	Kingsville Municipal Services SOP FORFEITURE OF UNCLAIMED INDEMNITY DEPOSITS	SOP: #1 Issued: 30-Jan-18 Rev.#: 0 Pages: 1 of 3
Reviewed by: Kevin Girard Manager of Municipal Services		Approved by: Andrew Plancke Director of Municipal Services

1. PURPOSE

This SOP outlines the steps to be taken for the purpose of:

- Indemnity Deposit Refunds.
- Unclaimed Indemnity Deposits

2. RELATED DOCUMENTS

Schedule “A” to By-Law 53-2008
By-Law 9-2017
Current Fees and Charges By-Law


3. DEFINITIONS

Indemnity Deposit – amount paid to meet all or a portion of all the cost and expenses of remediating or repairing any damage to Town Property or infrastructure, including, but not limited to roads, sidewalks, curbing, or paved boulevards, water or sewage works, caused as a result of the use of such property or infrastructure or as a result of carrying on of construction or demolition or other works on adjacent property.

Unclaimed Deposits- Where an Indemnity Deposit has been paid to the Town and remains unclaimed for a period of seven years, the Treasurer of the Town may transfer to the general funds of the Town, any such Indemnity Deposit against which no claim has been made, free of and from any and all claims whatsoever.

4. PROCEDURE

- 4.1 All Indemnity deposits that have been paid to the Town and remain unclaimed for a period of seven years are subject to unclaimed indemnity deposit procedure (Forfeiture). (As per current fees and Charges By-Law)
- 4.2 Six months prior to forfeit deadline an ad is placed in the local newspaper to inform delinquent depositors of the indemnity deposit refund and unclaimed deposits procedures.

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4.2.1 Sample of newspaper advertisement.

NOTICE – INDEMNITY DEPOSIT REFUND

Persons holding an outstanding Building Department permit issued by the Town of Kingsville prior to January 1, 20__ for which Indemnity Deposit (amount paid to meet all or a portion of all the cost and expenses of remediating or repairing any damage to Town Property or infrastructure, including, but not limited to roads, sidewalks, curbing, or paved boulevards, water or sewage works, caused as a result of the use of such property or infrastructure or as a result of carrying on of construction or demolition or other works on adjacent property). Must notify the Municipal Services Department in person, on or before December 16, 20__ if they wish to inquire about a refund of any Indemnity Deposit balance being held.


In order to obtain a refund you must:

- Have obtained a permit from the Town of Kingsville Building Department and paid an associated Indemnity Deposit prior to January 1, 20__ and not have previously received a refund of that deposit.
- Provide a proper identification to identify yourself as the permit holder or authorized agent if the permit is in a company name.
- Obtain a satisfactory Final inspection from the Town of Kingsville for all work covered by the permit.

Upon satisfying all of the above conditions, a refund cheque will be mailed to the permit holder.

All indemnities for Building permits issued prior to January 1, 20__ that remain unclaimed after December 16, 20__ will be forfeited to the Town of Kingsville as per Council Resolution ____-_____

For further information, please contact the Director of Municipal Services at 519-733-2305 ext. 304

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4.3 Within the 6 month period depositors must notify Municipal Services Department in person, on or before the date of Forfeiture, if they wish to inquire about a refund of any indemnity Deposit balance being held.

4.4 In order to obtain a refund the depositor must:

- Have obtained a permit from the Town of Kingsville Building Department and paid an associated Indemnity Deposit prior to January 1, 20__ and not have previously received a refund of that deposit.
- Provide a proper identification to identify yourself as the permit holder or authorized agent if the permit is in a company name.
- Obtain a satisfactory Final inspection from the Town of Kingsville for all work covered by the permit.
- Upon satisfying all of the above conditions, a refund cheque will be mailed to the permit holder.

4.5 After the 6 month window, all indemnities for building permits issued within the specified time frame that remain unclaimed will be forfeited to the Town of Kingsville as per Council Resolution. Notify the Town Treasurer of forfeitures to be placed in public works reserve account.

5. REVISIONS

Date	Revision #	Reason for Revision	Revision By
30-Jan-18	0	Implementation	Kevin Girard