

Policy Title: <b>Fair Play- Recreation Facility Allocation Policy</b>	Policy Number: 23-001
Department: <b>Community Services</b>	
Approved by: Stephanie Clark, Director of Community Services	
Director Signature:	Effective Date: 30 March, 2023

## 1. PURPOSE

The Department of Community Services strives to provide high quality recreation facilities and experiences that are delivered equitably, for the greatest possible benefit to the community.

This policy and the guidelines contained within serve as a framework for the Community Services Department's Recreation Facility Allocation procedures for recurring user groups, special, and major events. The information identified in this document establish and clarify the Department's responsibility for facility allocation and administration.

## 2. POLICY STATEMENT

The Community Services Department is committed to:

- 1) Enhancing the quality of life for all residents.
- 2) Managing all facilities in a fiscally responsible way.
- 3) Promoting fairness, equality and accessibility in access to facility rentals.
- 4) Seeking new and supporting existing revenue development opportunities.
- 5) Allocating tournament, special events and seasonal rental permits in addition to regular rental permits.
- 6) Promoting opportunities for residents to engage in healthy and active living through access to Town programs (e.g., Public and Family Skates)
- 7) Providing high quality customer experiences in safe, clean facilities.

In addition to the above commitments, the Community Services Department is guided by a set of overarching core competencies that support the implementation of all departmental operations, procedures and policies. When allocating facility rentals and developing facility schedules and programs, the Department must consider these overarching principles as well as the positionality of each user group in order to effectively and fairly allocate time. A user group's age, revenue & economic impact, enrollment reach, number of hours requested, customer history, special events requests, and extraordinary circumstances will impact allocation outcomes. The Department has a responsibility to manage all requests and distribute facility rentals in a manner that fairly reflects registration, utilization, and anticipates future usage patterns, in addition to applying municipal, provincial and federal directives

as and when necessary. Allocations may change from time to time, and approved allocation in one season does not guarantee the same or similar approved time in future seasons.

### 3. APPLICATION

This policy applies to all recurring users of municipal arena facilities, including internal Town programs, events and activities, and groups seeking major event allocations.

### 4. DEFINITIONS

<b>Allocation</b>	The distribution of facility rental time to user groups and individuals, including internal rentals for Town programs, events and activities.
<b>Arena</b>	Any arena building or ice infrastructure that is within the care and control of the Town of Smiths Falls, Community Services Department including the Smiths Falls Memorial Community Centre; the Smiths Falls Youth Arena; and the outdoor Gerry Lowe Rink.
<b>Dead Ice</b>	Non-prime ice time that is typically unsold during the weekday, offered for rental at a reduced rate; dead ice is not eligible for recurring rentals.
<b>Core Competencies</b>	Overarching principles guiding the Department of Community Services.
<b>Community Services</b>	The Town of Smiths Falls Community Services Department; agent and operator of all recreation facilities owned by the Town.
<b>Holiday Hours</b>	Alternative hours may be observed at Town Recreation facilities. A holiday schedule shall be posted online and is available from the Community Services offices upon request. All Town Recreation facilities shall be closed to the public on the following days: January 1 <sup>st</sup> , December 25 <sup>th</sup> and December 26 <sup>th</sup> .
<b>Ice Hour</b>	An hour of ice is defined as 50 minutes in length with a 10 minute flood. (1 ½ hours equates to 75 minutes of ice time with a 15 minute flood.) Should a conflict arise during flood times, staff will work directly with users to rectify same.
<b>Major Event</b>	Major events are classed as those activities that include concerts, rallies, runs, parades, festivals, community milestone events etc. For the purposes of this policy, major events also include those activities classed as “Small Events” by the Town. These events are typically not organized by recurring user groups, however allocation is still considered within the parameters of this policy.
<b>New User</b>	Any group or organization not historically requesting recurring rentals. New users may also include additional and/or new teams affiliated with existing customers.

**Outdoor Infrastructure** Any outdoor recreations space that is within the care and control of the Town of Smiths Falls, Community Services Department including, but not limited to: the seasonal Outdoor arena (Gerry Lowe Rink), all municipal parks and playgrounds, soccer fields, ball diamonds, water features, municipal dog park(s), and outdoor sport courts.

**Passive Recreation** Facilities and/or infrastructure that does not require staffing and/or regularized oversight to operate; passive recreation is typically driven by community members, and occurs in a “pop-up” fashion. Examples of passive recreation sites may include outdoor arenas, trails, trailheads, parks, playgrounds etc.

**Prime/Non-Prime Time** Arena prime time is determined as Monday through Friday, 4pm to midnight; Weekends, 6am to midnight. Non-prime time is determined as any and all other operating hours of the arena facilities.

**Priority Group** Any user group that is given priority allocation for facility rentals.

**Recreation Facility** Any building or infrastructure that is within the care and control of the Town of Smiths Falls, Community Services Department including, but not limited to: The Smiths Falls Memorial Community Centre; the Smiths Falls Youth Arena; the seasonal Outdoor arena, all municipal parks and playgrounds, soccer fields, ball diamonds, water features, municipal dog park(s), and outdoor sport courts.

**Season** For the purposes of this policy, the seasons are understood as follows at each of the facilities. Actual start and end dates will be determined annually by Staff for each facility:

Memorial Community Centre Arena

- Pre-season Ice: August-September
- Regular Season Ice: Annually October- March
- Post Season Ice: April- May

Youth Arena

- Regular Season Ice: Annually October- March

Gerry Lowe Memorial Rink (Seasonal outdoor rink)

- Weather dependent -typically January- February

Municipal Playgrounds

- Weather dependent- May to October

Municipal Parks and Trails

- Weather dependent- typically May to October

Water Feature(s)

- Weather dependent- typically May to September

Ballfields

- Weather dependent- typically May to September

Soccer Fields

- Weather dependent- typically May to September

Outdoor Sport Courts

- Weather dependent- typically May to September

Town Square (Bandshell)

- Available throughout the calendar year

**Services-In-Kind** This term is applied to a variety of both inventoried and rented items and/or support services that are made available to user groups and members of the community to enhance their recreational experience and/or assist in their running of recreational programs.

**Special Event** Any event that is considered outside the bounds of normal business, programming or activity including tournaments, playdowns, or playoffs. These events are typically organized by recurring user groups.

**Tournament** Any event that is considered outside the bounds of normal business, programming or activity including tournaments

**Town** The Municipal Corporation of the Town of Smiths Falls.

**Users/User Group** Any individual, group or organization that enters into a contractual relationship with the department of Community Services, for the purpose of using a Recreation Facility to provide public or private programming and/or activities.

**5. POLICY TERMS AND CONDITIONS**

Community Services will allocate sufficient time for facility maintenance activities to ensure facilities and playing surfaces are maintained to industry standards. Providing users with a safe, clean playing surfaces is a high priority. User groups acknowledge that emergency and/or planned maintenance may impact their scheduled allocations.

It is acknowledged that all user groups may experience cancellations or adjustments to their recurring facility allocation over the course of their seasonal permit to accommodate approved events from other user groups (e.g., tournaments, and special events, playoffs.)

Given that new user groups have the potential of reducing the number of hours available to existing users, new user groups will only be considered in cases where a program provides a service to previously under-served segments of the population or where a new program is being introduced that is not available through existing organizations. When a new group is approved that requires facility time, Community Services will work with all users of the facility to pursue a change based on group enrolment and facility analysis.

## **6. FACILITY ALLOCATION**

### **a. Allocation Requests:**

- i. Seasonally for each facility, Community Services will solicit recurring rental requests from priority groups in advance of the opening of the season. Groups shall submit their requests by the deadline to the Community Services Office Clerk in the format required. Allocation requests received after the deadline or in an alternative format may be considered at the sole discretion of the department, however the priority allocation status may not be applied. Allocation requests are not guaranteed. While the department strives to accommodate all requests, rentals are not confirmed until the rental permit has been issued.

### **b. Deadlines for rental requests shall follow the schedule outlined below:**

Requests shall only be made for the season that is being scheduled. (i.e., one season at a time.)

#### **i. ARENA ICE**

1. Requests for ice will be accepted annually commencing on the first day of business in May, until 4:00pm on the last business day of June.
2. Requests for ice related special events will be accepted annually commencing on the first day of business in May, until 4:00pm on the last business day of August.

#### **ii. OUTDOOR INFRASTRUCTURE**

1. Requests for annual rentals of outdoor infrastructure including sport courts, ballfields, and soccer fields shall be accepted commencing the second Monday of February, and ending 4:00pm on the last business day of the second week of April.
2. Requests for special events held at outdoor recreation facilities will be accepted commencing the second Monday of February, and ending 4:00pm on the last business day in April.

#### **iii. MAJOR EVENTS**

1. Requests for major events will be accepted commencing the 1<sup>st</sup> of

October for the following calendar year, and ending 4:00pm on the last business day of January following.

- c. Groups will receive priority allocations in the order below, assuming requests are received within the required timeframes.
- i. *Town of Smiths Falls operated or sponsored programs and activities for all age groups.* Examples may include: targeted children and youth programs, public and family skates; learn-to sports programs. Programs are provided at the discretion of the Town in response to resident demand.
  - ii. *Major Events, Tournaments, Special Events.* These events provide revenue generation for the department which works to off-set operational costs, while also creating opportunities for elite sports competition, major games qualifying events, and for community-wide engagement in sports, recreation arts, and cultural activities.

While tournaments and special events may impact other user groups' regular allocations, the Department of Community Services will provide as much advance notice to impacted groups as possible.

For *tournaments and special events*, organizers must submit finalized event plans and/or playing schedules to the Department of Community Services for review no later than ten (10) business days in advance of the start of the event. All *major events* must ensure the requisite paperwork is submitted per the timeframe outlined in 6(b), to the appropriate channel at the Town in order for the department to consider their event under the terms of this allocation policy.

- iii. *Minor Sports/Youth Programs/ Community Associations* providing programs and services for children and youth residing in Smiths Falls and the municipalities of our surrounding recreation partners. These groups offer programming primarily dedicated to minor sports and/or programming for children & youth aged 18 and under. Educational and judicial facilities for children and youth would also be considered within the scope of this priority grouping.
- iv. *Junior Hockey*, recognizing the role it plays in the fostering of competitive hockey in Ontario, as well its economic impact to the Town. Qualifying documentation for this priority group must include at a minimum: list of executive officer(s) and financial statements supplied annually to the Community Services Department, if requested
- v. *Adult Programs/ Community Associations* providing programs and services to residents of Smiths Falls and our surrounding municipal recreation partners

dedication

vi. *Service Clubs*. Users in this category are defined as a group that includes within its purpose, as groups that use a facility on a weekly basis for the duration of a season.

vii. *Private/ Casual/ Non-resident Rentals*.

- d. In addition to the above, Community Services will consider the following criteria when allocating rentals:
- i. Membership and enrollment reach.
  - ii. Impact on minority and/or underserved groups.
  - iii. Group rental history; new season bookings will not be made in the event that the organization is not in good standing with the department.
- e. Requests received after the solicitation window may still be considered, but will not be subject to the priority allocation procedures.

## **7. PASSIVE FACILITY ALLOCATION**

Community Services reserves the right to designate passive community use of outdoor infrastructure including parks, playgrounds, trails and trailheads, as required in a fair and equitable manner. These facilities are available for the public for casual and informal recreational play and provide a basic level of service.

The Department of Community Services acknowledges that some passive facilities (e.g. playgrounds, parks) provide great venues for recurring formal events such as camps and lessons; limited permits will be accommodated where possible, and all appropriate paperwork must be completed and submitted to the department in advance of the request. Single use permits will not be issued, nor be required for ad-hoc recreational activities (e.g., pick-up basketball games, picnics etc.)

## **8. CONFLICT RESOLUTION**

Community Services acknowledges that conflicts may arise as a result of the application of this policy. Identified conflicts will be brought to the attention of the groups involved by the facility provider, and individual discussions shall occur in an attempt to resolve the conflict without escalation. In the event that no suitable resolution can be reached, each group will be asked to submit, in writing, their rationale for the specific facility rental requirements. Along with the information provided, the facility provider shall consider the following factors:

- I. the degrees in which the user group's facility requests have been met, apart from that which is in conflict;
- II. Program and/or Sport(s) requirements of the groups involved, including requirements of governing bodies and logistics involved;
- III. User group historical facility allocation;
- IV. The age of the user group as it relates to the period of facility time in conflict; and

- V. In the event that the conflict cannot be resolved in this manner, the final decision will fall on the facility provider.

## **9. MANAGEMENT OF MAJOR AND SPECIAL EVENTS**

Community Services recognizes the significant positive impacts that tournaments, championships, and major events can provide to our community. The Department is committed to achieving a balance between regular season activities, and major & special events throughout the year, and will consider all requests based on the following criteria:

- I. Impact on regularly scheduled user groups;
- I. Days, times requested & date of request;
- II. Overall financial impact to departmental operations;
- III. Overall economic development opportunity for the Town;
- IV. Relationship to, and capacity of, the facility provider;

## **10. PAYMENT**

- a. For single use rentals, payment for permits must be received in advance of the rental date. Rentals are not secured without payment, and Community Services reserves the right to sell facility time that is not secured by payment, to another user.
- b. If a permit has multiple bookings over several dates, payments are to be arranged as per the signed contract. The first installment must be made in advance of the first rental date, unless other arrangements have been made, in writing, with the Director of Community Services or designate.
- c. Payments will be accepted by cash, cheque, or credit. Cheques should be made payable to the Town of Smiths Falls, and will only be accepted with the written permission of the Director of Community Services or designate. In-person payments should be made directly to Community Services during operating hours at the department's main offices at the Memorial Community Centre
- d. Rental permits issued to a permit holder may be revoked by Community Services, if, in the sole opinion of the department, the permit holder fails to comply with the terms and conditions of the permit or any provision in this policy or for any other reason that Community Services deems appropriate.

## **11. INSURANCE REQUIREMENTS**

- a. Groups and occasional users classified as low risk users, such as pickup hockey, one off rentals, drop-in participants and other similar occasional user groups, will be covered under the Town of Smiths Falls' insurance policy. These groups will not be mandated to acquire liability insurance for the use of Community Services' facilities.
- b. Each organization, or league classified as high-risk users, such as organized sports, and minor sports programs, or leagues, shall, at all times during which rentals are allocated at any Community Services facility, arrange, pay for and keep in force and in effect Comprehensive General Liability Insurance on an "occurrence" basis including personal injury, bodily injury and property damage protecting the Town of Smiths Falls. The insurance will ensure that any claims for damage or injury including death to any person or persons, and for damage to any



property of the organization or any public or private property, howsoever caused including damage or loss by theft, breaking or malicious damage, or any other loss for which the organization may become liable resulting from the organization's use of Community Services' facilities. Such a policy shall be written with inclusive limits of not less than Five Million Dollars (\$5,000,000.00), shall contain a cross liability clause, a severability of intent clause, and shall be primary without calling into contribution any other insurance available to the organization as additional insured parties. The Town of Smiths Falls must be named as additional insured.

The organization shall provide certificates of insurance annually evidencing the coverage as required above to the Recreation Department. Upon confirmation by the Recreation Department, which certificates shall include the obligation on the part of the issuer of the certificates to endeavour to provide thirty (30) days written notification of cancellation to the certified holders. Upon expiry, documents of renewed coverage are again to be provided and the organization will make policies available to the Town of Smiths Falls for review and in the event of a claim.

## **12. GENERAL INFORMATION**

- a.** General rental time is the actual time booked for the facility.
- b.** For ice rentals, the use of the following use of the following: playing surface, score clock, assigned dressing rooms and officials' room.
- c.** Community Services strongly recommends that CSA approved safety equipment including head, eye/facial protection be worn by all participants.
- d.** Any damages done as a result of vandalism or misuse to the facility by the user shall be charged against the user group. It will be up to the user to gain restitution from visiting clubs/organizations/participants. Community Services will invoice the user group directly for repairs at fair market value. Damage also includes any additional, extraordinary cleaning that may be required over and above what is to be typically expected the event.
- e.** All Community Services recreation facilities and infrastructure are controlled and regulated substance free (e.g. tobacco, alcohol, drug). Alcohol consumption may be permitted only with a special event license. Smoking and vaping is not permitted on the indoor or outdoor grounds of any facility.
- f.** Any person or user group that contravenes the foregoing, sections (a)-(e) inclusive, may forfeit their rental privileges.
- g.** Patrons entering these premises voluntarily assume all risks and dangers incidental to any and all events. Any participant injured or in need of medical attention is required to report the incident to Community Services staff on duty at the time of the incident. At any time the facility staff feels that an unsafe facility condition may exist, the user may be asked to leave the facility until such time as the facility is deemed safe. If this occurs and the permit must be forfeited, the facility shall be rebooked, or a refund or credit given.

## **13. DRESSING ROOMS**

- a.** Dressing rooms for ice rentals will be made available at a minimum 30 minutes prior to the rental time, and shall be vacated within 30 minutes of the end of the rental. If rooms are

not vacated on time, additional charges may be applied.

- b. Dressing room assignment is at the discretion of the department. If special arrangements are required, a request should be forwarded to the Facility Operations Supervisor, in writing. Dressing rooms will be unlocked prior to the rental. It is the user's responsibility to lock the dressing room during their rental. Community Services will not be responsible for lost or stolen items. Dressing rooms are to be left in the same or better condition as it was provided. The assistance of the user groups is appreciated.

**14. AUTHORIZED RENTAL AGENT**

- a. No person under the age of 18 shall be the signing authority of any facility rental permit. All individuals who use the facility shall conduct their behavior in accordance with Community Services' Safe Facility policy, and shall remain under the supervision and control of the individual who undertakes the responsibility to rent the facility. The rental agent signing the facility rental Permit accepts the applicable responsibility of communicating these terms to all persons involved with the user and / or the user's guests or opponents (if applicable). The persons signing on behalf of the team / organization must be confirmed authorized signing officers for said team / organization. Failure to abide by the agreed stipulations as verified by the signatories may result in forfeiting current and/or future facility rentals with Community Services.

**15. RELATED ACTS, POLICIES, and BY-LAWS**

- i. Community Services Safe Facility Policy TBD
- ii. Community Services Special Events Policy (PERMITS) \*\*\*including playground applications
- iii. Town of Smiths Falls Fees and Charges Bylaw XX and

**8. Review History**

Issued by:	Approved by:	Date:



Policy Title: <b>Safe Recreation- Appropriate Behaviour Policy</b>	Policy Number: CS23-002
Department: <b>Community Services</b>	
Approved by: Stephanie Clark, Director of Community Services	
Director Signature:	Effective Date: 10 April, 2023

### 1. PURPOSE

The Town of Smiths Falls, Department of Community Services prioritizes the safety and security of staff and guests to all Department of Community Services facilities. This policy outlines the behavioral standard for all users of these facilities, and provides the remedy for infractions of the policy should they occur. This policy is intended to encourage appropriate behavior in all Department facilities, in turn promoting a safe and positive atmosphere for community activities.

### 2. POLICY STATEMENT

These facilities and programs exist to provide residents with opportunities to participate in recreational activities in a positive and safe atmosphere. All staff and guests attending Department of Community Services facilities are expected to behave in a manner that does not interfere with the peaceful enjoyment of other visitors, participants, spectators, volunteers and/or staff. Any individual attending a Town facility is required to conduct themselves in a way that is respectful of themselves, others and their surroundings.

It is understood that organizations and individuals renting Town facilities are the responsible party, and take primary responsibility for the behavior and actions of all persons associated with their program and/or event.

### 3. APPLICATION

This policy applies to all users, staff and guests of Department of Community Services facilities, services, and programs.

### 4. DEFINITIONS

**Authorized Agent** The rental agent signing the facility rental Permit accepts the applicable responsibility of communicating these terms to all persons involved with the user and / or the user's guests or opponents (if applicable). The persons signing on behalf of the team / organization must be confirmed authorized signing

	officers for said team / organization. No person under the age of 18 shall be the signing authority of any facility rental permit.
<b>Core Competencies</b>	Overarching principles guiding the Department of Community Services.
<b>Community Services</b>	The Town of Smiths Falls Community Services Department; agent and operator of all recreation facilities owned by the Town. Also referred to as “the Town”.
<b>Contraband</b>	Any illegal or prohibited item including, but not limited to: pornographic or illegal materials, controlled substances, non-sanctioned alcohol, or weapons of any sort (e.g., knives, guns, pepper spray/mace etc.)
<b>Recreation Facility</b>	Any building or infrastructure that is within the care and control of the Town of Smiths Falls, Community Services Department including, but not limited to: The Smiths Falls Memorial Community Centre; the Smiths Falls Youth Arena; the seasonal Outdoor arena, all municipal parks and playgrounds, soccer fields, ball diamonds, water features, municipal dog park(s), and outdoor sport courts.
<b>Services-In-Kind</b>	This term is applied to a variety of both inventoried and rented items and/or support services that are made available to user groups and members of the community to enhance their recreational experience and/or assist in their running of recreational programs.
<b>Town</b>	The Municipal Corporation of the Town of Smiths Falls.
<b>Users/User Group</b>	Any individual, group or organization that enters into a contractual relationship with the department of Community Services, for the purpose of using a Recreation Facility to provide public or private programming and/or activities and/or any individual or group that engages in an activity in a Community Services owned or operated facility.

## 5. POLICY TERMS AND CONDITIONS

Community Services reserves the right to alter or change this policy from time to time as it may be deemed necessary.

## 6. ENFORCEMENT OPTIONS

Community Services staff are authorized to take the following enforcement steps at any and all Town facilities if inappropriate behavior or activities are observed or reported. The decision to suspend a person from the Community Services facilities belongs solely to the Management of the Department.

1. Verbal request to refrain from a prohibited activity;
2. Verbal warning to refrain from a prohibited activity;

3. Verbal directions to leave the property, citing as the reason the failure to refrain from a named prohibited activity;
4. Should the individual refuse to leave, contact The Smiths Falls Police Department and request assistance in removing individual from the property;
5. Advise Supervisor/On call personnel;
6. Prepare a report including: activity, action taken, identification of offender and witnesses including names, phone numbers and addresses, and submit to Supervisor within one business day.

Note: steps taken may vary depending on the severity of the situation. Staff may evict anyone from the facility if they have immediate concerns for safety. The Smiths Falls Police Department may be called immediately if there are concerns for safety or if illegal activity is witnessed or reported. Staff are not authorized to physically intervene with individuals that are engaging in inappropriate behavior.

## **7. INAPPROPRIATE BEHAVIOUR and ACTIVITIES**

Inappropriate behavior that hinders the enjoyment and the safety of others while at Department of Community Services facilities is not permitted and will not be tolerated. Examples of inappropriate behavior may include, but are not limited to:

- a) Creating a disturbance;
- b) Disrupting a program or event;
- c) Harassing behaviors, whether emotional, physical or sexual in nature;
- d) Assault or any physical violence, or threats of violence of any kind toward another individual;
- e) Verbal assaults and comments that are deemed to be deliberately aggressive, intimidating or are made with the objective of inciting violence;
- f) Displaying signs of intoxication resulting in a disturbance of the peace, whether the alcohol was consumed on the property or otherwise;
- g) Throwing of articles or debris
- h) Racial or ethnic slurs
- i) Wearing attire or displaying material that is offensive and intolerant of human rights
- j) Littering, or any type of vandalism to Town property, or the property of a participant, spectator, volunteer or staff member;
- k) Trespassing;
- l) Entering of prohibited area;
- m) Theft;
- n) Consumption or possession of drugs and alcohol unless appropriate permits for alcohol consumption have been sanctioned by the Department;
- o) Sales of alcohol or drugs on Recreation property;
- p) Operating a vehicle in an unsafe manner on Recreation property;
- q) Use of cameras or cellphones or electronic devices with photographic capabilities in dressing rooms or washroom facilities;

- r) Activity contrary to Canadian Criminal Code, other federal or territorial statutes and municipal by-laws and policies.

## **8. CONSEQUENCES**

Anyone who is found to have committed an inappropriate or prohibited behavior or activity as described in Section 7 of this policy may be ejected from the facility immediately and prohibited from returning to Town of Smiths Falls, Department of Community Services facilities or programs for a period of time, solely at the discretion of the Director of designate.

Facility suspensions are independent of court-ordered facility bans or organizational suspension decisions.

## **9. GUIDELINES FOR CONSEQUENCES**

The Department of Community Services reserves the right to order and implement facility suspension on a case-by-case basis. Consequences shall be considered within the following guidelines, however are at the sole discretion of the Director, or designate and may fall outside the guidelines that are outlined below. Suspension may be department-wide, or facility-specific, at the discretion of the Director, or designate.

### **Offense level 1 – Suspension length: 1 day to 1 month**

- a) First time offenses;
- b) Throwing of any articles or debris, without causing undue damage or harm to the facility or an individual;
- c) Littering;
- d) Excessive swearing or aggressive and inappropriate language;
- e) Wearing or displaying offensive attire (e.g. racist or sexist slogans);
- f) Causing an undue interruption or disturbance to programming or activities;
- g) Refusing to follow pertinent instructions from staff;
- h) Unsafe operation of vehicles in parking lots.

### **Offense Level 2 – Suspension length: 1 week to 2 years**

- a) Second time offenses, in a 12 month period;
- b) Verbal assaults including uttering threats, or attempting to incite violence;
- c) Physical violence including fighting;
- d) Damage to property;
- e) Trespassing;
- f) Theft (under \$500);
- g) Unsanctioned alcohol use, or drug use;
- h) Endangering others by operating vehicles unsafely in parking lots.

**Offense Level 3- Suspension length: 1 year to 5 years, or longer as warranted by severity of offence.**

- a) Three or more offenses in a 12- month period;
- b) Physical or sexual assault;
- c) Theft over \$500.00;
- d) Severe damage to property;
- e) Violence or threats towards to a Recreation staff member;
- f) Sales of drugs, or unpermitted sales of alcohol;
- g) Causing harm to other by operating vehicles unsafely in parking lots.

**10. RELATED ACTS, POLICIES, and BY-LAWS**

- i. Fair Play- Recreation Facility Allocation Policy CS23-001
- ii. Parks and Recreation Master Plan, 2022

**11. REVIEW HISTORY**

Previous Version	Approved By	Date





Policy Title: <b>Refund Policy</b>	Policy Number: CS23-010
Department: <b>Community Services</b>	
Approved by: Stephanie Clark, Director of Community Services	
Director Signature:	Effective Date: 1 January, 2024

## 1 PURPOSE

The purpose of this Refund Policy is to establish guidelines for the refund process within the Department of Community Services, ensuring fairness, consistency, and transparency in managing refund requests.

## 2 POLICY STATEMENT

The Town of Smiths Falls, Department of Community Services adheres to the established policy when reviewing and considering any and all refund and/or credit requests. Refund and/or credit requests shall be received, processed and granted according to the guidelines set out within this document.

## 3 APPLICATION

This policy applies to all customers of Department of Community Services programs and facilities.

## 4 DEFINITIONS

**Credit** A credit is understood to be a set dollar amount associated with a customer's account. Credits retain no cash value and are non-transferrable. Credits expire one year from their issue date, and may be applied against any Department of Community Services fees and charges levied on the user account.

**Town** The Municipal Corporation of the Town of Smiths Falls.

**Community Services** The Town of Smiths Falls' Department of Community Services; agent and operator of all recreation facilities owned by the Town of Smiths Falls.

## 5 POLICY TERMS AND CONDITIONS

The Department of Community Services reserves the right to alter or change this policy from time to time as it may be deemed necessary. The Director shall ensure departmental compliance with this policy.

## 6 CANCELLATION OF RENTALS

The Department of Community Services understands that users may be required to cancel their facility rentals from time to time. Cancellations must be requested in writing to Department administration. Users are prohibited from reselling their facility rentals to other users.

## **7 REFUND/CREDIT ELIGIBILITY**

### *7.1 Cancellation Time Frames*

- I. Full or partial refunds may be considered for cancellations made by individuals or groups *before* the scheduled usage of a facility (arena, field, hall, etc.)
  - a. Credit and/or Refund requests made less than 2 business days in advance of the rental will not be granted.
  - b. Refund requests made between 5 and 2 business days in advance of the rental may be granted not more than 50% of the total fees charged.
  - c. Refund requests made outside of these windows will be subject to a processing fee of \$25.00.
  - d. No-shows are not eligible for refund or credit.
- II. In lieu of a refund, a credit on the user's account may be provided.
  - a. Credits are not subject to the \$25.00 processing fee.
  - b. Credits will expire on the anniversary date of one calendar year.

### *7.2 Cancellation Due to Facility Closure:*

- I. In the event of unexpected facility closures (e.g., maintenance, emergencies), individuals or groups with affected bookings may be eligible for credit where possible.
- II. Refunds will not be provided, unless a suitable time to reschedule the booking is not secured within a 60 day timeframe.
- III. Some exceptions may apply, and will be considered on a case by case basis at the discretion of the Director.

### *7.3 Cancellation Due to Government Mandates:*

- I. If government mandates or public health measures require the cancellation of events or facility bookings, eligible refunds may be provided.

## **8 REFUND REQUEST PROCESS**

### *8.1 Timely Notification:*

- I. Individuals or groups seeking a refund must provide timely notification to the Department of Community Services. Refund requests provided after the rental date has passed will not be considered.

### *8.2 Refund Request Submission:*

- I. Refund requests must be submitted in writing, using the official refund request form provided by the Department.

### *8.3 Documentation Requirements:*

- I. Refund requests must be accompanied by appropriate documentation, such as proof of payment, booking details, and any supporting documents relevant to the refund request. Provision of same

is required by the requestor.

## **9 REFUND DETERMINATION**

### *9.1 Review Process:*

- I. Refund requests will be reviewed by the Department of Community Services within a reasonable timeframe; the department strives to have a response within 5 business days of the request.

### *9.2 Criteria for Approval:*

- I. Refunds will be approved based on the eligibility criteria outlined in this document, and the information and documentation provided by the requestor.

### *9.3 Communication of Decision:*

- I. The Department will communicate the decision on the refund request to the requestor in writing, specifying the approved amount and the method of refund if eligible.

## **10 REFUND METHOD**

### *10.1 Original Payment Method:*

- I. Refunds will typically be issued using the same method as the original payment.
- II. Exceptions may apply based on the circumstances of the refund request, and will be at the sole discretion of the Director.

## **11 NON-REFUNDABLE FEES**

Certain fees, such as processing fees or non-refundable deposits, may not be eligible for refund and will be clearly communicated at the time of booking.

## **12 EXCEPTIONS**

Exceptions to this policy may be considered in extraordinary circumstances and will be subject to approval by the Director of Community Services or designate.

## **13 DISPUTES**

In the case of disputes regarding refund and/or credit decisions, individuals or groups may seek resolution through the established dispute resolution process.

- 1) Application for review is made in writing to the Director, outlining the reason for the request.
- 2) At their sole discretion, the Director shall render a decision. The Director's decision in this case is final.

## **14 RELATED ACTS, POLICIES, and BY-LAWS**

- I. **CS23-001 Fair Play Facility Allocation Policy**
- II. **CS23-002 Safe Recreation Appropriate Behaviour Policy**
- III. **CS23-011 Cash Handling Policy**

**15 REVIEW HISTORY**

Issued by:	Approved by:	Date: