

COUNCIL POLICY

SUBJECT: BIDDING ON MUNICIPAL PROPERTY	DATE: September 21, 1981 Revised:
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STANDING COMMITTEE MINUTES

That:

- a) Rezoning, subdivision and development permit applications be amended to provide for the applicant to identify company directors;
- b) Application forms with the aforementioned provisions be produced for strata conversions and inclusion in the Sewer Enterprise Boundary; and
- c) In respect to applications for exclusion from the Agricultural Land Reserve, the Planning Department, in their report to Council, ascertain directors of corporate applicants.

REPORT OF THE MUNICIPAL SOLICITOR

The phrase "principal of a company" is not legally defined or recognized under the Companies Act. In this context, however, I would consider it to mean the company directors since they are the persons who would normally be responsible for the decision to bid on the municipal land. Also, the company chairman and president must be directors.

I have discussed Council's request with Mr. Harris and he and I agree that it would be a relatively simple matter for him to request corporate bidders to give us a list of the company directors. The names of a company's directors are readily available at the Registry of Companies so that if a company refused to provide the names or if names required verification, we would not have any trouble obtaining the information.

ADMINISTRATOR'S COMMENTS

The Personnel Committee, on June 24, 1981 came to the consensus that development applications should also identify principals of companies. I have discussed this with the Solicitor and he indicates that there is no legal problem in doing so. Therefore, I would recommend that rezoning, subdivision, and development permit applications be amended to provide for the applicant to identify company directors. I would further recommend that application forms with the aforementioned provisions be produced for strata conversions and inclusion in the Sewer Enterprise Boundary. In respect to applications for exclusion from the Agricultural Land Reserve, I would recommend that the Planning Department in their report to Council ascertain directors of corporate purpose originate with the Regional District.