

HERITAGE PROPERTY BYLAW
MUNICIPALITY OF THE DISTRICT OF LUNENBURG

1. Definitions

In this Bylaw:

- (a) "Act" means the Heritage Property Act, R.S.N.S., 1989, Chapter 199;
- (b) "Clerk" means the Municipal Clerk for the Municipality of the District of Lunenburg;
- (c) "Committee" means the Heritage Advisory Committee;
- (d) "Council" means the Municipal Council of the Municipality of the District of Lunenburg;
- (e) "Municipality" means the Municipality of the District of Lunenburg

2. Heritage Advisory Committee

- (1) The Planning Advisory Committee of the Municipality shall be the Heritage Advisory Committee of the Municipality.
- (2) The Heritage Advisory Committee may advise the Municipality respecting:
 - a) the inclusion of buildings, street scapes and areas in the municipal registry of heritage property;
 - b) an application for permission to substantially alter or demolish a municipal heritage property;
 - c) building or other regulations that affect the attainment of the intent and purpose of this Bylaw;
 - d) any other matters conducive to the effective carrying out of the intent and purpose of this Bylaw.
- (3) The Heritage Advisory Committee may recommend to the Municipality that a building, street scape or area be registered as a municipal heritage property in the municipal registry of heritage property.
- (4) The Municipality shall cause notice of the recommendation to be served upon each registered owner of the building, street scape or area that is the subject of the recommendation at least thirty days prior to registration of the building, street scape or area in the municipal registry of heritage property, which Notice shall be as in Form "A" attached hereto.

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- (5) No building, street scape or area shall be registered as a municipal heritage property unless all the registered owners of such building, street scape or areas have given their prior consent in writing.

3. The Registry of Heritage Property

- (1) The Municipality shall establish and maintain a Registry of Heritage Property at its business office, where all

documents relating to the registration of heritage property pursuant to the Heritage Property Act or this Bylaw shall be filed.

(2) The Heritage Property Registry shall:

- a) be properly indexed;
- b) contain data with respect to recommendations, registration, if applicable, recording particulars of documents required to be lodged at the Registry of Deeds for Lunenburg County and true copies of all notices required by the 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.

4. Council may register a building, street scape or area as a Municipal Heritage Property in accordance with the provisions of the Act and the registration shall be in the form specified in Form "B", attached hereto.
5. The Council may de-register a municipal heritage property in accordance with the Act.
6. A municipal heritage property shall not be substantially altered in the exterior appearance or demolished without the approval of the Municipality and in accordance with the provisions of the Act.

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

HERITAGE PROPERTY BYLAW

FORM "A"

NOTICE OF PROPOSED RECOMMENDATION FOR THE REGISTRATION

IN THE MUNICIPAL HERITAGE REGISTRY

1. _____, you are hereby notified that: the land and building located
(Legal description of property. Also civic address and/or assessment number where applicable).
has been recommended to be registered in the Municipal Heritage Registry for the Municipality of the District of Lunenburg.
2. The reasons for this proposed designation are:
 - a) approximate date of erection;
 - b) type of architecture, typical of an era;
 - c) part of street scape (description of street scape location);
 - d) local significance, national significance.
3. No person shall substantially alter the existing appearance of or demolish the building, street scape or an area for one hundred twenty days after the Notice is served unless the Municipal Council refuses to register the property.
4. The effect of recommendation and registration in the Municipal Heritage Registry described in paragraph one is that no demolition or substantial alteration in the exterior appearance may be undertaken from the date of registration unless an application, in writing, for permission is submitted to the Municipality and the application is granted with or without conditions. (Where an application is not approved, the owner may make the alterations 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).

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

HERITAGE PROPERTY BY-LAW

FORM "B"

NOTICE OF REGISTRATION OF HERITAGE PROPERTY

TO: (Owners of Heritage Property)

You are hereby notified that:

1. The building, street scape or area:

(address, local, legal description or other identification of property)

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

2. The effect of registration in the Municipal Registry of Heritage Property is that no demolition or substantial alteration in the exterior appearance may be undertaken from the date of the registration unless an application, in writing, for permission is submitted to the Municipality and the application is granted with or without conditions. Where an application is not approved, the owner may make the alteration described in this 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 _____, 19____.

MUNICIPAL CLERK