

THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS

BY-LAW NO. 83-2007

BEING a by-law to establish procedures regarding the sale and other disposition of municipal land.

WHEREAS Section 270 of the Municipal Act, R.S.O., 2001, Chapter 25, as amended, requires a municipality to adopt policies with respect to its sale and other disposition of land;

AND WHEREAS the Council of the Corporation of the Township of Georgian Bluffs deems it expedient to enact a by-law to establish procedures governing the sale and other disposition of land owned by the township;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS ENACTS AS FOLLOWS:

Definitions:

1. For the purposes of this by-law:
 - (a) "appraisal" shall mean a written appraisal by an accredited appraiser as to the amount that the real property might be expected to realize if sold in the open market by a willing seller to a willing buyer.
 - (b) "Township" shall mean the Corporation of the Township of Georgian Bluffs.
 - (c) "municipal land" shall mean the sale of municipal land or the lease of municipal land for a period of 21 years or longer.
 - (d) "public notice" shall consist of the publication of a summary of the contents of the sale or lease of land in a newspaper having general circulation within the Township prior to the date of the Committee or Council meeting, as the case may be, at which the sale or lease of land is to be considered.

Municipal Land:

2. Prior to the sale of municipal land, the Council shall by resolution declare the land to be surplus to the needs of the municipality.

Appraisals:

3. The Municipal Clerk shall, prior to the sale of municipal land, obtain at least one appraisal of the property.

Public Notice:

4.
 - (a) The Clerk shall ensure that public notice of the sale of municipal land shall be given prior to the passing of a by-law approving the sale of municipal land.
 - (b) Public Notice shall be given in accordance with the By-law of the Municipality which establishes procedures for Notices as required under the Municipal Act.

Public Register:

5. A public register shall be available for inspection during regular office hours, listing and describing the municipal land owned and leased by the Township, except for certain classes of lands which are exempt from the provisions of this by-law and are exempt from listing in the public register. Those lands that are exempt are outlined on Schedule "A" attached hereto and forming part of this by-law.

Effective Date:

6. This by-law shall come into full force and effect upon its final passage.

Certificate of Compliance:

7. The Clerk shall issue a certificate of compliance verifying that the Council or Committee has complied with the provisions of this By-law. A certificate of compliance shall be in the form and content as outlined on Schedule "B" attached hereto and forming a part of this by-law.

Title:

8. This by-law may be cited as the "Sale of Municipal Land By-law".

Validity:


9. This by-law rescinds By-law No. 11-2001.

Read a first and second time this 7th day of November, 2007.

Read a third time and finally passed this 7th day November, 2007.



Mayor - Alan Barfoot



Acting Clerk - Bruce Hoffman

SCHEDULE "A" TO BY-LAW NO. 83-2007

EXEMPTIONS OF CLASSES OF LAND

1. Land 0.3 meters or less in width acquired in connection with an approval or decision under the Planning Act.
2. Highways, roads and road allowances whether opened, closed, unopened or stopped up (except leases in excess of 20 years).
3. Land formerly used for railway branch lines if sold to an owner of land abutting the former railway land.
4. Land that does not have direct access to a highway if sold to the owner of land abutting that land.
5. Land repurchased by an owner in accordance with the Expropriations Act.
6. Land to be used for sites for the establishment and carrying on of industries and of industrial operations and incidental uses.
7. Easements granted to public utilities or to telephone companies.
8. Land sold under the Municipal Tax Sales Act.

SCHEDULE "B" TO BY-LAW NO. 83-2007

CERTIFICATE OF COMPLIANCE

Certificate of Compliance in the sale or disposition of municipal land described as

I hereby certify that:

1. The township passed By-law No. _____ on the _____ day of _____.

It is a by-law regulating the sale or other disposition of municipal land and was in force on the date of the sale or disposition of the land described above.

2. The property was declared surplus by Resolution No. _____ enacted or passed on _____.

3. An appraisal of the fair market value of the property was obtained on _____.

OR

4. The property sale or disposition is exempt from the requirement to obtain an appraisal of its fair market value under the following exemption:

5. Public notice of intent to sell or dispose of the land was given by the following method(s):

Signature of Clerk

Date