

## **809 Encroachments on Board Property**

Adopted: December 10, 2019

### **Policy**

The Board of Education is committed to the principles of good governance, and has a fiduciary responsibility to ensure that Board of Education lands are protected from and kept free of unauthorized encroachments and encumbrances. This ensures the Board of Education's continued ability to meet its Mandate, Vision, and Values.

Encroachments and encumbrances can impact and limit the Board of Education's ability to accommodate future expansions and improvements of schools, and can reduce the value of Board of Education property. The Board of Education considers land as a measure of resiliency to support enrolment growth, sustainability, and environmental initiatives.

The purpose of this policy is to implement a consistent methodology for protecting Board of Education property from unauthorized encroachments and encumbrances. As unauthorized encroachments or encumbrances are discovered the Board of Education will take steps to identify, define, and notify neighbours and other parties that such conditions need to be remedied to the satisfaction of the North Vancouver School District.

### **Definitions**

"Encroachment" means any recurring use of Board of Education property, or anything constructed or erected with a fixed location on the ground, or attached to anything having a fixed location on the ground, that extends on, over, or under Board of Education property.

"Encumbrance" means a claim against a property by a party that is not the owner. An encumbrance can restrict the use. Common types and examples of real estate encumbrances may include easements, rights of way, and builder's liens.

"Notice of Encroachment" means an e-mail, letter, telephone call, or any other notice identifying an Encroachment on Board of Education property to another Property Owner.

"Property Owner" means the owner of any lands adjacent or near to the Board of Education's property who has an Encroachment on the Board of Education's property.

### **Administrative Procedures:**

[Policy 809: Encroachments on Board Property – Administrative Procedures](#)