



HERITAGE BY-LAW

REG-15

PUBLISHED BY AUTHORITY

Pursuant to the power conferred by Section 248 of the Municipalities Act Chapter M-23, the Town of Bonavista has adopted the following By-Law effective January 4, 1999: -

Betty Fitzgerald, Mayor

PURPOSE:

1. This By-Law may be cited as the “Heritage By-Law”.
2. The Council may, through the By-Law, from time-to-time designate areas in the Town to be “Heritage Areas”.
3. The Council may, by By-Law, from time-to-time designate buildings in the Town as “Designated Historic Properties”.

COMMITTEE MEMBERS:

1. The Council shall appoint an Advisory Committee to be designated and hereinafter called the “*Heritage Advisory Committee*” consisting of seven (7) members.
2. Two (2) of the members of the Heritage Advisory Committee shall be members of the Council.
 - a. At least two (2) members of the Heritage Advisory Committee shall be chosen by the Council from a list of nominees submitted every two years by the Bonavista Heritage Foundation.
 - b. At least one (1) member of the Heritage Advisory Committee shall be a member of the Bonavista Historical Society.
 - c. One member of the Heritage Advisory Committee shall be a resident of a Heritage Area (assuming an area is declared)
 - d. One member shall be a resident of the Town of Bonavista.

TERM OF OFFICE

1. The member of the Heritage Advisory Committee shall hold office for a term of two years but may be reappointed.
2. The Chairperson of the Heritage Advisory Committee shall be appointed by the Council.
3. If a vacancy should occur on the Heritage Advisory Committee, the person appointed to fill the vacancy shall be subject to retirement at the same time as if that person had become a member on the day on which the member on whose place he or she was appointed was last elected as a member.

AUTHORITY:

1. The Heritage Committee shall consider such matters relating to the designation of any areas as a "Heritage Area" or any buildings as "Historic Properties" as may be referred to it by Council.
2. The Heritage Advisory Committee shall compile and maintain a register of buildings within the town which are of architectural or historic interest and shall submit this list to the Council. This register may include, but shall not be limited to, those buildings identified in the Bonavista Historic Townscape Management Plan. In developing this list, it shall also determine a set of criteria for designation which shall guide it in its recommendations to the Council.
3. The Council may, by By-Laws, designate all or any of the buildings in the said list to be Designated Historic Properties.
4. Each person who is the owner of a building designated as a Heritage structure shall be notified of such designation by the Council by serving the owner a written notice that the building is so designated.
 - a. Notice may be served personally or sent by registered post addressed to the owner at the premises designated as a Historic Property. Any notice sent by post shall be deemed to have been served two days after posting.
5. Unless a permit to do so has been issued by the Council, no person shall:
 - a. Remove, pull down or demolish, or permit, suffer, or allow to be removed, pulled down or demolished any building within a Heritage area;
 - b. Alter or permit, suffer or allow to be altered, the exterior of any Designated Historic Property, whether located within a designated Heritage Area or not, including, without limiting the generality of the foregoing, the design, facade, or external appearance thereof.



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6. Before any permit is issued under Section 9, the application shall be submitted to the Heritage Advisory Committee for consideration. The Heritage Advisory Committee shall consider the application and within fourteen (14) days, submit a written recommendation to Council.
7. The Heritage Advisory Committee may use the guidelines and principles established in the Bonavista Historic Townscape Management Plan as a guide when considering applications to alter the exterior of any Designated Historic Property.
8. Any owner of a Historic Property within a Heritage Area aggrieved by a decision in connection with this By-Law of Council may, within fifteen (15) days after the decision is communicated to him/her, appeal by filing a notice of appeal with the appropriate Municipal Board of Appeal, which shall forthwith appoint a day, time, and a place for the hearing for such appeal.
 - a. The Board of Appeal shall give its decision in writing to the appellant.
9. Nothing herein shall relieve any person from complying with all other applicable laws and regulations of the Council.
10. As part of this By-Law, demolition permits will cost \$5.00.

REVISION HISTORY

Motion No.	Date:	Description:
99-02	January 4, 1999	New Policy Format Adopted