



**MUNICIPAL DISTRICT OF PEACE NO.135**

<b>AMENDED BY:</b> Barbara Johnson	<b>ADOPTED BY:</b> Council	<b>NUMBER:</b> ADM - 6
<b>TITLE:</b> Land Acquisition Policy		<b>AMENDED:</b> Feb. 26, 2019

**PURPOSE OF THIS POLICY:**

To provide guidance to MD staff or Councillors when negotiating for the acquisition of land for the purpose of road construction, reconstruction or drainage project.

**POLICY STATEMENT:**

The Municipal District believes in standardizing land acquisition criteria for municipal road construction, re-construction or drainage projects. When it becomes necessary to obtain right of way on private land for road construction, re-construction or drainage projects, MD staff or Councillors shall negotiate with the affected landowner(s) using the following guidelines:

1. **For Road Construction, Re-Construction or Drainage Projects Outside of the Existing Road Allowance:**  
The MD shall purchase the required amount of land from the landowner based on current market value per acre (market value may be determined by using recent actual sale values and/or assessment values as provided by the MD’s assessor). For farmland acquisition if there have been no recent sales in the area, a value of \$3,000/acre shall be used. A minimum total payment of \$250 including GST will be paid. Payment will only be made when the interest is registered on the title or a registerable instrument has been obtained.
2. **For Borrow Pits:** The MD shall compensate the landowner for use of the area required at the rate established in the current Fees and Charges Bylaw. The borrow pit remains the property of the landowner upon completion of any road construction project. When a landowner has requested a road for access or due to subdivision, the landowner is required to provide the borrow material without compensation.
3. **For Backsloping:** The MD shall compensate the landowner for crop damage at a value based on the current Agricultural Financial Services Corporation (AFSC) coverage rate for that type of crop.
4. **For Right of Entry:** The MD will pay \$1 for a right of entry, unless the CAO approves an alternate amount, based on valid damage or reasonable cause.
5. Whenever possible, all agreements, right of ways, crop damages and other items as necessary must be in place before projects commence, or are tendered.
6. Compensation may be paid for disturbance outside of the existing road allowance only.
7. If Right of Way (ROW) acquisitions cannot be completed within rates set in this policy they will require Council approval.