

# **THE CORPORATION OF THE VILLAGE OF CUMBERLAND**

## **BYLAW NO. 886**

### **A Bylaw to Prohibit the Fortification of Land within the Village of Cumberland**

**WHEREAS** it is deemed expedient that a bylaw be adopted which prohibits the fortification of land or the installation or construction of protective elements being applied to the land in relation to the uses of the land in the boundaries of the Village of Cumberland;

**NOW THEREFORE**, the Council of the Corporation of the Village of Cumberland in open meeting assembled, enacts as follows:

1. For the purposes of this bylaw:
  - a) A building fortification or protection elements 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:
      - 1) protective shields made of metal or other material inside or outside a building;
      - 2) rolled glass or any other bullet-proof glass or material near windows, in windows or in doors;
      - 3) shutters and curtains that are bullet-proof or resistant to explosives and impacts, made up of any material, and attached to windows, doors or any other building opening;
      - 4) armoured or specially reinforced doors; and
      - 5) surveillance equipment;
    - b) the definition of "land" includes any interest in land, including any right, title or estate in it of any tenure, including all buildings and structures located on the land, unless there are words to exclude building and structures, or to restrict the meaning.
2. The fortification of Land and/or the installation of protection elements where the use of one or more of those elements is not reasonably justified by the nature of the operations legally carried out on the Land, by the building's heritage value, or by the necessity of protecting health, life or public safety, is prohibited.
3. Without limiting the generality of Section 2 the use of one or more fortification or protection elements is permitted for a financial institution, a government building, a jewellery store, a museum, laboratory, or storage facility where toxic or hazardous products are kept.

4.     a)     Where land is found to be in non-compliance with this bylaw, the building inspector or Protective Services Manager may issue an order to require the owner of Land, at the owner's expense, to perform such remedial work in respect of the Land as may be required to bring the Land into conformity with this bylaw.  
  
       b)     Subsection (a) applies notwithstanding that the fortifications or protective elements were present on the land before the bylaw came into force.
5.     A permit shall not be issued under the *BC Building Code* if the proposed building or construction or use of the building will, in the opinion of the Building Inspector, be in contravention of this bylaw.
6.     Any person who contravenes any of the provisions of this bylaw is guilty of an offence under the jurisdiction of *the Offences Act*.
7.     This bylaw may be cited for all purposes as "The Corporation of the Village of Cumberland Fortification of Land Bylaw No. 886, 2007."

**READ A FIRST TIME THIS 13<sup>th</sup> DAY OF NOVEMBER, 2007.**

**READ A SECOND TIME THIS 13<sup>TH</sup> DAY OF NOVEMBER, 2007.**

**READ A THIRD TIME THIS 13<sup>TH</sup> DAY OF NOVEMBER, 2007.**

**ADOPTED THIS 26<sup>th</sup> DAY OF NOVEMBER, 2007.**

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Mayor

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Corporate Administration Officer

I hereby certify the foregoing to be a true and correct copy of "The Corporation of the Village of Cumberland Fortification of Land Bylaw No. 886, 2007", as adopted by Council on the 26<sup>th</sup> day of November, 2007.

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Corporate Administration Officer