



Title: Road Closure Policy	Policy: PW 014
Section: Public Works	

ACCOUNTABILITY TO VISION STATEMENT

A safe and well managed road network is key to the long-term economic prosperity of the County and to its future. The Municipal Government Act grants municipalities the ability to request the closure of a road that has been determined no longer required for public travel.

POLICY STATEMENT

To provide direction on the closure of road plans and road allowances under the direction, control and management of Flagstaff County.

The closure of road plans and road allowances shall only be considered when it is clearly evident there is no existing and future need for public use, and it does not adversely affect adjacent landowners or general public access.

The purpose of this policy is to establish guidelines to process requests for the closure of road plans and road allowances, with the exception of streets and lanes within the hamlets which will not be considered for closure.

DEFINITIONS

Road Plan: refers to property, or portion thereof, which was previously purchased and/or excepted out of the title of deeded land by way of the registration of a road plan or subdivision plan at the Land Titles Office.

Road Allowance: refers to road allowances or portions thereof as previously established by the Dominion of Canada with the implementation of the Grid System of Survey.

GUIDELINES

1. A request to close all or any portion of a road plan or road allowance shall be submitted in writing including the following information:
 - a. Reason for the closure request.
 - b. A sketch of the road plan or road allowance proposed for closure along with the legal description of the proposed closure.
 - c. The correct name and address of the applicant.
2. The application must be accompanied by an administration/inspection fee as identified in the Fees and Charges Schedule.
3. Administration will review the road closure request and prepare letters and packages for circulation to agencies, adjacent landowners and internal departments notifying them of the road closure application and requesting their comments back in writing.
4. Following the circulation period, administration will review all responses to determine if they adversely affect the application. Administration will correspond to the applicant informing them of the recommendation going forward to Council.

5. A report will be prepared for Council summarizing all the circulation responses with administration’s recommendation.
6. If Council does not approve the road closure request, it will not proceed. The applicant will be notified with reasons for the decision. A decision of Council may not be appealed.
7. If Council approves the road closure request, administration will proceed with the process to cancel the road plan or road allowance in accordance with Sections 22 and 24 of the Municipal Government Act.
8. If the road is being closed for consolidation purposes, fair market value of the road allowance must be determined by the County Assessor.

In addition, the applicant will be required to enter into a Sales Agreement with the County for the purchase of the road allowance.

9. If the road being closed is a road plan and the portion of the road requires to be reclaimed as a result of past road construction, the County will be responsible to complete reclamation of the road plan back into the land from which it was derived from. The cost of reclamation will be included in the report to Council.
10. The applicant will be responsible for all costs associated with the road closure, including but not limited to:
 - a. Administration/inspection fee, as identified in the Fees and Charges Schedule.
 - b. All costs associated with Transfer of Land (plan of survey, transfer documents, registration, legal fees, etc.).
 - c. The purchase cost of the road allowance.

Council Approved: November 10, 2021		Resolution #: FC20211110.1003
Reference: Municipal Government Act, Section 22 and 24		
<i>Administrative Responsibility:</i>	<i>Review Cycle:</i>	<i>Next Review Year:</i>
Public Works Superintendent	Every 3 years	2024