

## CORPORATION OF THE DISTRICT OF MAPLE RIDGE

### BYLAW NO. 6710 - 2009

A bylaw to establish minimum maintenance standards for protected heritage properties

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WHEREAS, pursuant to section 970 of the *Local Government Act*, Council may establish minimum standards for the maintenance of real property that is designated as protected by a heritage designation bylaw, or within a heritage conservation area;

NOW THEREFORE, the Municipal Council of the Corporation of the District of Maple Ridge enacts as follows:

#### Citation

1. This Bylaw may be cited for all purposes as "Heritage Maintenance Standards Bylaw No. 6710 - 2009".

#### Definitions

2. In this Bylaw:
  - (a) **graffiti** has the meaning set out in District of Maple Ridge Regulation of Untidy and Unsightly Premises Bylaw No. 6533, 2007, as amended;
  - (b) **heritage alteration permit** means a permit issued under section 972 of the *Local Government Act* (British Columbia);
  - (c) **heritage property** means real property located in the District of Maple Ridge that is:
    - (i) designated as protected by a heritage designation bylaw; or
    - (ii) within a heritage conservation area,and includes buildings, structures and other improvements affixed to the land;
  - (d) **heritage revitalization agreement** means an agreement made under section 966 of the *Local Government Act* (British Columbia).

#### Purpose

3. A **heritage property** requires a reasonable level of maintenance to be effectively retained. The purpose of these maintenance standards is to ensure that significant deterioration does not jeopardize the life of a building.

### Owner's Responsibility

4. The maintenance of a **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 District, depending on the extent and type of maintenance work to be done.

### Maintenance of Heritage Property

5. Every owner of a **heritage property** shall maintain the property in good repair. Every owner of **heritage property** shall preserve all original exterior and interior materials of that property until such time as a material has deteriorated to the point where it can no longer serve its purpose. When replacement of a deteriorated material is necessary, the owner shall replace that material with another material that is the same or very similar to the original material in type, form, texture, size, colour, and method of installation.
6. Upon completion by the owner of any work required in a **heritage revitalization agreement**, the owner shall maintain that work to the conservation standards set out in the **heritage revitalization agreement**.

### Weather and Infestation

7. Every owner of a **heritage property** 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 wind, sun and infestations.

### Exterior Finish Materials

8. Every owner of a **heritage property** shall maintain every building on the property as necessary to protect exterior finish materials, and shall ensure that new exterior colours and colour placements are in keeping with the period and style of the building.
9. Every owner of a **heritage property** shall remove graffiti using removal techniques that minimize damage to exterior finish materials.

### Structural Integrity

10. Every owner of a **heritage property** shall maintain all buildings located on the property and their structural members in good repair and in a manner that provides sufficient structural integrity so as to sustain safely the weight of the building and any additional loads and influences to which it may be subjected through normal use.

### Extended Periods of Disuse

11. Any building located on a **heritage property** that is left unoccupied for 15 to 45 days shall be secured by the owner at all points of entry to minimize the potential for vandalism and theft,

and the owner or a person known to the owner shall check on the property at least every 3 days.

12. Any building located on **heritage property** that is left unoccupied for 46 days or longer shall be secured by the owner at all points of entry and the owner shall post a sign (available free of charge from the District Planning Department) on the property that reads 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 **heritage property** is left unoccupied for 46 days or longer, the owner shall ensure that all windows are covered to prevent window breakage and other acts of vandalism, to the satisfaction of the Maple Ridge Fire Chief and the Manager of Building Services.

Enforcement

13. Failure by an owner to comply with these minimum maintenance standards for **heritage properties** may result in an application by the District to the Supreme Court of British Columbia for compliance or restoration under Section 979 of the *Local Government Act* (British Columbia).
14. Every person who violates or contravenes any provision of this bylaw or who suffers, permits or causes any act or thing to be done in contravention of any provision of this bylaw, is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding \$2,000. Every day a violation continues is deemed to be a separate offence.

Severability

15. If any section of this Bylaw is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of the Bylaw.

READ A FIRST TIME this 26<sup>th</sup> day of January, 2010.

PUBLIC HEARING held this 16<sup>th</sup> day of February, 2010.

READ A SECOND TIME this 23<sup>rd</sup> day of February, 2010.

READ A THIRD TIME this 23<sup>rd</sup> day of February, 2010.

ADOPTED this 26<sup>th</sup> day of October, 2010.

  
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PRESIDING MEMBER

  
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CORPORATE OFFICER