

**THE CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY**

**BY-LAW 2001-79**

**Procedural By-Law for Disposal of Property**

**Being a by-law to establish procedures regarding the sale of real property;**

**WHEREAS, Section 193(2) of the Municipal Act R.S.O. 1990, Chapter M.45, as amended required a Council of a municipality to pass a by-law to establish procedures governing the sale of real property;**

**NOW THEREFORE, the Council of the Corporation of the Township of Bonnechere Valley ENACTS as follows:**

**DEFINITIONS**

**1. For the purpose of this by-law the word:**

- a) "APPRAISAL" shall mean a written opinion as to the amount that the real property might be expected to realize is sold on the open market by a willing seller to a willing buyer.**
- b) "TOWNSHIP" shall mean the Corporation of the Township of Bonnechere Valley.**
- c) "DISPOSAL" shall mean the sale of real property, including easements and road allowances or the lease of real property for a period of 21 years or longer.**
- d) "PUBLIC NOTICE" shall mean the process of notifying the public by means of advertising or posting.**
- e) "REAL PROPERTY" shall include easements and road allowances.**

**SURPLUS LANDS**

**2. Prior to the disposal of real property, the Council shall by resolution passed at a meeting open to the public, declare the real property to be surplus of Township needs.**

**APPRAISALS**

**3. Except for disposals of those classes of property, or to those classes of public bodies exempted by the Municipal Act, pursuant to subsection 193 (4) of the Act and as set out in Ontario Regulation 815/94 (see Schedule [A] attached) the Township shall, prior to the disposal of real property, obtain at least one appraisal for the land deemed surplus, proposed to be offered for sale.**

**Page -2-**

**PUBLIC NOTICE**

- 4. a) The Township shall ensure that public notice of the disposal of real property is effected prior to the passage of a by-law approving the disposal of same.**
- b) Notwithstanding subsection (1), in the event that notice to the public is specified by statute, the Township shall ensure that notice is effected in accordance with the provisions of applicable statutes in addition to the public notice required by this by-law.**

**PUBLIC REGISTER**

**5. A public register shall be available for inspection during regular office hours, listing and describing the real property, owned and leased by the Township, save and except for those classes of real property which may be exempt from listing in the public register by the Municipal Act or the regulations made pursuant thereto, as the same may be amended from time to time.**

**EFFECTIVE DATE**

6. That By-Law No. 2001-24 of the Township of Bonnechere Valley shall be repealed.

7. This by-law shall take force and effect upon the final passing thereof.

Read a first and second time this 17<sup>th</sup> day of September, 2001.

Read a third time and passed this 17<sup>th</sup> day of September, 2001.

-----  
Arlene Felhaber - Reeve

-----  
Vivian Rosien - CAO