

Municipality of Cumberland By-Law 85-02

Heritage Property By-Law

BE IT RESOLVED that the following be and the same is hereby adopted and enacted as a by-law of the Municipality of the County of Cumberland when and if the same has received the approval of the Minister of Municipal Affairs, and that the Municipal Clerk be and he is hereby instructed to forward the same to the Minister and request his approval hereof.

- 1.1 This by-law shall be known and may be cited as the "Heritage Property By-Law" and shall bring into force in the Municipality of the County of Cumberland all the provisions of the Heritage Property Act S.N.S. 1980 Chapter 8.**
- 2.1 In this by-law, "Registry of Heritage Property" means a Municipal Registry of Heritage Property within the meaning of the Heritage Property Act.**
- 2.2 In this by-law, "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 by-law, "Municipal Heritage Property" means a Municipal Heritage Property within the meaning of the Heritage Property Act.**
- 3.1 There shall be a 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 by-law shall be filed.**
- 3.2 The maintenance of the Registry of Heritage Property shall be the responsibility of the Clerk.**

- 4.1 There shall be a Heritage Advisory Committee which may advise the Municipality respecting:**
- (a) the inclusion of buildings, streetscapes and areas in the Registry of Heritage Property;**
 - (b) an application for permission to alter substantially or demolish a Municipal Heritage Property;**
 - (c) building or other regulations that effect the attainment of the intent and purpose 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 Property Committee shall be composed of four members, all of whom shall be residents of the Municipality, appointed by Council for a term of three years, two of whom 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 Municipal Heritage Property and the prescribed notice of such recommendation shall be served and filed by the Clerk in accordance with the Act; and, in addition to the requirements of the Act, a copy of the notice shall be filed in the Registry of Heritage Property.**
- 4.4 Notice of a recommendation by the Municipal Heritage Advisory Committee that a building, streetscape or area be registered as a Municipal Heritage Property shall be in Form A.**
- 5.1 Council may register a building, streetscape or area as a Municipal 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 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 a By-Law duly passed at a special session of the Municipal Council of the Municipality of the County of Cumberland held on the 13th day of November, A.D. 1985.

Given under the hand of the Municipal Clerk and under the Corporate seal of the Municipality this 17th day of December, A.D. 1985.

Municipal Clerk
Municipality of the
County of Cumberland

FORM A

Municipality of the County of Cumberland

NOTICE OF RECOMMENDATION TO REGISTER