

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1111

A bylaw to impose fees payable for goods and services, use of municipal property.

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as the "Recreation Fees Bylaw No. 1111, 2019."
2. This bylaw comes into force on September 1, 2019.
3. The fees set out in Schedule A to this bylaw are imposed for the goods, services or use of municipal property indicated.

Tax Implications

3. Taxes will be added to fees where noted throughout as required by legislation.

Age Classifications

4. The following age classifications are set out for the purpose of imposing fees:
 - (a) Early Years: 0-4 years of age
 - (b) Child: 5-12 years of age
 - (c) Youth: 13-18 years of age
 - (d) Adult: 19-59 years of age
 - (e) Senior: 60+ years of age

Definitions

5. In this bylaw,
 - (a) **Commercial event** means an event organized by a business for a for-profit purpose and an event organized by a political organization, and includes commercial filming;
 - (b) **Commercial business** means a commercial business providing personal services including guiding, instruction, education, and recreation;
 - (c) **Not-for-profit event** means an event organized by a not-for-profit organization or registered society that is open to the public, and includes public funerals and all candidates meetings;

- (d) **Outdoor education** program means a program offered by a business or not-for-profit organization for educational purposes, and includes a program provided by a pre-school and an independent school, as defined by the British Columbia Independent School Act;
- (e) **Private event** means an event that is not open to the public and includes, but is not limited to, a funeral, a wedding, a banquet, an event to celebrate a wedding, anniversary or birthday, a block party, and a neighbourhood or family picnic.

Exemptions

- 6. The following events are exempt from the **facility rental fees** imposed by this bylaw:
 - (a) Remembrance Day services held by the Cumberland Legion;
 - (b) Santa's Breakfast held by the Cumberland Community Schools Society;
 - (c) Educational programs held by the Board of Education of School District No. 71 (Comox Valley) under a joint use facility agreement with the Village of Cumberland;
 - (d) Programs held by the Cumberland Community Schools Society that are provided in cooperation with the Village of Cumberland Recreation Department.
- 7. The following events are exempt from the **park use permit fees** imposed by this bylaw:
 - (a) Educational programs held by the Board of Education of School District No. 71 (Comox Valley);
 - (b) Programs held by the Cumberland Community Schools Society.
- 8. The following organizations are exempt from **damage deposit** requirements set out in this bylaw:
 - (a) Board of Education of School District No. 71 (Comox Valley);
 - (b) Cumberland Community Schools Society.

Additional Charges

- 9. The Manager of Recreation is authorized
 - (a) to impose set-up and teardown rates for rented space based on a cost recovery basis.

- (b) to impose fees to a user for any additional costs incurred by the Village of Cumberland on behalf of the facility renter on a cost recovery basis.

Promotional Events

- 10. The Manager of Recreation is authorized to waive or reduce the fees for promotional purposes and special events.

New Programs and Services

- 11. The Manager of Recreation is authorized to establish fees for new programs, events and services.

Insurance

- 12. An applicant for

- (a) a park use permit,
- (b) a recreation facility rental, and/or
- (c) an event held on other municipal property or road right-of-way,

except for an applicant for a private event, must provide the general commercial liability insurance in the minimum amount required set out in Schedule B to this bylaw, based on points allocated in the Risk Factor Table in Schedule B, inclusive per occurrence, including damages and allocated loss expenses combined against bodily injury, personal injury and/or property damage, including non-owned auto.

- 13. All insurance required in the previous section must be endorsed to

- (a) add the Village of Cumberland as an additional insured, and
- (b) provide the Village of Cumberland with 30 days advance written notice of cancellation.

- 14. Evidence of the required insurance must be received by the Village before the event take place.

- 15. Any requirement as to the amount of insurance coverage does not constitute representation that the amount required is adequate. It is the responsibility of the applicant to obtain insurance in adequate forms and amounts.

Damage Deposits

16. An applicant for

- (a) a park use permit,
- (b) a recreation facility rental contract, and/or
- (c) an event held on other municipal property or road right-of-way must

must provide the damage deposit required set out in Schedule B to this bylaw, based on the points allocated in the Risk Factor Table in Schedule B to this bylaw.

READ A FIRST TIME THIS	24TH	DAY OF	JUNE	2019.
READ A SECOND TIME THIS	24TH	DAY OF	JUNE	2019.
READ A THIRD TIME THIS	24TH	DAY OF	JUNE	2019.
ADOPTED THIS	8TH	DAY OF	JULY	2019.

Mayor

Corporate Officer

**SCHEDULE A
 RECREATION FEES**

Fee Type	Description	Fees & Charges
1.0 Cumberland Recreation Centre Admission Fees		<i>Tax included</i>
Single Admission	Early Years	\$1.00
	Child & Youth	\$2.00
	Adult	\$4.00
	Senior	\$3.00
	Personal Trainer	\$5.00 per client per session
	Shower	\$2.00
10 Pass	Early Years	\$9.00
	Child & Youth	\$18.00
	Adult	\$36.00
	Senior	\$27.00
1 Month <i>Includes climbing wall</i>	Early Years	\$10.00
	Child & Youth	\$20.00
	Adult	\$40.00
	Senior	\$30.00
1 Year <i>Includes climbing wall</i>	Early Years	\$60.00
	Child & Youth	\$120.00
	Adult	\$240.00
	Senior	\$180.00
Climbing Wall	Early Years	\$2.00
	Child & Youth	\$4.00
	Adult	\$6.00
	Senior	\$5.00
Payment Plans	Administrative fee	\$25.00
Refunds & Withdrawals	Administrative fee	\$10.00
1.1 Cumberland Recreation Centre Equipment Rental Fees		<i>Tax included</i>
Racquet Rental		\$2.00
Climbing Shoes		\$2.00
Climbing Harness		\$2.00
Disc Golf Discs		\$2.00

1.2 Cumberland Recreation Centre Rental Fees		<i>Tax extra</i>
Gymnasium/Hall	Not-for-Profit	Hourly \$30.00
		Daily \$150.00
	Private	Hourly \$60.00
		Daily \$300.00
	Commercial	Hourly \$120.00
		Daily \$600.00
Commercial Kitchen	Not-for-Profit	Hourly \$20.00
		Daily \$100.00
	Private	Hourly \$40.00
		Daily \$200.00
	Commercial	Hourly \$50.00
		Daily \$250.00

2.0 Cumberland Cultural Centre Rental Fees		<i>Tax extra</i>
Multi-Purpose Room	Not-for-Profit	Hourly \$20.00
		Daily \$100.00
	Private	Hourly \$40.00
		Daily \$200.00
	Commercial	Hourly \$80.00
		Daily \$400.00
Small Kitchen	Not-for-Profit	Hourly \$10.00
		Daily \$50.00
	Private	Hourly \$20.00
		Daily \$100.00
	Commercial	Hourly \$40.00
		Daily \$200.00

3.0 Sport Fields & Ball Diamonds Rental Fees		<i>Tax extra</i>
Village Park: Sport Field Ball Diamond A Ball Diamond B	Not-for-Profit Youth	
	Hourly	\$4.00
	Tournament (Daily)	\$25.00
	Not-for-Profit Adult	
	Hourly	\$8.00
	Tournament (Daily)	\$100.00
	Private	
	Hourly	\$16.00
Daily	\$200.00	
Commercial		
Hourly	\$32.00	
Daily	\$400.00	

4.0 Parks/Trail Use Permits		<i>Tax extra</i>	
Village Square	Not-for-Profit		
	Hourly	No charge	
	Daily	No charge	
	Private		
	Hourly	\$30.00	
	Daily	\$150.00	
Commercial			
Hourly	\$60.00		
Daily	\$300.00		
Village Park (Entire Park)	Not-for-Profit		
	Hourly	\$25.00	
	Daily	\$125.00	
	Private		
	Hourly	\$50.00	
	Daily	\$250.00	
Commercial			
Hourly	\$120.00		
Daily	\$600.00		
Other Parks (and individual sections of Village Park)	Not-for-Profit		
	Hourly	\$10.00	
	Daily	\$50.00	
	Private		
	Hourly	\$20.00	
	Daily	\$100.00	
Commercial			
Hourly	\$40.00		
Daily	\$200.00		
Trail Network	Commercial	Daily	\$100.00 or \$1.00 per participant, whichever is greater

Outdoor Education Program	Annual	\$50.00
Multi Day Discount	Additional days after first 3 days	25% discount off the daily rate

5.0 Miscellaneous		<i>Tax extra</i>
Key Replacement		\$50.00
Electrical Hookup (daily)		\$10.00
Parking Stall (daily)		\$50.00
Dumpster Tipping		\$82.62
Employee Call Out		At actual cost

**SCHEDULE B
 INSURANCE AND DAMAGE DEPOSIT REQUIREMENTS**

Points	Risk Level	Minimum Liability Insurance Required	Damage Deposit Required
1-2	Low	None	None
3-5	Medium	\$2 million	\$200
6-8	Medium/High	\$3 million	\$300
9-13	High	\$5 million	\$400
14+	High	As recommended by insurer	\$500

Risk Factor Table	Points	Points Allocated
Attendance (maximum expected)		
1 to 100	1	
101 to 300	3	
301 to 1,000	4	
1,001 to 2,000	5	
2,001 to 5,000	7	
5,001 to 10,000	9	
Alcohol Served	5	
Animals in attendance or involved in activity	1	
Fireworks or open flame	9	
Prepared food served to the public	1	
People on roadway	1	
Rides offered of any kind, including mechanical and animal	2	
Stage	1 (per stage)	
Motorized vehicle involvement	1	
Sport activity:		
Non-contact (tennis, running, yoga, etc.)	1	
Minor contact (soccer, baseball, etc.)	2	
Contact (football, rugby, roller derby, etc.)	3	
Adventure sports (mountain biking, kayaking, rock climbing, etc.)	5	
TOTAL		