

Bill No. 347
2021

By-law No. CPOL.-145()-___

A by-law to amend By-law No. CPOL.-145-397, as amended, being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” to change the policy title to “Request to Waive or Reduce Facility Rental Fees”.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-145-397, as amended, being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” be amended to change the policy title to “Request to Waive or Reduce Facility Rental Fees”;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. CPOL.-145-397, as amended, being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Request to Waive or Reduce Facility Rental Fees

Policy Name: Request to Waive or Reduce Facility Rental Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-145-397); Amended June 26, 2018 (By-law No. CPOL.-286-277); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Deputy City Manager, Neighbourhood and Community- Wide Services

1. Policy Statement

Request to Waive or Reduce Facility Rental Fees Policy will assist in determining if rental fees for facility rental may be waived or reduced for an organization requesting this in connection to booking space in City of London community centres and recreation facilities including pools, sport fields, and arenas.

2. Definitions

Rental Fees - Refers to the fees approved by the City of London's Fees and Charges by-law to cover the fee for use of a space and does not apply to other 'extra fees', tariffs, licences, and insurance costs that may be required by the nature of the activity.

3. Applicability

3.1 Certain community and recreation groups may be eligible to apply for a waiver or reduction of rental fees for community centre and recreation facility space if they meet all of the following conditions of eligibility of application:

- a) must be a non-profit corporation, OR
must be a newly created organization (established within 12 months of applying for the waiver or reduction of fees) which can prove they are operating on a not-for-profit basis;
- b) must be a London-based organization and at least 80% of participants/members are London residents;
- c) must provide evidence that regular rental fees constitute a real barrier or hardship;
- d) activity meets a recreation or community development priority of the City of London (physical activity, healthy eating, literacy, poverty reduction, community engagement or capacity building, activities for under-served groups);
- e) activity does not duplicate an existing program or activity;
- f) activity is open to the public, or membership in the requesting organization is open to the public;
- g) activity must not be for the purpose of generating revenue, including fundraising; and
- h) activity must comply and conform with applicable legislation, Council policies and by-laws, and is not contrary to law, including but not limited to the Ontario Human Rights Code, and the Criminal Code.
- i) The request to waive or reduce fees may be approved for up to a maximum of 15 bookings within one calendar year, or in exceptional

circumstances such further bookings as approved by the Deputy City Manager, Neighbourhood and Community-Wide Services.

4. The Policy

- 4.1. The administration of this Policy is assigned to the Deputy City Manager, Neighbourhood and Community-Wide Services, or their written designate (“Deputy City Manager”). Deputy City Manager shall generally perform all of 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.
- 4.2. The approval of a waiver or reduction of fees, along with entering into a Facility Rental Contract, shall constitute authorization of the Deputy City Manager, for the purposes of the City of London’s Parks & Recreation Area By-law.
- 4.3. Requests for use of space as approved under this Policy will be accommodated within un-booked capacity within regular operating hours of facilities.

Authority of the Deputy City Manager- Waiver or Reduction of Fees

- 4.4. The power and authority to refuse to issue an approval to waive or reduce 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 Deputy City Manager.
- 4.5. Notwithstanding any other provision of this Policy, the Deputy City Manager may impose terms and conditions on any approval any time during the term of the approval, as are necessary in the opinion of the Deputy City Manager to give effect to this Policy.
- 4.6. The City of London reserves the right to refuse to enter into a Facility Rental Contract with respect to any application for a waiver or reduction of fees for an event on City of London Property.