

**The Corporation of the Township of North Kawartha**

**By-Law # 2014-007**

**Being a by-law to adopt a Public Request for Municipal Service(s) Policy for the Township of North Kawartha and to repeal By-Law #21/12.**

Whereas under Section 8 (1) of the Municipal Act, 2001, S.O. 2001, c.25, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality 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, provides a Municipality has the capacity, rights, powers and privileges of a natural person;

And Whereas the Council of the Corporation of the Township of North Kawartha deems it desirable to adopt a Public Request for Municipal Service(s) Policy to have provision for the Public to request use of Municipal Facilities, Property and/or Resources without charge or at a reduced rate.

Now Therefore the Council of the Corporation of the Township of North Kawartha hereby enacts as follows:

1. That the Public Request for Municipal Service(s) Policy shall be attached hereto as Schedule "A" and form part of this by-law;
2. That the Forms related to the Public Request for Municipal Service(s) Policy shall be attached hereto as Schedule "B" and form part of this by-law;
3. That Township of North Kawartha Policies #10 Use of Municipal Property, #14 Usage of North Kawartha Community Centres Without Charge and #16 Provision of Unbudgeted Public Service Requests become null and void upon adoption of this by-law.
4. That by-law # 21/12 be hereby repealed.

Read a first, second and third time and passed in open council this 21<sup>st</sup> day of January, 2014.



Jim Whelan, Mayor



Connie Parent, Clerk

**Schedule "A" to By-Law # 2014-007  
Public Request for Municipal Service(s)**

<b>Policy:</b> Public Request for Municipal Service(s)	<b>Effective Date:</b> 2012/04/03
<b>Subject:</b> Provision for the Public to Request Use of Municipal Facilities, Property and/or Resources without charge or at a reduced rate.	<b>Revision Date:</b> 2014/01/21
<b>Legislation:</b>	<b>Coverage:</b> All Departments

**Policy Statement:**

The Township of North Kawartha through the Strategic Plan makes a commitment to provide accessible cultural/recreation programs and services to all residents and support local community efforts to retain cultural heritage, promote pride of place and enhance community spirit

It shall therefore be the policy of the Township of North Kawartha to consider granting to the public use of Municipal facilities, property and/or resources without charge or at a reduced rate for the purpose of holding events or functions that benefit the Community as a whole or groups, families or individuals within the North Kawartha Community.

Furthermore, requests from local non-profit or charitable organizations for North Kawartha Community Centre gift certificates to be used for their fundraising activities may be considered on an individual basis. These gift certificates may include fitness centre memberships, ice-time and public skating.

**Definition(s) for the Purpose of this Policy:**

**Public:** community groups, residents, ratepayers, ministries and agencies (ie. Service Clubs, Royal Canadian Legion, Schools, Sports Organizations, Groups Sharing a Common Interest, GPAEDC, Housing Resource Centre)

**Municipal Service(s):** support or assistance authorized by the Municipality upon public request that involves use of municipal owned facilities, property, equipment or staff time

**Application Requirements:**

It is recommended that requests be submitted at least two month(s) in advance to allow sufficient time for approval. Late applications may not be approved.

No advertising on Township property or in Township Facilities is permitted until approval has been granted and conditions have been complied with. In special circumstances advance advertising may be permitted upon Council approval.

Proof of all required licences and permits must be provided 30 days prior to the event to the Municipality.

An "Authorization for Representation Form" is required for Service Clubs, Organizations, Groups with Common Interest, Agencies etc....to ensure the individual(s) representing the organization are supported by the organization as a whole.

The Municipality reserves the right to cancel any request, without notice, in circumstances where requirements or conditions are not adhered to. Municipal purposes shall pre-empt all requests.

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Public Request for Municipal Service(s)**

**Procedure:**

(Refer to "Exemptions" section for additional information)

Utilizing the appropriate form, the Public submits "Requests for Municipal Service(s)" to the Office of the Clerk or, in the case of "Use of Community Centre(s)", to the Director of Parks & Recreation.

Application for Community Centre Gift Certificates from charitable and/or non-profit associations, are made through a letter of request to the Director of Parks and Recreation 30 days prior to the event.

**Staff Role:**

The request is provided to all applicable Department Heads through the Chief Administrative Officer.

Department Heads, as directed by the Chief Administrative Officer, shall report to Council using the standard report format and include:

- estimates of staff time and equipment time
- whether or not the municipal service request can be carried out in compliance with applicable Legislation and Township Policy ( ie. Health and Safety, Fire Code etc...)
- any requirements for insurance, advertising, signage, parking layouts, traffic control, road closure, licensing and permits (ie. lotteries, alcohol, road closing etc..)

**Council Role:**

Council shall evaluate each request on its own merit giving consideration to the following criteria:

- Complies with applicable Legislation and Township Policy
- Requested date is available and not a premium date
- Monetary expenditures, if any, can be accommodated in the budget
- Complies with the Strategic Plan Direction
- Contributes to the betterment and sustainability of the Community
- Staff and Equipment time can be accommodated in regular work hours
- Event or use is not political or partisan in nature

Council passes a motion to approve or deny the request. A motion to approve shall be conditional upon all requirements being met to the satisfaction of the Township.

Council, when passing a motion to approve Community Centre Gift Certificates, must set out the use and amount of each gift certificate.

**Conditions:**

Conditions may include but are not limited to the following:

- Proof of insurance satisfactory to the Township
- Proof of all required Licences and Permits for the Event or Use
- Parking Layout

**Exemptions:**

**Small Events on Municipal Property**

The Chief Administrative Officer or designate is authorized to approve requests for use of Municipal Property for the purposes of allowing the Public to use the property for

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**Public Request for Municipal Service(s)**

small charitable or non-profit events such as bake sales, book sales or ticket sales and for display of event signage or seasonal decorations (ie. Christmas tree). A small event may also include an educational or promotional event for community benefit.

When municipal property is used the following criteria must be adhered to:

- Appropriate form to be completed and approved
- No event, signage or display will be allowed in any position that obstructs the view of traffic or interferes with traffic flow or parking
- Preference is given to local groups on a first come, first serve basis
- Area used must be left in the same condition as it was found, clean and free of litter.

**Delegation of Powers and Duties By-Law and Policy:**

In accordance with the in-effect Delegation of Powers and Duties By-Law the Director of Parks & Recreation has the authority to waive fees or reduce charges for use of North Community Centre(s) upon receipt of the attached application form subject to the following criteria:

- the use is for the betterment of the community
- the proceeds from the event are for a recognized and worthwhile cause
- the requested date is available and is not a premium date
- the staffing requirements are minimal
- the requestor agrees to provide an income and expense statement for the event upon completion, upon request]

**A quarterly report shall be provided to Council for information purposes.**

An example of events/functions that may be approved by the Director of Parks & Recreation include but are not limited to:

- Funeral Lunches
- Mobile Outreach Enrichment Centre
- Charitable Events

**Municipal Meetings and Functions**

Use of the North Kawartha Community Centre(s) for Municipal Meetings and Functions are exempt and include but are not limited to:

- Council, Board and Committee Meetings
- Municipal Association Meetings/Functions hosted by North Kawartha

**North Kawartha Community Centre Gift Certificates**

The Director of Parks and Recreation may approve the following:

- One month free fitness centre membership
- One hour free ice-time rental. (ice- time to be approved by the Parks and Recreation Department)
- One year free public skating pass

**Request for Use of Municipal Property and/or Facility  
Without Charge or at Reduced Rate**

<b>Name:</b>	
<b>Organization:</b>	
<b>Telephone No.:</b>	
<b>E-Mail Address:</b>	
<b>Address:</b>	
<b>Date:</b>	
<b>Signature:</b>	

Glen Alda ____ NKCC ____ Wilson Park ____  Banquet Hall ____ Ice Surface ____ Outdoor Space ____  Other _____
<b>Date(s):</b>
<b>Time:</b>
<b>Description of Event/Function:</b>
Applicant/Organization is responsible for any damages to buildings and/or property as a result of the use. Applicant/Organization agrees to reimburse the Municipality for any damage or cleaning costs.

<b>For Office Use</b>
<b>Date Received:</b>
<b>Decision of CAO or Director of Parks &amp; Recreation:</b>
<b>Conditions:</b>
<b>Decision of Council (Motion #):</b>
<b>Conditions:</b>

It is recommended that requests be submitted at least one month in advance to allow sufficient time for approval. If available at time of submission, please attach applicable documentation (ie. proof of insurance, licenses, permits, permissions) No advertising on Township property or in Township Facilities is permitted until approval has been granted and conditions complied with.

**Public Request for Municipal Resources  
Without Charge or at Reduced Rate**

<b>Name:</b>	
<b>Organization:</b>	
<b>Telephone No.:</b>	
<b>E-Mail Address:</b>	
<b>Address:</b>	
<b>Date:</b>	
<b>Signature:</b>	

<b>Date(s):</b>
<b>Time:</b>
<b>Description of Service(s) Requested: (attach additional page, if required)</b>
<p>Applicant/Organization is responsible for any damages to buildings and/or property as a result of the use. Applicant/Organization agrees to reimburse the Municipality for any damage or cleaning costs.</p>

<b>For Office Use</b>
<b>Date Received:</b>
<b>Decision of Council (Motion #):</b>
<b>Conditions:</b>

It is recommended that requests be submitted at least one month in advance to allow sufficient time for approval. If available at time of submission, please attach applicable documentation (ie. proof of insurance, licenses, permits, permissions) No advertising on Township property or in Township Facilities is permitted until approval has been granted and conditions complied with.

**Public Service Request for Municipal Service(s)  
Authorization for Representation Form**

\_\_\_\_\_  
Name(s)

is/are hereby authorized to represent

\_\_\_\_\_  
Service Group/Organization/Agency

for the purpose of annual municipal service(s) requests for \_\_\_\_\_  
Year

**Or for the purpose of:**

Event: \_\_\_\_\_

Date: \_\_\_\_\_

Signatures of two (2) officers/members of the Service Group / Organization /  
Agency Requesting Municipal Service(s)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position/Title

\_\_\_\_\_  
Position/Title

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Email Address

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Phone

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Phone

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Mailing Address:  
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**Note: Applicant/Organization is responsible for any damages to buildings and/or property as a result of the use. Applicant/Organization agrees to reimburse the Municipality for any damage or cleaning costs.**

It is recommended that requests be submitted at least one month in advance to allow sufficient time for approval. If available at time of submission, please attach applicable documentation (ie. proof of insurance, licenses, permits, permissions) No advertising on Township property or in Township Facilities is permitted until approval has been granted and conditions complied with.