

**THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE
THOUSAND ISLANDS**
BY-LAW NO. 23-019

BEING A BY-LAW TO AMEND BY-LAW 23-015 TO ESTABLISH A FACILITY USE POLICY IN THE TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS.

WHEREAS The Council of the Corporation of the Township of Leeds and the Thousand Islands deems it expedient to establish policies;

AND WHEREAS Section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9, shall be exercised by By-law;

NOW THEREFORE The Council of the Corporation of the Township of Leeds and the Thousand Islands hereby enacts as follows:

1. **THAT** the Facility Use Policy identified as Schedule "A" attached hereto and forming part of this By-law be hereby approved and adopted;
2. **AND THAT** this By-law shall be known and may be cited as the "Facility Use Policy";
3. **AND THAT** this By-law shall come into force and take effect on the day of passing;
4. **AND THAT** any By-law or Resolution passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

READ A FIRST AND SECOND TIME THIS 13TH DAY OF MARCH, 2023.

READ A THIRD TIME AND FINALLY PASSED THIS 13TH DAY OF MARCH, 2023.

The Corporation of the Township of Leeds and the Thousand Islands



Corinna Smith-Gatcke, Mayor



Megan Shannon, Clerk





Policy Type: Corporate Services

Policy Number:

Policy Title: Facility Use Policy

Approval Date: March 13, 2023

Review Date:

Page 1 of 6

Purpose

The Township of Leeds and the Thousand Islands (“Township”) is committed to supporting recreational and community social activities that foster an active, engaged, and healthy community.

The purpose of the Policy is to outline the guidelines and procedures for any users of municipal facilities. The Policy is meant to promote the usage of municipal facilities and to ensure that the allocation is done in a fair and equitable manner as well as to protect the assets and citizens of the Township. The Township is responsible for managing and operating the facilities with appropriate risk management practices to protect these assets.

Policy Scope

The Policy applies to all Township owned facilities which are used for public activities and/or requested by the public for various activities. Municipal facilities usage can include recreational usage, events, meetings, cultural and social events, special events and private rental functions. The Policy applies to any activities and events held on or in municipal facilities which consist of all property owned and/or operated by the Township. Township facilities include parks, community centers, roads, sidewalks, parking lots, recreation and sports fields and courts.

This policy works in conjunction with the following by-laws and policies as well as any related legislation and guidelines:

- General Rates and Fees By-Law
- Special Events Policy
- Open Air Burning By-Law
- Municipal Alcohol Policy
- The Animal Control By-Law



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Page 2 of 6

Responsibility

The Director of Corporate Services and the Director of Operations and Infrastructure are responsible for the administration of this policy.

Definitions:

“Rental” means the sole right to use and enjoy the defined area of property in accordance with the terms, rules and regulations as defined in the Township’s rental agreement or contract.

“Renter” is the individual designated by the society, organization or group requesting the rental. The Renter shall have the legal authority on behalf of the society, organization or group to act as the point of contact, issue payments, provide required documentation and ensure all users/participants adhere to municipal, provincial and federal rules and regulations.

“Resident” or **“Residential”** means an individual that is resident in the Township

“Non-Profit Organization” associations, clubs, or societies that are not charities and are organized and operated exclusively for social welfare, civic improvement, pleasure, recreation, or any other purpose except profit.

“Programs and Services” means all programs and services designed to enhance individuals’ health and well-being within the Township. Programs and services focus on meeting the needs of citizens and include the provision and/or supporting of:

- recreation activities (i.e., sports leagues, drop-in sports, etc.);
- settlement services;
- children, youth and vulnerable citizens services;
- cultural and community events;
- arts and heritage programs and services;
- educational programs and services;
- health, safety and prevention programs and services;
- spiritual wellness;
- volunteerism; and/or
- any other program or service not identified above.



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Review Date:

Page 3 of 6

General Provisions

1. In addition to this Policy, facility users shall adhere to the facility procedures outlined by rental agreements, facility signage and/or staff direction.
2. Users of a Township facility must fill out a Facility Use Application on the Township website at <https://www.leeds1000islands.ca/en/playing/Reserve-or-Rent-a-Facility.aspx>.
3. Parties on the application must be at least 21 years of age and must be present during the event. Up to two adults may be listed.
4. Only applicants are authorized to make changes to the booking.
5. Applicants assume full responsibility for their guests in case of injury, damage, theft of disturbances during the booking.
6. Children under the age of 12 must be supervised by a parent/guardian.
7. Overnight camping at recreational facilities including all Township parks is prohibited.
8. It is the responsibility of users to ensure that all properties are returned to their previous condition at the end of their rental.
9. Rentals must conform to the capacity limits established by the Fire Department.
10. A damage deposit, as outlined in the General Rates and Fees By-law as amended, is required in advance to secure booking of the hall. This amount is refunded following the event barring any damage to the hall.
11. In the event of cancellation by the user, deposits will be refunded.
12. Booking requests less than 7 days in advance for non-alcoholic or less than 14 days in advance for alcoholic functions are considered at the Township's discretion.
13. Reservations are accepted up to one year in advance.
14. The CAO, the Directors of Corporate Services or Director of Operations and Infrastructure have the sole authority to cancel a facility rental in instances of an emergency response and/or when deemed in the best interest of residents.
15. Facility rentals will not be permitted for businesses, organizations or individuals, in the sole discretion of the Directors of Corporate Services and/or Director of Operations and Infrastructure, whose programs, services or business activities do not align with the Township's values. Examples of unauthorized rentals would include those that:
 - Market or advertise the use of tobacco, cannabis, drugs and/or alcohol;
 - Promote derogatory, prejudicial, harmful to or are intolerant of any specific group or individual;
 - Create fiscal hardship for the Municipality and/or its residents; and/or
 - Make the rental inappropriate for reasons not specified herein.



Policy Type: Corporate Services

Policy Number:

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Review Date:

Page 4 of 6

Facility Use

The renter shall ensure that the facility is left in the same condition that it was found. The facility is to be cleaned, free from garage and debris, and secured upon completion of the rental. Equipment, if rented from the Township, should be left as it was found. Any damage should be notified to Township Staff immediately when found.

Events with Alcohol

For an event which includes alcohol, the renter must select "Event with Alcohol" when completing the rental permit.

Only the Lansdowne Hall and Seeley's Bay Hall spaces are licensed to host events with alcohol.

The renter must obtain a "Special Occasion Permit" from the Alcohol and Gaming Commission of Ontario (AGCO) and provide it to the Township 14 days in advance of the facility rental.

The renter must adhere to the Townships' Municipal Alcohol policy.

The renter must adhere to all Federal and Provincial laws and regulations as well as the Township's Municipal Alcohol Policy.

Equipment Rental

Chairs and tables are provided for indoor use and are included in the cost of the facility rental for halls and rooms. Use of Township equipment shall be at the renter's risk and the renter should inspect the equipment to ensure it is in safe working condition. The equipment is to be left in the same condition as it was provided in.

Priority Use Allocations

Facility rental requests are generally booked on a first confirmed /first served basis.

Use of Township facility space shall be provided in a fair and equitable manner. The Township recognizes that certain groups, associations or clubs may require weekly or monthly space to accommodate regularly scheduled meetings or events. Where a conflict in rental space arises, Township staff will work with all parties involved to try to provide a mutually agreeable solution. Users that rent weekly/monthly facility space may be asked to accommodate changes in facility rental scheduling to accommodate requests.



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Page 5 of 6

Rates and Fees

Rates and fees must be paid in advance of the facility rental for one time usage. Users renting a facility for specific, reoccurring times over the course of a period of time not less than six months may make monthly payments. Such payment request should be made to Township Staff and is at the sole discretion of the Township.

The rates and fees for usage of Township facilities shall be specified in the General Rates and Fees By-Law as amended.

If free use of a Township facility is granted the user is still responsible for other requirements of this policy such submission of a facility rental application, insurance, and/or a damage deposit.

Qualifying Groups, Organizations, and Individuals

The Township offers discounted rental fees for charities and for groups, organizations and individuals that are resident in the Township that are renting a facility for the purpose of providing benefit to the Township's residents and community. This includes non-profit organizations and community groups using Township facilities for events to provide benefit to the community and/or to fundraise for community purposes.

Any rental of a facility by a group for the purpose of providing economic benefit solely to the user will not qualify for the discounted rental fee.

The determination of qualification for the discounted rental fee is at the sole discretion of the Township.

Funeral /Celebrations of Life

Township facilities are available without charge for Funerals and Celebrations of Life for Township residents upon availability. The user will be required to adhere to all other requirements of this policy such as submission of a facility rental application, insurance and/or damage deposit.



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Page 6 of 6

Insurance

A Certificate of Comprehensive Liability Insurance satisfactory to the Township by an insurer licenced to conduct business in the Province of Ontario is required. The policy shall provide coverage for Bodily Injury, Property Damage and Personal Injury with a minimum of \$5 million per occurrence.

The Township must be named as "Additional Insured".

A copy of this certificate must be provided prior to the rental being approved. An electronic copy of the certificate must be uploaded to the facility rental account or faxed to 613-659-3619 and should include the permit number.

The renter can obtain insurance through a third party. If the renter cannot obtain a certificate of liability insurance, coverage may be available through the Township. The renter should request insurance coverage with the rental permit application and Staff will determine availability. If provided, the cost of insurance will be added onto the permit fee.