

THE TOWNSHIP OF CENTRAL MANITOULIN

BY-LAW 2001-02

BEING A BY-LAW TO RESCIND SANDFIELD BY-LAW 95-10 AND TO ESTABLISH PROCEDURES FOR THE SALE OF REAL PROPERTY OWNED BY THE MUNICIPALITY.

WHEREAS Section 193 of the Municipal Act requires the adoption of a by-law to govern the sale of certain real property by the municipality.

NOW THEREFORE, the Council of the Corporation of the Township of Central Manitoulin enacts as follows:

1. THAT where made applicable by section 193 of the Municipal Act this By-Law shall apply to the sale of real property by the Corporation including a lease of 21 years or longer.
2. THAT prior to the disposal of property the Council shall, by resolution, declare the property surplus.
3. THAT prior to the disposal of real property and where there is no exemption under the regulations, the Council shall obtain at least one appraisal of the fair market value of the real property.
4. THAT the form of appraisal shall be a written opinion as to the amount that the real property might be expected to realize if sold in the open market by a willing seller to a willing buyer.
5. THAT the Council may direct by resolution that the appraisal shall be conducted by an independent qualified appraiser.
6. THAT notice to the public of the proposed sale shall be given at least 10 days, including holidays, prior to the disposal of real property by advertisement in two local papers having general circulation on Manitoulin Island. The advertisement shall include a brief description of the property, and shall specify the dates involved with the sale.
7. THAT Council may dispose of the property by either:
 - (a) Public tender, or;
 - (b) Listing the property for sale on the open realty market.
8. THAT the purchaser shall be responsible for all costs incurred or required to dispose of the real property, including legal, survey, appraisal, encumbrances, advertising, improvements, administrative fees and so on.
9. THAT this By-law replaces and rescinds By-law 95-10 of the former Township of Sandfield.
10. THIS by-law shall come into force and take effect immediately upon enactment thereof.

Read a first, second, and third time and finally enacted this _____ day of 2001.

Reeve

Clerk