

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2995

A bylaw to impose fees and charges for the use of Electoral Areas “B” and “C” Local Parks

WHEREAS the Regional District of North Okanagan has established an “Electoral Areas “B” and “C” Community Parks Service” cited as the *“Electoral Areas “B” and “C” Community Parks Service Conversion and Service Establishment Bylaw No. 1655, 2000”*;

AND WHEREAS the Local Government Act provides that a Board of a Regional District may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the Regional District;

AND WHEREAS the Board deems it expedient to establish such fees;

NOW THEREFORE the Board of the Regional District of North Okanagan in an open meeting assembled, hereby **ENACTS AS FOLLOWS**:

CITATION

1. This Bylaw may be cited as ***“Electoral Areas “B” and “C” Local Parks Fees and Charges Bylaw No. 2995, 2024”***.

INTERPRETATION

2. Words or phrases defined in the British Columbia *Interpretation Act*, *Community Charter*, or *Local Government Act* or any successor legislation shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.
3. The headings contained in this Bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this Bylaw.
4. Any act or enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any Bylaw referred to herein (as may be cited by short title or otherwise) is a reference to an enactment of the Board of the Regional District of North Okanagan, as amended, revised, consolidated or replaced from time to time.
5. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

SCHEDULES

6. The following Schedules are attached to and form part of this bylaw and are enforceable in the same manner as this Bylaw:
 - a. Schedule “A” – User Classifications and Definitions
 - b. Schedule “B” – Conditions of Rental
 - c. Schedule “C” – Fees and Charges

SCHEDULE "A"

User Classifications and Definitions

USER CLASSIFICATIONS

School District No.22	This includes all schools within School District No.22
Commercial	An individual or organization involved in activities of commerce with the primary intent for an exchange on the market with the goal of earning a profit, not a non-profit organization, and may have paid employees, instructors, coaches, actors, or other paid personnel.
Community Use	Individuals or organizations that do not fall within another User category.

DEFINITIONS

Adult	19 years of age and over [19+] (80% of participants)
Youth	18 years of age and under (80% of participants)
Minor Sports Group	Local minor sports organizations, specifically: <ul style="list-style-type: none">• Greater Vernon Minor Fastball• North Okanagan Youth Soccer Association• Vernon Amateur Athletic Association• Vernon District Minor Baseball• Vernon Minor Football• North Okanagan Minor Lacrosse
Special Event	Public dances, "open" functions, films, theatre productions, variety shows, political functions (use local rate).
School Hours	The hours between 8:00 am and 3:30 pm.
Outside School Hours	Hours outside of 8:00 am and 3:30 pm.
Resident Business	Business operating within the Greater Vernon boundaries (Vernon, Coldstream, Electoral Area B or Electoral Area C) and with a valid business license (where required).
Non-Resident Business	Business operating outside of the Greater Vernon boundaries (Vernon, Coldstream, Electoral Areas B or Electoral Area C).

SCHEDULE "B"

Conditions of Rental

1. GENERAL

- 1.1. All rental rates include the standard facility, with normal maintenance staff.
- 1.2. Additional services beyond those provided by normal maintenance staff, such as security or supplementary janitorial, are the responsibility of the renter (the Regional District reserves the right to provide such services at the Renter's expense).
- 1.3. All facility rentals are subject to the renter obtaining a General Liability Insurance Policy through the Regional District's "User Group" General Liability Insurance Plan.
- 1.4. All renters must carry appropriate liability insurance (minimum \$2,000,000) naming the City of Vernon, District of Coldstream, and the Regional District of North Okanagan as additional insureds.
- 1.5. The Renter shall be responsible for loss or damage and assume all risk of injury (including death) to any person arising out of the use of the facility.
- 1.6. The Regional District reserves the right to require a performance bond and/or damage deposit.
- 1.7. The Renter is responsible to ensure that the facility is vacated at the end of the event.
- 1.8. Entrance to or use of facilities will only be requested and approved on the Facility Use Agreement. Prior entry for decorating, setup, etc. will be subject to the approval of the Regional District designate and noted on the application form.
- 1.9. The application must not exceed the maximum capacity allowed for the facility.
- 1.10. Prior to use of any facilities, the Renter must complete a Facility Use Permit. This document includes a waiver or release which must be read by the participant before signing. If the participant requests an explanation of the meaning of the waiver, the staff shall explain that:

It is a legal document and by signing the release you are giving up certain legal rights, including the right to sue.

Under no circumstances is the document to be signed without drawing the participant's attention to the waiver and confirming that the proper liability insurance coverage is in place.

2. ADMINISTRATIVE PARAMETERS

2.1. Rental Fee Due Date

Total rental fee is payable 30 days in advance for out of town or commercial renters. Credit may be granted to local community groups. Arrangements must be made prior to the date of booking with the Regional District or designate. Such arrangements will be noted on the Parks and Facility Lease Application Form.

2.2. Security/Damage Deposit

If a performance bond or security/damage deposit is required, it must be paid prior to the event. The requirement for and the amount of the deposit or bond shall be at the discretion of the Regional District.

2.3. Overtime Charges

Uses beyond the normal operating hours will require payment of additional labour costs. Overtime charges will equal the amount of overtime and additional payroll costs according to current union and staff contracts or operations and maintenance contracts, as it relates to the parks service.

SCHEDULE "C"
Fees and Charges

N'Kwala Park/BX Community Park	Effective Sept. 1, 2024	Effective Sept. 1, 2025	Effective Sept. 1, 2026	Effective Sept. 1, 2027
SPORTS FIELDS (Field/Hour)				
School District No.22				
During School Hours	No Charge	No Charge	No Charge	No Charge
Outside School Hours (Youth Rate)	\$14.55	\$15.00	\$15.45	\$15.90
Community Use				
Adult	\$22.40	\$23.05	\$23.75	\$24.45
Youth	\$14.55	\$15.00	\$15.45	\$15.90
Minor Sports Group	\$11.20	\$11.55	\$11.90	\$12.25
SPECIAL EVENTS / TOURNAMENTS (Field/Day)				
School District No.22				
During School Hours	No Charge	No Charge	No Charge	No Charge
Outside School Hours (Youth Rate)	\$113.40	\$116.80	\$120.30	\$123.90
Community Use				
Adult	\$174.45	\$179.70	\$185.10	\$190.65
Youth	\$113.40	\$116.80	\$120.30	\$123.90
Minor Sports Group	\$87.25	\$89.85	\$92.55	\$95.35
Commercial				
Resident Business	\$215.05	\$221.50	\$228.15	\$235.00
Non-Resident Business	\$286.45	\$295.05	\$303.90	\$313.00

GST to be added to all rates above, where applicable.

Additional charges to recover added costs of providing additional staffing, janitorial services, porta-potties, waste receptacles, parking or first aid attendance, bleachers, or other services or equipment may apply to special events or tournaments.

- * Commercial groups can arrange camps through local Minor Sports Group that will pay the appropriate fee.
- * It will be up to the local Minor Sports Group to determine the financial support they require from the commercial group.
- * Rental includes utilities and washroom facilities.
- * There is no half day rate or reduced fee for use of only one field.
- * 1/2 day rates are 50% of full day rate.