

Municipal Policy for the Protection of Vacant or At-Risk Heritage Properties

1. Purpose

This policy is established to safeguard designated heritage properties from deterioration, neglect, or deliberate damage, including fire-related losses. It places a clear responsibility on property owners to actively maintain, secure, and insure heritage assets. Additionally, it introduces enforcement mechanisms, including financial penalties, to deter neglect and ensure compliance.

2. Scope

This policy applies to all designated heritage properties under municipal, provincial, and federal heritage statutes. It also includes properties listed on the municipal heritage register that may be at risk due to vacancy, disrepair, or susceptibility to fire.

3. Owner Responsibilities

All owners of designated or listed heritage properties must:

a. Maintenance and Security

- Ensure that the property is adequately secured to prevent unauthorized access, vandalism, and arson.
- Conduct regular inspections (minimum quarterly) and submit reports to the municipal heritage office.
- Maintain essential services (such as fire suppression systems, where applicable) to mitigate risk.
- Implement fire prevention measures, such as removal of combustible debris and compliance with fire department recommendations.

b. Insurance and Financial Protection

- Obtain and maintain adequate insurance coverage to cover full restoration or reconstruction in the event of damage or destruction.
- Provide proof of insurance coverage to the municipality upon request.
- In the event of damage or destruction, demonstrate a clear and timely plan for reconstruction that adheres to heritage conservation best practices.

c. Fire Prevention Plan Submission

- Submit a fire prevention and property security plan to the municipality within 60 days of a property becoming vacant or at risk (due to disuse, redevelopment plans, or deferred maintenance).
- Update the plan annually or upon municipal request.

4. Compliance and Enforcement

To ensure compliance, the municipality will:

- Conduct random and scheduled inspections of vacant heritage properties.
- Issue Orders to Comply for deficiencies, with timelines for remediation.
- Require financial securities (such as a bond or deposit) from owners of vacant heritage buildings as assurance against damage.
- Implement escalating financial penalties for non-compliance.
- In cases of willful neglect or deliberate damage, initiate legal action under applicable property standards and heritage legislation.

5. Penalties and Remedies

Failure to comply with this policy will result in:

- **Fines:** Owners may be fined up to [\$X] per infraction, with escalating penalties for continued non-compliance.
- **Remedial Action by the Municipality:** If an owner fails to undertake necessary maintenance or security measures, the municipality may carry out the work and recover costs through property taxes.
- **Mandatory Reconstruction Orders:** In cases where a heritage property is lost due to fire or neglect, owners may be required to reconstruct the building to its original heritage specifications, funded through insurance or private means.
- **Heritage Permit Revocation or Development Freezes:** Owners found responsible for willful neglect or failure to secure a property may have any pending development applications frozen or heritage permits revoked.

6. Implementation and Review

This policy will take effect upon council approval and will be subject to review every three years to assess effectiveness and incorporate best practices.

Conclusion

This policy ensures that heritage property owners bear the responsibility for protecting historically significant assets. It prevents demolition by neglect, mitigates fire risks, and enforces financial accountability through mandatory insurance and reconstruction requirements. By introducing penalties and compliance measures, it creates a robust framework to deter intentional or negligent destruction of heritage properties.