THE HAMILTON LACAC (MUNICIPAL HERITAGE COMMITTEE) PRESENTS REPORT 06-002 AND RESPECTFULLY RECOMMENDS:

1. Proposed By-Law to Prevent Demolition of Heritage Properties by Decay (Item 5.6)

   WHEREAS many Hamilton heritage buildings are deteriorating, due to lack of proper maintenance and enforcement by Property Standards;

   AND WHEREAS such inaction leads to ‘demolition by decay’;
AND WHEREAS the loss of our built heritage weakens the distinctiveness of our community and our sense of attachment to the past;

AND WHEREAS other municipal jurisdictions have by-laws and/or are studying by-laws that would ban demolition through neglect;

THEREFORE BE IT RESOLVED that the Hamilton LACAC (Municipal Heritage Committee) recommends that a by-law to prevent demolition of heritage properties by decay be considered for the City of Hamilton and that Council be advised that staff be directed to conduct the necessary research and analysis with respect to said by-law.

FOR THE INFORMATION OF COMMITTEE:

(a) Proposed By-Law to Prevent Demolition of Heritage Properties by Decay (Item 5.6)

The proposed motion, in Item 5.6, was brought forward to the Hamilton LACAC (Municipal Heritage Committee) by its Policy Sub-committee; who in turn provided a copy of an article in the Toronto Star entitled “Bylaw takes aim at “demolition by decay”, dated July 17, 2006, for Committee’s information.

The article states that the proposed Toronto by-law, which is “based on one from Miami, would require minimum standards of maintenance. Its intention is to preserve the interior, exterior and structural integrity of historical and architecturally significant buildings. If adopted, the new regulations would allow the City to impose fine of up to $5,000 a day. The City could also force owners to take remedial action at their own expense. Failure to comply would give the City the right to foreclose.”