Village of Hay Lakes

Policy 05-2021

Municipal and Reserve Land Policy

**Policy**: Private use of Municipal Reserve properties is not permitted in the Municipal Government Act. See section 671(2) included below:

**Division 9**

**Use and Disposal of Reserve Land**

**Use of reserve land, money**

**671(1)** Subject to section 676(1), environmental reserve must be

left in its natural state or be used as a public park.

**(2)** Municipal reserve, school reserve or municipal and school

reserve may be used by a municipality or school board or by them

jointly only for any or all of the following purposes:

(a) a public park;

(b) a public recreation area;

(c) school board purposes;

(d) to separate areas of land that are used for different purposes.

**Disposal of municipal and school reserve**

**674(1)** Despite section 70, if

(a) a council wishes to sell, lease or otherwise dispose of

municipal reserve or community services reserve, or

(b) a council and a school board wish to sell, lease or otherwise

dispose of municipal and school reserve,

a public hearing must be held in accordance with section 230 and

must be advertised in accordance with section 606.

**(2)** In addition to the notice required under subsection (1), notices

containing the information required under section 606 must be

posted on or near the municipal reserve, community services

reserve or municipal and school reserve that is the subject of the

hearing.

The only thing Municipal Reserve Lands can be used for are: a public park, a public recreation area, or to separate areas of land that are used for different purposes.

 Any private use of Municipal Reserve Land is prohibited and can only be considered if the Municipal Reserve designation is removed from title which requires Notification and a Public Hearing.

**Procedures**: If a resident wishes to use Municipal Reserve Lands for any personal purpose they must appear before Council to present reasons for usage of the land. If Council decides to allow the resident access to the land, Administration will issue a ‘License of Occupation’ that grants access to the land for a specific usage (a specific usage such as vehicle; RV storage or vegetable garden). No fencing or any structures will be allowed. The cost of a license will be $50.00 per year and the resident will be required to renew the license every year on the anniversary of the issued license date. The License of Occupation will not grant permission to limit access to these public lands by other residents or public.

A lease is the granting of a legal interest in land which gives exclusive possession for a fixed amount of time. Leasing of Municipal Reserve Lands will not be permitted.