



LAC LA BICHE COUNTY POLICY

TITLE: STATUTORY ROAD ALLOWANCE AND FORCED ROAD CLOSURE	POLICY NO: PI-30-017
RESOLUTION: 10.086	EFFECTIVE DATE: MARCH 9, 2010
LEAD ROLE: MANAGER, PLANNING AND DEVELOPMENT	NEXT REVIEW DATE: MARCH 9, 2013
SPECIAL NOTES/CROSS REFERENCE: PW-019	AMENDMENT DATE:

POLICY STATEMENT:

Lac La Biche County recognizes the requirements of residents to apply for the leasing and/or purchase of non required statutory road allowances and registered forced road allowances respectively, which would result in road closure.

PROCEDURE:

1. The municipality shall obtain a written application for the purchase of lease of a statutory road allowance and registered forced road.
2. Application must be investigated and recommendations shall be made by the Planning and Infrastructure Department to Council.
3. Council will review and decide of the application's approval of refusal.
4. A statutory road allowance may not be purchased for any reasons, other than ownership of the Municipality.
5. The leasing of a statutory road allowance for special circumstances shall be permitted by the approval of Council.
6. The applicant must enter into a road allowance lease agreement with the municipality.
7. No buildings or permanent structures shall be erected on a leased statutory road allowance. No clearing of the statutory road allowance will be allowed as to Policy PI-30-005
8. The applicant may purchase a forced road allowance at the current fair market value as per the County appointed appraiser on approval of Council. If the lands sever the applicant's property where the applicant has lands on both sides of the force roads allowance within one subdivision or quarter of land, only that landowner will have the ability to apply to purchase the lands. If the landowner does not elect to purchase the forced road allowance at the current fair market value, the land will not be sold and will be retained by the County.

9. When an applicant wishes to purchase a forced road allowance that adjoins property owned by two or more landowners, the municipality will offer the lands to the highest bidder, but not less than the current fair market value as per the County appointed appraiser on approval of Council. If there is only one bidder, the land will be sold at current fair market value. If two or more bidders offer the same purchase price, the land will not be sold, however it may be re-tendered on the request of the applicants.
10. Lac La Biche County will not accept applications for the lease or purchase of road allowances from landowners who do not have ownership of lands adjacent to the road allowances.
11. Purchase and lease of road allowances shall be in accordance with the Municipal Government Act, Section 22 and Section 606.
12. A bylaw publication in the local newspaper of the road allowance and forced road allowance closure and lease and description of the area shall be required for two consecutive weeks, this shall indicate the purpose of closure, the time and date of the Council meeting as per Sections 22 (2) & 606 (2) & (5) of the Municipal Government Act.
13. Referral companies and adjacent landowners shall be advised by registered mail of the statutory road allowance and registered forced road allowance requests for closure and/or purchase.
14. This policy shall not apply for Licenses of Occupation agreements with Public Lands.

"Original Signed"
Chief Administrative Officer

March 12, 2010
Date

"Original Signed"
Mayor

March 12, 2010
Date