

**CORPORATION OF THE
TOWNSHIP OF GREATER MADAWASKA**

BY-LAW 16-2003

Being a By-Law to prohibit excessive fortification of land and to prohibit the application of excessive protective elements to land within the Township of Greater Madawaska.

WHEREAS Section 133 of the Municipal Act, 2001, as amended, provides that by-laws may be passed by a Council of a Municipality for the prohibition of excessive fortification and excessive protective elements;

WHEREAS it is deemed expedient that a By-law to prohibit the fortification of land or the installation or construction of protective elements being applied to the land, be established within the Township of Greater Madawaska;

AND WHEREAS the excessive fortification of land or the application of excessive protective elements to land is likely to pose a serious threat to the safety and integrity of abutting land as well as the owners and occupiers thereof by restricting, obstructing, impeding or preventing municipal and law enforcement officials and/or emergency services personnel from responding to emergency situations effectively and in a timely manner.

NOW THEREFORE the Council of the Corporation of the Township of Greater Madawaska enacts as follows:

- 1) **THAT** for the purpose of this By-law, a building fortification or protection element refers to the following:
 - i) The materials used, assembled or maintained to shield or fortify a building against firearm projectiles, the use of explosives, the impact or thrust of vehicles, or any other type of assault, in particular:
 - (a) Protective shields made of metal or other material and laid out inside or outside a building,
 - (b) Rolled glass or any other bullet proof glass or material laid out near windows, in windows or in doors;
 - (c) Bullet proof shutters and curtains or with resistance to explosives and impacts, made of material, and attached to windows, doors or any other building opening;
 - (d) Armoured or specially reinforced doors;
 - ii) Surveillance equipment.
- 2) **THAT** for the purpose of this by-law "land" means land, including buildings, mobile homes, mobile buildings, mobile structures, outbuildings, fences, erections, physical barriers and any other structure on the land or on or in any structure on the land.
- 3) **THAT** the fortification of land and/or the installation of protection elements where the use of one or more of those elements is not justified by the nature of the operations carried out in the building, by the building's heritage value, or by the necessity of protecting health, life or public safety, is prohibited.
- 4) **THAT** without limiting the generality of Section 3 the use of one or more fortification elements is permitted for a consulate, a financial institution, an exchange bureau, a government building, a jewellery store, a museum, or laboratory or storage facility where toxic or hazardous products are kept.
- 5) **THAT** where land is found to be in non-compliance with this by-law, the Chief Building Official may issue an order to require the owner of land, at the owner's

expense, to perform remedial work in respect of the land so that it is in conformity with this By-law.

- 6) **THAT** where land is found to be in non-compliance with this by-law, the Chief Building Official may issue an order to require the owner of land, at the owner's expense to perform remedial work in respect of the land so that it is in conformity with this By-law even though the fortifications or protective elements to which the By-law applies were present on the land before the By-law came into force.
- 7) **THAT** a permit shall not be issued under the ***Building Code Act***, if the proposed building or construction or use of the building will, in the opinion of the Chief Building Official, be in contravention of this by-law.
- 8) **THAT** any person who contravenes any of the provisions of this by-law is guilty of an offence under the jurisdiction of the ***Provincial Offences Act***.

BE IT FURTHER ENACTED, that all By-Laws or parts thereof, and all or any Resolutions of Council contrary thereto, or inconsistent herewith, be and the same are hereby repealed.

READ a first time this 9th day of September, 2003.

READ a second time this 9th day of September, 2003.

READ A THIRD AND FINAL TIME and passed this 9th day of September, 2003 in the Township of Greater Madawaska in the County of Renfrew.



REEVE



CLERK-TREASURER

