

Report to Council

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| Report Title: | Facility User Solution Insurance Coverage Fees and Rates | | |
| Prepared By: | Mark Coleman, Director of Community Services | | |
| Department: | Recreation | | |
| Date: | November 23, 2021 | | |
| Report Number: | REC2021-24 | File Number: | C11REC |
| Attachments: | FCC Facility User Rates \$2million Draft Schedule "K" Facility User Insurance Fees and Rates - Fees and Charges By-law | | |

Recommendation:

That the Council of the Municipality of Brockton hereby approves Report Number REC2021-24 – Facility User Solution Insurance Coverage Fees and Rates, prepared by Mark Coleman, Director of Community Services and in doing so approves a By-law coming forward to adopt the Facility User Solution Insurance Fees and Rates.

Report:

Background:

At its November 9, 2021 Council Meeting, Council approved moving forward with Facility User Solution Insurance Policy from Frank Cowan Company where private users/renters of the following Brockton Community and Recreation facilities would be required to provide proof of insurance via a certificate of insurance naming the Municipality of Brockton as additionally insured or optionally purchase insurance coverage as part of their facility rental booking utilizing the Facility User Solution Policy program the Municipality has arranged as a cost effective service.

Brockton Community and Recreation Facilities the program is to be applicable to:

- Walkerton Community Centre and Arena
- Cargill Community Centre
- Elmwood Community Centre
- Bradley School House Community Centre
- Bruce Power Regional Soccer Park
- All Brockton parks, pavilions, sports fields, sports courts, playgrounds, pools/splash pads, campgrounds, fairgrounds, trails, gardens, access points and boat launches. *Note all casual public use of parks and facilities and spectators of events are not required to have insurance.

The following typical facility rentals/events have historically been requested by staff to provide a certificate of insurance:

- All alcohol related events/SOP's per Municipal Alcohol Policy
- Formal Organizations/Businesses with insurance policies already in place i.e. Walkerton Minor Hockey, Walkerton Figure Skating, Dirt Pigs Ball Tournament, Schools, and Walkerton Hawks.

The following types of rentals/events have NOT historically been requested by staff to provide a certificate of insurance:

- Recreational Hockey
- Family reunions/dinners
- Birthday and Christmas parties
- Conference/Meeting/training space rentals
- Show event
- Markets
- Picnic Shelter rentals
- Private rental of pool
- Private Training Courses
- Baseball practices
- Fitness class by private business

Volunteers and participants of Municipally sponsored/organized/run events such as recreation and fitness programs are covered via the General Liability Policy of the Municipality.

Businesses/Organizations that the municipality may have a formal agreement/contract/permit with have insurance provisions within those agreements.

Analysis:

Going forward it is recommended that the Facility User Insurance Program be implemented and become effective January 1st, 2022 where all private rentals will be asked to provide an appropriate certificate of insurance or optionally purchase coverage via the Facility User Insurance program that the Municipality has arranged with Frank Cowan Company.

There are multiple statutes that provide the authority to municipalities to establish user fees, each with specific requirements. User fees and service charges are an important source of revenue for the Municipality and are an effective method of ensuring that the users of a service assist in cost recovery, thereby mitigating a portion of the pressure on property tax rates. The Municipality is proactive in its approach to cost recovery through user fees by annually reviewing all rates and adjusting for inflation, changing legislation and market conditions where possible.

Attached for Councils information and consideration, is the Frank Cowan Company Facility User Insurance template with suggested rates and the draft Schedule "K" Facility User Insurance Fees and Rates proposed by staff to be adopted within the Municipal Fees and Charges By-law. Some of the rates within the draft Schedule "K" have been lowered in comparison to the suggested rates by Frank Cowan Company. This is of no consequence to Frank Cowan Company and is at the discretion of the Municipality. Those rates proposed to

be lower were made in part to address any concerns that some rates were perceived as too high for a low risk event/rental.

Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

- Do the recommendations help move the Municipality closer to its Vision? Yes
- Do the recommendations contribute to achieving Cultural Vibrancy? Yes
- Do the recommendations contribute to achieving Economic Prosperity? Yes
- Do the recommendations contribute to Environmental Integrity? N/A
- Do the recommendations contribute to the Social Equity? Yes

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

The Facility User Insurance Program will provide protection and coverage to the renter and its participants and to the Municipality of Brockton by isolating any potential claims from the master policy for the Municipality as explained by the CMR Insurance Broker representatives at the November 9, 2021 Meeting of Council. The annual deposit premium is estimated to be \$3,500.00 for a \$2 million Limits of Liability Policy.

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:



Mark Coleman, Director of Community Services

Reviewed By:



Sonya Watson, Chief Administrative Officer