and clearly instructed the owner to "Remove all graffiti displayed on the building and/or structure that is visible from any surrounding property." Additionally, the direct contact information for the Officer is included on the Order should any clarification be required. The Order provides clear direction that graffiti visible from the surrounding property must be removed to achieve compliance with Section 6(1) of Bylaw 14600. The officers' photographs which have been included in this submission portray the location of the graffiti which is clearly visible to any surrounding property.

The Appellant contends that because graffiti is committed by unknown third parties, an Order effectively punishes the owner for conduct outside their control.

- Section 9(1) of the Community Standards Bylaw 14600 places a requirement on the owner or occupier of a property to ensure that graffiti is removed so it is not visible from surrounding properties.
- Bylaw enforcement is a regulatory matter focused on addressing property conditions. Concerns regarding vandalism are outside of regulatory bylaw enforcement and should be reported to the police for their investigation. The MGA and Bylaw 14600 purposefully place the responsibility of property maintenance on the property owner. The Order does not "punish" the owner; it directs the owner to fulfill their duty to maintain their property. In fact, research shows that the best way to prevent graffiti is to quickly remove it.

The Appellant expresses concern over the 30-day compliance timeline and the severity of potential consequences (fines up to \$10,000, municipal remediation, tax-roll charges).

- Section 545(2) mandates that an order must state a specific timeframe for compliance. Furthermore, Sections 549 and 553 of the MGA expressly

authorize municipalities to take action to remedy an order themselves and add those costs to the property's tax roll if the order is ignored.

- The compliance window provided (May 25, 2026, to June 25, 2026) granted the Appellant a full 30 calendar days to remove graffiti. This is a highly reasonable timeframe for standard property maintenance. Listing the maximum statutory penalties and municipal remedies is a legal requirement of procedural fairness, ensuring the owner is fully informed of the lawful consequences of non-compliance with the MGA Order.

The Appellant requests disclosure of inspection files, photos, and a stay of enforcement.

- Section 547(1) guarantees the right to request a review by CSLAC, which satisfies the requirements of procedural fairness.
- Administration will provide full disclosure—including a summary of the file notes, officer photographs and other related documents prior to the scheduled CSLAC review hearing.
 - Pursuant to standard City procedure and administrative fairness, enforcement actions are stayed pending the outcome of the Section 547 CSLAC review hearing, meaning all enforcement action is suspended while this matter is active before the Committee.
 - Additionally, the appellant may submit a formal request for information via the City's website, pursuant to the Access to Information Act (ATIA).

[34] With respect to the Debris Order, the Respondent's written submission contained: a timeline of investigation outlining the RISC team inspections conducted in the presence of the Applicant's agent which formed the basis for the Debris Order; a summary of the applicable law; argument; and, a request that the Debris Order be declared valid and confirmed.

[35] The Respondent's written argument addressed the Applicant's five objections as follows:

The Appellant contends that formal enforcement should be a "last resort" because they are willing to comply voluntarily.

- Section 545(1) of the MGA states that if a designated officer finds that a person is contravening a bylaw, the officer may by written order require the person responsible to remedy the contravention.
- The statutory trigger for an MGA order is the existence of a contravention, not the subjective intent or willingness of the property owner. While voluntary compliance is always encouraged, the issuance of a formal Order provides explicit instructions and a timeline to ensure community

standards are restored. Past compliance efforts do not invalidate an officer's current legislative authority to issue an Order upon finding a violation.

- As demonstrated by photographs taken on May 20 & July 2, 2026, the property remains in violation of Section 6 of the Community Standards Bylaw, contradicting the owner's claim that they can and will address maintenance concerns promptly. These nuisance materials suggest the presence of potential small encampments. Due to the increased risk of fire and hazardous materials, these sites pose a danger to public safety. Furthermore, the overall site conditions demonstrate a serious disregard for general maintenance and upkeep standards.

The Appellant contends the Order is overly broad.

- MGA Section 545(1) requires the order to direct the person to take "whatever actions or measures are necessary to remedy the contravention." It must give fair notice of what is wrong and what must be done.
- The Order specifically itemizes the nuisance items: "waste bags, wood, pallets, carpet, window screens, cardboard, bike parts, shoes, loose litter, and debris." Applying this to the "entire property" is legally valid if the accumulation of nuisance items are located on the property. There is no legislative requirement under the MGA for a Section 545 Order to include appended photographic evidence. The instructions on the Order provide direction on what materials must be removed to achieve compliance with Section 6(1) of Bylaw 14600.

The Appellant expresses concern over the 30-day compliance timeline and the severity of potential consequences (fines up to \$10,000, municipal remediation, tax-roll charges).

- Section 545(2) mandates that an order must state a specific timeframe for compliance. Furthermore, Sections 549 and 553 of the MGA expressly authorize municipalities to take action to remedy an order themselves and add those costs to the property's tax roll if the order is ignored.
- The compliance window provided (May 25, 2026, to June 25, 2026) granted the Appellant a full 30 calendar days to remove the nuisance on land conditions. This is a highly reasonable timeframe for standard property maintenance. Listing the maximum legislative penalties and municipal remedies is a legal requirement of procedural fairness, ensuring the owner is fully informed of the lawful consequences of non-compliance with the MGA Order.

The Appellant requests disclosure of inspection files, photos, and a stay of enforcement.

- Section 547(1) guarantees the right to request a review by CSLAC, which satisfies the requirements of procedural fairness.
- Administration will provide full disclosure—including a summary of the file notes, officer photographs and other related documents prior to the scheduled review hearing.
 - Pursuant to standard City procedure and administrative fairness, enforcement actions are stayed pending the outcome of the Section 547 CSLAC review hearing, meaning all enforcement action is suspended while this matter is active before the Committee.
 - Additionally, the appellant may submit a formal request for information via the City's website, pursuant to the Access to Information Act (ATIA).

[36] After considering all of the above submissions, particularly the inspection photos which depict the property at the time the Orders were issued, the Committee decided to confirm the Orders.

Graffiti Order

[37] Section 9 of the *Community Standards Bylaw* deals with nuisance on buildings and structures. The relevant portion states:

9 (1) A person shall not cause or permit a nuisance to exist in respect of any building or structure on land they own or occupy.
(2) For the purpose of greater certainty a nuisance, in respect of a building or structure, means a building or structure, or any portion thereof, showing signs of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, some examples of which include:...

(a.1) any graffiti displayed on the building or structure that is visible from any surrounding property;...

[38] Graffiti is a defined term in the *Community Standards Bylaw*:

4(a.1) “graffiti” means words, letters, symbols, marks, figures, drawings, inscriptions, writings, or stickers that are applied, etched, sprayed, painted, drawn, stained, scribbled, or scratched on a surface without the consent of the owner, and for greater certainty does not include anything authorized by law.

[39] The Committee finds the Graffiti Order was validly issued for the following reasons:

- i) The Applicant does not dispute that graffiti which needed to be removed was present, nor the validity of the Order in that sense. He objected to a lack of detail and the proportionality of the issuance of the Graffiti Order, particularly given the state of neighboring properties.
- ii) The Committee finds that section 9(1)(a.1) of the *Bylaw* together with the definition of section 4(a.1) are very clear.
- iii) In the Committee's view the written description is adequate and photos are not needed to accompany the Graffiti Order to enable the Applicant to understand what is to be removed or cleaned.
- iv) Common sense makes identification of the specific subject matter that is to be removed per the Graffiti Order obvious.
- v) The inspection photos clearly show graffiti in place at the subject property that is visible to other properties and prohibited by the section 9 of the *Bylaw*.
- vi) The Committee notes that the Applicant's agent was present during the inspection and witness to the photo taking process.
- vii) The Committee recognises vandalism in the form of graffiti is a chronic problem for the Applicant; however, the obligation to address it under the provisions of the *Community Standards Bylaw* is ongoing and is clearly placed upon the Applicant (the property owner) as part of the responsibility of ownership.
- viii) The existence of graffiti at other properties is not relevant to the validity of this Graffiti Order.
- ix) The timeline was reasonable as:
 - a) even though the Applicant's agent was personally present during the inspection, the Graffiti Order nonetheless gave an allowance in time to comply which took account of mail delivery and other practicalities; and,
 - b) reasonableness is demonstrated by the fact all parties agree compliance was achieved prior to the date of compliance in any event.

Debris Order:

[40] The Debris Order alleges a violation of Section 6(1) of the *Community Standards Bylaw* which prohibits nuisance on land.

[41] Section 6(2) of the *Community Standards Bylaw* defines nuisance on land and provides illustrative examples. The most salient portions of section 6 of the *Community Standards Bylaw* state:

(1) A person shall not cause or permit a nuisance to exist on land they own or occupy.

(2) For the purpose of greater certainty a nuisance, in respect of land, means land, or any portion thereof, that shows signs of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, some examples of which include:

(a) excessive accumulation of material including but not limited to building materials, appliances, household goods, boxes, tires, vehicle parts, garbage or refuse, whether of any apparent value or not;

(a.1) any loose litter, garbage or refuse whether located in a storage area, collection area or elsewhere on the land

(a.2) any loose building or construction materials, any accumulation of construction-related garbage or refuse, or any untidy work or storage areas on the Land;...

[42] After reviewing the submissions before it, the Committee confirms the Debris Order for the following reasons:

- i)* The Debris Order is not vague. It includes a clear, itemized list of articles and clear directions: “Remove all waste bags, wood, pallets, carpet, window screens, cardboard, bike parts, shoes, other loose litter and debris from the entire property.”
- ii)* In the Committee’s view the written description is adequate and photos are not needed to accompany the Debris Order to enable the Applicant to understand what is to be removed as of the date of the RISC inspection.
- iii)* The identified items are shown in the pictures taken during the RISC inspection. The Photos show a nuisance on land occurring at the time of the RISC inspection.
- iv)* The RISC inspection occurred in the company of the Applicant’s Agent.
- v)* Further, as with the Graffiti Order:
 - a) The Applicant does not dispute that debris was present and that it ought to be removed, nor does he dispute the validity of the Order in that sense; instead he objected to the fairness of the process;
 - b) The timeline was reasonable as:
 - (1) the Debris Order gave an allowance in time to comply which took account of mail delivery and other practicalities; and,

(2) reasonableness is demonstrated by the fact all parties agree compliance was achieved prior to the date of compliance in any event.

- c) The obligation to maintain property and eliminate nuisance conditions is an ongoing responsibility that is clearly placed on the property owner as part of the responsibility of ownership under the provisions of the *Community Standards Bylaw*.

Other Requested Remedies

- [43] The Committee's authority begins and ends with conducting a hearing to review the two Orders. Per 647(2) of the *MGA*, in its review the Committee may (based upon the evidence and submissions the parties choose to place before it) either confirm, vary, substitute or cancel the two Orders. In this case it has confirmed both Orders.
- [44] The Committee has no authority to order disclosure of documents, it makes quasi-judicial decisions based only upon the materials the parties choose to submit, it is up to the parties to support their positions.
- [45] The Committee has no subpoena power and cannot issue directions with respect to the current or future actions of the Respondent's employees. It has no authority with respect to future inspections.
- [46] The Committee has no authority with respect to the issuance or resolution of any other fines or tickets or penalties.
- [47] For the above reasons, the Graffiti Order and the Debris Order are confirmed.

Kathy Cherniawsky, Chair
Community Standards and Licence Appeal Committee

Important Information for the Applicant

1. A person affected by this decision may appeal to the Alberta Court of King's Bench under Section 548 of the *Municipal Government Act*, RSA 2000, c M-26 if the procedure required to be followed by this Act is not followed, or the decision is patently unreasonable.