

CITY OF PORT MOODY

BYLAW NO. 2490

A bylaw under Section 970 of the *Local Government Act* to establish minimum standards of maintenance for real property designated as protected by a heritage designation bylaw or located within a heritage conservation area.

The Council of the City of Port Moody in open meeting assembled, enacts as follows:

TITLE

1. This Bylaw may be cited for all purposes as "Heritage Maintenance Standards Bylaw, 2001, No. 2490".

GENERAL REQUIREMENTS

2. The maintenance standards prescribed in this bylaw apply to real property designated as protected by a heritage designation bylaw under the *Local Government Act* or situate within a heritage conservation area designated under the *Local Government Act* and listed as protected heritage property in a schedule to the City of Port Moody's Official Community Plan Bylaw No. 2465.

OWNERS RESPONSIBILITY

3. Protected heritage properties require a reasonable level of maintenance to be effectively retained. The purpose of the standards is to ensure that significant deterioration does not jeopardize the life of the building.

The maintenance of a protected heritage property is the responsibility of the owner. The owner may need to obtain a heritage alteration permit, building permit or other approval from the City, depending upon the extent and type of work to be done.

GENERAL MAINTENANCE

4. Every owner of a protected heritage property referred to in Section 2 shall maintain the property so as to reasonably prevent, or effectively retard, damage from the elements. Original exterior features shall be retained, when possible. When replacement is necessary, new materials shall replicate the original in terms of design, colour and texture.

WEATHER AND INFESTATION

5. Every owner of a protected heritage property referred to in Section 2 shall maintain the property so as to reasonably prevent, or effectively retard, damage from the elements. This includes, but is not limited to, preventing water penetration and excessive damage to materials from the wind, sun and infestations.

PAINTING

6. Every owner of a protected heritage building referred to in Section 2 shall paint or stain the building as necessary and required to protect exterior finish materials. Painting of the buildings or structures, will not require a Heritage Alteration Permit as long as the proposed colour scheme is consistent with the guidelines relevant to the subject property.

STRUCTURAL INTEGRITY

7. Every owner of a protected heritage property referred to in Section 2 shall maintain every building and its structural members in good repair and in a manner that provides sufficient structural integrity so as to sustain safely its own weight.

HERITAGE CONSERVATION STANDARDS AND GUIDELINES

8. Every owner of a protected heritage property referred to in Section 2 shall undertake work in conformance to accepted heritage conservation principles, standards and guidelines. For the purposes of this bylaw the B.C. Heritage Trust Technical Paper Series 9: *Principles of Heritage Conservation*; Technical Paper Series 10: *Restoration Principles and Procedures*; and Technical Paper Series 11: *Rehabilitation Principles and Guidelines* will be used as the basis for the review of any proposed work on protected heritage properties. These will be superseded by the National Standards and Guidelines currently being prepared by the Federal Government as part of the National Historic Places Initiatives [anticipated adoption March, 2003].

EXTENDED PERIODS OF DISUSE

9. Where any protected heritage property referred to in Section 2 is to be left unoccupied for 15 days or longer, the owner shall secure the property to minimize the potential for vandalism and theft. At minimum this shall include:

- a) all points of entry to be secured; and

b) posting a sign, available free of charge from the Planning and Development Services Department, that reads substantially as follows:

**Protected Heritage Site
No Vandalism or Removal of Materials
Maximum individual penalty: \$50,000 and 2 years imprisonment.**

In addition to the above, when a protected heritage building is to be left unoccupied for 45 days or longer, the owner shall ensure that windows are covered to prevent glass breakage and other acts of vandalism to the satisfaction of the Director of Planning and Development Services. Under certain circumstances where a prolonged vacancy is being considered, the Director of Planning and Development Services may require that the property owner install security and fire alarms.

ENFORCEMENT

10. Failure to comply with these Minimum Maintenance Standards may result in an application by the City to the Supreme Court for an order for compliance or restoration under Section 979 of the Local Government Act.

11. Every person who contravenes any provision of this bylaw or who suffers, permits or causes any act or thing to be done in contravention of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, or fails to comply with an order, notice or direction given under this bylaw is guilty of an offence against this bylaw and is liable to a fine and penalty not exceeding \$ 2 000. Each day a violation is permitted to exist shall constitute a separate offence.

READ A FIRST TIME THE 26TH DAY OF FEBRUARY, 2002.

READ A SECOND TIME THE 26TH DAY OF FEBRUARY, 2002.

READ A THIRD TIME THE 26TH DAY OF FEBRUARY, 2002.

READ A THIRD TIME AS AMMENDED ON THE 23RD DAY OF JULY, 2002

ADOPTED THE 10TH DAY OF SEPTEMBER, 2002.

MAYOR

CITY CLERK