

# POLICY

## PUBLIC USE OF MUNICIPAL FACILITIES



### Policy C7003

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<b>Adopted by Council:</b>	2018.05.28	<b>Administrative Responsibility:</b>	Community Services
<b>Council Resolution #:</b>	COU18-145	<b>Last Review Date:</b>	2018
<b>Modified by Resolution #:</b>		<b>Next Review Date:</b>	2020
<b>Replaces:</b>	C083, C065, C016, C085		

#### 1.0 POLICY

- 1.1 The Town of Banff (herein the Town) remains dedicated to providing residents and visitors with accessible, inclusive, affordable and safe access to Town facilities.
- 1.2 The Town of Banff further supports accessible, inclusive, affordable and safe access to Town facilities that reflect the Council endorsed strategic plans and the Banff Community Plan.

#### 2.0 PURPOSE

- 2.1 The policy works towards ensuring that the allocation of the Town facilities is done in a fair and equitable manner.
- 2.2 Through this policy, registered non-profit organizations and societies within the municipal boundaries are recognized for their provision of affordable, equitable and accessible recreation programs and services for residents and visitors within the town site and to the community.
- 2.3 This policy ensures that Town facilities are operated in a fiscally responsible manner. Administration is responsible for balancing the booking, marketing and promotion of rental spaces to non-resident and/or for-profit users with affordable access to residents, local non-profit societies and organizations and/or Town of Banff programs and services.

#### 3.0 PRINCIPLES

- 3.1 Every resident of the Town, regardless of age, gender, race, income and ability, has a right to reasonable and equitable access.
- 3.2 Fees and charges for facility rentals are identified in the Fees and Charges Bylaw. The Fees and Charges Bylaw acknowledges the Town's commitment to providing affordable programs and services to Town residents through establishment of resident and non-resident user fees.
- 3.3 Excluding all candidates meetings, the Town does not permit the use of facilities for the purposes of holding election related activities.
- 3.4 The Town Manager has the sole authority to cancel a facility rental in instances of emergency response and/or when deemed in the best interest of residents.

3.5 Facility rentals will not be permitted for businesses, organizations or individuals who, in the sole discretion of the Town Manager, are inappropriate for the municipality in that their programs, services or business activities do not align with the Town of Banff values as expressed in the Banff Community Plan. 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.

3.6 This policy requires that the Renter uphold municipal, provincial and federal standards and regulations inclusive of health and safety and support environmental, accessible and inclusive practices.

#### **4.0 FACILITY DONATIONS**

4.1 Local non-profit societies, organizations and groups shall be permitted use of one facility rental space for 6 meetings up to 2 hours in length.

4.1.1 A request for the donation of space can be made up to one month in advance of the proposed rental date.

4.1.2 The allocation of donated spaces will be based on availability and at the booking clerk's discretion.

4.1.3 The rental must be open to all members of the public and no fees and/or charges can be applied unless for fundraising purposes.

4.1.4 A facility rental donation does not include the use of equipment, staffing and/or administrative fees and requires the non-profit society, organization or individual to secure the required insurance and permits.

#### **5.0 APPLICATION**

5.1 This policy applies to all facilities under the management and administration of the Town of Banff. For a complete list of facilities that this policy applies to see Appendix 2.

5.2 All standing agreements and policies that the Town has formally entered into supersede the Public Use of Municipal Facilities Policy where applicable.

#### **6.0 PROCEDURE**

6.1 A facility rental requires a facility rental form to be completed and submitted to the booking clerk. Facility rental request forms can be found on the Town's website.

6.2 An event rental can be made up to 18 months in advance of the proposed rental start date (i.e. wedding, trade show, conference, etc.).

6.3 League and tournament requests by regular contract users for the fall/winter ice season must be submitted for consideration by the Wednesday following the May long weekend.

- 6.4 League and tournament requests by regular contract users for the spring/summer sports field/ball diamond season must be submitted for consideration by the Wednesday following the February long weekend.
- 6.5 All other rental requests can be made following the seasonal contract user's requests. Space will be allocated on a first come-first serve basis.
- 6.6 In instances where multiple requests have been made for the same date and/or time, the priority allocation system will be initiated.
- 6.7 The booking clerk shall ensure that space allocated considers and reflects a positive economic benefit to the Town. This includes impacts to revenue and the economic gain to the community, which may result in the arranging of requests to accommodate the most users and maximize facility usage and/or long range special event permitting.

## **7.0 PRIORITY ALLOCATION SYSTEM**

- 7.1 The priority allocation system is as follows:
  - 7.1.1 Town programs and/or services that are endorsed by the Town of Banff Mayor and Council and/or are directly funded by the resident tax base.
  - 7.1.2 Programs and/or services provided by registered non-profit organizations and societies in good standing with the Town and where majority of participants/users reside in the Town or Lake Louise and are under the age of 18; and where rental end time is prior to 9:30 p.m.; and where requested use meets the Canadian Sport for Life's "standards of play" principles for long-term athletic development.
  - 7.1.3 Programs and/or services provided by registered non-profit organizations and societies in good standing with the Town and where 80% of participants/users reside in the Town or Lake Louise and are 18 years of age and older.
  - 7.1.4 Programs and/or services provided by Canadian Rockies Public Schools between the hours of 8:30am and 3:00pm, Monday through Friday and where majority of participants/users reside in the Town.
  - 7.1.5 Programs and/or services provided by registered non-profit government organizations, associations or groups that reflect the goals and strategies identified in the Town's municipal plans.
  - 7.1.6 Programs and/or services provided by a group, organization or individual that has no affiliation and is not associated with any recognized national, provincial or regional governing body (i.e. *individual and/or private users*).
  - 7.1.7 Programs and/or services offered by private groups, organizations or individuals whose primary purpose is to make a profit (i.e. *commercial users*).

## **8.0 INSURANCE & PERMITS**

- 8.1 Insurance requirements for the Renter and minimum scope of coverage may include, but is not limited to;

- Commercial General Liability Insurance
- All Risk Property Insurance
- Directors and Officer Liability Insurance
- Abuse Liability Insurance
- Tenant Legal Liability Insurance

8.1.1 The Town of Banff and its applicable partner organizations (i.e. Parks Canada (Her Majesty the Queen in the Right of Canada), Canadian Rockies Public Schools, etc.) shall be added as Additional Insured and the coverage shall contain no special limitation on the scope of protection afforded to the Town and its applicable partners.

8.1.2 The Renter shall provide a verification of coverage prior to the commencement of rental to the booking clerk.

8.1.3 The duration of the insurance policy shall be from the date and time of occupation until the date of vacancy.

8.1.4 The Town reserves the right to require complete, certified copies of all required insurance policies and to accept or reject the Renter's insurer.

8.2 Non-sporting related rentals by unaffiliated individuals, groups and/or organizations that have less than 20 people in attendance do not require insurance.

8.3 A facility rental may require the Renter to obtain a business license.

8.4 Approved Renters are responsible for securing permits or approvals by regulatory and statutory bodies including the Town of Banff Fire Department, Parks Canada, Alberta Health Services, etc.

8.5 Renters will be allocated an 8.5 inch x 11 inch space to post information related to the rental at the entrance to the facility.

8.6 Renters are not permitted to use the Town's legal name, logos or insignias on any promotional materials without the prior written consent from the Town.

## 9.0 RESPONSIBILITIES

Parties involved in facilities and grounds allocation and rentals undertake the following specific responsibilities:

9.1 Town Council, will:  
Approve the Public Use of Municipal Facilities Policy.

9.2 The Recreation Manager, will:  
Ensure staff adhere to the Public Use of Municipal Facilities Policy.

9.3 The Book Clerk, will:  
Act as the primary liaison for the Town of Banff facilities; and book facility spaces in accordance with Public Use of Municipal Facilities Policy.

- 9.4 The Renter, will:  
Act as the primary point of contact between the booking clerk for matters pertaining to the rental inclusive of payment, submission of documentation providing feedback/concerns to the Town and ensuring adherence to all rental rules, regulations, terms and conditions by all users/attendees.

**7.0 RELATED POLICIES, BYLAWS & APPLICATIONS**

Fees and Charges Bylaw  
Community Standards Bylaw  
Town of Banff Business License Bylaw  
Development Permit Application Guide

**8.0 ACCOUNTABILITY**

Adherence to policy is a Town employee requirement and non-compliance will be addressed as per all Town policies and procedures.

**9.0 ATTACHMENTS**

- 9.1 Appendix 1: Definitions  
9.2 Appendix 2: Inventory of facilities approved for rental

On original  
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Karen Sorensen  
Mayor

On original  
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Robert Earl  
Town Manager

## Appendix 1: Definitions

1. “Booking Clerk” is a Town of Banff designated employee who is responsible for the approval or refusal of rental requests. The booking clerk will ensure all required documentation and payments are received per the Town’s policies and procedures.
2. “Resident” is defined as person residing within the Town of Banff and who meets the *National Parks Lease and License of Occupation Regulations*.
3. “Non-Resident” is a home owner, tenant or dependent who’s primary residence is outside the Banff town site and who does not meet the *National Parks Lease and License of Occupation Regulations*.
4. “Society” is an incorporated group of five or more people who share a common recreational, cultural, scientific, or charitable interest. The *Societies Act* regulates societies incorporated in Alberta. Societies, as identified through the Societies Act include associations, clubs, leagues, committees, fellowships, guides, council, boards, etc.
5. “Non-Profit” are unincorporated associations, charitable trusts, or societies that are prohibited from operating for a profitable purpose. They can include professional groups, social clubs and sporting organizations.
6. “Programs and Services” include all programs and services designed to enhance individuals’ health and well-being within the Town. 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.
7. “Town Manager” means the Chief Administrative Officer of the Town or his designate.
8. “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 Town rental agreement or contract.
9. “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.

10. “Good Standing” means a society, organization or individual who has previously rented a facility from the Town and:
  - submitted payment and required documentation (i.e. insurance, licenses, permits, etc.) for the rental in a timely manner and in accordance with the rental agreement;
  - efficiently used the facilities;
  - adhered to all conditions of use as outlined in the rental agreement; *and*
  - interacted with members of the public, Town of Banff Councillors, staff and others in a professional and respectful manner.
11. “Regular Contract User” means any user who signs a contract for the same time and same day each week or month for a full season.
12. “Fall/Winter Season” means arena ice bookings at The Fenlands from October 1<sup>st</sup> to March 31<sup>st</sup> of the following year.
13. “Spring/Summer Season” means sports field, court and ball diamond bookings from the start of the Victoria Day long weekend to the Tuesday following the Labour Day long weekend.
14. “Standards of Play” means the standards (hours/minutes of active play) for games, practices and warm-up time for sport user groups as established by Canadian Sport for Life’s Long-Term Athletic Development model.
15. “Long-Term Athletic Development” is a multi-stage training, competition and recovery pathway guiding an individual’s experience in sport and physical activity from infancy through all phases of adulthood. Long-Term Athletic Development is athlete centered, coach driven and administration, sport science and sponsor supported. Sequential stages in the Long-Term Athletic Development pathway provide developmentally appropriate programs for all ages to increase participation and optimize performance. Key to Long-Term Athletic Development is a holistic approach that considers mental, cognitive and emotional development in addition to physical development, so each athlete develops as a complete person. Based on Sport for Life principles, Long-Term Athletic Development, in a sport-specific context, promotes system alignment and integration between sport club, provincial/territorial and national sport organizations.

## **Appendix 2: Municipal Facilities**

### The Fenlands Banff Recreation Centre

- Arena 1
- Arena 2
- Curling Rink (between May and September)
- Curling Lounge (between May and September)
- Meeting Room 1
- Meeting Room 2
- Concourse
- Meadow

### Banff Recreation Grounds

- Rugby-Soccer Pitch
- 3 Softball Diamonds
- 3 Covered Picnic Shelters & Multiple Picnic Sites
- 1 surfaced Basketball Court
- 2 surfaced tennis courts
- Skateboard Park
- Mtn. Bike Park

### Community Parks/Playgrounds/Day Use Areas/Trail & Open Space Amenities

- Central Park Gazebo
- Banff Community High School Field (Jt. Use – with permission of CRPS)
- Banff Elementary School Field (Jt. Use – with permission of CRPS)
- Tunnel Mountain Reservoir