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CORPORATION OF THE TOWN OF GREATER NAPANEE

BY-LAW NO. 01-56

**BEING A BY-LAW TO DESIGNATE THE MARTIN AND EMPEY HILL CEMETERY
TO BE OF HISTORIC VALUE OR INTEREST**

WHEREAS Section 29(6) of the *Ontario Heritage Act*, authorizes the council of a municipality to pass a by-law designating property within the municipality to be of historic or architectural value or interest;

AND WHEREAS at the meeting held on June 25th, 2001, the Council of the Town of Greater Napanee passed Resolution No. 234/01 authorizing the designation of the Martin and Empey Hill Cemetery, being Part Lot 5, Concession 4, more particularly described as Parts 3 and 5 on Plan 29R-7197, Ward 4 (Richmond), as a property within the Town to be of historic value or interest;

AND WHEREAS as per Section 33(1) of the *Ontario Heritage Act*, notice of Council's intention to designate the said property was advertised in the August 8th, 2001 edition of The Napanee Beaver;

AND WHEREAS no notice of objection was received within 30 days after the date of publication of the notice of intention to designate this property;

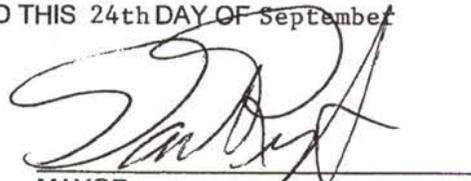
AND WHEREAS the reasons for this proposed designation, as per Section 29(4)(b), are:

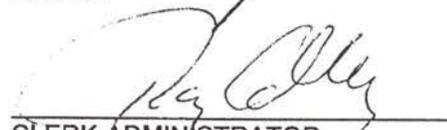
- ▶ until recently this cemetery has been in an abandoned, overgrown and uncared for state, despite its historic value as one of the earliest Pioneer cemeteries in the area and despite the existence of approximately 36 gravestones, marking 49 graves on the site;
- ▶ community members and relatives of the deceased have expressed concern that this site be treated with respect and dignity;
- ▶ to recognize the significance of the property; and
- ▶ to provide protection from demolition and unsympathetic alteration.

NOW THEREFORE, the Council of the Town of Greater Napanee enacts as follows:

1. That the Martin and Empey Hill Cemetery, being Part Lot 5, Concession 4, being Parts 3 and 5 on Plan 29R-7197, Ward 4 - Richmond, Town of Greater Napanee, in the County of Lennox & Addington, be hereby designated as a property of historic value or interest.
2. That this by-law shall take effect upon registration at the Land Registry Office (No. 29).

READ A FIRST AND SECOND TIME AND FINALLY PASSED THIS 24th DAY OF September 2001.


MAYOR


CLERK-ADMINISTRATOR