

Policy

POLICY TITLE: MUNICIPAL-OWNED AND TAX FORFEITURE LAND SALES

POLICY NO.: ADM-12-29

RESOLUTION: 157-25

EFFECTIVE DATE: 2025-04-09

DEPARTMENT RESPONSIBLE: Administration/Finance

NEXT REVIEW DATE: 2028-04-09

POLICY STATEMENT:

The Municipal District of Lesser Slave River No. 124 (MDLSR) is committed to the prudent stewardship and disposal of municipal land in accordance with the *Municipal Government Act* (MGA) and other applicable legislation. MDLSR shall retain lands required for municipal purposes and dispose of surplus lands in a manner that is transparent, equitable, and fiscally responsible, ensuring alignment with the public interest and municipal objectives.

DEFINITIONS:

Administration means the administrative and operational staff of the Municipal District of Lesser Slave River No. 124.

Appraisal means a formal valuation of municipal land, conducted by a certified independent appraiser within one year preceding the sale.

Chief Administrative Officer (CAO) means the Chief Administrative Officer of the Municipal District of Lesser Slave River No.124.

Council means all members of the Municipal District of Lesser Slave River No. 124 duly elected and currently holding office.

Disposal means the process by which municipal land is transferred, sold, leased, or otherwise divested from the municipality's ownership, in accordance with legal, financial, and policy guidelines.

Market Value means the amount that a property, as defined in section 284(1)(r) of the *Municipal Government Act*, might expected to realize if it is sold on the open market by a willing seller to a willing buyer.

MDLSR means the Municipal District of Lesser Slave River No. 124.

MGA means the Municipal Government Act, RSA 2000, c M-26, as amended.

Municipal Land Inventory means the comprehensive inventory of properties or interests in Real Property managed by the Municipal District of Lesser Slave River No. 124.

Real Property means any right, interest, or benefit in land, real or equitable, which includes improvements on, above or below the surface of the land. The ownership of such real property entails the right of use, control and Disposal of land and all buildings and structures constructed thereon or any other interest in the land.

Surplus means Land that has been reviewed and determined to no longer be required for municipal purposes.

Tax Forfeiture Title means when the municipality registers its name on the title when a property goes unsold at a public auction. This allows the municipality to rent, license, lease, or dispose of the property in accordance with the provisions listed in the *Municipal Government Act*.

PRINCIPLE:

1. **Statutory Compliance:** All land disposal shall adhere to the provisions of the MGA and relevant provincial and municipal regulations.
2. **Municipal Interests:** MDLSR will prioritize municipal needs, ensuring that retained lands support future growth, infrastructure, and public use.
3. **Fair and Transparent Process:** The disposal process shall be open, competitive, and subject to Council approval to ensure equitable opportunities for all interested parties.
4. **Optimization of Municipal Assets:** MDLSR will endeavour to secure Market Value for all disposals unless Council determines that a deviation serves the broader public interest.
5. **Council Oversight and Accountability:** All land disposals shall be subject to Council approval, ensuring alignment with municipal strategic objectives, financial prudence and adhere to the provisions of the MGA and relevant provincial and municipal regulations.

RESPONSIBILITIES:

6. **Council**
 - a. Declares land as surplus following a comprehensive review by Administration annually.
 - b. Determines which Land Disposal Method will be used (Realtor Sale, Public Sale, Public Auction, or any other approved process).
 - c. Establishes the terms, conditions, and minimum disposal price of surplus lands.
 - d. Approves final land disposals, including any below-market-value transactions deemed to serve the public interest.
 - e. Ensures that land disposals align with municipal planning, economic development, and financial strategies.



7. Administration

- a. Maintains the Municipal Land Inventory and ensures accurate record-keeping, including the status of the property (Municipal Reserve, Environmental Reserve, Clear Title, Tax Forfeiture)
- b. Conducts land appraisals and market analyses to determine Market Value.
- c. Recommends surplus land declarations to Council based on operational assessments.
- d. Facilitates any applicable public notice, bidding, and legal processes related to land disposal.
- e. Ensures compliance with all applicable legislative requirements including advertising requirements.

8. Land Disposal Methods

MDLSR may dispose of land through various methods, ensuring transparency, fairness, and compliance with municipal policies. Including, but not limited to:

- a. **Realtor Sale:**
 - Lands may be listed with a licensed realtor, following MDLSR's Procurement of Goods and Services Policy.
 - The selection process will ensure competitive commissions, and legal agreements will be reviewed by MDLSR's legal counsel.
- b. **Public Sale:**
 - Lands actively for sale will be advertised, and Council will set a reserve bid.
 - Bids must be submitted in sealed envelopes, with purchasers covering legal costs unless directed otherwise.
 - If no bids meet the reserve price, other disposal methods may be considered.
- c. **Public Auction:**
 - MDLSR may conduct a public auction with a professional auctioneer.
 - The auction will be advertised, and adjacent residents will be notified.
 - Council will establish a reserve price before the auction.



_"Original Signed" _____
Chief Administrative Officer

_May 6, 2025_____
Date

_"Original Signed" _____
Reeve

_May 6, 2025_____
Date

RELATED DOCUMENTS: Municipal-Owned Land Sale Procedure
Procurement of Goods and Services Policy

SPECIAL NOTES/CROSS-REFERENCE: N/A

AMENDMENT DATE: N/A

