

DÉLİNEĜ GOT'İNEĜ GOVERNMENT

COMMUNITY LAND ADMINISTRATION REGULATIONS

made under the

DGG LANDS AND RESOURCES GOVERNANCE ACT

SEPTEMBER 1, 2016

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The Délı̄ne Got'ı̄ne Government enacts as follows:

Citation

1. These *Regulations* may be cited as *DGG Community Land Administration Regulations*.

Authority

2. This *Regulation* is made under the *DGG Lands and Resources Governance Act*.

Application

3. These *Regulations* apply to all DGG Community Lands.
4. These *Regulations* do not apply to:
 - (a) the lease of buildings owned by the DGG, or space therein; and
 - (b) the lease of office space or other property for use by the DGG.

Definitions

5. In these *Regulations*:
 - (a) “*Act*” means *DGG Lands and Resources Governance Act*; and
 - (b) Unless specifically provided otherwise in these *Regulations*, the terms used have the same meaning as defined in the *Act*.

Purpose

6. The purpose of these *Regulations* is to ensure DGG Community Lands are administered fairly and in recognition of the desire to maintain communal ownership.

Requirement to Obtain a Lease

7. All occupants of DGG Community Lands must have a lease with the DGG.

Methods of Offering Leases

8. The DGG may use any means it deems appropriate to offer lands for lease, including:
 - (a) first come, first served;
 - (b) ballot draw; or
 - (c) public tender.

Application Process

9. A person wishing to use DGG Community Lands must complete an application and submit it to the Director along with a non-refundable \$50 application fee.
10. The Executive Committee shall make a decision within 35 days of receiving a complete application under section 9 and provide notice of the decision to the applicant.
11. On review of the application the Executive Committee may
 - (a) reject the application with reasons,
 - (b) approve the application and provide a lease to be signed by the applicant;, or
 - (c) request more information from the applicant.
12. If an application is approved under paragraph 11(b) the applicant has 35 days from the date of the decision to sign the lease for the lot.

Lease Duration

13. Leases for DGG Community Lands shall be 50 years in duration.
14. Notwithstanding section 13, the DGG may, at its discretion, lease DGG Community Lands for periods shorter or longer than 50 years where appropriate considering
 - (a) the nature, and
 - (b) the valueof the improvements intended to be constructed on the lot.

Requirement to Build

15. When a vacant lot is leased under section 11(b) the lessee must begin improvements or construction on the lot within 24 months of signing the lease.
16. Upon application from the lessee the Director may, at the Executive Committee's discretion, extend the period set out in section 15.

Lot Improvements

17. Lots shall be leased in the condition they are in on the date the application is submitted to the Director.
18. The cost of all necessary improvements to the lots shall be the responsibility of the lessee, including the cost of a legal survey, if required.

19. The Director may, at the Director's discretion, include as a term of the lease a requirement that the lessee undertake any improvements the Director deems necessary.

Rent

20. Rent for a residential lot shall be \$10 per year for Residents of 5 years or more.
21. Rent for a residential lot shall be \$500 per year for Residents of less than 5 years until they have been resident for 5 years and \$10 per year thereafter.
22. Rent for lots used for commercial, industrial or institutional purposes shall be a minimum of \$1,000 per year.
23. The DGG may, at its discretion, charge rent greater than \$1,000 per year for commercial, industrial or institutional lots dependent upon the size of the lot and the intended use.
24. Rent is to be paid yearly and is due on the anniversary date of the signing of the lease.

Transfer or Surrender of Leases

25. Upon request of the lessee, the Director may grant transfers or surrenders of leases if:
 - (a) there are no outstanding payments due to the DGG with respect to the lot; and
 - (b) the lessee is in compliance with all terms of the lease, these regulations and any relevant municipal bylaws.

Replacement of Commissioner's Leases

26. The DGG may enter into a lease with all occupants of DGG Community Lands who had a Commissioner's lease prior to the Effective Date pursuant to Schedule "C" of the DFSGA.
27. Leases under section 26 shall be subject to the terms and conditions outlined in this Regulation.

Easements and Right-of-Ways

28. The DGG may enter into agreements for other interests in land that do not convey exclusive possession of the land, including:
 - (a) easements; and
 - (b) right-of-way agreements.
29. Rent for interests under section 28 shall be a minimum of \$500 per year or \$25 per kilometre per year, whichever is greater.

Quarries

30. The DGG may, upon receipt of a quarry application, issue permits for the temporary use of a quarry site.
31. Prior to the issuance of a quarry permit the DGG shall establish quarry fees and any exemptions to such fees.
32. Fees established under section 31 shall reflect the cost of development, operation, maintenance, administration and restoration of quarries.

Licence of Occupation

33. In circumstances where a lease is not required by these *Regulations* the DGG may issue a licence of occupation and charge fees for the temporary use of DGG Community Lands.
34. Prior to the issuance of a licence under section 33 any environmental impacts of the proposed use must be addressed by the applicant to the satisfaction of the DGG.
35. Licences issued under section 33 may be subject to review by regulatory authorities.

Sahtú Municipal Lands

36. When a decision under these *Regulations* relates to Sahtú Municipal Lands the Director must work with and receive advice from the DGGR.

Record Keeping

37. The Director shall maintain accounting records for revenue generated under these *Regulations* in accordance with the *DGG Financial Administration Act*.

Commencement

38. This *Regulation* comes into effect on the day on which the *Act* comes into force.

Conflict

39. In the event that the provisions of this *Regulation* conflict with the provisions of the *Act*, the provisions of the *Act* prevail.