

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1211

A bylaw to impose fees payable for goods and services, use of municipal property.

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as the “Parks and Recreation Fees Bylaw No. 1211, 2024.”
2. This bylaw comes into force on September 1, 2024.
3. The fees set out in Schedule A to this bylaw are imposed for the goods, services or use of municipal property indicated.

Tax Implications

4. Taxes will be added to fees where noted throughout as required by legislation.

Age Classifications

5. The following age classifications are set out for the purpose of imposing fees:

- (a) Early Years: 0-4 years of age
- (b) Child: 5-12 years of age
- (c) Youth: 13-18 years of age
- (d) Adult: 19-59 years of age
- (e) Senior: 60+ years of age

Definitions

6. In this bylaw,
 - (a) **Commercial event** includes:
 - i. An event organized by a business, except one that meets the “Commercial Recreation Non-Exclusive” or “Commercial Education Non-Exclusive” definition in this bylaw;
 - ii. An event organized by a political organization;
 - iii. Commercial filming.
 - (b) **Commercial Education Non-Exclusive** means an event or program, organized by a business, that is primarily educational in nature.

- (c) **Commercial Recreation Non-Exclusive** means an event or program, organized by a business, that is primarily recreational in nature.
- (d) **Not-for-profit event** includes:
 - i. An event organized by a not-for-profit organization or registered society that is open to the public;
 - iii. Public funerals and all-candidates meetings
- (e) **Private event** means an event that is not open to the public and includes, but is not limited to, a private funeral, wedding, banquet, meeting, birthday celebration, and neighbourhood or family picnic. It can include events organized by businesses, individuals, or not-for profit organizations.
- (f) **Recreation equipment** means any Village-owned equipment that is typically used for recreation programs, stored or used in a Village of Cumberland facility, and not typically provided with a facility booking. It does not include road barricades, signs, or other traffic control equipment.
- (g) **Recreation manager** means the Village of Cumberland employee assigned to manage the Recreation Department.
- (h) **Single admission** means one-time, contiguous use of a specific amenity or facility.

Exemptions

- 7. The following events are exempt from the ***facility rental fees*** imposed by this bylaw:
 - (a) Remembrance Day services held by the Cumberland Legion;
 - (b) Educational programs held by the Board of Education of School District No. 71 (Comox Valley) under a joint use facility agreement with the Village of Cumberland; such programs are also exempt from the ***recreation equipment fees*** imposed by this bylaw.
 - (c) Programs held by the Cumberland Community Schools Society that are provided in cooperation with the Village of Cumberland Recreation Department.
- 8. The following events are exempt from the ***park use permit fees*** imposed by this bylaw:
 - (a) Educational programs held by the Board of Education of School District No. 71 (Comox Valley);

- (b) Programs held by the Cumberland Community Schools Society.
9. The following organizations are exempt from **damage deposit** requirements set out in this bylaw:
- (a) Board of Education of School District No. 71 (Comox Valley);
 - (b) Cumberland Community Schools Society.
10. Fees are reduced by 50% for members of Council during their term of office and Village of Cumberland employees for memberships, facility admissions, and programs for which regular admission and membership fees apply as prescribed in Schedule A.
11. Active members of Cumberland Fire Rescue are exempt from admission fees for use of the Cumberland Recreation Centre Fitness Studio.

Additional Charges

12. The recreation manager is authorized to impose fees for any additional costs incurred by the Village of Cumberland under a Park Use Permit or facility rental on a cost recovery basis.

New Programs and Services

13. The recreation manager is authorized to establish fees for
- (a) new programs and events; and
 - (b) recreation equipment and supplies, when the fee is based on cost recovery plus no more than 10%.

Insurance

14. An applicant for
- (a) a park use permit,
 - (b) a recreation facility rental, and/or
 - (c) an event held on other municipal property or road right-of-way
- must provide the general commercial liability insurance in the minimum amount required set out in Schedule B to this bylaw, based on points allocated in the Risk Factor Table in Schedule B, inclusive per occurrence, including damages and allocated loss expenses combined against bodily injury, personal injury and/or property damage, including non-owned auto.

15. All insurance required in the previous section must be endorsed to
 - (a) add the Village of Cumberland as an additional insured, and
 - (b) provide the Village of Cumberland with 30 days advance written notice of cancellation.
16. Evidence of the required insurance must be received by the Village before the event take place.
17. Any requirement as to the amount of insurance coverage does not constitute representation that the amount required is adequate. It is the responsibility of the applicant to obtain insurance in adequate forms and amounts.

Recreation Equipment

18. The recreation manager, at their discretion, may permit the rental of recreation equipment in conjunction with a facility rental provided that the renter agrees to
 - (a) use the equipment appropriately and in accordance with its intended use;
 - (b) demonstrate that there will be appropriate supervision of the equipment's use; and
 - (c) not remove the equipment from the facility in which it is typically stored and/or used.

Damage Deposits

19. An applicant for
 - (a) a park use permit,
 - (b) a recreation facility rental contract, and/or
 - (c) an event held on other municipal property or road right-of-way,must provide the damage deposit required set out in Schedule B to this bylaw, based on the points allocated in the Risk Factor Table in Schedule B to this bylaw.

Commercial Non-Exclusive Permits

20. The following uses, events, and programs are restricted to non-exclusive use of a park or section of a park under a park use permit:
 - (a) Commercial Recreation Non-Exclusive, and
 - (b) Commercial Education Non-Exclusive.

21. (1) Park use under a park use permit for Commercial Recreation Non-Exclusive or Commercial Education Non-Exclusive use is not guaranteed;
- (2) If the requested park or section of a park becomes unavailable at any time before the event due to a conflicting exclusive park booking or Village of Cumberland program, the permit holder must move to another available area.
22. The recreation manager is authorized to determine whether an event qualifies for the Commercial Recreation Non-Exclusive or Commercial Education Non-Exclusive fee under a park use permit.

Repeal

23. "Recreation Fees Bylaw No. 1111, 2019" is repealed.

READ A FIRST TIME THIS	MAY 13TH	DAY OF	MAY	2024.
READ A SECOND TIME THIS	MAY 13TH	DAY OF	MAY	2024.
READ A THIRD TIME THIS	MAY 13TH	DAY OF	MAY	2024.
ADOPTED THIS	MAY 27TH	DAY OF	MAY	2024.

Mayor

Corporate Officer

**SCHEDULE A
RECREATION FEES**

1.0 Cumberland Recreation Centre Admission & Membership Fees		<i>Tax included</i>			
Admission Fees	2024	2025	2026	2027	2028
Single Admission: Early Years	\$1.05	\$1.15	\$1.25	\$1.30	\$1.40
Single Admission: Youth	\$2.15	\$2.30	\$2.45	\$2.60	\$2.80
Single Admission: Adult	\$4.30	\$4.60	\$4.90	\$5.25	\$5.60
Single Admission: Senior	\$3.20	\$3.45	\$3.70	\$3.95	\$4.20
Climbing Admission Fees	2024	2025	2026	2027	2028
Climbing - Early Years	\$2.15	\$2.30	\$2.45	\$2.60	\$2.80
Climbing - Youth	\$4.30	\$4.60	\$4.90	\$5.25	\$5.60
Climbing - Adult	\$6.40	\$6.85	\$7.35	\$7.85	\$8.40
Climbing - Senior	\$5.35	\$5.70	\$6.15	\$6.55	\$7.00
Monthly Membership Fees	2024	2025	2026	2027	2028
One Month - Early Years	\$10.50	\$11.50	\$12.50	\$13.00	\$14.00
One Month - Youth	\$21.50	\$23.00	\$24.50	\$26.00	\$28.00
One Month - Adult	\$43.00	\$46.00	\$49.00	\$52.50	\$56.00
One Month - Senior	\$32.00	\$34.50	\$37.00	\$39.50	\$42.00
Annual Membership Fees	2024	2025	2026	2027	2028
One Year - Early Years	\$63	\$69	\$75	\$78	\$84
One Year - Youth	\$129	\$138	\$147	\$156	\$168
One Year - Adult	\$258	\$276	\$294	\$315	\$336
One Year - Senior	\$192	\$207	\$222	\$237	\$252
Other Fees	2024	2025	2026	2027	2028
Shower (free with any other admission)	\$2.15	\$2.30	\$2.45	\$2.60	\$2.80
Gear rental (climbing gear, discs, racquets, etc.)	\$2.15	\$2.30	\$2.45	\$2.60	\$2.80
Personal Trainer (per client per session)	\$5.35	\$5.70	\$6.15	\$6.55	\$7.00

1.1 Cumberland Recreation Centre Rental Fees (per hour*)					Tax extra	
		2024	2025	2026	2027	2028
Gymnasium	Non-Profit	\$32	\$34	\$36	\$39	\$42
	Private	\$64	\$69	\$74	\$79	\$85
	Commercial	\$128	\$137	\$147	\$157	\$168
CRI Kitchen	Non-Profit	\$21	\$23	\$25	\$27	\$29
	Private	\$43	\$46	\$49	\$52	\$56
	Commercial	\$86	\$92	\$98	\$105	\$112
Squash Courts (per privately booked court)	Non-Profit	\$10	\$10	\$11	\$11	\$11
	Private	\$20	\$21	\$22	\$23	\$24
	Commercial	\$40	\$41	\$42	\$43	\$44

1.2 Cumberland Cultural Centre Rental Fees (per hour*)					Tax extra	
		2024	2025	2026	2027	2028
Moncrief Hall	Non-Profit	\$21	\$23	\$25	\$27	\$29
	Private	\$43	\$46	\$49	\$52	\$56
	Commercial	\$86	\$92	\$98	\$105	\$112
Buchanan Hall	Non-Profit	\$21	\$23	\$25	\$27	\$29
	Private	\$43	\$46	\$49	\$52	\$56
	Commercial	\$86	\$92	\$98	\$105	\$112
Buchanan Hall Kitchen (only available with Buchanan Hall rental)	Non-Profit	\$10	\$10	\$11	\$11	\$11
	Private	\$20	\$21	\$22	\$23	\$24
	Commercial	\$40	\$41	\$42	\$43	\$44

1.3 Cumberland Parks Permit Fees (per hour*)					Tax extra	
		2024	2025	2026	2027	2028
Village Park (entire park)	Non-Profit	\$27	\$29	\$31	\$33	\$35
	Private	\$54	\$57	\$61	\$65	\$70
	Commercial	\$128	\$137	\$147	\$157	\$168
Other Parks (and individual sections of Village Park)	Non-Profit	\$11	\$11	\$12	\$13	\$14
	Private	\$21	\$23	\$25	\$27	\$29
	Commercial	\$43	\$46	\$49	\$52	\$56

1.4 Commercial Non-Exclusive Park Permit Fees				Tax extra	
	2024	2025	2026	2027	2028
Commercial Recreation Non-Exclusive (per hour)	\$20	\$21	\$21	\$22	\$23
Commercial Education Non-Exclusive (per day)	\$20	\$21	\$21	\$22	\$23
Commercial Education Non-Exclusive (per year)	\$107	\$114	\$117	\$121	\$125
<i>Commercial Non-Exclusive fees are per park or section of Village Park</i>					

1.5 Village Park Sport Fields and Ball Diamond Rental Fees				Tax extra		
		2024	2025	2026	2027	2028
Not For Profit Youth	Per Hour	\$4	\$4	\$4	\$4	\$5
	Per Day	\$25	\$26	\$27	\$27	\$28
Not-For-Profit Adult	Per Hour	\$8	\$8	\$8	\$9	\$9
	Per Day	\$100	\$103	\$106	\$109	\$113
Private	Per Hour	\$16	\$16	\$17	\$17	\$18
	Per Day	\$200	\$206	\$212	\$219	\$225
Commercial	Per Hour	\$32	\$33	\$34	\$35	\$36
	Per Day	\$400	\$412	\$424	\$437	\$450
Use of Field Lights (per hour)	Youth Not-For Profit	\$4	\$4	\$4	\$4	\$5
	Other	\$12	\$12	\$13	\$13	\$14

1.6 Cumberland Community Forest Trail Network Permit Fees				Tax extra		
		2024	2025	2026	2027	2028
Per Day (per day rate is the greater of the fee shown, or the following fee per participant: Non-Profit: \$.50; Private: \$.75; Commercial: \$1.00)	Non-Profit	\$54	\$57	\$61	\$65	\$70
	Private	\$80	\$86	\$92	\$98	\$105
	Commercial	\$107	\$114	\$122	\$131	\$140
Per Year (no single event with more than 25 participants)	Non-Profit	\$54	\$58	\$62	\$66	\$71
	Private	\$80	\$86	\$92	\$98	\$105
	Commercial	\$107	\$114	\$122	\$131	\$140

1.7 Street Closure Fees (per day or portion of a day)					Tax extra	
		2024	2025	2026	2027	2028
Street Closures (streets on a bus route)	Non-Profit	\$75	\$77	\$79	\$81	\$83
	Private	\$125	\$129	\$133	\$137	\$141
	Commercial	\$200	\$206	\$212	\$218	\$225
Street Closures (other streets)	Non-Profit	\$50	\$52	\$54	\$56	\$58
	Private	\$100	\$103	\$106	\$109	\$112
	Commercial	\$150	\$155	\$160	\$165	\$170
Closures requiring Council approval (in addition to any fees above)		\$100	\$103	\$106	\$109	\$112

1.8 Miscellaneous Fees					Tax extra	
	2024	2025	2026	2027	2028	
Key Replacement	\$54	\$57	\$61	\$65	\$70	
Late Key Return (per day)**	\$10	\$10	\$11	\$11	\$11	
Electrical Hookup (per day)	\$11	\$11	\$12	\$13	\$14	
Parking Stall (per day)	\$54	\$57	\$61	\$65	\$70	
Recreation and Facilities Staff Assistance (per hour)	\$38.08	\$39.22	\$40.40	\$41.61	\$42.86	
Recreation Equipment Rental (per hour)	\$30	\$31	\$32	\$33	\$34	
Program Withdrawals	\$10	\$10	\$10	\$10	\$10	

* Daily rate for all hourly fees is 5x the hourly fee unless otherwise noted; daily rate does not apply to Staff Assistance charges

** Up to the value of Key Replacement; to be withheld from damage deposit

SCHEDULE B

INSURANCE AND DAMAGE DEPOSIT REQUIREMENTS

Points	Risk Level	Minimum Liability Insurance Required	Damage Deposit Required
1-2	Low	None	None
3-5	Medium	\$2 million	\$200
6-8	Medium/High	\$3 million	\$300
9-13	High	\$5 million	\$400
14+	High	As recommended by insurer	\$500

Risk Factor Table	Points	Points Allocated
Attendance (maximum expected)		
1 to 100	1	
101 to 300	3	
301 to 1,000	4	
1,001 to 2,000	5	
2,001 to 5,000	7	
5,001 to 10,000	9	
Alcohol Served	5	
Animals in attendance or involved in activity	1	
Fireworks or open flame	9	
Prepared food served to the public	1	
People on roadway	1	
Rides offered of any kind, including mechanical and animal	2	
Stage	1 (per stage)	
Motorized vehicle involvement	1	
Sport activity:		
Non-contact (tennis, running, yoga, etc.)	1	
Minor contact (soccer, baseball, etc.)	2	
Contact (football, rugby, roller derby, etc.)	3	
Adventure sports (mountain biking, kayaking, rock climbing, etc.)	5	
TOTAL		