

The Corporation of the City of Temiskaming Shores

By-law No. 2023-013

**Being a By-Law to adopt a Facility Fee Waiver Policy for the
City of Temiskaming Shores**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas Council considered Administrative Report RS-001-2023 at the February 7, 2023 Regular Council meeting and directed staff to adopt a Facility Fee Waiver Policy for the City of Temiskaming Shores for consideration at the February 7, 2023 Regular Council Meeting

Now therefore the Council of the Corporation of the City of Temiskaming Shores enacts as follows:

1. That Council for the City of Temiskaming Shores hereby adopts a Facility Fee Waiver Policy, a copy of which is attached hereto as Schedule "A" forming part of this by-law;
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law or its associated schedule.

Read a first, second and third time and finally passed this 7th day of February, 2023



Mayor



Clerk



Schedule "A" to

By-law 2023-013

Facility Fee Waiver Policy

City of Temiskaming Shores

Facility Fee Waiver Policy

PURPOSE

The City of Temiskaming Shores recognizes the importance of assisting community organizations and groups with affordable facilities during special events. The Facility Fee Waiver Policy will assist in determining if fees for a facility rental may be waived for an organization requesting consideration when booking space at municipal facilities. The intent of this Policy is to outline The Facility Fee Waiver process and provide a consistent approach in the information that is provided for consideration. For further clarity, a set of eligible and non-eligible criteria is established in this policy for the approval of a fee waiver.

SCOPE

The Facility Fee Waiver policy will provide a clear understanding of the roles and responsibilities of the municipality and user groups while ensuring consistency through its application.

ROLES AND RESPONSIBILITIES

The Director of Recreation or their designate has the authority to approve or deny a proposed Fee Waiver Request for a facility at a location(s) within or on the grounds of the municipal property under their jurisdiction.

The administration of this Policy is assigned to the Director of Recreation or their written designate, who will generally perform all the administrative functions under this Policy, and without limitation may:

- a) receive and process all applications for waiving or reducing fees;
- b) issue approvals for waiving or reducing fees in accordance with the provisions of this Policy and applicable By-laws;
- c) impose terms and conditions on approvals in accordance with this Policy; and
- d) refuse to issue an approval, or revoke or suspend an approval, in accordance with this policy; and
- e) provide an annual report to Council of the Fee Waiver Request, summarizing the applications received, processed and approved/denied.

The power and authority to refuse to issue an approval to waive fees, to cancel, revoke or suspend an approval, to impose terms and conditions, including special conditions, on an approval, or to exempt any person from all or part of this Policy are delegated to the Director of Recreation. Notwithstanding any other provision of this Policy, the Director may impose terms and conditions on any approval any time during the term of the approval, as are necessary to give effect to this Policy. The Municipality reserves the right to refuse to enter into a Facility Rental Agreement with respect to any application for a waiver for an event on municipal property.

PROCEDURE

To qualify for a Fee Waiver, the following criteria must be met:

- The applicant must qualify as a Not for Profit/Charitable organization, Minor Sport Group or Service Club;
- Must be based in the City of Temiskaming Shores or primarily serve residents of Temiskaming Shores;
- Be for the purpose of a fundraiser where funds raised go towards a project that benefits residents of the City of Temiskaming Shores; or be an event or activity that meets a recreation or community development priority of the City of Temiskaming Shores such as promotion of physical activity, healthy eating, literacy, poverty reduction, community engagement or capacity building, and activities for under-served groups;
- Groups must submit a completed application form to the Director of Recreation requesting The Facility Fee Waiver and have it signed by an executive member of the requesting organization; and

Applicants will receive a decision on their application in writing within 10 business days of submission.

The following conditions apply to a Fee Waiver Request:

- Applies to new bookings only;
- Applicants must complete and submit the application form at the time of booking;
- Permit Holder cannot sublet to other persons or groups;
- Be subject to all municipal policies and procedures for facility rentals including, but not limited to, the Municipal Alcohol Policy, Recreation Facility User Liability Insurance Policy and Recreation Cancellation and Refund Policy;
- Groups must provide proof of Insurance naming the City of Temiskaming Shores as a co-insured; and
- The rental planned shall not impact access to the facility by the public and must be deemed by the Director of Recreation not to compromise potential revenue from other organizations and it is not expected to result in additional costs for the Municipality.



Appendix 01 to
Schedule "A" to

By-law No. 2023-013



FACILITY FEE WAIVER REQUEST FORM

NAME: _____

CELL NUMBER: _____

EMAIL: _____

ORGANIZATION NAME: _____

IS YOUR ORGANIZATION AN INCORPORATED NON-PROFIT OR
REGISTERED CHARITY? Y N

DOES YOUR ORGANIZATION CATER MOSTLY TO YOUTH? Y N

EVENT TITLE: _____

EVENT DATE: _____

FACILITY: _____

IS YOUR EVENT A FUNDRAISER: Y N

IF YES, WHAT DO PROCEEDS SUPPORT:

DESCRIBE THE DETAILS OF YOUR EVENT:

IS YOUR EVENT OPEN TO THE PUBLIC: Y N

WILL AN ENTRY FEE BE CHARGED: Y N

WILL ALCOHOL BE SERVED: Y N

HAS YOUR ORGANIZATION HAD A FEE WAIVED IN THE CURRENT CALENDAR YEAR: **Y** **N**

Please send your completed form to Mathew Bahm, Director of Recreation at mbahm@temiskamingshores.ca

Requests will be considered on a rolling basis and returned within 10 business days of receipt.

Requests must be signed by a member of the submitting organization's executive.

SIGNATURE: _____

DATE: _____