

R E S O L U T I O N

BE IT RESOLVED by the Council of the Municipality of the District of St. Mary's that the following By-Law be and the same is hereby enacted as a By-Law of the Municipality of the District of St. Mary's when and if the same has received the approval of the Minister of Municipal Affairs, and that the Municipal Clerk be and she is hereby instructed to forward two copies of same to the Minister of Municipal Affairs for his approval.

HERITAGE PROPERTY BY-LAW

1. This by-law shall be known as and may be cited as the Heritage Property By-Law of the Municipality of the District of St. Mary's.
2. In this By-Law:
 - (a) "Heritage Advisory Committee" means a Heritage Advisory Committee within the meaning of the Heritage Property Act, S.N.S. 1980, Chapter 8, as amended, having all the powers and duties prescribed by the Act or incidental thereto.
 - (b) "Municipality Heritage Property" means a Municipal Heritage Property within the meaning of the heritage Property Act.
 - (c) "Council" means the Municipal Council of the Municipality of the District of St. Mary's.
 - (d) "Clerk" means the Municipal Clerk of the Municipality of the District of St. Mary's.
 - (e) "Municipal Registry of Heritage Property" means a Municipal registry of Heritage Property within the meaning of the Heritage Property Act.
3. 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 Municipality of the District of St. Mary's, 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. The Heritage Advisory Committee shall be governed where not inconsistent with the Heritage Property Act or this by-law, by the general rules of procedure applicable to committees of Council as contained in the by-laws of the Municipality of the District of St. Mary's.
5. The Heritage Advisory Committee may advise the Council respecting:
 - (a) The inclusion of buildings, streetscapes and areas in the Municipal Registry of Heritage Property;

- (b) An application for permission to alter substantially or demolish a Municipal Heritage Property;
 - (c) Building or other regulations that affect the attainment of the intent and purpose of the Heritage Property Act;
 - (d) Any other matter conducive to the effect of carrying out the intent and purpose of the Heritage Property Act.
6. The Clerk shall establish and maintain at the Municipal Office a Municipal Registry of Heritage Property wherein all documents relating to the registration of Heritage Property shall be filed.
7. The Municipal Registry of Heritage Property shall:
- (a) Be properly indexed;
 - (b) Contain data with respect to recommendations, registration, if applicable, recording particulars of documents required to be registered at the Registry of Deeds Office for the Municipality of the District of St. Mary's, Guysborough County, Nova Scotia copies of all notices required by the Heritage Property Act;
 - (c) Contain particulars of Heritage Property under recommendation or registered so as to adequately identify the property;
 - (d) Be accessible to the public at no charge during regular business hours at the Municipal Office.
8. The Heritage Advisory Committee may recommend to Council that a building, streetscape or area be registered as a Municipal Heritage Property in the Municipal Registry of Heritage Property and the prescribed notice of such recommendation shall be served and filed by the Clerk in accordance with the provisions of the Heritage Property Act.
9. 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.
10. The Council may register a building, streetscape or area as a Municipal Heritage Property in accordance with the provisions of the Heritage Property Act and the registration shall be in Form B.
11. Notice of any such registration shall be sent to each registered owner of the Municipal Heritage Property and a copy of the Registration shall be deposited in the Registry of Deeds Office for the District of St. Mary's.

12. Council may from time to time set out or amend the terms of reference within which the Heritage Advisory Committee shall operate.

THIS IS TO CERTIFY that the foregoing by-law was duly passed at a duly called meeting of the Council of the District of St. Mary's held on the 28th day of February A.D. 1989.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this *1st* day of *March* A.D. 1989.

Helen B. Macdonald

MUNICIPAL CLERK

F O R M A

NOTICE OF RECOMMENDATION TO REGISTER
AS A MUNICIPAL HERITAGE PROPERTY

TO:

You are hereby notified that:

1. The Heritage Advisory Committee has recommended that the land and building located at

be registered in the Municipal Registry of Heritage Property for the Municipality of the District of St. Mary's.
2. The reasons for this proposed designation are:
3. Section 13(4) of the Heritage Property Act prohibits any substantial alternation to the exterior appearance of a Municipal Heritage Property or any demolition of a Municipal Heritage Property for a period of One Hundred Twenty Days (120) from the date of service of this notice unless the Municipal Council before the expiration of the One Hundred Twenty days refuses to register your property as a Municipal Heritage Property.
4. The effect of recommendation and registration in the Municipal Heritage Registry as described in paragraph 1 is that no demolition or substantial alternation to the exterior appearance of your property may be made from the date of registration of your property as a Municipal Heritage Property unless an application, in writing, for permission to demolish or alter your property is submitted to the Municipality and the application is granted with or without conditions. Where your application is not approved, you may make alternations described in your application or carry out the proposed demolition at any time after one year but not more than two years from the date of the application.
5. You are hereby notified that the Council will sit to hear any objections regarding the recommendation of the property described in this Notice on the day of , A.D. 19 , at o'clock in the at
(This date must be 21 days after service of the notice). Information and particulars concerning the reasons for recommendation are

available from the office of the Clerk for the Municipality
of the District of St. Mary's during regular business hours.

DATED this day of
A.D., 19 .

MUNICIPAL CLERK & TREASURER

F O R M B

(To be filed in the Registry of Deeds for the Municipality of the District of St. Mary's and in the Municipal Registry of Heritage Property)

NOTICE OF REGISTRATION OF HERITAGE PROPERTY

TO:

You are hereby notified that:

1. The land and building located at:

has been registered in the Municipal Registry of Heritage Property by resolution adopted at a meeting of Council the day of , A.D. 19 .

2. The effect of registration in the Municipal Registry of Heritage Property is that no demolition or substantial alternation in the exterior appearance may be undertaken from the date of registration unless an application, in writing, for permission is submitted to the Council and the application is granted with or without conditions. Where an application is not approved, the owner may make the alternation described in his application or carry out the proposed demolition at any time after one year but not more than two years from the date of the application.

DATED this day of ,
A.D., 19 .

.....
MUNICIPAL CLERK/TREAS. (SEAL)