



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

WHEREAS section 265 of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, provides that a council may pass bylaws for municipal purposes.

WHEREAS section 37(1) of the *Historic Resources Act*, RSY 2002, c. 109, and amendments thereto, provides that a municipal council may, by bylaw, designate as a municipal historic site, any site in the municipality that, in the opinion of the council, has sufficient historic significance in accordance with section 15 of the *Act*.

WHEREAS section 15 of the *Historic Resources Act*, RSY 2002, c. 109, and amendments thereto, provides that a municipal council designate any site as a historic site when satisfied that the site is, whether in itself or because of

- a) historic resources or human remains discovered or believed to be at the site, an important illustration of the historic or pre-historic development of the Yukon or a specific locality in the Yukon, or of the peoples of the Yukon or locality and their respective cultures; or
- b) the natural history of the Yukon or a specific locality in the Yukon,

and has sufficient historic significance to be so designated.

WHEREAS section 179 of the *Municipal Act*, RSY 2002, c. 154, section 48(f) of the *Historic Resources Act*, RSY 2002, c. 109, and amendments thereto, provides that a municipal council may establish a committee to advise council on heritage matters.

WHEREAS section 245 of the *Municipal Act*, RSY 2002 c. 154 and amendments thereto, provides that council may by bylaw provide grants as council considers expedient to any person, institution, association, group, government, or body of any kind.

THEREFORE, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS:**

PART I - INTERPRETATION

1.00 Short Title

1.01 This bylaw may be cited as the *Heritage Bylaw*.

2.00 Purpose

2.01 The purpose of this bylaw is to outline:

- (a) The duties and responsibilities of the Heritage Advisory Committee;
- (b) The designation and protection of municipal historic resources; and
- (c) The framework of a Heritage Fund program;



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3.00 Definitions

3.01 In this Bylaw:

- (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act*, RSY 2002, c. 125, shall apply;
- (b) "CAO" means the Chief Administrative Officer for the City of Dawson;
- (c) "city" means the City of Dawson;
- (d) "council" means the Council of the City of Dawson.
- (e) "designation" means a process of choosing an area or place, parcel of land, building or structure, the exterior or interior portion of a building or structure that is by itself, or by reason containing a historic resource to be a Municipal Historic Site.
- (f) "Development Officer" means the Community Development and Planning Officer or their delegate as appointed by the Chief Administrative Officer (CAO).
- (g) "Heritage Inventory" means a listing of historic resources within the City of Dawson that includes relevant information from the Yukon Historic Sites Inventory (YHSI). The Heritage Inventory is intended to complement, not duplicate, the YHSI.
- (h) "Historic Townsite" means the combined area of the Downtown Heritage Management Area and the Residential Heritage Management Area as defined by the *Zoning Bylaw*.
- (i) "Historic Resource" means a historic site, historic object, or any work or assembly of works of nature or human endeavor listed in the Yukon Historic Sites Inventory.
- (j) "Historic Resources Permit" means a permit issued by the Development Officer to authorize any proposed alteration to a historic resource.
- (k) "Minister" means the Minister of the Yukon Legislative Assembly responsible for the Historic Resources Act.
- (l) "Municipal Historic Site" means an area or place, parcel of land, building or structure, or the exterior or interior portion of a building or structure that is by itself, or by reason of containing a historic resource, designated by Council as a Municipal Historic Site.



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(m) "Municipal Historic Sites Inventory" means a listing of the Municipal Historic Sites designated by Council.

(n) "Registered Owner" means the individual(s) listed as the owner on the current land titled for the property.

PART II – APPLICATION

4.00 Heritage Advisory Committee Structure and Proceedings

- 4.01 Council shall, by resolution, appoint a minimum of three (3) and a maximum of five (5) voting members to the Heritage Advisory Committee (HAC). Members shall be residents of, or be the registered owner of property/properties in, the City of Dawson but are not required to be Canadian citizens.
- 4.02 Terms for voting members shall be of a two-year period and shall be staggered so that the terms of members end in alternate years. Appointments shall be to terms concluding on September 30th of any given year. Members may be reappointed to succeeding terms.
- 4.03 Members serve at the pleasure of Council.
- 4.04 Where a member of HAC has failed to attend three (3) consecutive HAC meetings without the consent of the chair, HAC may, by resolution, recommend to Council that Council revoke the appointment of such member by resolution.
- 4.05 At the first regular meeting following September 30th in any year, HAC shall, by resolution, appoint a chair and deputy chair for a term not exceeding one year.
- (a) Members may volunteer their names for consideration. If no volunteers come forward, chair and deputy chair shall fall to the two longest-standing members of HAC.
- (b) A chair may serve for more than one successive term.
- 4.06 Council shall appoint up to four (4) heritage professional advisory members to HAC, with one (1) each invited from Tr'ondëk Hwëch'in, Parks Canada, Yukon College, and Government of Yukon.
- (a) Each professional advisory member may appoint an alternate who may participate on their behalf should they be unavailable to attend a meeting.
- (b) The Yukon College professional advisory member should be teaching or studying in a relevant building related field such as carpentry.
- (c) Individuals not affiliated with one of the organizations listed in 4.06 may serve as professional advisory members under the following conditions:
- I. There are currently less than four (4) professional advisory members appointed by Council; and
 - II. The number of voting members appointed to HAC has already reached the maximum of five (5) members.



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- 4.07 Professional advisory members shall:
- (a) Be non-voting members of HAC with participation in all HAC meetings;
 - (b) Be appointed to a term not exceeding two years, but may be reappointed to succeeding terms; and
 - (c) Serve at the pleasure of Council.
- 4.08 Unless otherwise specified in this bylaw, conduct at meetings shall be in accordance with section 11 the *Council Proceedings Bylaw*, and amendments thereto.
- 4.09 Three (3) voting members of HAC shall constitute a quorum at any meeting.
- (a) If quorum is not present within 30 minutes after the time fixed for a regular or special meeting of HAC, the Development Officer shall ensure the names of members present are recorded and the meeting shall be adjourned until the next regular or special meeting.
 - (b) If a member arrives late, no prior discussion shall be reviewed for that member's benefit except with the unanimous consent of all members present at the meeting.
- 4.10 Members who are in conflict of interest must declare the conflict and step down from the table during discussion and voting for the related agenda item(s).
- (a) Members are considered to be in conflict where they may be perceived as unable to make an unbiased assessment of the matter at hand due to monetary or other tangible benefits relating to:
 - I. The member or the member's immediate family;
 - II. A corporation in which the member is a shareholder, director, or officer;
 - III. A society in which the person is a member, officer or employee; or
 - IV. A partnership or firm of which the person is a member.
 - (b) The withdrawal and return of the member shall be recorded in the minutes.
- 4.11 Each voting member of the Heritage Advisory Committee will be compensated with a monthly honorarium of \$200.00.

5.00 Heritage Advisory Committee Duties & Responsibilities

- 5.01 HAC shall:
- (a) Consider and make recommendations to the Development Officer regarding historic resource permit applications;
 - (b) Consider and make recommendations to the Development Officer regarding heritage aspects of a development permit applications in the historic townsite;
 - (c) Consider and make recommendations to the Development Officer regarding nominations for designation of a Municipal Historic Site based on publicly available evaluation criteria;
 - (d) Provide a list of proposed heritage-related projects once per fiscal year for consideration in the Council annual operating budget process;



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- (e) Provide feedback and input to the Development Officer to assist with the development and maintenance of a development & heritage guide to provide a consistent framework for decision making; and
 - (f) Other duties as delegated to it by council from time to time.
- 5.02 HAC and its members shall not represent the City of Dawson in a formal or informal capacity unless requested and/or approved by council.
- 5.03 If, after two consecutive meetings, HAC is unable to make a decision on any matter once all information has been received, HAC shall refer the matter to council.
- 5.04 HAC members will be required to attend orientation and ongoing training as recommended by the Development Officer and determined by Council.
- 6.00 Heritage Advisory Committee Meetings**
- 6.01 At the last meeting of each calendar year, HAC shall establish the regular HAC meeting dates for the following year.
- 6.02 All regular meetings shall be scheduled from 7:00pm to 9:00pm. HAC may, by resolution, extend the hours of a regular meeting, not exceeding two periods of thirty (30) minutes.
- 6.03 When the day fixed for a regular meeting of HAC falls on a statutory holiday, the meeting shall be held on the following working day.
- 6.04 The Development Officer may recommend cancellation of a regular meeting if there are no matters referred to HAC.
- 6.05 Notwithstanding s. 6.04 above, HAC shall hold a minimum of one regular meeting per month.
- 6.06 Meetings shall be attended in person wherever possible. A member may participate by electronic means if it is not feasible to attend in person. Electronic participation contributes to the quorum of the meeting.
- 7.00 Heritage Advisory Committee Agendas and Minutes**
- 7.01 Notice for each meeting shall be given in the form of an agenda and meeting package distributed electronically not less than two (2) working days prior to the time of the meeting.
- 7.02 All matters to be considered at a meeting, including development permit and historic resources permit applications, shall be submitted to the Development Officer at least four (4) business days prior to the time of the meeting.
- 7.03 No business other than that stated in the regular meeting agenda shall be heard at that meeting unless all members present pass a resolution unanimously to accept a time-sensitive item.
- 7.04 Upon the meeting being called to order, the following shall be the order of business unless otherwise determined by unanimous consent of the members present at the meeting:



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- (a) Call to Order
 - (b) Adoption of Agenda
 - (c) Delegations
 - (d) Business Arising from Delegations
 - (e) Adoption of Minutes
 - (f) Business Arising from Minutes
 - (g) Applications
 - (h) Reports
 - (i) Unfinished Business
 - (j) New Business
 - (k) Correspondence
 - (l) Information
 - (m) Adjournment
- 7.05 Delegates may register an interest in a specific topic, in advance, in order to address HAC about the topic, with a speaking time not to exceed ten (10) minutes.
- 7.06 Notwithstanding s. 7.05 above, delegations on standalone topics that are not associated with an application shall be no longer than ten minutes, and may only be accepted if time permits, at the discretion of the Development Officer.
- 7.07 All recommendations shall be approved by a resolution. Reasons and explanations for a resolution shall be outlined in the minutes.
- 7.08 The Chair, or any two members, may call special meetings as deemed necessary, provided that two (2) working days notice be given to all members prior to the meeting.
- 7.09 HAC shall report to Council on a biannual basis.
- (a) The biannual dates shall be determined at the beginning of the calendar year.
- 7.10 HAC may, by resolution, close a meeting to the public if the matter to be discussed is a matter contemplated by section 213(3)(b) of the *Municipal Act*.
- 7.11 The Development Officer shall ensure that minutes of all proceedings are legibly recorded and approved as accurate by resolution at the next regular meeting.
- (a) When approved as accurate, the Development Officer shall forward the minutes to Council as information.
- 8.00 Municipal Historic Sites**
- 8.01 Council may either, on its own motion, or upon nomination by any person or group of persons, designate any site as a Municipal Historic Site when it has determined, in its opinion, that the site is an important illustration of the historic development of the Klondike Valley, or the natural history or peoples and cultures of the Klondike Valley Cultural Landscape, as delineated in the *Heritage Management Plan*.



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- 8.02 Designation of a site as a Municipal Historic Site under s. 8.01 above must be in compliance with the requirements listed in Part 5 of the *Historic Resources Act* and amendments thereto.
- 8.03 When a person or group of persons wishes to designate a site as a Municipal Historic Site, they shall complete a nomination form and submit it to the Development Officer with the prescribed fee as per the *Fees and Charges Bylaw*.
- 8.04 When the Development Officer receives a nomination to designate a Municipal Historic Site, they shall:
- (a) Assess the application for completeness and accuracy;
 - (b) Present the nomination to HAC for evaluation; and
 - (c) Prepare a report including:
 - I. the recommendations of HAC;
 - II. whether the site meets the requirements of this bylaw and of the *Historic Resources Act*; and
 - III. an overall assessment of the nomination with respect to overall planning considerations.
 - (d) Present the report detailed in s. 8.04(b) above for Council consideration.
- 8.05 Prior to passing a bylaw to designate a Municipal Historic Site under s. 8.01 above, Council will give full consideration of the recommendations provided in the report provided under s. 8.04(b).
- 8.06 A bylaw to designate a Municipal Historic Site shall include, at minimum:
- (a) A legal description of the land to be designated, if available, and/or a written description of the land to be designated;
 - (b) A map delineating the land to be designated;
 - (c) Reasons for designation; and
 - (d) Any specific protection measures or prohibitions as determined necessary by Council.
- 8.07 All transfers or sales of Municipal Historic Sites shall be completed in accordance with S. 51 and 52 of the *Historic Resources Act*.
- 9.00 Heritage Inventory**
- 9.01 Council will maintain an inventory of
- (a) all designated Municipal Historic sites in compliance with S. 55 of the *Historic Resources Act*; and
 - (b) all existing historic resources within the municipality, including sites which have historical significance but which have not been designated by Council as a Municipal Historic Site.



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10.00 Protection of Historic Sites

- 10.01 As per S. 48, 49, and 50 of the *Historic Resources Act*, the Development Officer is appointed by this bylaw to serve as an inspector for the enforcing of this bylaw and the *Historic Resources Act*.
- 10.02 No person shall make, demolish, move, or make alterations to a Municipal Historic Site and/or a site listed on the Heritage Inventory unless such alteration is carried out in accordance with a valid development permit or historic resources permit.
- 10.03 In addition to s. 10.01 and 10.02 above, no person shall carry out an activity that will, in the opinion of HAC, alter the character defining elements of a Municipal Historic Site, without a resolution by Council indicating approval.
- 10.04 Upon receipt of an application for a development permit or historic resources permit for an activity that may alter the historic character of a non-designated site listed on the Heritage Inventory, HAC may recommend that the Development Officer bring the application forward to determine if Council wishes to commence the process for designation as a Municipal Historic Site.

11.00 Historic Resources Permit

- 11.01 A historic resources permit is required for any proposed exterior alterations and/or alterations of a character defining element of a Municipal Historic Site and/or to a site listed on the Heritage Inventory that does not meet the threshold for a development permit as defined in the sections 4.1 and 4.2 of the *Zoning Bylaw*.
- 11.02 Historic resources permit will be assessed and approved by the Development Officer, with recommendations from HAC, in accordance with the following, as applicable:
- (a) Development & Heritage Guide;
 - (b) *Design Guidelines for Historic Dawson*;
 - (c) *Standards and Guidelines for the Conservation of Historic Places in Canada*;
 - (d) *Heritage Management Plan*;
 - (e) *Zoning Bylaw*; and
 - (f) Statement of significance and character defining elements.

12.00 Heritage Fund

- 12.01 As per the *Reserves Fund Bylaw* Appendix A, the Heritage Fund may be used to assist with the following:
- (a) Restoration, enhancement, or renovation of Municipal Historic Sites and sites listed on the Heritage Inventory;
 - (b) Acquisition, by the City of Dawson, of Municipal Historic Sites and sites listed on the Heritage Inventory for heritage conservation/restoration purposes;



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- (c) Provision of financial assistance to owners or lessees of Municipal Historic Sites and sites listed on the Heritage Inventory for restoration, enhancement, or renovation of the site;
 - (d) Research to aid with interpretation of the culture and history of the Klondike Valley Cultural Landscape;
 - (e) Development of interpretive media such as signage, panels, or tours;
 - (f) Increasing public awareness of historic resources and heritage management of the City; and
 - (g) Other heritage purposes as specified by the resolution of Council.
- 12.02 Council shall transfer revenues from historic resources permits and Municipal Historic Site nominations to the Heritage Fund.
- 12.03 The Heritage Fund may be accessed by two project types:
- (a) Municipal projects, not exceeding a value of \$5,000 per fiscal year, that have been identified by HAC but have not been allocated budget funding; and
 - (b) Private projects that have proceeded through the Heritage Incentive application process as outlined in s. 13 of this bylaw.
- 12.04 Where HAC wishes to propose a project that meets the requirements for withdrawal from the Heritage Fund as per s. 12.01 and s. 12.03(a) above, HAC shall work with the Development Officer to devise a scope of work to be considered by Council. Municipal projects accessing the Heritage Fund will only be considered after the Heritage Incentive intake each year.
- 12.05 With respect to s. 12.03 above, Council shall hear project proposals for the Heritage Fund and may decide to:
- (a) Approve the project and transfer the full requested amount out of the Heritage Fund;
 - (b) Approve the project with minor changes transfer a full or partial amount out of the Heritage Fund;
 - (c) Request that changes are made to the project scope and returned with an updated proposal; or
 - (d) Decline the project because it is not eligible and/or is not deemed a project priority.
- 13.00 Heritage Incentives**
- 13.01 Registered owners or lessees (with written authorization from the registered owner) of a Municipal Historic Site or a site listed on the Heritage Inventory may apply to the Heritage Fund as per s. 12.01 above.
- 13.02 Eligible restoration, enhancement, or renovation costs for Tier I and II incentives include the following:
- (a) Repair or replacement of roofs or foundations;
 - (b) Sealing to weather;
 - (c) Stabilization and/or installation of additional bracing;



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- (d) Repair or reproduction of doors and windows;
 - (e) Repair or replacement of cladding;
 - (f) Returning the exterior to its original appearance as per photographic evidence or other research as appropriate;
 - (g) Painting, where it can be demonstrated as a conservation activity;
 - (h) Interpretive signage and/or other publicly available interpretive media;
 - (i) Alterations that bring a structure into compliance with current bylaws in order to resolve a legal non-conforming status but do not impact the heritage values or character defining elements;
 - (j) Procurement of materials to undertake any of the above; and
 - (k) Procurement of skilled labour to undertake any of the above.
- 13.03 Non-eligible projects include the following:
- (a) Projects where a government is the applicant;
 - (b) Cyclical repair such as cosmetic repainting and landscaping;
 - (c) Private purchase of land or structures;
 - (d) Projects that have already commenced or are already complete;
 - (e) Projects on properties that have received funding under this bylaw within the last five (5) calendar years;
 - (f) Restoration or redevelopment that does not conform with the *Zoning Bylaw*, *Heritage Management Plan* and the *Design Guidelines for Historic Dawson*; and the *Standards and Guidelines for the Conservation of Historic Places in Canada*. Exceptions may be made for structures that are demonstrated to be legal non-conforming and meet the criteria for alterations to a legal non-conforming structure as per the *Municipal Act*.
 - (g) Projects on properties with outstanding property tax or compliance infractions with respect to any municipal bylaw.
- 13.04 Owners or lessees of a Municipal Historic Site are eligible for a Tier I Heritage Incentive, which constitutes up to 50% of an eligible project to a maximum of \$10,000.
- 13.05 Owners or lessees of a non-designated Historic Resource are eligible for a Tier II Heritage Incentive, which constitutes up to 50% of an eligible project to a maximum of \$5,000.
- 13.06 Tier I and II Heritage Incentives are granted on an annual basis to a combined maximum that is equal to half of the Heritage Reserve Fund or \$20,000 per year, whichever is lesser.
- 13.07 Applications for Tier I and II Heritage Incentives will be considered complete when the following information is submitted to the Development Officer by April 15 of each year:
- (a) Completed application form;
 - (b) Project Proposal detailing:
 - I. Work plan and timeline;
 - II. Rationale for the project;



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- III. Current state of the structure/site (with photographs);
 - IV. Explanation of how the project advances the goals of the *Heritage Management Plan* and preserves the heritage values and/or character defining elements of the site; and
 - V. Explanation of how the project will extend the life of the site and provide heritage value to the broader community;
- (c) Project budget, including details on proposed outside funding sources and ability to finance the project;
 - (d) Detailed drawings showing compliance with the *Zoning Bylaw*, *Heritage Management Plan*, *Design Guidelines for Historic Dawson*, and *Standards and Guidelines for the Conservation of Historic Places in Canada* where appropriate;
 - (e) Historical evidence of the site/structure's original use and features, such as historic photos or museum records; and
 - (f) Written approval from the registered owner of the site (where applicable).
- 13.08 Applications that do not meet all of the criteria listed in s. 13.07 above will not be assessed.
- 13.09 Applications for a heritage incentive will be assessed against the following criteria:
- (a) Whether the application is for a Tier I or II incentive, with Tier I being the highest weighted incentive;
 - (b) The degree of deterioration and necessity of restoration;
 - (c) The financial and technical ability of the applicant to complete the work;
 - (d) Ability of the applicant to access other funding for the project;
 - (e) The clarity, accuracy, and credibility of the project proposal;
 - (f) The degree of benefit to the heritage integrity of the site;
 - (g) The degree of community benefit; and
 - (h) Demonstration of commitment to using design features, materials, and styles that meet the *Design Guidelines for Historic Dawson* and the *Standards and Guidelines for the Conservation of Historic Places in Canada*.
- 13.10 Applicants may, upon request to the Development Officer, speak as a delegate to HAC to explain and get feedback on their proposal prior to formal submission of an application for a Heritage Incentive.
- 13.11 Council shall, upon the recommendation of HAC, determine by resolution whether an application, or any part thereof, should be:
- (a) Fully approved;
 - (b) Partially approved;
 - (c) Approved with additional conditions; or
 - (d) Denied.
- 13.12 Successful applications will be required to enter into a Contribution Agreement with the City of Dawson, detailing at minimum, the following conditions:



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- (a) The proposed project shall not commence until the proponent has obtained a valid development permit and/or historic resources permit, as applicable.
- (b) Funds will be released upon the completion of the project based on a site visit conducted by the Development Officer to confirm that the work has been completed to the specifications detailed in the plans submitted;
- (c) Confirmation that any applicable territorial permits have been approved and closed;
- (d) The applicant must remain in compliance with all relevant municipal and territorial legislation;
- (e) The Contribution Agreement may be terminated if, in the opinion of the City of Dawson, the applicant fails to comply with any conditions of the Agreement;
- (f) Any project-specific conditions as identified by the Development Officer, HAC, or Council.

13.13 Receipt of an incentive through another funding opportunity does not change the eligibility of a project under this program.

14.00 Penalties

14.01 A development officer may enforce the provisions of this bylaw in accordance with the *Yukon Municipal Act*.

14.02 Any person who does the following commits an offence:

- (a) contravenes, causes, or permits a contravention of this bylaw or a historic resources permit;
- (b) neglects or omits anything required under this bylaw or a historic resources permit;
- (c) fails to comply with an order, direction, or notice given under this bylaw; or
- (d) fails to provide entry for inspection under this bylaw.

14.03 If a development officer finds that a person is committing an offence under this bylaw, the development officer may require the person responsible for the violation to remedy it through a notice of offence order.

14.04 A development officer may issue a notice of offence order to:

- (a) the owner of the property;
- (b) the person in possession of the land or buildings; or
- (c) the person responsible for the offence.

14.05 The notice of offence order must be delivered in person, by registered mail, or by posting the notice in a conspicuous location on the site.

14.06 A notice of offence order shall:

- (a) describe the nature of the violation;
- (b) describe the actions or measures required to remedy the violation, including the removal or demolition of a structure that has been erected or placed;
- (c) state a time within which the person must comply with the directions or the order; and



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- (d) state that if the person does not comply with the directions within a specified time an offence ticket will be issued and/or the municipality will take action or measure at the expense of the person.
- 14.07 Where a person fails or refuses to comply with the notice of offence order, a development officer may take such action as is necessary to enforce the order.
- 14.08 The costs and expenses incurred by the City in carrying out a notice of offence order shall be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on the land.
- 14.09 If the corrective measures described in a notice of offence are not completed within the specified time, or if development continues after a permit has been revoked or a fine has been issued, the person to whom the order was issued may be issued an offence ticket by a development officer.
- 14.10 All offence tickets shall be prepared and served in accordance with part 3 of the Yukon *Summary Convictions Act*.
- 14.11 An offence ticket shall be served by registered mail or in person.
- 14.12 Set fines under this section include the following:
- (a) Failure to obtain a historic resources permit - \$250.00
 - (b) Failure to obtain a historic resources permit (second or subsequent offence) - \$500.00
 - (c) Failure to comply with permit conditions - \$250.00
 - (d) Failure to comply with permit conditions (second or subsequent offence) - \$500.00
 - (e) Failure to comply with notice of offence order - \$250.00
 - (f) Failure to comply with notice of offence order (second or subsequent offence) - \$500.00
 - (g) Failure to grant right of entry - \$250.00
 - (h) Failure to grant right of entry (second or subsequent offence) - \$500.00
- 14.13 The costs and expenses incurred by the City in carrying out a notice of offence order shall be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on the land.
- 14.14 When a development officer is satisfied that there is a continued contravention of this bylaw and it appears the contravention will not be corrected in a timely manner, the development officer may report such a contravention to Council.
- 14.15 Council may, on finding that any development or use of land or buildings is in contravention of this bylaw:
- (a) direct the development officer to act on the matter;
 - (b) suspend or revoke a development permit with respect to such contravention; and/or
 - (c) apply to the Court for an injunction to restrain such contravention.
- 14.16 A person who fails or refuses to comply with a notice of offence order is liable to sanctions as described in section 343 of the Yukon *Municipal Act*.



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- 14.17 In addition to the penalties provided for in this bylaw, a person convicted of an offence may be ordered to remove such development and reclaim the site at that person's own expense.
- 14.18 Should any person owning or occupying real property within the City refuse or neglect to pay any penalties that have been levied pursuant to this bylaw, the development officer may inform such person in default that the charges shall be added to, and shall form part of, the taxes payable in respect of that real property as taxes in arrears if unpaid on December 31 of the same year.



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PART III – FORCE AND EFFECT

15.00 Severability

15.01 If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

16.00 Bylaw Repealed

16.01 Bylaw 09-04, 09-06, 14-12, 15-06, and their amendments are hereby repealed.

17.00 Enactment

17.01 This bylaw shall come into force on the day of the passing by Council of the third and final reading.

17.02 This bylaw shall be reviewed every 5 years.

18.00 Bylaw Readings

Readings	Date of Reading
FIRST	July 29, 2019
SECOND	October 30, 2019
THIRD and FINAL	November 20, 2019

Originals signed by:

Wayne Potoroka, Mayor

Presiding Officer

Cory Bellmore

Chief Administrative Officer