
	<h2>Town of Vegreville Policy</h2>
<b>Policy No.:</b> <b>Policy Title:</b> <b>Approval Date:</b> <b>Revised Date:</b> <b>Department:</b>	<b>GOV-1002</b> <b>Sale of Town Owned Land</b> <b>March 13, 2017</b> <b>May 8, 2018</b> <b>Corporate Services</b>


**Policy Statement:**

The Town of Vegreville requires a policy to formalize a process for the disposition of Town owned lands.

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**1.0 Reason for Policy**

**1.1** The purpose of the Disposal of Municipal Property Policy is to administer a fair and consistent formal process in the disposition of Town owned land and doing so fulfilling its legislative mandate through meeting legal and statutory requirements for the disposition of Municipal lands.

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**2.0 Related Information**

- 2.1 The disposal of Municipal lands will be considered in the context of the overall policies of the Town.
  
- 2.2 The sale of the land may be initiated by either the Town or by an individual, company or organization that is interested in acquiring the land.
  
- 2.3 All matters related to the disposal of Town land shall meet the following requirements of the Municipal Government Act:
  - 2.3.1 Municipal Government Act, Part 3, Division 8 – Limits of Municipal Powers, Disposal of Lands – Section 70

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**3.0 Definitions**

- 3.1 Appraisal** – means an official valuation of property by an authorized person.
- 3.2 CAO** – means Town Manager.
- 3.3 Council** - means Vegreville Town Council.
- 3.4 Deposit** – means 10% of the purchase price or other amount as deemed by Council.
- 3.5 Public Tender Process** – means the process whereby Town lands are offered for sale to the public where bids are submitted.
- 3.6 Realtor** – means a real estate agent or agency that is licensed to do business in the Town.
- 3.7 Reserve Bid** – means the lowest price the Town will accept for the sale of Town Owned Land.
- 3.8 Town** – means the Town of Vegreville.
- 3.9 Town Owned Land** – includes all properties whether vacant land or land containing buildings, and/or improvements, that are titled to the Town of Vegreville

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#### 4.0 Responsibilities

##### 4.1 Town Council to:

- 4.1.1 Approve by resolution this policy and any amendments.
- 4.1.2 Consider the allocation of resources for successful implementation of this policy in the annual budget process.

##### 4.2 Chief Administrative Officer to:

- 4.2.1 Implement this policy and approve procedures.
- 4.2.2 Ensure policy and procedure reviews occur and verify the implementation of policies and procedures.

##### 4.3 Director of the Department to:

- 4.3.1 Ensure implementation of this policy and procedure.
- 4.3.2 Ensure that this policy and procedure is reviewed every three years.
- 4.3.3 Make recommendations to the Chief Administrative Officer of necessary policy or procedure amendments.
- 4.3.4 Understand, and adhere to this policy and procedure.
- 4.3.5 Ensure employees are aware of this policy and procedure.

##### 4.4 All Employees to:

- 4.4.1 Understand and adhere to this policy and procedure.




# Town of Vegreville Policy

<b>Policy No.:</b>	<b>GOV-1002-5.0</b>
<b>Policy Title:</b>	<b>Sale of Town Owned Land</b>
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## 5.0 End of Policy


Mayor Tim MacPhee

Cliff Craig CLGM, Town Manager

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**1.0 RESPONSIBILITIES**

- 1.1** The CAO, or designate, together with the Director of Infrastructure, Planning and Development will, on an annual basis, review all Town Owned Land to identify those that are eligible for sale and ensure that the sale of the Town Owned Land is conducted in accordance with this procedure.
  
- 1.2** The Director of Infrastructure, Planning and development will review requests from either Council or the public for the sale of Town Owned Land and prepare a report to Council to assist Council in determining if the Town Owned Land subject to the request should be made available for sale.
  
- 1.3** Council will approve the sale of Town Owned Land and set any additional parameters for the sale including, but not limited to;
  - determine the length of time required for advertising the land for sale and the nature of the required advertising (e.g. Newspaper, Website, Radio);
  - determine the selling price for the Town Owned Land;
  - determine whether the Town Owned Land should be listed with Realtors or offered for sale through a Public Tender Process;
  - set a reserve bid for Town Owned Land sold through the Public Tender process;
  - set the rate of commission that will paid to Realtor’s in the event the land is listed with Realtor’s for sale; and
  - set limitations on the time for development and responsibilities for services of the Town Owned Land once it is sold.
  
- 1.4** The CAO, or designate, shall obtain an appraisal on Town Owned Land identified for sale to assist Council in setting a market value price for the Town Owned Land.

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## 2.0 STANDARDS/GUIDELINES

**2.1** Town Owned Land may be sold through a Public Tender Process or listed with Realtors for sale, or through alternative methods as determined by Council.

- Town Owned Land sold through a Public Tender Process must have a Reserve Bid.
- The Town may work with all licensed Realtors with a business license in the Town of Vegreville in an effort to sell Town Owned Land.

**2.1.1** The areas addressed in this procedure are never all-encompassing and complete. Council Reserves the right to utilize other legal methods of selling Town Owned Land where the circumstances of the sale are unique.




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### 3.0 POLICY PROCEDURES


#### 3.1 Sales of Town Owned Land through a Public Tender Process

- 3.1.1 On an annual basis, the CAO, or designate, and the Director of Infrastructure Planning and Development will review all Town Owned Land that appear underutilized by the Town. From this review, a list will be presented to Council to assist Council in determining what Town Owned Land will be available for sale.
- 3.1.2 Council approves which Town Owned Land will be disposed of and sets any additional parameters for sale.
- 3.1.3 The CAO, or designate, will have an appraisal done on the Town Owned Land that Council has approved for sale and present a report to Council with a recommendation for the selling price.
- 3.1.4 Council sets the selling price for the Town Owned Land and sets a Reserve Bid.
- 3.1.5 The CAO, or designate, will prepare an information package for each of the approved Town Owned Land for sale which will include:
  - A brief Description of the Town Owned Land (including the location, selling price, zoning and any other relevant information).
  - The amount of deposit required to be submitted with the bid.
  - Copy of the title and plan.
  - Copy of relevant zoning guidelines and development permit guidelines, if applicable.
  - Restrictions placed on the sale of the Town Owned Land with respect to development time frames and who is responsible for all costs related to the provision of, and connection to, Town owned services and infrastructure.
  - Copy of any covenants registered on the property.

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- A clear deadline for submitting bids to the Town Office.
- A specific date when all bids received will be opened, and presented to Council for consideration.
- A statement that the Town has a Reserve Bid on the Town Owned Land and reserves the right to accept or reject any or all public bids and to waive irregularities and informalities at its sole discretion. The Town reserves the right to accept a bid other than the highest priced bid without stating reasons. By the act of submitting its bid, the bidder waives the right to contest in any legal proceeding or action against the right of the Town to sell the Town Land to whomever it chooses, in its sole and unfettered discretion, and for whatever reasons the Town deems appropriate. Without limiting the generality of the foregoing, the Town may consider other factors besides price that it deems in its sole discretion to be relevant to its decision.

3.1.6 The CAO, or designate shall ensure a sale agreement is completed and executed before the sale is finalized. The Agreement shall have a clause that states “In the event that the development guidelines and time frames are not met by the Purchaser, the Town may repurchase the Town Owned Land for 80% of the original selling price”.

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### 3.2 Sale of Town Owned Land through a listing agreement with Realtors

- 3.2.1 On an annual basis, the CAO, or designate, and the Director of Infrastructure Planning and Development will review all Town Owned Land that appear underutilized by the Town. From this review, a list will be presented to Council to assist Council in determining what Town Owned Land will be available for sale.
  
- 3.2.2 Council approves which Town Owned Land will be disposed of and sets any additional parameters for sale.
  
- 3.2.3 The CAO, or designate, will have an appraisal done on the Town Owned Land that Council has approved for sale and present a report to Council with a recommendation for the selling price.
  
- 3.2.4 Council sets the selling price for the Town Owned Land.
  
- 3.2.5 Council determines the maximum commission rate, in accordance with Schedule "A", it is willing to pay upon the completion of the sale.
  
- 3.2.6 The CAO, or designate, will prepare an information package for each of the approved Town Owned Land for sale for presentation to the Realtors which will include:
  - A brief Description of the Town Owned Land (including the location, selling price, zoning and any other relevant information).
  - The amount of the deposit to be submitted with an offer to purchase.
  - Copy of the title and plan.
  - Copy of relevant zoning guidelines and development permit guidelines, if applicable.
  - Restrictions placed on the sale of the Town Owned Land with respect to development time frames and who is responsible for all costs related to the provision of, and connection to, Town owned services and infrastructure.
  - Copy of any covenants registered on the property.

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- The amount of commission, expressed as a percentage that Council is willing to pay for the sale of the Town Owned Land.

3.2.7 All offers received from Realtors shall be presented to Town Council for approval. Council may choose to accept the offer, counter the offer or reject the offer in its entirety.

3.2.8 If Council chooses to make a counter offer it shall instruct the CAO as to the amount of the counter-offer, how long it is open for acceptance by the prospective purchaser and to contact the Realtor to present the counter-offer.


3.2.9 If Council accepts the original offer, or the prospective purchaser accepts Council's counter offer, the CAO, or designate shall ensure a sale agreement is completed and executed before the sale is finalized. The Agreement shall have a clause that states "In the event that the development guidelines and time frames are not met by the Purchaser, the Town may repurchase the Town Owned Land for 80% of the original selling price".

3.2.10 If Council rejects the offer in its entirety the CAO shall be instructed to contact the Realtor and advise him of Council's decision.

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### 3.3 Advertising of Town Owned Land for Sale

- 3.3.1 Town Owned Land offered for sale shall be posted on the Town website and the Town will have public notices published through the local newspaper(s) for a period of time as specified by Council when it approves the Town Owned Land for sale. The public notice must include a description of the Town Owned Land and improvements contained thereon, if any, the nature and terms of the proposed Disposition, and the process by which the Town Owned Land and improvements, if any, may be acquired.
  
- 3.3.2 The CAO, or his designate, will arrange to have a sign placed on Town Owned Land offered for sale that states: "Town of Vegreville – Land for Sale. Contact your local Realtor" or some similar wording.

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**3.4 Failure to meet development time frames and guidelines**

3.4.1 In the event that the development guidelines and time frames are not met by the Purchaser, the Town may repurchase the Town Owned Land for 80% of the original selling price.

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**4.0 APPROVAL**


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 Cliff Craig CLGM, Town Manager

**SCHEDULE "A"**

**COMMISSIONS**

This schedule represents the maximum amount of Commission that will be paid to Realtors upon closing the sale of Town Owned Land.

First \$100,000 of sale price	3%
Remaining sale price in excess of \$100,000	1.5%