




CITY PROCEDURE

Authority City Council Motion No. 447	Effective Date April 21st, 1986 	City Policy Number 1089
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Title EXTENSION OF CITY OWNED UTILITIES OR SERVICES BEYOND CITY LIMITS		

1. Definitions

- 1.01 City Owned Utilities or Services - Any utility or service such as the treatment, supply and distribution of potable water, the collection and treatment of domestic or industrial sewage, or any other service performed, owned, operated, or managed under a City By-law.
- 1.02 Engineering Documentation - Engineering data presented in written and graphic form pertinent to the specific utility or utilities, describing the proposed extension of services, estimating consumption, detailing special treatments, etc. in sufficient detail to enable the City to assess the impact of said request for service on the City utility or utilities.
- 1.03 City Limits - The current legal land boundary limits of the City of Brandon.
- 1.04 City Manager - The Chief Administrative Officer for the City of Brandon as authorized by City By-law.
- 1.05 Preliminary Engineering - Shall be prepared by or under the direction of a registered member of the Association of Professional Engineers of the Province of Manitoba, and at a minimum contain the following:
 - (a) A written engineering report which explains the project purpose, utility desired, pipe sizes, consumption estimates, metering points, area to be serviced and project schedule.
 - (b) Sketch plan based on current tax map information or some similarly accurate base and show the proposed project in relation to lot lines, right-of-ways, easements, and permanent structures; show the location of other utilities (i.e. gas, hydro, water, sewer, etc.); contain a key map, and any other data which will provide a clear picture of the scope of the project and its effect on the City of Brandon and the surrounding rural municipality.

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1. Definitions ... cont'd

1.06 Accept in Principle - A non-binding agreement which may be subject to terms and conditions and is merely given by City Council to allow the applicant to finalize his proposal with some degree of confidence that the City will permit extension of the requested utility.

2. Responsibilities

2.01 City Council to:

- (a) Review all requests for the extension of City owned utilities beyond City limits brought to it by the City Manager.
- (b) Provide clear direction to the City Manager for the disposition of the request.
- (c) Decide all requests in terms of benefits to the City of Brandon at large.



2.02 City Manager to:

- (a) Bring all requests for extension of City owned utilities beyond City limits to the attention of City Council as expeditiously as possible.
- (b) Ensure all requests conform to current City By-laws.
- (c) Co-ordinate all activities required to provide City Council with sound information on which to base their decision on the request.
- (d) Negotiate a written agreement as required.

2.03 City Engineer to:

- (a) Review all requests from the City Manager in terms of its impact on the City's utility.

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2. Responsibilities ... cont'd

- (b) Provide a recommendation to the City Manager purely based on said impacts.
- (c) Keep the best interest of the City at large foremost in any decisions or recommendations made on the request.


2.04 City Solicitor to:

- (a) Review all requests from the City Manager in terms of the legal ways and means of allowing the project to advance.
- (b) Provide a recommendation to the City Manager purely based on the legal ramifications of permitting the project to advance.
- (c) Prepare the required legal documents for any written agreement and provide City Council with a detailed explanation of the implications of said agreements prior to the documents being executed.
- (d) Keep the best interest of the City at large foremost in any decisions or recommendations made on the request.

2.05 Brandon and Area Planning District Board to:

- (a) Review all requests as to impact on the development plans for the City of Brandon and the affected rural municipality.
- (b) Provide comments and recommendations to the City Manager based on the impact of the request on the development plans.
- (c) Co-ordinate the request for services with any application for development.

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2. Responsibilities ... cont'd

2.06 City Planner to:



- (a) Review all requests with respect to existing development conditions in the fringe areas and comment as to how the request to extend City utilities beyond City limits will impact growth and changes in development of the fringe area.
- (b) Keep the best interest of the City at large foremost in any decisions or recommendations made on the request.

3. Procedures

- 3.01 All requests to City Council for the extension of City owned utilities or services beyond the City limits shall originate from the office of the City Manager upon receipt by the City Manager of a formal written request from an applicant.
- 3.02 An applicant for extension of City owned utilities or services beyond City limits shall supply, along with the formal request, a copy of all preliminary engineering data deemed necessary by the City Manager before the request is taken to City Council.
- 3.03 All engineering documentation submitted as part of the request shall be prepared under the direction of, and sealed by, a Professional Engineer licensed with or a registered member of the Association of Professional Engineers of the Province of Manitoba.
- 3.04 Upon receipt of all required information on the application, the City Manager shall have the request presented to City Council at the next regular meeting in order to seek City Council's direction on the matter.
- 3.05 City Council may, at its discretion, refuse the request outright or reserve decision until after receipt of reports by Civic Departments.

If the request is refused outright, City Council shall direct the City Manager to so advise the applicant.

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3. Procedures ... cont'd

If the request is reserved for decision, City Council shall direct the City Manager to solicit reports on the request from Civic Departments. At a minimum, the request must be reviewed by the City Engineer, the City Solicitor, the City Planner, and the Brandon and Area Planning District Board. All responding Departments shall submit their findings and recommendations in writing to the City Manager. The City Manager shall, in written form, summarize the findings of all responding Departments along with his recommendations and send said report to City Council for action.

- 3.06 After review and consideration of the City Manager's report and recommendation, City Council shall either accept in principle or reject the request for extension of City owned utilities or services beyond City limits.



Any acceptance by City Council may contain conditions of acceptance and may be rescinded by City Council up until the time a written agreement is established between the City and the requesting party.

If, after consideration of the City Manager's report, the request is refused, City Council shall direct the City Manager to so advise the applicant. It will not be required that the City provide justification for such refusal.

If, after consideration of the City Manager's report, the request is accepted in principle, City Council shall direct the City Manager to advise the applicant of said decision together with any terms or conditions imposed by City Council. City Council shall also direct the City Manager to begin negotiations with the applicant for a servicing agreement. The Rural Municipality into which the service will be extended shall be a third party in the agreement if the applicant is not the Rural Municipality.

Once an agreement has been negotiated, the City Manager shall report back to City Council as to the terms and conditions of the agreements, and seek permission from City Council for appropriate City officials to execute the agreement.

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3. Procedures ... cont'd

If City Council rejects the proposed agreement, they shall either direct the City Manager to continue to work toward an acceptable agreement or reject the request for extension of City owned utilities or services beyond City limits.

If City Council decides to reject the request, they shall direct the City Manager to so advise the applicant. It will not be required that the City provide justification for such rejection.