Title:	Unauthorized Works on Municipal Lands
Policy No:	2020-01
Approval:	Village Council
Effective Date:	March 23, 2021

Supersedes Policy No: None

Policy Statement: The Summer Village of Betula Beach believes that any form of work on municipal lands by residents should be regulated and that the Village shall require restitution for any unauthorized works on municipal lands.

Purpose: The purpose of this policy is to set guidelines and standards regarding the unauthorized works on municipal lands and further actions to be taken if unauthorized works on municipal lands are performed.

Principles:

To ensure that any works performed on municipal lands by residents are approved and regulated.

1. Definitions

1.1 **"Chief Administrative Officer"** shall mean a person appointed to the position by Council.

1.2 **"Council"** shall mean the current elected officials of the Summer Village of Betula Beach.

1.3 **"Trees"** shall mean standing trees, fallen trees and underbrush.

1.4 **"Member of Council"** shall mean Mayor, Deputy Mayor and Councillor for the Summer Village of Betula Beach.

1.5 "**Municipal Lands**" shall mean any land under the care, maintenance or jurisdiction of the Summer Village of Betula Beach.

1.6 **"Permit"** shall mean the authorization given to perform works as described.

1.7 **"Permittee"** shall mean the person or entity that is signing the permit and taking full responsibility for to meet all conditions and requirement set forth in the permit.

1.8 **"Unauthorized"** shall mean not having official permission or approval.

1.9 **"Village"** shall mean the Summer Village of Betula Beach, Members of Council, Chief Administrative Officer or authorized representatives.

1.10 **"Works"** shall mean any form of storage, groundwork, excavation, removal of trees, brush or branches or any other action that manipulates the existing condition of the lands.

2. Procedures

2.1 The attached permit is to be utilized when making application to perform works on municipal lands within the Summer Village of Betula Beach.

2.2 A deposit of $300 shall accompany the permit and will be returned if the permit is not approved or if it is found that any condition of the permit has not been met and requires further action to be performed by the Village.

2.3 Permits are to be issued by the Chief Administrator Officer with approval from Council.

2.4 Permits are not to be granted for commercial purposes.

2.5 The Permittee shall repair and restore the area where the works are performed, leaving no holes or debris and will return the lands to the condition they were when the permit was authorized or to the condition the lands were in before any unauthorized works were undertaken.

2.6 The Permit shall be good for a maximum of fourteen (14) days and can be extended upon request and approval from Council.

2.7 Permits must be signed and dated by the Permittee that they understand and will comply with all conditions and requirements of the permit and that they will be responsible to pay restitution as determined by Council if any condition or requirement is not met or damages are incurred.

2.8 Permittees must sign a Release of Liability if the permit is approved.

2.9 All unauthorized works on municipal lands will be considered trespassing and will result in legal action and restitution, as determined by Council, to be paid to the Summer Village of Betula Beach.

SUMMER VILLAGE OF BETULA BEACH

Permit to Perform Works on Municipal Lands

I hereby make application to perform works, as defined in Policy No. 2020-01, on Municipal Lands within the Summer Village of Betula Beach as per the following information:

Date of Application: _____ Date Works to Start: _____ Anticipated Length of Work: _____

APPLICANT

Name: _____ Phone Number: _____

Mailing Address: _____ _____ _____
Street/PO Box City, Prov Postal Code

Civic Address adjacent to lands: _____

WORK DETAILS AND SITE SKETCH

Detailed description of works (Please include reason for application):

_____

_____

_____

_____

Site Sketch:

I, _____ , have agreed to pay a $300 deposit (refundable if application is denied), to be held by the Summer Village of Betula Beach to pay for any damages incurred or cleanup required, at the sole discretion of the Summer Village of Betula Beach and that I am responsible to pay any additional charges if the damages and cleanup required is more than $300. I understand that the deposit will be returned to me once the site is inspected, and the condition of the lands are to the satisfaction of the Summer Village of Betula Beach. I further understand no additional works will be performed that are not included and approved within this application and that the Summer Village of Betula Beach will seek restitution and legal action if unauthorized works on municipal lands are performed. I will hold harmless the Summer Village of Betula Beach for any damages to private property or equipment and any harm to a person while performing the works on municipal lands.

_____ _____
Signature of Applicant Date

☐ Approved ☐ Denied

_____
CAO – Summer Village of Betula Beach