

POLICY



Department Recreation and Culture	Policy No. RC(8)	Page 1 of 4
Policy Title USE AND MANAGEMENT OF COUNTY RESERVE LANDS	Date: October 26, 2023	Resolution No. C/574/23

Policy Statement

Lacombe County recognizes there is a need to carefully manage the County's reserve lands to provide benefits for existing and future residents of the County, the general public, and protection of the natural environment.

This policy provides direction for the ongoing management of reserve lands, the removal or licensing of encroachments on reserves, the potential disposal of existing reserve lands and the acquisition of reserve lands in new subdivisions.

Definitions:

- a) County Manager: The Chief Administrative Officer of Lacombe County or, his or her designate.
- b) Encroachment Agreement: An agreement that licenses a private access facility.
- c) Facility: Something that is built, installed, or established to serve a particular purpose.
- d) Private Access Facility: Stairs that facilitate lake access, which are located on reserve lands, and physically connected to private property.
- e) Public Access Facility: A trail, structure, or lake access point installed by Lacombe County or as part of an approved development that may be traversed by the public for lake access purposes.
- f) Reserve Lands: Public parcels of land designated as a conservation reserve, environmental reserve, municipal reserve, and reserve as defined in the *Municipal Government Act*.
- g) Special Use of Reserves Permit: An exemption issued at the sole discretion of Lacombe County for a special event or activity to occur on reserve lands.

1. Use and Management of Reserve Lands

- 1.1 Lacombe County may provide or allow public recreation facilities on municipal reserve lands where there is sufficient interest and demand, as determined by the County.
- 1.2 Public trails may be developed on reserve lands, at the discretion of the County. Support from residents within the relevant subdivision or

surrounding area as determined by the County will be considered as part of the County's decision.

- 1.3 Motorized use of trails is restricted to designated trails in specific reserve locations approved by the County.
- 1.4 Commercial facilities and services will generally not be permitted on reserve lands. Exceptions may be considered under unique circumstances where there is support from residents of the relevant subdivision or surrounding area at the sole discretion of the County.
- 1.5 Removal of vegetation will not be permitted on reserve lands that are in their natural state without developed recreation facilities or leased for an alternative purpose. Removal of vegetation may be considered where there is a public safety hazard. Mowing will only occur to control weeds and reduce fire hazards. Removal of vegetation will be undertaken by the County or as approved by the County. Placement or removal of fill material and yard waste is not permitted.
- 1.6 Municipal reserve lands may be leased for temporary agricultural purposes. Agricultural activities must be conducted in such a way that allows for the eventual use of the property for public recreation or its return to natural vegetation conditions as directed by the County. Environmental reserve lands will not be leased for agricultural purposes and will be left in their natural condition as much as possible.
- 1.7 Unless otherwise authorized by a lease agreement, a Special Use of Reserves Permit shall be required for a special event or activity taking place on reserve lands. Special Use of Reserves Permits may be issued for a period of no longer than one year.
- 1.8 Winter storage of boat docks and boat lifts may be permitted on reserve lands at locations approved by the County. The environmental integrity of reserve lands shall not be compromised to accommodate temporary storage locations.
- 1.9 Damage to reserve lands resulting from unauthorized vegetation removal, removal, deposit of fill material, placement of structures and other facilities, or off-highway vehicle use will require reclamation works as determined by the County. A reclamation plan developed by a qualified environmental professional as determined by the County, is to be submitted and approved by the County before reclamation works begin. Costs associated with the reclamation of reserve lands shall be borne by the damaging party.

2. Encroachments and Unauthorized Structures on Reserve Lands

- 2.1 In subdivisions along lakeshores and rivers, a limited number of public access facilities, like pathways and stairs, may be permitted to allow safe access across reserve lands to the water's edge. The number and location of access facilities will be determined by the County. Public access facilities developed by the County, subdivision developers, or a community association, with County approval, will not require an Encroachment Agreement.
- 2.2 The County may permit private access facilities in lakeside subdivisions. Private access facilities must be solely for the purpose of waterfront access. Encroachment Agreement requests must be submitted in writing and subject to the approval of the County Manager. Lacombe County will consider encroachment agreement requests based on:
- a) Environmental impact
 - b) Proximity to a public access facility
 - c) Site-specific access constraints
 - d) Encroachment design and footprint

The County reserves the right to refuse to enter into an Encroachment Agreement based on the above criteria.

- 2.3 If an existing private access facility is not considered safe and is permitted by the County through an Encroachment Agreement, the County may consider allowing the replacement of the private access facility with a new structure that meets the applicable building code. New private access facilities will not be permitted on reserve lands with existing public access facilities.
- 2.4 A fee will be paid by the owner to the County for the encroachment to remain on County reserve lands in accordance with the Lacombe County Rates and Fees Bylaw. Fees collected by the County will be placed in a reserve to fund the enhancement or development of public access facilities on reserve lands.

3. Disposal of Reserves

The County may consider the disposal of reserve lands in accordance with the *Municipal Government Act* as amended from time to time and the following procedures:

- 3.1 Disposal of reserve lands will only be considered in exceptional circumstances where the County has carefully considered the existing and future use of the property and decided that the reserve property is surplus to County needs.

Use and Management of County Reserve Lands**RC(8)****4 of 4**

- 3.2 Lands that play no major recreation role and are unlikely to serve a future recreation, environmental, or utility purpose may be classed as surplus. Surplus reserve lands may be sold or leased for other purposes. Preference will be given to the sale of surplus reserve lands.
- 3.3 Environmental reserves and undesignated reserves that are considered environmental reserves will not generally be considered for lease and shall not be sold.
- 3.4 The County may consider subdividing surplus reserves for uses that conform with the use of surrounding lands.

4. Inspection and Maintenance of Reserve Lands

- 4.1 The County will distribute public information annually on the purpose of reserve lands and the appropriate use and management of County reserves.
- 4.2 Signs will be posted along reserve boundaries to identify them as County land and explain permitted or restricted activities. Fences or barriers may be installed along reserve boundaries where it is necessary to control access or other unauthorized activities.
- 4.3 Inspections of reserve lands will be conducted annually to ensure ongoing compliance with this policy.
- 4.4 The County may work with residents, groups or community associations to conduct work or address ongoing maintenance requirements, like litter picking, sign and fence repairs, and weed control on reserve lands.
- 4.5 The County will remove unauthorized items and structures from reserve lands annually as resources permit. A notification will be presented to the owner of the item or posted the item identifying the County's intent to remove the item, contact information, and removal timelines.
- 4.6 Owners of property removed from reserve lands may claim the items from the County. Owners will be charged the County's costs to remove and store the property removed from reserve lands. The property will not be released until costs are recovered.
- 4.7 Unclaimed property removed from reserve lands by the County will be disposed of in a manner determined at the sole discretion of the County.

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