



POLICY PURPOSE

- 18.1 It shall be the policy of the Municipality of the District of Shelburne to have a process and procedure for the Municipality to determine when land and property it owns are surplus to its needs and to thereafter determine the best and most appropriate method of disposition considering potential financial gain for the Municipality, impact on the local community, fairness and legally compliant.

POLICY DETAILS

Deeming Lands and Buildings Surplus

- 18.2 As often as required, Chief Administrative Officer shall notify Council of lands or buildings which s/he determines are no longer required for municipal purposes and request that Council deem such property as surplus to the needs of the Municipality and be disposed of according to this policy.
- 18.3 Before land or buildings are deemed surplus by Council, all department heads shall be notified of such potential surplus property and have at least 14 days thereafter to determine if that department may require the property for other municipal purposes. Should an alternate use and need be identified, Chief Administrative Officer may authorize the re-purposing of the property.
- 18.4 Should it be determined by Chief Administrative Officer that no alternate use of the land and building are required for municipal purposes, a comprehensive staff report shall be prepared and presented to Council requesting that Council deem the property surplus to municipal requirements and be disposed of according to this policy.

Disposition of Surplus Land and Buildings

- 18.5 Subsequent to a property being declared surplus, a notice shall be placed in the local newspaper, on the Municipality's website and in social media, offering the property for sale outlining the general location and description of the property, current use if any, assessment value, and how interested purchasers can bid on the property along with stating their planned usage for the property.
- 18.6 After the deadline passes for interested purchases, Chief Administrative Officer and appropriate staff shall review any bid proposals received and prepare a report and recommendation for Council's consideration considering purchase price, best and highest value usage and community impacts.

Sale Price of Surplus Property

- 18.7 When deeming certain property surplus, Council shall decide whether to offer the property for sale without a minimum bid, or it may choose to establish a minimum bid which shall be provided in the public advertisements.
- 18.8 When Council establishes a minimum bid, the following criteria shall be used as a guide for all lands outside Shelburne Marine Industrial Park and values shall be cumulative:
- a. vacant undeveloped unserviced land without water frontage \$5,000 per lot
 - b. vacant undeveloped unserviced land with water frontage \$10,000 per lot
 - c. vacant undeveloped serviced land without water frontage \$10,000 per lot
 - d. vacant undeveloped serviced land with water frontage \$15,000 per lot
 - e. buildings at current assessment value of the property
 - f. if property abuts a private road \$2,500 per lot
 - g. if property abuts a public road \$5,000 per lot

Method of Disposal of Surplus Land and Buildings

- 18.9 The manner in which disposal shall take place shall take into consideration the fairest method of disposal and most effective cost method for the Municipality. The following ways shall be considered:
- a. Expression of Interest – may be used when there may be interest from a local non-profit organization and highest price may not be the deciding factor.
 - b. Public Auction – may be used when there is a likelihood of multiple bidders and an open auction may lead to a higher sale price.
 - c. Public Tender – may be used when there may not be a high interest in the property.
 - d. Sale to Adjacent Landowner – may be used when it is felt that the only possible interest in the subject property will be from an adjacent landowner.
 - e. Sale by Real Estate Agent – may be used for multiple lots or when buildings are involved which may require a purchaser from outside the local community.
- 18.10 In cases where the Municipality receives an unsolicited offer to buy a piece of municipal property or a request from another government to acquire municipal property, Council may waive the requirements of Section 18.9 of this policy and rely on Section 18.8 as a guideline for the sale price of the property. In certain situations authorized by law, Council may dispose of property at less than fair market value.
- 18.11 In cases where a person or business wishes to acquire a piece of municipal property, or the Municipality requires a specific piece of land, Council may consider a land exchange with the proponent.

Municipal Conflict of Interest

18.12 All provisions of the *Municipal Conflict of Interest Act* shall apply to the sale of surplus property of the Municipality.

Sale Costs

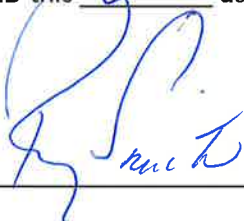
18.13 The cost of preparation of a deed, registering the deed, and migration of the property shall be at the sole expense of the purchaser.

Non-Binding Sale of Surplus Property

18.14 Nothing in this policy shall bind the Municipality to sell any property should it not wish to sell a particular piece of property for an established price should Council deem it not to be in the current or future interests of the Municipality.

THIS IS TO CERTIFY that the Council of the Municipality of the District of Shelburne duly passed the policy respecting Disposal of Surplus Lands on the 24th day of April, 2017.

SIGNED this 24th day of MAY, 2017



WARDEN



CHIEF ADMINISTRATIVE OFFICER

Approved by Council: April 24, 2017

Effective Date: April 24, 2017

