



RURAL MUNICIPALITY OF ST. ANDREWS POLICY AND PROCEDURES MANUAL

POLICY NAME: Developer Reimbursement Policy	POLICY NUMBER: EVD-02
POLICY MANUAL SECTION: Environmental Development Services	RESOLUTION NUMBER: 38-2017
DATE ADOPTED: January 24, 2017	RESOLUTION DATE: January 24, 2017
REVISION DATE: As Required	REVIEW DATE:
STATUS: Active	NUMBER OF PAGES: 1

DEVELOPER REIMBURSEMENT POLICY

Purpose

The purpose of this policy is to recognize that a third party may directly benefit from municipal works installed by a previous developer.

Policy

- 1) Where the land of a third-party landowner directly benefits from the municipal services installed by a developer as determined by the municipality, the municipality may agree in a development agreement to try to collect a cost recovery for the developer being the actual cost of that benefit, as determined solely by the municipality.

Procedure

- 1) The developer shall request the municipality that it consider a developer reimbursement for municipal works that may benefit a third-party landowner.
- 2) If the municipality agrees to consider a developer reimbursement, the developer shall submit the actual cost to construct the municipal works as certified by a registered professional engineer.
- 3) The municipality will have its municipal engineer certify the costs, as provided by the developer.
- 4) The municipality shall make all reasonable efforts to recover the proportionate share from benefitting third-party landowner as identified in the development agreement through the subdivision approval and development agreement processes. If no recovery money is received by the municipality, the municipality is not obligated to pay the developer any money.
- 5) The developer will be entitled to those recoveries for a period of ten (10) years following the issuing of the completion certificate by the municipal engineer for the various municipal works. No interest will be paid.
- 6) It shall be the responsibility of the developer to monitor development activity and request the municipality to consider developer reimbursements from benefitting third party landowners.
- 7) Once the municipality receives the money from the benefitting third party landowner, it will pay the developer the funds within 90 days.