BY-LAW NO. 2010-XXX

A BY-LAW TO AMEND BY-LAW NO. 2006-132 “A BY-LAW TO ESTABLISH A LEGAL DEPOSIT FOR ARCHEOLOGICAL ASSESSMENTS CARRIED OUT WITHIN THE CITY OF KINGSTON” (As Amended)

PASSED:

WHEREAS the City of Kingston values its cultural heritage;

AND WHEREAS the Provincial Policy Statement, 2005 and the Ontario Heritage Act, R.S.O. 1990, c. O.18 necessitates the protection of recognized or potential archaeological resources;

AND WHEREAS the Planning and Development Department, to make diligent decisions concerning archaeological resources, requires a mechanism to develop a comprehensive database of all known existing archaeological sites;

AND WHEREAS new archaeological sites, including find spots and negative results, are not always registered with the Province of Ontario;

AND WHEREAS a ‘Legal Deposit’ is an internationally recognized means of building a collection of important written materials;

AND WHEREAS this legal mechanism has been introduced in several other Ontario municipalities to facilitate the creation of archaeological databases;

AND WHEREAS, it is necessary that Planning and Development Department Staff be made aware of all archaeological results, including find spots and negative results to ensure that planning decisions are consistent with the Provincial Policy Statement, 2005 and the requirements of the Ontario Heritage Act;

AND WHEREAS, the existing by-law does not have any mechanism for enforcement to ensure compliance;

NOW THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. That the City of Kingston amends By-Law 2006-132 to include the following Clause 6:

6. Failure to comply with this by-law will result in the offending firm becoming ineligible for any City of Kingston Purchase Order, Request for Proposal, or Tender until such time as all required archaeological assessments are received by the City.

GIVEN THREE READINGS AND FINALLY PASSED

CITY CLERK

MAYOR