



**City of
Lloydminster**

Policy

Policy Title:	Land Sales Policy	Policy Number:	630-01
Date of Adoption:	May 25, 2020	Motion Number:	163-2020
Date of Amendment:		Motion Number:	
Sponsoring Department:	Economic Development		

1. Purpose:

1.1. To establish guidelines and objectives for the sale of City-owned Land.

2. Objective:

2.1. To consider market value and achieve the highest price and greatest economic and social advantage to the City, when selling Land.

3. Definitions:

Administration	An employee, contract employee or volunteer of the City.
City	The corporation of the City of Lloydminster
Discounted Land	Land that is sold for less than a 5% profit.
Improvements	A permanent fixture, structure or building.
Land	Property in a raw or developed state, owned by the City of Lloydminster.
Land Manager	A member of Administration responsible for the Land sales department.
Listing Price	Prices for the sale of Land, approved by a resolution of Council.
Member of Council	An individual elected pursuant to The Local Government Election Act (Saskatchewan) as a Member of Council.
Reserve Price	A minimum price for Land being sold at auction that is equal to or greater than the Listing Price.

4. Scope:

4.1. This policy applies to all Members of Council and Administration responsible for the sale of Land.

5. Establishing Price:

- 5.1. An independent accredited appraisal shall be obtained by the Land Manager to determine a Listing Price. The appraisal shall not be publicly disclosed until after the sale and is valid for one (1) year.
- 5.2. All Listing Prices shall be established by a resolution of Council.

6. Sale of Land:

- 6.1. All Land shall be sold for the Listing Price unless;
 - 6.1.1. the sales price is for a greater amount;
 - 6.1.2. a negotiated price is reached that meets the criteria set out in this Policy and is approved by the City Manager;
 - 6.1.3. Discounted Land is sold to a Non-Profit Organization.
- 6.2. The City Manager may approve all sales of Land except for Discounted Land and the sale of Land with Improvements.
- 6.3. Discounted Land shall only be sold to a Non-Profit Organization by a resolution of Council.
- 6.4. Land with Improvements shall only be sold by a resolution of Council.
- 6.5. For Land offered for sale at a public auction, if the minimum reserve price is not received or offered the Land shall not be sold.
- 6.6. As part of any sale, the Land Manager may impose any limitations, terms or conditions on the sale deemed necessary.
- 6.7. If the Land being sold is:
 - 6.7.1. a road right-of-way;
 - 6.7.2. a Municipal Reserve (MR);
 - 6.7.3. a Municipal and School Reserve (MSR);
 - 6.7.4. a Community Services Reserve (CSR); or
 - 6.7.5. an Environmental Reserve (ER) parcel;
- 6.8. The sale of any Land listed in 6.7 shall be approved by Council in accordance with the provisions set out in the *Lloydminster Charter* or any other enactment relative to that Land.
- 6.9. If Land is being sold as part of a road right-of-way closure, adjacent landowners shall be consulted to determine their interest in purchasing the road-right-of-way.

- 6.10. A description of the Land sold shall be forwarded to the Finance, Assessment and Taxation and the Legislative Services Departments to remove the item from the City's capital assets listing and from any insurance portfolios and update the tax roll.

7. Methods of Selling Land:

- 7.1. There shall be five (5) methods of selling Land:

7.1.1. Placement on the market through a general listing through a realtor. The realtor shall be selected in accordance with the Procurement and Purchasing Policy.

7.1.2. A public Auction that is:

- i. Held by a professional auctioneer;
- ii. Advertised by the auctioneering company; and
- iii. Has a minimum Reserve Price.

7.1.3. A public request for proposal that:

- i. Is advertised a minimum of two (2) weeks, and at least five (5) days prior to the sale in the local newspaper and through other electronic means;
- ii. In compliance with City procurement policies;
- iii. Has a minimum Reserve Price;
- iv. Has a closing date for submission of bids; and
- v. Bids are received electronically or in sealed envelopes and date stamped by the receipt on behalf of the City.

7.1.4. A public posting that:

- i. Is accessible by the public either through print or electronic means or a combination of both; and
- ii. has a Listing Price established by Resolution of Council.

7.1.5. Council may by resolution, authorize Administration to conduct a Land sale through a sole source process and to negotiate directly with a third party for the sale of the Lands, provided that an independent appraisal has been prepared.

- i. Council may by resolution, also authorize Administration to conduct a Land swap through the sole-source process and to negotiate directly with a third party for the swap of Lands, provided that an independent appraisal has been prepared for all properties involved.

8. Proceeds

- 8.1. Proceeds from the sale of non-reserve Land shall be allocated to the Sale of City Land and Building Operating Reserve.
- 8.2. Proceeds from the sale of Municipal Reserve Land (MR), Municipal and School Reserve Land (MSR), Community Services Reserve Land (CSR), or Environmental Reserve Land (ER) shall be allocated to the Public Municipal Reserve.

9. Lot Returns:

- 9.1. In the event a purchaser wishes to return Land the purchaser shall:
 - 9.1.1. Inform the City of their intent to do so in writing within fourteen (14) days from the sales agreement date; and
 - 9.1.2. Pay a five hundred dollar (\$500) administrative fee.
- 9.2. Upon receipt of the administrative fee from Section 9.1.2 above, the City shall return all applicable deposits.

10. Penalty:

- 10.1. Any staff member found to be in violation of this policy may be subjected to a disciplinary action. Such action may be dependent upon the nature of the breach of this policy; discipline may range from a verbal warning to dismissal with cause.
- 10.2. Any Member of Council found to be in violation of this policy may be dealt with utilizing the "*Code of Conduct Bylaw*" or provisions of "*The Lloydminster Charter*."

11. Responsibility:

- 11.1. City Council shall review and approve all policies.
- 11.2. City Administration shall administer the policy through the use of a supporting procedure.
- 11.3. Sponsoring Department shall be responsible for creating and amending a supporting procedure.