

**Policy Title: Use of City Facilities****Policy Number: 05-01-12**

Section:	<b>Property and Facilities</b>	Subsection:	<b>Use of Public Property</b>
Effective Date:	<b>September 22, 2020</b>	Last Review Date:	<b>December, 2019</b>
Approved by: <b>Council</b>	Owner Division/Contact: <b>Customer Service Centre, Recreation Division, Community Services Department</b>		

## Policy Statement

Facilities in the City are available for use by members of the public, including not-for-profit and commercial groups, elected officials and City of Mississauga staff, primarily for meetings or events that are cultural, civic, recreational or educational in nature.

## Purpose

This policy identifies the use of Facilities and the booking process, including conditions for approval and any subsequent requirements.

Providing access to its Facilities in a fair and equitable manner supports the City's commitment to fostering a climate of understanding and mutual respect for the dignity and worth of each individual. Procedures are required so that a uniform approach can be taken to ensure respect for both patrons and Facilities.

## Scope

This policy applies to all bookable City facilities, with the exception of staff meeting/boardrooms and the following exclusions.

### Exclusions

This policy does not apply to the Civic District (i.e. Mississauga Celebration Square and surrounding area). Refer to Corporate Policy and Procedure – Outdoor Events in the Civic District.

## Related Policies

### Arena Ice/Floor Allocation

The City of Mississauga is committed to meeting the recreational needs of the City and its residents through a comprehensive arena ice allocation policy for all users. For more information refer to Corporate Policy and Procedure – Recreation – Arena Ice/Floor Allocation. In the event

of a conflict in the booking process between this policy and the Arena Ice/Floor Allocation policy, the Arena Ice/Floor Allocation policy takes precedence.

### **Outdoor Sports Field Management**

The City of Mississauga is committed to meeting the community's recreational needs in a fiscally responsible manner through a comprehensive outdoor sports field management policy. For more information refer to Corporate Policy and Procedure – Recreation – Outdoor Sports Field Management. In the event of a conflict in the booking process between this policy and the Outdoor Sports Field Management policy, the Outdoor Sports Field Management policy takes precedence.

### **Payment of Fees**

For information on Facility rental payment terms refer to Corporate Policy and Procedure – Finance and Accounting – Fees and Other Revenue – Payment and Refund of Facility Rental Fees.

### **Community Group Registry Program**

For additional information on facility rentals for eligible community groups refer to Corporate Policy and Procedure – Community Groups – Community Group Registry Program. In the event of a conflict in the booking process between this policy and the Community Group Registry Program policy, the Community Group Registry Program policy takes precedence.

### **Serving Alcohol at City Facilities**

For information on the conditions under which alcohol may be permitted in City facilities refer to Corporate Policy and Procedure – Use of Public Property – Serving Alcohol in City Facilities.

### **Fees and Charges**

Rental fees for City Facilities and other applicable charges that are established annually by by-law are mandatory. Fees and charges are not included in this policy but current rates can be provided by the Customer Service Centre.

### **Definitions**

For the purposes of this policy:

“Conferences - LAC” means a booking by a single user group that uses multiple bookable spaces in one location, including food and beverage service, spanning more than one day, with more than 500 participants guaranteed.

“Customer Service Centre (CSC)” means the Community Services Department, Recreation Division, Sport and Community Development, Sport Development & CSC Section facilities booking and registration office.

“Facility” means meeting rooms, libraries, lobbies, auditoriums, theatres, display areas (e.g. cases, walls), banquet and event spaces, gymnasiums, sports fields, golf courses, pools, arenas, museums and marinas owned or operated by the City of Mississauga, including the Living Arts Centre and Civic Centre. It does not include properties which are leased or under a management and operation agreement for long-term use.

## Accountability

All departmental directors are accountable to ensure all applicable managers/supervisors are aware of this policy and of any subsequent revisions.

Managers/supervisors with staff who are responsible for Facility bookings and operations are accountable for:

- Ensuring staff in their respective work units are aware of this policy and of any subsequent revisions
- Ensuring applicable staff are trained on this policy with respect to their specific job function, and
- Ensuring applicable staff comply with this policy

## Conditions of Use

The City of Mississauga will not knowingly permit any individual or group to use its Facilities in contravention of the conditions of use outlined in this policy.

All use of Facilities will be considered in light of the City’s need to ensure that:

- An individual or group does not endorse views and ideas which are likely to promote discrimination, contempt or hatred for any person on the basis of political affiliation, economic status, level of literacy or the protected grounds defined in the Ontario *Human Rights Code*, as amended (race, national or ethnic origin, citizenship, religion, age, sex, marital status, family status, sexual orientation, disability)
- In light of generally acceptable, prevailing community standards, the event is not likely to cause deep or widespread offence
- Activities are not conducted or promoted that have the potential to incite bullying (behaviour by a person or group which intimidates or demeans another person), the use or intended use of violence (physical force) and/or hatred (refer to Corporate Policies Respectful Workplace and Workplace Violence)
- There is no conflict with the City’s core values or vision and the booking does not adversely impact the City’s identity
- Activities are not conducted or promoted that are contrary to municipal, provincial or federal law or City by-laws, policies or an official code of conduct
- All regulatory approvals are obtained (e.g. alcohol, lottery licence, etc.)
- There has been no previous known noncompliance with the Conditions of Use outlined in this policy

- The individual or group is in good financial standing with the City (e.g. there are no monies owing for Facility rental contracts)
- Participants and patrons of the complex are adequately safeguarded
- The security and protection of the complex is adequately safeguarded, and
- Any additional terms and conditions of use, guidelines or operating procedures of the specific Facility are complied with

## Requirements Once Approved

Once a request to book a Facility has been approved, the user, where applicable, will be required to:

- Provide all requested information and documentation prior to the rental, including proof of insurance in accordance with By-Law 0264-2007 as amended, if applicable
- Obey all federal and provincial laws and City by-laws and policies
- Accept financial responsibility for any damages to property or furnishings or personal injury claims resulting from the activity (damage/security deposits may be required)
- Ensure that security services (police, first aid, City Security Services and/or third party security services) are available on-site if required as a condition of approval, and
- Ensure that alcoholic beverages are served only with specific approval to do so and under permit from the AGCO (Alcohol and Gaming Commission of Ontario) and in accordance with Corporate Policy and Procedure – Serving Alcohol at City Facilities

## Booking Process

All bookings can be made:

- By calling the CSC's main number – 905-615-4100, Monday to Friday 8:30am to 4:30pm
- By visiting the CSC's counter, located at the Paramount Fine Foods Centre - Sportsplex, Monday to Friday 8:30am to 4:30pm
- Online, where applicable, by completing an online Rental Request Form
- For BraeBen, C Banquets, Living Arts Centre theatres, Meadowvale Theatre, Paramount Fine Foods Centre (PFFC) - Arena (Main Bowl) and Small Arms Inspection Building - by contacting the facility directly
- For Streetsville Village Square – by contacting the Streetsville Business Association (BIA) directly
- For golf tournaments – by calling 905-615-GOLF (4653)
- For marinas – by contacting the marina directly
- For sports groups – in accordance with the Arena Ice/Floor Allocation policy and the Outdoor Sports Field Management policy, where applicable
- Day-of “spot” bookings when the CSC is closed – through the individual Facility on a first-come-first-served basis, where available (e.g. community centres)

The CSC will obtain the necessary booking information and provide the customer with all relevant instructions and facility information (e.g. room capacity, accessibility features and hours of operation).

A Facility rental contract will be sent to the customer. The contract will include all details pertaining to specific requirements and/or applicable fees for costs incurred for the City to provide services which are over and above the standard level of service (e.g. additional security, maintenance, technical support, furniture, signage, etc.).

All rental customers are required to acknowledge the booking terms and conditions of the rental contract, which must be returned to the CSC prior to the rental taking place. The CSC will retain all contracts for audit purposes in compliance with the Records Retention By-Law 0097-2017, as amended.

Note: For Civic Centre Hearing Room, Great Hall and Council Chamber bookings, the City reserves the right to move groups from these areas to an alternate location and/or cancel bookings in favour of the following groups:

- First Priority
  - Council or Committees of Council
  - Emergency Management Program Committee (meetings only)
- Second Priority
  - Groups for which the City has a statutory obligation to provide meeting/hearing space (such as the Local Planning Appeal Tribunal; the Consolidated Hearing Board; the Conservation Review Board)
- Third Priority
  - Other federal or provincial boards (such as the Assessment Review Board; the Environmental Hearing Board)
- Fourth Priority
  - Other City meetings
  - Outside groups

### **Booking Timelines – Allocation Process**

City programs and bookings that are made as part of the indoor or outdoor allocation process will comply with the booking timelines set out annually by the Recreation and Culture Divisions.

### **Booking Timelines – Banquets**

Banquets may be booked up to two years in advance.

### **Booking Timelines – Living Arts Centre Theatres**

Booking timelines for Living Arts Centre are as follows:

- Tenants - in accordance with lease agreement

- Annual recurring Conference – LAC bookings – 24 months in advance
- City programming & City produced events – 15 months in advance
- Affiliate groups registered in accordance with the Community Group Registry Program – 14 months in advance
- Annual recurring bookings – 13 months in advance
- Remaining requests – 12 months in advance
- LAC Theatres (Hammerson, RBC, Rogers), Conference Room, Mississauga Room and Staging Room require Facility Manager approval for any City division booking requests which are fee exempt. Direct costs will be the responsibility of the division booking (e.g. food, ushers, etc.).

### **Booking Timelines – Meadowvale Theatre**

Booking timelines for Meadowvale Theatre are as follows:

- Encore Series Affiliate Groups – 2 years in advance
- Affiliate groups registered in accordance with the Community Group Registry Program – 14 months in advance
- Annual May – June recurring bookings – 13 months in advance
- Remaining requests – 12 months in advance

### **Booking Timelines – Paramount Fine Foods Centre – Arena (Main Bowl)**

- Tenants - in accordance with lease agreement
- Annual recurring bookings – 2 years in advance
- Remaining requests – 8 months in advance

### **Booking Timelines – Other Bookings**

Other bookings can be made in advance according to the following timelines:

- Groups that are affiliated in accordance with Corporate Policy and Procedure – Community Services – Community Group Registry Program – 12 months in advance
- Residents, Non-Residents and Commercial groups – 10 months in advance
- Photography and park permits – Non-residents and commercial – 2 months in advance

Bookings are based on a first come, first serve basis. Annual bookings should be reserved as early as permitted for the following year in order for the date to be secured, as dates are not automatically held for annual bookings if not formally requested and approved.

## **Conditions for Cancellation**

The City reserves the right to:

- Seek clarification of the purpose of an individual or group's booking request
- Suspend or defer a booking as the City investigates allegations of noncompliance with this policy

- Decline a booking or cancel a contract if any of the conditions for approval are not met
- Cancel a booking if the applicant fails to acknowledge and agree to the terms and conditions of the rental contract prior to the rental
- Decline or cancel a booking if the organization is on the list created by the Government of Canada in accordance with the *Anti-Terrorism Act*. Entities on the list:
  - have knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity
  - knowingly acted on behalf of, at the direction of or in association with an entity that has knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity

Bookings may be cancelled by the customer in compliance with Corporate Policy and Procedure – Payment and Refund of Facility Rental Fees.

### **Decision Making Process**

Applicable staff will conduct an objective and impartial analysis of any booking that:

- Appears at the time of the request to conflict with any of the Conditions of Use outlined in this policy, or
- Has already occurred and non-compliance with the Conditions of Use has been reported to or noted by the City

The booking will be analysed in relation to the Conditions of Use. Consideration may also be given to the nature, purpose and content of the Facility use.

Staff involved in the analysis will make a recommendation, in writing, to the director responsible for the Facility to:

- Decline the booking request
- Approve the booking request, or
- In the case of a booking that has already occurred, direct staff to decline further booking requests from the individual or organization

The director will make the final decision, based on the Conditions of Use and advise the customer of the decision. Cancellation of existing bookings by the City will result in a full refund to the customer of any amounts paid.

### **Appeal Process**

Organizations whose Facility booking request has been declined or cancelled by the City may request a review of the decision. Requests may be made in writing to the Commissioner, Community Services or, for the Civic Centre building, the Commissioner, Corporate Services.

The Commissioners will jointly review the director's decision in a timely manner. Additional information may be requested from staff and/or the customer. The conclusion agreed to by the Commissioners will be final and binding.

## Revision History

Reference	Description
GC-0442-2016 – 2016 06 22	
2016 09 22	Admin revisions - removed section on use of public spaces and added day-of bookings
March 28, 2018	Housekeeping to revise Community Group Support Program to Community Group Registry Program.
July 03, 2018	Admin revision to include Paramount Fine Foods Centre; effective July 01, 2018
July 16, 2018	Housekeeping revision to include Small Arms Inspection Building in Booking Process.
August 28, 2018	Housekeeping – OMB renamed Local Planning Appeal Tribunal.
December 16, 2019	Scheduled review. Revised to include PFFC Arena booking timelines.
September 22, 2020	Revised to include the LAC.
October 7, 2020	Minor revision to PFFC timeline to 2 years in advance to align with Recreation By-law.