

# POLICY



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| Department<br><b>Engineering</b>                                                      | Policy No.<br><b>EN 009</b> | Page<br><b>1 of 1</b> |
| Policy Title<br><b>ROAD ALLOWANCES AND DIVERSIONS<br/>– SALE, LEASE OR PERMITTING</b> |                             |                       |

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| Council Resolution<br>No. <b>592-02</b> Date: <b>November 26, 2002</b> | GMOS | CC | Cross Reference<br><b>AD 052</b> | Effective<br><b>November 26, 2002</b> |
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## PURPOSE

To establish procedures and fees for the disposal, lease or permitting of statutory road allowances and registered road diversions.

## POLICY

Where the Operations Services Committee has established that a registered road diversion is no longer required for public travel the road diversions may be sold, leased or a permit to occupy may be issued in accordance with the Municipal Government Act and the Highway Traffic Act.

Where the Operations Services Committee has established that a statutory road allowance is not required for public travel, the statutory road allowance may be leased or a permit to occupy may be issued in accordance with the Municipal Government Act and the Highway Traffic Act, to the adjoining landowner only.

A statutory road allowance shall not be sold, except for special circumstances as approved by the Operations Services Committee.

Where a market appraisal is deemed required to assess the rate of compensation for the sale of a road allowance the cost of the appraisal shall be paid by the applicant.

Lease of road allowances shall be granted for a period of up to 5 years with the lessee having first option to renew. Leases shall have a common anniversary date of December 31<sup>st</sup> for billing and renewal purposes.

1. Any lease not renewed within 60 days of due date shall be cancelled.
2. All leases and permits shall be subject to termination on 30 days notice.
3. The attached fee schedule shall apply to the sale, leasing and permitting of statutory road allowances and road diversions.

## PROCEDURES

1. All applications for purchase, lease or permitting of registered road allowances and road diversions shall be made in writing.
2. Lease and sale of road allowances shall be in accordance with the Municipal Government Act, Section 22 and Section 606, 1994 Chapter M.26.1 with amendments. Permitting of road allowances shall be in accordance with the Highway Traffic Act, Section 16, Subsection (1) (9), Chapter H-7 Revised Statutes of Alberta 1980 with amendments.
3. The granting of, renewal and cancellation of leases or permits for “closed” road allowance shall be at the discretion of the General Manager of Operations Services or his designate.
4. Fees for applications, sale of road allowances, leases, permits and reinstatements of cancelled leases are set out in Fees and Charges Policy AD 052, Schedule C.