

TOWN OF SLAVE LAKE

COUNCIL POLICY

Department:	Planning and Development	Policy No:	PD.PLN-23.1002
Policy Title:	Recovery of Legal Costs	Issue Date:	11-14-2023

1. **PURPOSE**

- 1.1. The Town of Slave Lake wants to provide clear direction to Administration and Developers regarding the recovery of the Town of Slave Lake's legal costs associated with the preparation of development agreements by our legal counsel.

2. **POLICY STATEMENT**

- 2.1. 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.

3. **DEFINITIONS**

- 3.1. **Development Agreement:** means 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.
- 3.2. **In-House Development Agreements:** means development agreements that are prepared by the Administration of the Town of Slave Lake.
- 3.3. **Legal Counsel:** means any legal firm (i.e., barrister and/or solicitor), who by contract with the Town of Slave Lake, represents the Town on legal issues and prepares legal documents, including development agreements, upon request of the Town.
- 3.4. **Outsourced Development Agreements:** means 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

TOWN OF SLAVE LAKE

COUNCIL POLICY

Department:	Planning and Development	Policy No:	PD.PLN-23.1002
Policy Title:	Recovery of Legal Costs	Issue Date:	11-14-2023

subsequent agreement, degree of conflict and multiple parties involved in the development process.

3.5. **Planning and Development Fees Bylaw:** means the current bylaw establishing fees for the services provided by or on behalf of the Town's Planning and Development Department.

3.6. **Town's Legal Costs:** are those costs incurred by the Town of Slave Lake and paid to the Town's Legal Counsel for the preparation of a Development Agreement.

3.7. **Town:** Means mean the Town of Slave Lake.

4. **GUIDELINES**

4.1. Procedure and Responsibility

4.1.1. Chief Administrative Officer (CAO) will ensure the Recovery of Legal Costs Policy is implemented and followed.

4.1.2. The Town Council will set policy regarding the recovery of legal costs and approves the development agreement for the development of a parcel of land.

4.1.3. Director of Planning and Development: Reviews and makes recommendations regarding when a development agreement shall be outsourced and prepared by our Legal Counsel and provides those recommendations to the Chief Administrative Officer.

4.2. **Standards/Guidelines**

4.2.1. As part of the subdivision application, the applicant/developer shall complete and sign an Acknowledgment Form RE: Legal Costs

TOWN OF SLAVE LAKE
COUNCIL POLICY

Department:	Planning and Development	Policy No:	PD.PLN-23.1002
Policy Title:	Recovery of Legal Costs	Issue Date:	11-14-2023

indicating that should the development agreement be outsourced that they will be responsible for some of the legal costs as outlined in this policy.

- 4.2.2. 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.
- 4.2.3. 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.
- 4.2.4. 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 the development agreement, over and above the minimum amount specified in the Planning and Development Fees Bylaw, shall become the responsibility of the developer.

5. REVIEW OF THE POLICY

- 5.1.1. This Policy will be reviewed and may be amended from time to time based on the needs and experiences of our workplace.





Town of
SLAVE LAKE

TOWN OF SLAVE LAKE
COUNCIL POLICY

Department:	Planning and Development	Policy No:	PD.PLN-23.1002
Policy Title:	Recovery of Legal Costs	Issue Date:	11-14-2023

6. APPROVAL and REVISION CONTROL

ISSUED BY	APPROVED BY:	DATE:
Mayor		11/16/2023
Chief Administrative Officer		2023/11/20

