



THE CORPORATION OF THE MUNICIPALITY OF RED LAKE

By-Law No. 1903-14

BEING A BY-LAW TO AMEND BY-LAW NO. 362-03, BEING A BY-LAW TO ADOPT A COMPREHENSIVE POLICY AND PROCEDURES MANUAL

WHEREAS the Council of the Corporation of the Municipality of Red Lake passed By-Law No. 362-03 on November 24th, 2003; and

WHEREAS the Council of the Corporation of the Municipality of Red Lake passed By-Law No. 1716-12 on November 19, 2012 to adopt a Council Policy Manual; and

WHEREAS it is deemed necessary to amend By-Law No. 362-03 and By-Law No. 1716-12 by amending Section 1.8 - Disposition of Surplus Property of the Council Policy Manual;

NOW THEREFORE the Council of The Corporation of the Municipality of Red Lake hereby **ENACTS AS FOLLOWS:**

1. **THAT** the former Section 1.8 - Disposition of Surplus Property of the Council Policy Manual be deleted in its entirety and replaced with Section 1.8 - Disposition of Surplus Property, annexed hereto and forming a part of this by-law.
2. **THAT** the former Table of Contents of the Council Policy Manual be deleted in its entirety and replaced with the amended Table of Contents, annexed hereto and forming a part of this by-law.
3. **THAT** the former Record of the Amendments (page 39) of the Council Policy Manual be deleted in its entirety and replaced with the amended Record of Amendments (page 40) annexed hereto and forming a part of this by-law.
4. **THAT** By-Law No. 362-03 and By-Law No. 1716-12 are hereby amended.
5. **THAT** By-Law No. 1464-11 is hereby repealed.
6. **THAT** this By-Law shall come into force and take effect on the final passing hereof.

READ a FIRST and SECOND TIME this 16th day of June, 2014.

A handwritten signature in blue ink, appearing to read "P. Vinet".

Phil T. Vinet, Mayor

A handwritten signature in blue ink, appearing to read "S. Kocis".

Shelly L. Kocis, Clerk

READ a THIRD TIME and FINALLY PASSED this 16th day of June, 2014.

A handwritten signature in blue ink, appearing to read "P. Vinet".

Phil T. Vinet, Mayor

A handwritten signature in blue ink, appearing to read "S. Kocis".

Shelly L. Kocis, Clerk

cc attached



The Corporation of the Municipality of Red Lake

COUNCIL POLICY MANUAL

Subject: Disposition of Surplus Property	Approval Date: November 19, 2012	By-Law No. 1716-12 <i>(Amended by By-Law No. 1903-14)</i>
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1.8 PURPOSE

The Disposition of Land By-Law establishes policies with respect to its sale and other disposition of lands.

The purpose of this policy is to provide guidelines with respect to **disposition** of surplus property in the Municipality of Red Lake.

1. GENERAL

The Municipality shall not consider or accept any Offer to Purchase and/or Agreement of Purchase and Sale, prior to the method of disposal process having been established by Council at an Open Meeting. Further, Staff are directed to forthwith return any Offer to Purchase and/or Agreement of Purchase and Sale to the Purchaser, outlining reason why the Agreement is being returned. Once the method of disposal has been established by Council, Staff shall provide notice as per the Disposition of Land By-Law.

2. DECLARE PROPERTY SURPLUS

- 2.1 The property shall be declared surplus and available for sale as per the Disposition of Land By-Law.
- 2.2 A Public Land Register of surplus property shall be maintained by the Clerk.
- 2.3 Agreement(s) of Purchase and Sale shall be made available to any prospective purchaser by the Office of the Clerk or by the Municipal Real Estate Agent.
- 2.4 Agreement(s) of Purchase and Sale will be considered on a first come first serve basis; unless otherwise provided for (i.e. RFP, tender, etc.).

3. WATER & SEWER SERVICES

The property will be classified as to the type of water and sewer services that are provided. Listed below are the three types of water and sewer services.

- 3.1 Unserved. No main or lateral fronting the property.
- 3.2 Served. Lateral (to the lot line) and main.
- 3.3 Serviceable. No laterals, main only.



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4. PROCEDURE FOR ACCEPTING AGREEMENT(S) OF PURCHASE AND SALE – RESIDENTIAL PROPERTY

- 4.1 The Clerk, or designate, or Municipal Real Estate Agent shall negotiate with the Purchaser an Offer that shall be in the best interest of the Municipality and which is otherwise satisfactory to the Chief Administrative Officer.
- 4.2 The Chief Administrative Officer and/or Clerk have the authority to forward Agreement(s) of Purchase and Sale to Council.
- 4.3 Each sale of municipally owned property shall be in the form of a duly executed By-Law of the Municipality.
- 4.4 The Chief Administrative Officer is authorized to execute the required documents to complete the transaction, prior to the adoption of the By-Law of the Municipality.
- 4.5 The property shall be removed from the Public Land Register once the Municipality no longer holds any legal interest therein.

5. PROCEDURES FOR ACCEPTING OFFER TO PURCHASE AGREEMENTS – OTHER THAN RESIDENTIAL PROPERTY

- 5.1 The Clerk, or designate, or Municipal Real Estate Agent shall negotiate with the Purchaser an Offer that shall be in the best interest of the Municipality and which is otherwise satisfactory to the Chief Administrative Officer.
- 5.2 Information regarding the usage and building style and size and development of any property shall be included with the Agreement(s) of Purchase and Sale.
- 5.3 The Chief Administrative Officer and/or Clerk have the authority to forward Agreement(s) of Purchase and Sale to Council.
- 5.4 Each sale of municipally owned property shall be in the form of a duly executed By-Law of the Municipality.
- 5.5 The Chief Administrative Officer is authorized to execute the required documents to complete the transaction, prior to the adoption of the By-Law of the Municipality.



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5.6 The property shall be removed from the Public Land Register once the Municipality no longer holds any legal interest therein.

6. BUILDING RESTRICTIONS

6.1 Purchasers shall be informed of building restrictions.

6.2 Purchasers shall be informed that the Municipality does not promote further residential development within the communities of Madsen and Starratt Olson due to sewage disposal capacity.