



M. D. OF GREENVIEW NO. 16
POLICY & PROCEDURES MANUAL

Section:
**ENGINEERING &
ENVIRONMENTAL
SERVICES**

POLICY NUMBER: EES 07

POLICY TITLE: ROAD ALLOWANCE LICENSING

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Date Adopted by Council / Motion Number:

10.04.940

PURPOSE:

To allow ratepayers the opportunity to utilize developed or undeveloped road allowances for agricultural purposes.

POLICY:

The Municipality will consider applications for licensing developed or undeveloped road allowances to adjacent landowners, if the road allowance is not an integral part of the Municipality's road network. Applications will only be considered if the applicant owns or has a 3 year lease on the land adjacent to both sides of the road allowance and if there is no obstruction of existing public vehicle passage.

- 1.0 Administration will receive applications for licensing developed or undeveloped road allowances in accordance with the Traffic Safety Act, and the Municipal Government Act.
- 2.0 The Administration will prepare a proposed bylaw allowing the Municipality to license the applicant to use the developed or undeveloped road allowance only if the applicant is the registered owner or has a 3 year lease on the adjacent properties, and is in good standing with the Municipality and the road is not required for public vehicle passage.
- 3.0 Council will consider first reading of the bylaw and, if in order, will advertise the bylaw for public notice a minimum of two times, two weeks apart, and establish a date and time to hear any person who claims to be affected by the bylaw.
- 4.0 After consideration of the hearing, Council may proceed or withdraw the bylaw in accordance with the Municipal Government Act.
- 5.0 Transfer of licenses does not have to be advertised.
- 6.0 Council will annually establish a fee for the licensing of the road allowances in accordance with the Schedule of Fees. The one-time fee, as established by Council, will be non-refundable to offset administrative costs. In addition to the fee, applicants are responsible for all advertising costs.
- 7.0 If a bylaw for licensing of a road allowance is approved by Council, Administration will issue a license to the applicant for a three year term.
- 8.0 If a license is granted for less than a three year term, the license fee will be prorated to the expiry date of all other road allowance licenses.

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- 9.0 At the end of the initial license period, the license may be extended, if all conditions are still being met.
- 10.0 The Municipal District Council may cancel all or any portion of a road allowance licensed under bylaw at any time.
- 11.0 If the Licensee cancels or defaults the license, Administration may hold the license in abeyance for a future application. An adjacent landowner may apply for the same license and Administration may award the license without going to Council, if the applicant meets all criteria.
- 12.0 If Council cancels a road allowance license bylaw, it will be done in accordance with the Municipal Government Act, including advertising.

(Original signed copy on file)

REEVE

C.A.O.