



# TOWN OF SLAVE LAKE

CATEGORY: Administration  
POLICY #: C.d. 015  
OWNER DEPT: CAO  
COUNCIL APPROVAL: Mar 21/06

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REVISED:

## TITLE: RECOVERY OF LEGAL COSTS

### POLICY

#### POLICY STATEMENT:

The Town of Slave Lake will establish a policy for the recovery of legal costs for outsourced development agreements so that the costs are borne by the developer and not the taxpayer.

#### POLICY OBJECTIVE:

The objective of this policy is to:

Provide clear direction to Administration and Developers with regard to the recovery of the Town of Slave Lake's legal costs associated with the preparation of development agreements by our legal counsel.

Signed: \_\_\_\_\_

CAO

Date: \_\_\_\_\_

**TITLE: RECOVERY OF LEGAL COSTS**

**PROCEDURE**

**1.0 DEFINITIONS**

1.01 Development Agreement:

A Development Agreement is a contract that the Developer and the Town enter into to ensure that the completion of municipal servicing and infrastructure occurs with all works being performed in compliance with all Municipal, Provincial and Federal Codes and Regulations.

1.02 In-house Development Agreements:

Are Development Agreements that are prepared by the Administration of the Town.

1.03 Legal Counsel:

Legal Counsel shall be any legal firm, i.e. barrister and/or solicitor, who by contract with the Town of Slave Lake, represent the Town on legal issues and prepare legal documents, including development agreements, upon request of the Town.

1.04 Outsourced Development Agreements:

Are Development Agreements that are prepared by the Town's Legal Counsel. Factors to be considered when recommending a development agreement be outsourced shall include but not be limited to: complexity of the development and subsequent agreement, degree of conflict and multiple parties involved in the development process.

1.05 Planning and Development Fees Bylaw:

Shall be the current bylaw establishing fees for the services provided by or on behalf of the Town's Planning and Development Department.



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**PROCEDURE**

1.06 Town's Legal Costs:

Are costs incurred by the Town of Slave Lake and paid to the Town's Legal Counsel for the preparation of a Development Agreement.

1.07 Town:

Shall mean the Town of Slave Lake.

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**PROCEDURE**

**2.0 RESPONSIBILITIES**

2.01 Town Council :

Sets policy with regard to the recovery of legal costs and approves the development agreement for the development of a specific parcel of land.

2.02 Chief Administrative Officer (CAO):

Ensures policy is applied and makes decisions with regard to the outsourcing of development agreements based on the recommendations of the Supervisor of Planning & Development.

2.03 Supervisor of Planning & Development:

Reviews and make recommendations with regard to when a development agreement shall be outsourced and prepared by our Legal Counsel and provides those recommendations to the Chief Administrative Officer.

## **TITLE: RECOVERY OF LEGAL COSTS**

### **PROCEDURE**

#### **3.0 STANDARDS/GUIDELINES**

- 3.01 As part of the subdivision application, the applicant/developer shall complete and sign an Acknowledgement Form indicating that should the development agreement be outsourced that they will be responsible for some of the legal costs as outlined in this policy.
- 3.02 Whenever deemed necessary, Administration may recommend that a development agreement be outsourced. Factors to be considered when recommending a development agreement be outsourced shall include but not be limited to: complexity of the development and subsequent agreement, degree of conflict and multiple parties involved in the development process.
- 3.03 In the event that a development agreement is to be outsourced, the applicant/developer is to be notified of this requirement in writing and advised of his/her obligations under the policy.
- 3.04 The Town of Slave Lake will pay the minimum amount specified in the Planning and Development Fees Bylaw for the Town's legal costs incurred for the preparation of a development agreement by the Town's legal counsel. Any and all other costs associated with the preparation of that development agreement, over and above the minimum amount specified in the Planning and Development Fees Bylaw, shall become the responsibility of the developer.

#### **4.0 PROCEDURES**

**N/A**

