



Policy Name: Waiver of Fees

Administrator: Corporate Management Team

Approval Date: TBD

Effective Date: June 1, 2016

Next Review Date: April 1, 2018

Approval Authority: Council

1. Policy Statement

The City of Kingston's Strategic Plan (2015-2018) identifies ten guiding principles and six strategic priorities to make Kingston a more livable City for all.

To assist the community in meeting the goals of the Strategic Plan, the Waiver of Fees Policy supports not-for-profit organizations requesting use of municipal facilities for programs, community and special events as defined in this policy.

2. Purpose

The purpose of this policy is to ensure consistency, equity and transparency in addressing requests for reduction or waiver of fees for rental/leasing of municipal facilities and related fees.

3. Definitions

Applicant – the organization making the request and taking responsibility for use of the facilities and/or equipment.

City – Corporation of the City of Kingston

Facility – municipal lands (parks and sports fields), buildings and portions of buildings available for lease or rent that are owned and operated by the City.

Fees – fees levied with respect to the leasing/renting of facilities and related fees as set out in the Fees and Charges By-Law 2005-10, as amended.

Municipally Sanctioned Events and Programs – events and programs that are included in the municipal operating budget; municipal staff are primarily responsible but may work with a community based committee; and the event or program is branded as sponsored or co-sponsored by the City of Kingston.

Not-For-Profit Organization – an incorporated, tax exempt organization that does not exist to make a profit and provides public benefit through the arts, culture, recreation, education and/or community-focused activities operating within the City of Kingston.

Program – a free activity or series of activities being provided to vulnerable population(s) to enhance their quality of life.

Related Fees – fees including use of municipal owned equipment, materials and personnel costs that are included in the facility booking.

Special Event – an event open free of charge to the general public for the primary purpose of supporting a community, culture, arts, heritage, recreation or sport experiences within a limited period of time and which may have participation of more than one organization.

Vulnerable Population - population groups within a community at greater risk on a number of social determinants of health, including social isolation. These groups include, but are not limited to: recent immigrants, First Peoples, single parents, persons with disabilities, children and youth, the elderly, persons living in poverty, and persons geographically isolated.

Waiver of Fees – the reduction of all or a portion of fees, that would normally be charged in accordance with the Fees and Charges By-Law 2005-10, for the use of a municipal facility.

4. Policy Application

4.1 General Guidelines

- Applications for the waiver of fees will be assessed individually based on their own merit and in compliance with this policy.
- Organizations must comply with all municipal, provincial and federal laws and regulations and provide proof of insurance.
- Not-for-profit organizations may only receive one waiver of fees per calendar year.
- The waiver of fees for an event or a program should not be regarded as a commitment by the municipality for future support.
- Maximum value of any single waiver is \$2,500. A higher amount may only be considered if 100% of the waiver costs are paid back to the City through an agreed upon method.

4.2 Eligible Applicants

- Applicant must operate as a not-for-profit organization serving the City of Kingston.
- Applicant must be in good financial standing with the City of Kingston.
- Organization's mandate aligns with the City's priorities.

4.3 Ineligible Applicants

- Individuals or unincorporated community groups.
- Commercial and for-profit organizations.
- Organizations of political affiliation.
- Organizations where the service component is conditional upon participation in the religious activities of the organization.
- Educational institutions.
- Organizations that did not fulfill their obligations during previous events or programs.

4.4 Eligible Activities

- Special event for which a community/public good can be demonstrated that is free of charge and open to the public.
- Meets all accessibility and safety requirements of the municipality and the Province.
- Programs that are free of charge to attendees that can demonstrate a benefit to a vulnerable population.
- Fundraising activities/events only when a portion of the funds raised will be directed back to a City of Kingston program or service in an amount equivalent to the waiver.

4.5 Ineligible Activities

- An event/program that requires an admission fee.
- Activities that were approved and funded through municipal grant programs or municipal operational funding that include the costs of rental/lease of facilities in the approved budget.
- Activities where alcohol is involved.
- Fundraising activities that benefit one or multiple organizations.

4.6 Exemptions

4.6.1 The following activities are deemed as being grandfathered as they have annually had their fees waived for more than two years and as such are deemed to be exempt from fees as defined in this policy without requiring a waiver of fees application nor a draw down from the waiver of fees funding allocation. However, should the scope of these events change from the 2015 events requiring additional municipal resources (staffing, equipment or facilities) they will need to apply through the application process to be considered for waiver of the additional expenses:

- Canadian Olympic Regatta Kingston (CORK) – Portsmouth Olympic Harbour
- Perch Derby – Portsmouth Olympic Harbour
- Agricultural Fair – Memorial Centre

4.6.2 Municipally sanctioned special events and other large scale special events as defined in the City's Special Events Policy for City Facilities that attract significant numbers of people and enhance tourism and the economy are excluded from this policy and will be considered on a case to case basis with respect to the waiving of any related municipal fees and municipal support.

4.6.3 Partnership agreements that are established between the City of Kingston and community partners related to joint programs, initiatives and special events are excluded from this policy. Not-for-profit organizations that participate in partnership agreements may apply for a waiver for fees for activities that fall outside of the agreement and that do not conflict with the terms of the partnership agreement.

4.7 Application Process for the Waiver of Fees

4.7.1 A not-for-profit organization wishing to utilize a municipal facility, park and/or equipment for a program or event will first contact the appropriate City staff and/or complete a facility, park and/or equipment booking request form available on the City's website and a special events application when applicable.

4.7.2 City staff will confirm the availability of the facility, park and/or equipment and provide the organization with a booking permit that states all of the staff and facility related fees for the event/program as well as the requirements for insurance coverage.

4.7.3 Once they receive the confirmation, if a waiver of fees is desired, the organization will submit the completed Waiver of Fees application form. Waiver of Fees application forms must be received at least ninety calendar days prior to the start date of their booking.

4.7.4 The waiver of fees application form will include: contact information for the applicant, brief description of the mandate of the organization; description of the event or program; confirmation checklist for the eligibility of the organization and the event and/or program; demonstration of public good and/or benefit to a vulnerable population; a budget summary and description of the financial need for the waiver and the amount requested.

4.7.5 All information on the application must be completed in full and signed for the application to be considered. Additional documentation may be requested to support or verify information in the application.

4.7.6 Assessment of applications will be done by the appropriate Departmental Director, or their designate. Assessment will be based on the completeness of the application; the eligibility of the organization and the proposed activities as articulated in this policy; the demonstration of community/public good and/or the benefit to a vulnerable group;

alignment with City priorities; proof of insurance; and the organization's financial need. The Director will recommend full, partial or no waiver of fees to the Commissioner.

4.7.7 Final authority to approve the waiver of fees is delegated by Council to the City Treasurer. Decision will be based on recommendations from the appropriate Commissioner ensuring the amount falls within the approved annual operating budget allocation for this purpose and sufficient budget remains.

4.7.8 In instances where the activity planned does not impact access to the facility by the public; it is deemed by the Director not to compromise potential revenue from other organizations; and it is not expected to result in additional costs for the City; the organization may be recommended for a waiver of fees without utilizing the approved budget allocation to offset the loss of revenue (i.e. free drama event in a City Park).

4.7.9 Applicants will be notified of the decision within fifteen calendar days of receipt of a completed waiver of fees application. Once notified, confirmation of the booking by way of a signed permit is required within fifteen calendar days.

4.7.10 Allocations for waiving of fees will be reported to Council for information on an annual basis.

4.7.11 Waiver of Fees application forms will be reviewed and assessed on a first-come, first-serve basis until the budget dedicated to that purpose in a given year has been fully allocated.

5. Related Procedures and Forms

Procedure: Waiver of Fees (pending)

Application: Waiver of Fees for Municipal Facilities Form (pending)

6. Related Policies, Legislation & By-laws

Municipal Act

By-Law 2005-10 Fees and Charges

Special Events Policy for City Facilities

Community Investment Fund

City of Kingston Arts Fund

City of Kingston Heritage Fund

Accessible Customer Service

Municipal Alcohol Policy

Ice Allocation Policy

Sport Field Allocation Policy

First Capital Place – Programming and Operations Policy

Grand Theatre License Agreement

7. Revision Schedule

This policy and its associated procedures shall be reviewed in two (2) year(s). Records of revision will be noted below.

Date	Revision Details	Section Heading
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