



# COMPLIANCE REQUEST

## PART I - APPLICANT INFORMATION

NAME OF APPLICANT:		TELEPHONE:
EMAIL ADDRESS:		CELL:
MAILING ADDRESS (including Postal Code):		

BY SUBMITTING AN APPLICATION, I HEREBY ALLOW RIGHT OF ENTRY FOR INSPECTION PURPOSES AND CERTIFY THAT THE INFORMATION GIVEN ON THIS FORM IS FULL AND COMPLETE AND IS, TO THE BEST OF MY KNOWLEDGE, A TRUE STATEMENT OF THE FACTS RELATING TO THIS APPLICATION FOR DEVELOPMENT APPROVAL.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Applicant

## PART II - LAND INFORMATION

MUNICIPAL ADDRESS OF PROPERTY:			ROLL NO.:
LOT:	BLOCK:	PLAN:	ZONING:

## PART III - REQUEST INFORMATION

COMMENTS:

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### SUPPORTING DOCUMENTATION:

- COMPLETED APPLICATION FORM
- APPLICATION FEE
- AN ORIGINAL AND AT LEAST ONE COPY OF A REAL PROPERTY REPORT (RPR)
- STATUTORY DECLARATION (if the RPR is older than six months)

Protected by the privacy provisions of the Freedom of Information and Protection of Privacy (FOIP) Act, this personal information is being collected under the authority of the Town of Penhold Land Use Bylaw 661/11 and the Municipal Government Act (MGA) and will be used for Planning and Development decisions.

### FOR OFFICE USE ONLY

**PART IV – DECISION**     CONDITIONAL APPROVAL     APPROVED     NOT APPROVED

PERMIT NUMBER:	DATE RECEIVED:	DATE ISSUED:	ISSUING OFFICER'S NAME::
ROLL NUMBER:	DATE OF DECISION:	ISSUING OFFICER'S SIGNATURE:	ISSUING OFFICER'S DESIGNATION:



**Policy Statement**

Certificates of compliance are issued by the Town of Penhold as a service to property owners within the Towns jurisdiction to assist with arrangements for the sale or transfer of properties. The Town of Penhold will provide a consistent approach to the processing and issuance of certificates of compliance.

**Purpose**

To create a consistent system to process certificates of compliance and to eliminate any responsibility and/or liability for the Town for any mistake, inaccuracy or error which may arise from the information supplied by or on behalf of the applicant.  
To clarify for landowners and those involved in real estate transactions the process used for certificates of compliance.

**Definitions**

In this Certificate of Compliance Policy:

- (a) "Accessory building" means a building as defined in the Town of Penhold Land Use Bylaw;
- (b) "Building" includes anything constructed or placed on, in, over or under land but does not include a highway, road or bridge forming part of a highway or road;
- (c) "Certificate of Compliance" or "Compliance Certificate" means a written statement from the Town of Penhold that development on a property conforms to the requirements set out in the Land Use Bylaw;
- (d) "Council" means the Council of the Town of Penhold;
- (e) "Development Officer: means a person appointed as a Development Officer (or their designate) pursuant to the Land Use Bylaw
- (f) "Development permit" means a document authorizing a development issued pursuant to the Land Use Bylaw;
- (g) "Land Use Bylaw" means the bylaw that has been adopted by Council for the purpose of prohibiting or regulating and controlling the use and development of land and buildings within the Town of Penhold;
- (h) "Principal Building" means a building as defined in the Town of Penhold Land Use Bylaw;
- (i) "Real Property Report" or "RPR" means a legal document prepared by an Alberta Land Surveyor that clearly illustrates the location of significant visible building(s) relative to property boundaries.

**Procedures**

1. All request for a certificate of compliance submitted to the Town must be accompanied by:
  - a. A minimum of one original and one photocopy of the valid Real Property Report (RPR) for the property with:
    - i. The RPR being no older than ten (10) years; and
    - ii. Where the date of the RPR is greater than six (6) months prior to the date of applying for a certificate of compliance, it is accompanied with a statutory declaration indicating that no changes, alterations or additions to the principal building have been made since the real property report was prepared;
  - b. An application fee as described in the fee schedule adopted by Council and amended from time to time; and
  - c. An application form filled out and signed by the applicant.
2. Certificates of compliance issued by the Town of Penhold only relate to the placement of the principal building and accessory buildings on site relative to the Land Use Bylaw requirements for minimum yards and setbacks.
3. The Development Officer shall not sign real property reports submitted to the Town as part of the request for certificates of compliance.
4. The Development Officer shall establish appropriate forms to be issued as a Certificate of Compliance. These forms shall address properties that conform to the Land Use Bylaw, properties with non-conforming buildings due to the age of the development, and properties that are in a breach of the Land Use Bylaw. Every Certificate of Compliance shall include the following qualifier statements:
  - a. The Town of Penhold is relying entirely on the Real Property Report/ Survey Certificate (copy attached) supplied by or on behalf of the applicant in respect of the location of the buildings within the property and the Town makes no representations as to the actual location of the buildings.
  - b. The Town of Penhold may not have conducted an inspection of the property.
  - c. The Town of Penhold assumes no responsibility or liability for any inaccuracy, mistake or error of law or fact which arises from the information supplied by or on behalf of the applicant.
  - d. This Certificate relates only to the yard and setback requirements of the Town Penhold Land Use Bylaw and does not relate to the requirements of any federal, provincial or other municipal legislation nor to the terms or conditions of any easement, covenant, building scheme, agreement or other document affecting the building(s) or land.
5. Where a real property report indicates an encroachment onto Town land or over a Town utility right-of-way, the existence of the encroachment shall be noted on the certificate of compliance along with the need for the new property owner to enter into the appropriate encroachment agreement with the Town of Penhold. The fee for entering into an encroachment agreement shall also be noted on the certificate of compliance.

To interpret the information on a RPR, the Development Officer shall round dimensions relating to minimum yard and setback requirements to the nearest full integer following the decimal point.

COMPLIANCE REQUEST FEE .....\$ 50.00