

# COUNCIL POLICY



Document Name: Ptarmigan Court Residence Flood Mitigation Program

Department Name: Planning and Development

Document Number: FIN-340

Effective Date: April 27, 2021

Next Revision Date: April, 2024

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## **STRATEGIC PLAN LINKAGE**

- Strategic Priority 1 – Responsible Government

## **PURPOSE AND OBJECTIVE**

The purpose of this Policy is to:

- a) establish the Ptarmigan Court Residence Flood Mitigation Program (the “Program”);
- b) outline the nature and value of the Grant; and
- c) determine eligibility for the Grant under the Policy.

The Program will provide financial assistance to eligible property owners within Ptarmigan Court (Schedule A). The objectives of the Program are to:

- a) increase Flood Protection for individual property owners; and
- b) provide financial assistance to property owners who choose to protect their residence via raising the structure.

## **GENERAL PRINCIPLES**

### **1. Definitions:**

- 1.1. “Agreement” means the agreement between the Recipient and the Municipality that sets out the terms and conditions for participating in the Program. The Agreement must be signed by the Recipient before any Grant-related works begin.
- 1.2. “Applicant” means the registered property owner(s) or a property owner’s legal representative who submits an application.
- 1.3. “Flood Protection” means the undertaking of permanent structural work to protect residences so that the underside of floor joists are above 250.9 metres above sea level.
- 1.4. “Grant” means a transfer of monies from the Municipality to a Recipient for a project or purpose according to the requirements outlined in this Policy and the

accompanying Ptarmigan Court Residence Flood Mitigation Administrative Procedure FIN-340-P01.

- 1.5. “Letter of Authorization” means written authorization from the registered property owner to a legal representative which allows the legal representative to apply to the Program on the property owner’s behalf.
- 1.6. “Municipality” means the Regional Municipality of Wood Buffalo
- 1.7. “Program” means the Ptarmigan Court Residence Flood Mitigation Program.
- 1.8. “Program Guidelines” means a document or documents that provides a detailed explanation of the Program to guide Applicants through the application process. The Program Guidelines provide an overview of the Program and Grant, and includes the Grant application, the contracting processes, and design standards, where applicable.
- 1.9. “Ptarmigan Court” means the area identified in Schedule A.
- 1.10. “Recipient” means an Applicant that is approved by the Municipality to receive a Grant.

## **2. Responsibilities:**

### **2.1. Council to:**

- 2.1.1. approve this Policy; and
- 2.1.2. approve any amendments to this Policy.

### **2.2. Chief Administrative Officer (CAO) to:**

- 2.2.1. recommend any amendments to this Policy;
- 2.2.2. support the implementation of this Policy; and
- 2.2.3. review and support any amendments to the Program.

## **3. General Procedures:**

### **3.1. Program Area:**

- 3.1.1. The Program applies to eligible Applicants and building types in Ptarmigan Court, as outlined in Schedule A.

### **3.2. Program Duration:**

- 3.2.1. The Applicant must apply to the Municipality by **July 30, 2021**.
  - 3.2.1.1. The Applicant’s file will remain open until all invoices have been received.
- 3.2.2. The Program is scheduled to terminate on March 31, 2022.

### **3.3. Grant Information:**

- 3.3.1. The Program provides financial assistance to eligible Recipients with raising the residence on the property to a point where the underside of floor joists are at an elevation of 250.9 metres above sea level.
- 3.3.2. The Municipality will be responsible for paying 100% of Program costs.
- 3.3.3. Applicants must grant access to employees and agents of the Municipality onto their property for the purposes of the Program.

#### **3.4. Municipal Control:**

- 3.4.1. The Municipality reserves the right to determine application participation in the Program on a case-by-case basis.
- 3.4.2. Recipients are bound by the terms and conditions of any Agreements.

#### **3.5. General Eligibility Criteria:**

- 3.5.1. The Program will only provide financial assistance to eligible Recipients in Ptarmigan Court (see Schedule A).
- 3.5.2. The Municipality will encourage Applicants to participate in a pre-application meeting to clarify requirements prior to applying.
- 3.5.3. The Applicant must be the property owner(s) or a property owner's legal representative. A Letter of Authorization from the property owner(s) is required should the property owner's legal representative be the Applicant. Where there are two or more property owners, all of the owner's signatures are required.
- 3.5.4. The Program is not intended to replace personal insurance or provincial disaster recovery assistance, or cover losses or damages caused by the 2020 spring flood.
- 3.5.5. Only the residence on the property is eligible for financial assistance being provided to a property owner under the Program.
  - 3.5.5.1. Stairs, ramps or other similar, reasonable, means of access to the residence are included.
- 3.5.6. Projects must meet the intent of the Program Guidelines.
- 3.5.7. The following projects are ineligible:
  - 3.5.7.1. Commercial buildings and properties;
  - 3.5.7.2. Residential properties without a residence;
  - 3.5.7.3. Projects or work intended to restore or remediate losses or damages caused by the 2020 spring flood and or return buildings to pre-flood conditions.
- 3.5.8. The following must be satisfied and will be verified by the Municipality at the time of the second, more detailed, application. Exceptions will be made at the discretion of the Municipality on a case-by-case basis:
  - 3.5.8.1. Property taxes must be current and paid;

- 3.5.8.2. Utility bills must be current and paid;
- 3.5.8.3. Properties must not have an unresolved order to comply with any applicable statutes, regulations, bylaws, codes and municipal standards and have all requisite permits or approvals; and
- 3.5.8.4. The Applicant is not a party to a legal dispute with the Municipality.

### **3.6. Application Requirements:**

- 3.6.1. Complete applications shall contain the following:
  - 3.6.1.1. Completed application form;
  - 3.6.1.2. Certificate of Title, current within 30 days of the date of the submitted application;
  - 3.6.1.3. Letter of Authorization (if Applicant is the property owner's legal representative);
  - 3.6.1.4. Two (2) detailed contractor estimates provided by different contractors. The Municipality reserves the right to request additional quotes.
  - 3.6.1.5. All estimates are to be broken down into itemized components as opposed to lump sum prices.
  - 3.6.1.6. Any other information required by the Municipality to evaluate the application.

### **3.7. Construction and Timelines:**

- 3.7.1. Construction shall not begin until the Agreement is signed by the Recipient and municipal permits are obtained.
- 3.7.2. Recipients may use the contractor of their choice. However, where contractor estimates are required, the lower of the estimates and or final invoice will be reimbursed.
- 3.7.3. Contractors shall be licensed by the Province of Alberta, have a valid municipal business license and carry the required insurance.
- 3.7.4. Recipients shall obtain all necessary municipal permits and permissions, including, but not limited to, municipal business licenses, development permits, building permits, occupancy certificates, street occupancy permits and licenses of occupation.
- 3.7.5. Application acceptance by the Municipality does not guarantee that the project will receive municipal permit approvals at the construction stage.

- 3.7.6. Recipients shall notify the Municipality if the project scope or design changes during the permitting or construction process. The Municipality may require the Recipient to enter into an amended Agreement.
- 3.7.7. Projects shall be completed in a timely manner and are subject to the following timelines:
  - 3.7.7.1. Recipients shall begin construction within three (3) months from the time they submit a signed Agreement; and
  - 3.7.7.2. Recipients shall complete construction within six (6) months from the time they submit a signed Agreement.
- 3.7.8. The Municipality may consider extensions to these deadlines if Recipients demonstrate that delays are due to circumstances beyond their control and or seasonal construction limitations. Recipients shall submit requests for extensions at least 30 days prior to the deadline.

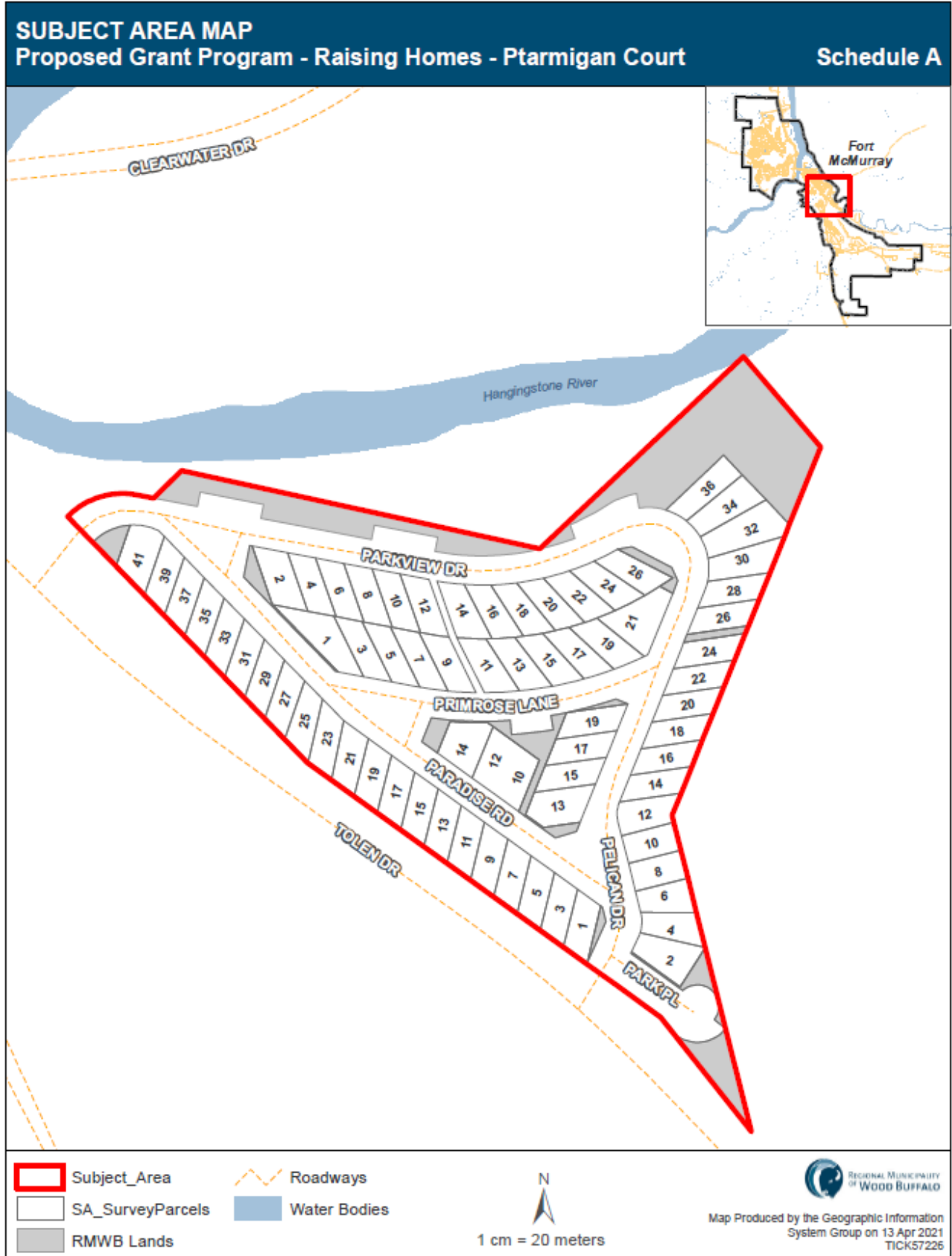
### **3.8. Monitoring and Reporting**

- 3.8.1. The Municipality shall maintain records to enable the timely reporting to Council on the interest in, uptake of, and success of the Program. The Municipality will monitor:
  - 3.8.1.1. Number of inquiries received regarding the Program;
  - 3.8.1.2. Number of Applications received, reviewed, approved, completed and funded;
  - 3.8.1.3. Total funding provided under the Program;
  - 3.8.1.4. Applicant feedback; and
  - 3.8.1.5. Public perceptions.

### **3.9. Appendices:**

- 3.9.1. Schedule A: Ptarmigan Court Subject Area Map

Appendix: Schedule A: Ptarmigan Court



**APPROVAL**

This Policy was approved by Council. It will be reviewed not later than its next Revision Date to determine its effectiveness and appropriateness. It may be assessed before that time as necessary.

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Don Scott, Mayor

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Jade Brown, Chief Legislative Officer

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Date

**SUPPORTING REFERENCES AND POSITION RESPONSIBLE**

- Legal References:
- Safety Codes Act, RSA 2000, c S-1
- Cross References:
- Ptarmigan Court Residence Flood Mitigation Administrative Procedure (FIN-340-P01)
  - Public Participation Policy (PRC-210)
- Position Responsible:
- Director, Planning and Development  
Director, Community and Protective Services

**COUNCIL POLICY DETAILS AND REVISION HISTORY**

<b>Date</b>	<b>Action</b>	<b>Description</b>
April 2021	Establishment	Council reading and establishment of the Program