

 PARKLAND COUNTY	Department Support Services	Policy No. PW 008	Page 1 of 2
	Policy Title COMPENSATION FOR DISTURBANCES AND DAMAGES ON PRIVATE LANDS		

Council Resolutions No. 124-92	Date: Mar. 19/92	DFA	C.C.	Cross Reference	Effective Date March 19, 1992
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PURPOSE

To provide guidelines and establish rates of compensation when constructing improvements upon private lands.

POLICY

Where deemed required, interests in private lands for the purposes of road right-of-way, roadslopes, earthborrows or borrow pits, easements, surveying, and tree and brush control, shall be obtained by negotiation and agreement. The principle that "any and all individual owners shall not gain substantially or lose substantially after being affected by any such interests" shall be the basis for consideration in determining compensation for disturbances and damages. Guidelines for compensation shall be the amounts as shown on the schedule of compensation. The attached Schedule of Compensation shall be reviewed and approved by Council as required.

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**Schedule of Compensation
Disturbances and Damages
1992**

Crop Damage

Crop damages shall be compensated for at the rate adopted by the Alberta Hail and Crop Insurance Program.

Tree Loss

1. Shelterbelt and ornamental trees shall be compensated for on a replacement value of a similar tree or shrub with additional compensation to be granted for nuisance and labour to nurture a "replacement" regardless of the fact that the tree or shrub may not be replaced.
2. Native tree loss shall not be compensated for except in the instance where such trees may be acting as a shelterbelt to a residence or farm site.

Improvements

Any improvements such as ornamental fences, gates, gate posts - excluding livestock fences, structures, building or otherwise, shall be compensated for either by:

1. In the case of complete loss of the improvement or structure, replacement value.
2. At no cost to the owner, the County may elect to relocate the improvement or structure to a new location, compensating the owner for nuisance if applicable.
3. In the event the owner or his designate shall relocate the improvement or structure to a new location, compensation shall be the direct costs of such relocation and compensation for any nuisance if applicable.

Fences

Where evidence of a fence exists and such fence is of the quality (either by the nature of its location and/or by actual fact) to contain livestock. Then that fence shall be replaced to an equal or better standard by the County at no cost to the owner, or compensation shall be paid in the amount of \$1,500.00 per 0.8 km of fence in lieu of reconstructing the said fence.

Damages to Livestock and Equipment

Where damages or loss to livestock and equipment has occurred as a direct result of negligence by the County, the owner shall be compensated at replacement value.

Claims

The Director of Transportation and Utilities or his designate may resolve miscellaneous claims up to but not exceeding an amount of \$1,000.00.

Trespass

Where the County is found to have been negligent and trespass has occurred, an amount in addition to damages may be negotiated to resolve settlement.