

Municipality of the District of Lunenburg

BY-LAW

Title: Heritage Property By-law	
By-Law No. 043 (consolidated to include a provincial amendment on September 2, 2021)	Legislative Authority: Heritage Property Act , Section 12
Effective Date: September 2, 2021	Amended Date: N/A

BE IT ENACTED by the Council of the Municipality of the District of Lunenburg, under the authority of Section 12 of the **Heritage Property Act**, as follows:

Short title

1 This By-law may be cited as the **Heritage Property By-law**.

Definition

2 In this By-law, “Act” means the **Heritage Property Act**.

Registry of Heritage Property

- 3 (1) The Municipality must maintain a municipal registry of heritage property at its administration office.
- (2) The Registry of Heritage Property must
- (a) be properly indexed;
 - (b) contain data with respect to recommendations, registrations, notices, and any other documents required by the Act to be deposited with the registry of deeds;
 - (c) contain information about municipal heritage properties for their identification purpose; and
 - (d) be accessible to the public at no charge during the regular business hours of the administration office.

Heritage planner

4 The Municipality must designate a person employed by the Municipality as the heritage planner to administer this By-law.

Heritage Advisory Committee

- 5 (1) The Municipality must establish a Heritage Advisory Committee to advise the Council on the matters listed in Section 13 of the Act.
- (2) The Planning Advisory Committee of the Municipality is also the Heritage Advisory Committee in subsection (1).
- (3) Terms of office for members of the Heritage Advisory Committee are consistent with subsection 5(1) of the Planning Advisory Committee Policy.
- (4) The membership requirement in Subsection 4(1) of the Planning Advisory Committee Policy must be consistent with the requirements in subsection 12(3) of the Act.

Recommendation

- 6 The Heritage Advisory Committee may recommend to the Municipality that a building, public-building interior, streetscape, cultural landscape, or area be registered as a municipal heritage property in the Registry of Heritage Property by following the procedure in Section 14 of the Act.

Evaluation guidelines

- 7 (1) The Council may, by policy, adopt and amend guidelines for the registration of a municipal heritage property that the Heritage Advisory Committee must use to evaluate the heritage value of a recommended building, public-building interior, streetscape, cultural landscape, or area in Section 6.
- (2) The Council adopts the Standards & Guidelines for the Conservation of Historic Places in Canada, published by Parks Canada, as the guiding document for heritage conservation practice in the Municipality.

Registration

- 8 (1) Subject to subsection (2), the Municipality may register a municipal heritage property by following the procedure in Section 15 of the Act.
- (2) In addition to subsection 15(2) of the Act, no registration in subsection (1) takes place if an owner of the property is against the registration, expressed in writing before a public hearing in clause 14(3)(e) of the Act takes place.

Deregistration

- 9 Municipality may deregister a municipal heritage property by following the procedure in Section 16 of the Act, including the procedure for conducting public hearings.


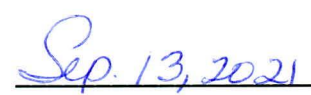
Alteration and demolition

- 10 (1) The owner of a municipal heritage property must apply to the Municipality for permission in writing to alter, renovate, or demolish the exterior or public-building interior appearance of or demolish the municipal heritage property.

- (2) If the application in subsection (1) is not deemed as non-substantial by the Municipality under the Heritage Property Policy, the Municipality must grant, either with or without conditions, or refuse the application by following the procedure in Section 17 of the Act.

Repeal

- 11 By-law 004, the Heritage Property By-law, is repealed.

Annotation for Official By-law Book	
Date of Adoption	June 8, 2021
Amended	N/A
Date of First Reading	April 13, 2021
Date of Advertisement of Notice of Intent to Consider	May 19, 2021
Date of Second Reading	June 8, 2021
Date of mailing to Minister a Certified copy of By-law	June 10, 2021
*Date of approval with an amendment by Minister	September 2, 2021
*Effective Date of the By-law unless otherwise specified in the text of this By-law	
I certify that this "Heritage Property By-law" was adopted by Council.	
 _____ Tina Robichaud-Bond, Acting Municipal Clerk	 _____ Date