



Road Closing and Sale Request Policy No.: A98/07/27 - 02

Effective Date: July 27, 1998	Council Resolution #: 313/98
Revised: August 9, 2004	Council Resolution #: 363/04
Revised: February 19, 2007	Council Resolution #: 40/07

Permanent Road Closing and Sale Requests:

Where a person completes an application for closing and sale of a road allowance and this person has signed the attached waiver that details that all related expenses the landowner could incur, the following procedure will be followed:

1. The road closing application fee is \$100.00, as per By-law No. 06-13, as amended, which covers the review of the request by all Departments and the preparation of a recommendation to Council. A deposit against expenses in the amount of \$500.00 will also be required if Council agrees to proceed with the request.
2. After consideration of the application and the recommendation, if Council supports the request for road closing, the proposal will be circulated to all adjoining landowners. They will be notified that if they are interested in acquiring a section of the allowance, they will be expected to reimburse the Town for any legal, administrative and survey costs, and they will also be expected to pay the set price/acre for the lands.
3. If Council still wishes to proceed with the road closing, County approval, through the form of a by-law, may be required for roads under joint jurisdiction as per the *Municipal Act, 2001*.
4. If Council endorsement is given, then the necessary public notice will be given as per the *Municipal Act, 2001*.
5. If no objections are received from the public, then Council will give the necessary readings to the appropriate road closing by-law. A certified copy of which shall be registered at the appropriate land registry office.
6. Before conveying the road allowance land to the adjoining landowner(s), the allowance shall be surveyed at the expense of the landowner(s).
7. The land value of the road allowance, which shall be required to be paid by the adjoining landowner, will be determined by using the price/acre set by Council from time to time multiplied by the area of the lands which are requested by the adjoining landowner.
8. Upon conveyance, the adjoining landowner shall pay in full to the Town of Greater Napanee, all appraisals, surveying, legal and administrative costs associated with the closing and sale of the road allowance less the initial deposit amount; or if

required, a refund will be issued by the Town.

Temporary Road Closing Requests

Where a person(s) or group submits a written request to temporarily close a portion of road for an activity, the following procedure will be followed:

1. The written request must be submitted, outlining the reason for the request, the date of the event and the times that the road is required to be closed.
2. After consideration, if Council supports the request, the appropriate temporary road closing by-law must be passed.
3. Upon the by-law being passed, notice of the proposed temporary road closing will be given to the public in accordance with the *Municipal Act, 2001* and the Town's Notice By-law. A copy of the by-law will be forwarded to the Public Works and Fire Departments, the OPP and the County Ambulance Service for their information.