

## **BY-LAW NO. 23**

### **HERITAGE PROPERTY BY-LAW**

- 1.1 This Bylaw shall be known and may be cited as the “Heritage Property Bylaw”.
- 2.1 In this Bylaw, “Town Registry of Heritage Property” means a Municipal Registry of Heritage Property within the meaning of the Heritage Property Act., S.N.S. 1980, Chapter 8, having all the powers and duties prescribed by the Act or incidental thereto.
- 2.2 In this Bylaw, “Heritage Advisory Committee” means a Heritage Advisory Committee within the meaning of the Heritage Property Act, having all the powers and duties prescribed by the Act or incidental thereto.
- 2.3 In this Bylaw, “Town Heritage Property” means a Municipal Heritage Property within the meaning of the Heritage Property Act.
- 3.1 There shall be a Town Registry of Heritage Property wherein all prescribed documents relating to the registration of heritage property pursuant to the provisions of the Heritage Property Act or this Bylaw shall be filed.
- 3.2 The maintenance of the Town Registry of Heritage Property shall be the responsibility of the Administrator.
- 4.1 There shall be a Heritage Advisory Committee which may advise the Town respecting;
  - a) The inclusion of buildings, streetscapes and areas in the Town Registry of Heritage Property;
  - b) An application for permission to alter substantially or demolish a Town Heritage Property;

- c) Building or other regulations that affect the attainment of the intent and purposes of the Heritage Property Act;
  - d) Any other matters conducive to the effect of carrying out the intent and purpose of the Heritage Property Act.
- 4.2 The Heritage Advisory Committee shall be composed of not less than five (5) nor more than seven (7) members, all of whom shall be residents of the Town, appointed by Council annually for a term of one year. Not less than two (2) members of the Committee shall be members of Council.
- 4.3 The Heritage Advisory Committee may recommend to Council that a building, streetscape, or area may be registered as a Town Heritage Property in the Town Registry of Heritage Property and the prescribed notice of such recommendation shall be served and filed by the Administrator in accordance with the Act and, in addition to the requirements of the Act, a copy of the notice shall be filed in the Town Registry of Heritage Property.
- 4.4 Notice of a recommendation by the Town Heritage Advisory Committee that a building, streetscape, or area be registered as a Town Heritage Property shall be in Form A.
- 5.1 Council may register a building, streetscape, or area as a Town Heritage property in accordance with the provisions of the Act and the registration shall be in Form B.
- 5.2 Notice of such registration shall be sent to each registered owner of the Municipal Heritage Property. One copy of the registration shall be deposited in the Registry of Deeds and one copy of the registration shall be filed in the Town Registry of Heritage Property.

- 6.1 Council may from time to time set out or amend the terms of reference within which the Heritage Advisory Committee shall operate. The Council may set out and amend such guidelines as it sees fit for the designation of property as Heritage Property and the Heritage Advisory Committee shall make recommendations in accordance therewith.

THIS IS TO CERTIFY THAT the foregoing is a true copy of the Heritage Property By-law of the Town of Yarmouth.

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Municipal Clerk-Treasurer

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Date