

LEGISLATIVE

POLICY 1-04

CONSENT AGREEMENTS

Authorization: August 18, 2006 Council Resolution

Policy:

1. When members of the public request to do improvements on municipal property there needs to be a clear understanding of responsibilities.
2. To ensure that all parties are clear on who is responsible for what, a Consent Agreement must be entered into between the member of the public and the municipality, such Consent Agreement form being attached to this policy.
3. Any work done on public property by members of the public at large **must** have prior written approval from Council and/or administration.
4. The consent agreement form will clearly outline the scope and location of the work to be done. Specifically, the nature of the work, the time frame for the work, the physical location of the work and the person or persons doing the work must be listed.
5. The Consent Agreement will clearly indicate that the member of the public is responsible for any injuries that they may receive or for any liability claim for damages to other properties that may arise from the works.
6. The Consent Agreement must be signed by both the applicant and the municipal representative and, preferably, should be kept on the site of the work being done.

Background:

Council wants to work with the public to allow reasonable work to be done if the property owner requests to make changes in publicly owned properties adjacent to their property. However, it is important to ensure that the municipality is aware of the works and has given approval and it is important for the person doing the work to realize their responsibilities as well in terms of liability.

Consent Agreement:

Between

The Summer Village of South View

of the first part

and

of the second part

1. _____ (the applicant) has made a proposal to do the following works on municipal property: (provide a detailed explanation)

2. The time frame for the work is as follows: _____

3. The applicant agrees that all cost related to this work shall be borne by the applicant.

4. The applicant agrees that they accept full liability for any injury or damage that may be caused by these works.

5. The applicant agrees to ensure that all work is done in a safe and workman like manner.

6. The applicant agrees to adhere to all municipal bylaws related to noise and disturbance of the public at large.

7. The applicant agrees to notify the municipal office of any change in the proposed plan or timeline prior to commencement.

Signature of Applicant

Signature of Municipal Representative

Date: _____