

# The Corporation of the Township of Pelee

## By-law No. 1577

Being a By-Law to establish procedures  
regarding the sale of real property.

**WHEREAS** Section 193 (2) of the Municipal Act, R.S.O. 1990 c.M.45, as amended, requires a Council of a municipality to pass a by-law to establish procedures governing the sale of real property;

**AND WHEREAS** from time to time situations arise for the best interest of the Township a large that property may be sold or transferred without the need for a public meeting;

**NOW THEREFORE** the Council of the Corporation of the Township of Pelee enacts as follows:

**THAT** for the purpose of this by-law:

- a) "appraisal" shall mean a written opinion as to the current market value of a property, by a qualified property appraiser, and the amount that the real property might be expected to realise if sold in the open market;
- b) "Township" shall mean the Corporation of the Township of Pelee
- c) "disposal" shall mean the sale of real property or the lease of real property for a period of 21 years or longer;
- d) "public notice" shall consist of the publication of a summary of the contents of the Council report in Pelee Island Grapevine or the Leamington Post prior to the date of the Council Meeting, as the case may be, at which the disposal is to be considered;

**AND THAT** prior to the disposal of any real property, the Council shall by resolution passed at a meeting open to the public, declare the real property to be surplus;

**AND THAT** except for disposals of those classes of property, or to those classes of public bodies exempted by the Municipal Act, the Clerk shall, prior to the disposal of real property, obtain at least one appraisal of the property;

**AND THAT** notwithstanding in the event that notice to the public is specified by statute, the Clerk shall ensure that notice in accordance with the provisions of the applicable statute are effected, in addition to the public notice required by the by-law;

**AND THAT** a public register shall be available for inspection during regular office hours, listing and describing the real property owned and leased by the Township, save and except for those classes of real property which may be exempt for listing in the public register by the Municipal Act or the regulations made pursuant thereto, as the same may be amended from time to time;

**AND THAT** from time to time should the need arise to dispose of property in the best interest of the Township, upon receipt of documentation Council may by resolution have the property transferred as required to decrease the potential liability to the Township, with the understanding that all of Council must be present and a resolution to the intent must be carried;

**AND THAT** this By-law shall come into force and take effect on the 5th day of March, 2001 and its short title shall be "Real Property Disposal By-law";

**AND THAT** that By-law 1557 shall hereby be rescinded.

Passed this 5th day of March, 2001.

  
\_\_\_\_\_  
Reeve  
(c/s)  
  
\_\_\_\_\_  
Clerk-Treasurer

**Clerk's Certificate**

I, Daphne Blais Rae, Clerk-Treasurer of the Township of Pelee, DO HEREBY CERTIFY the foregoing to be a true copy of the By-law No. 1577 passed by Council of the said Corporation of the Township of Pelee, on the 5th day of March, 2001

CERTIFIED THIS \_\_\_\_ day of \_\_\_\_\_, 2001

\_\_\_\_\_  
Daphne Blais Rae, AMCT  
Clerk-Treasurer