

Department: Government Services	Section: County Manager
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CM-07 Land Disposal

Policy statement

Leduc County adheres to the Municipal Government Act (MGA) and provides a consistent and transparent process for the disposal of lands. When necessary for municipal operations, and/or in the best interest of Leduc County, its citizens and businesses, the county may dispose of municipal or reserve lands.

Definitions

- *Administration* means the employees of Leduc County under the direction of the county manager.
- *Council* means the duly elected council of Leduc County.
- *County Manager* means the chief administrative officer.
- *Disposal* means the act of transferring and/or selling control or ownership of land to someone else.
- *Landowner* means the person who is responsible for a property who:
 - is the legal owner of it
 - has lawful possession of it
 - has the right to exercise control over it
- *Market value* means the amount that a property, might be expected to be realized if it is sold on the open market by a willing seller to a willing buyer.
- *Municipal purposes* means the purposes set out in the Municipal Government Act.
- *Reserve land* means municipal property that has been designated as municipal reserve, school reserve, municipal and school reserve or environmental reserve, as set out in the MGA.
- *Resident* means the person(s) who resides on the property.
- *Valuation* means an estimated value or worth.

Policy standards

1. Upon the county manager's approval Leduc County administration will provide a recommendation to council, identifying the reasons for the disposal of lands, which include the benefit to: municipal operation, its citizens, businesses or neighboring municipalities and support the goals identified in the strategic plans.
2. Leduc County assessment department will prepare a valuation of the property.
3. A third party appraiser may be required to determine a fair market value.
4. In the case of a sale of lands at less than market value, or a public park or recreation or exhibition grounds, the proposed disposition must be advertised.

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Policy exemption

The closure and sale of road allowances are separate from this policy and follow the Government of Alberta Road Cancellations and Closures procedures and specifications as outlined in the MGA.

Policy authority

1. Legislative implications
 - *Municipal Government Act, RSA 2000*

Policy responsibilities1. Council responsibilities

Council will:

- Approve all land disposals.
- In the case of reserve land, approve the removal of the reserve designation as outlined in the MGA. Any funds resulting in the sale shall be allocated to the appropriate municipal function/reserve as outlined in the MGA.
- Approve public notification for lands being disposed of, including lands being disposed of at less than market value.
- Approve the manner in which the land will be disposed, i.e. real estate listing, competitive bid, public auction or private party negotiated.

2. Administration responsibilities

Administration will:

- Identify reasons for land disposal(s).
- Obtain market value/valuation of proposed land disposal(s).
- Provide administrative recommendations, including the manner in which the land should be disposed of.
- Maintain, update and adhere to this policy.

Monitoring and updating

1. This policy will be posted on Leduc County's website.
2. This policy will be reviewed at least once every four (4) years.

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