

Town of Neepawa POLICY AND PROCEDURE MANUAL		POLICY INDEX NO: GOV #008
AUTHORITY	ADOPTED BY: Resolution 30285	Page __1__ of __2__ Effective Date: May 15, 2012
	DATE: May 15, 2012	
TITLE: COST RECOVERY FOR LEGAL FEES		DATE LAST REVIEWED BY MGMT or COUNCIL

Purpose:

There are costs and benefits associated with development. It is important to balance these considerations in deciding on an approach to cost recover. The Municipality has not traditionally required developers cover the costs associated with the legal fees incurred by the Town of Neepawa. The purpose of this policy is to require all future development agreements to include a clause requiring all legal fees, incurred by the Town of Neepawa be invoiced to the developer. This cost recovery policy sets out the process for the Town of Neepawa to implement its cost recovery policy. The framework will promote a consistent and robust approach to determining fees for service.

Policy Statements:

1. The Town of Neepawa recognizes the need to ensure that development agreements and other legal agreements are prepared in the best interest of the taxpayers of Town of Neepawa.
2. The Town of Neepawa realizes that this policy must be referenced in all development agreements forthwith to ensure cost recovery for legal fees and services and to ensure fairness to the taxpayers of the Town of Neepawa.
3. The Town of Neepawa shall ensure that the following legal costs incurred by the Town be passed on to the developers and that the development agreement(s) specify that the costs will be borne by the developers:
 - a. Any and all legal fees for preparation or review of the development agreement and supporting documents
 - b. Costs for subdivisions
 - c. Costs associated with rezoning
 - d. Land Titles fees including, but not limited to:
 - i. Title searches
 - ii. Easements
 - iii. Caveats
 - e. Any fees that can be directly related specifically to the development agreement

4. The Town of Neepawa will recover any costs from the developer at the same rate as which they were charged to the Town of Neepawa. This will be done by an invoice once all of the criteria of the development agreement have been met.