

Policy Title: Recreation Facility Rental and Booking Policy		Policy Number: P147
Policy Category: Community Services		
Approval Date: January 14, 2025	Policy Owner: Community Planning	
Approved by: Recreation Commission	File Reference: 0340-50	

1. PREAMBLE

- A. The Comox Valley Regional District (CVRD) is committed to providing:
- i. accessible, inclusive, affordable, and safe recreation facilities for residents and visitors; and
 - ii. access to its facilities in a fair and transparent manner that supports the CVRD's commitment to fostering a climate of diversity, equity, and inclusion.
- B. CVRD recreation facilities are available for use by members of the public, including not-for-profit and commercial groups, for meetings or events that are cultural, civic, recreational, or educational in nature.
- C. The CVRD is committed to upholding the values enshrined in the *Canadian Charter of Rights and Freedoms*, including but not limited to the values underlying the right to freedom of expression and the right to equal protection and benefit of the law without discrimination. The CVRD is also committed to upholding the *BC Human Rights Code*
- D. The CVRD and has determined that as a reasonable and justifiable limit on free expression, the use of CVRD recreation facilities for the promotion or communication of hatred or discrimination must be prohibited.
- E. Requests for rental of CVRD recreation facilities may be refused, and approved bookings may be cancelled:
- i. if the individual or group making the booking request has a history of promoting hatred or discrimination;
 - ii. if the CVRD has reasonable grounds for concluding that the meeting or event is for a purpose that will likely promote hatred or discrimination.

2. PURPOSE

- A. The purpose of this policy is to provide:
- i. a consistent and transparent framework for the allocation of the use of CVRD recreation facilities; and

- ii. booking criteria for recreation facilities, emphasizing fair and equitable access to CVRD recreation facilities while ensuring that those facilities are not used for the promotion of hatred or discrimination.

3. SCOPE

- A. This policy applies to recreation facilities owned and operated by the CVRD.

4. DEFINITIONS

- A. A Major Event is any of the following:
 - i. a rental of 3 hours or more on any day (a “daily rental”);
 - ii. 3 or more daily rentals in a 7-day period;
 - iii. an event rental that requires cancellation of other bookings.

- B. A Declaration of Compliance is a formal statement confirming that the use of CVRD recreation facilities will adhere to the required conditions of use and all applicable legal requirements and that CVRD recreation facilities will not be used for the promotion of hatred or discrimination.

- C. Hatred and Discrimination include:
 - i. the incitement or promotion of hatred contrary to the *Criminal Code of Canada*;
 - ii. publishing, issuing, or displaying a statement, publication, notice, sign, symbol, emblem or other representation that:
 - a) indicates discrimination or an intention to discriminate against a person or a group or class of persons, or
 - b) is likely to expose a person or a group or class of persons to hatred or contempt, on the basis of a prohibited ground of discrimination, contrary to section 7 of the *Human Rights Code* (British Columbia);
 - iii. any conduct or expression:
 - a) that targets a person or a group or class of persons and may cause others to vilify them or to detest their humanity on the basis of a prohibited ground of discrimination; and,
 - b) that a reasonable person would view as likely to lead to discriminatory treatment of the person targeted.

- D. Prohibited Ground of Discrimination means discrimination against a person or group based on a ground prohibited by law, including Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family

status, physical or mental disability, sex, sexual orientation, gender identity or expression.

5. POLICY

A) Booking Request Form

- i. All individuals or organizations that wish to rent a CVRD recreation facility must complete and submit a booking request form, which includes a "Declaration of Compliance" form, for the CVRD's consideration.
- ii. Individuals wishing to rent a CVRD recreation facility must be 19 years of age or older.
- iii. All individuals and organizations who have submitted a booking request or whose booking request has been approved, may submit a "Booking Addition / Amendment / Cancellation" form to amend a booking, add to an existing booking or cancel a booking.

B) Priority Allocation

- i. In instances where multiple requests have been made for the same date and/or time, the priority allocation system will be utilized as a guide for seasonal allocation.
- ii. Prioritization is as follows, with the highest priority being number "a" and the lowest being "g":
 - a) CVRD recreation program use: A variety of participatory leisure public programs including sports and games that are operated by the CVRD. These public programs are offered for the benefit of and are available to the entire community.
 - b) School use – during school hours: Use by schools for school activities during regular school days and hours.
 - c) Youth not-for-profit: A registered non-profit society providing supervised, structured sporting activities for youth up to 19 years of age.
 - d) Adult not-for-profit: A registered non-profit society that offers activities and whose members are 19 years and older.
 - e) Special events: Special events or activities that generate a financial benefit to the facility or economic, social, or cultural benefit to the community.
 - f) Private/casual rentals: Any individual rental for a private function (e.g., birthday parties).
 - g) Commercial/business rentals: Any individual or company engaged in the pursuit of business for profit through the use of the CVRD recreation facilities.

- iii. In case of a conflict in the booking process between this policy and the Ice Allocation Policy, the Ice Allocation Policy takes precedence for ice allocation only.

C) Refusal or Cancellation of Use or Rental

- i. The Senior Manager of Recreation Services or their designate has the sole authority to decline a booking request or cancel an approved facility rental:
 - a. that conflicts with already scheduled programs or committed rentals, bookings, contracts, or special events;
 - b. in instances of an emergency when deemed in the best interest of the residents;
 - c. if the applicant fails to acknowledge and agree to the terms and conditions of the rental contract prior to the rental;
 - d. when a renter violates this policy or has a history of violating this policy or the terms and conditions of previous rental contracts;
 - e. when the renter has a debt to the CVRD for previous rentals that is outstanding for more than 60 days; or
 - f. in the circumstances described in section 1(E) of this policy.
- ii. If a rental fee has been paid and has been cancelled by the CVRD, the renter will be granted a 100% refund.

D) Appeal Process

- i. Applicants wishing to appeal a decision of the Senior Manager of Recreation Services or their designate must submit their appeal in writing, stating the grounds of their appeal, to the General Manager of Community Services within 10 business days of receiving notice that their application to rent has been declined or cancelled.
- ii. The Appeal Committee will consist of the following:
 - a) The Comox Valley Recreation Commission Chair.
 - b) The General Manager of Community Services.
 - c) The Chief Administrative Officer or their designate.
- iii. If a conflict of interest exists for any member of the Appeal Committee another CVRD elected official, or officer will be appointed by the Commission Chair in their place.
 - a) Upon receiving an appeal request, the General Manager of Community Services will schedule a meeting of the Appeal Committee.
 - b) The Appeal Committee will make their decision after hearing from the Senior Manager of Recreation Services and the appellant.

- c) Following the appeal meeting, CVRD staff will respond to the applicant within five business days advising of the Appeal Committee's decision.
- d) The decision of the Appeal Committee is final.

E) Facility Use Compliance

- i. The CVRD will not knowingly permit any individual or group to use its facilities in contravention of the conditions outlined in this policy.
- ii. Non-compliance will result in immediate cancellation of the rental agreement.

F) Renter Responsibilities

- i. Once a request to book a facility has been approved, the renter, where applicable, will be required to:
 - a) provide all requested information and documentation prior to the rental, including proof of insurance(s) and permits where applicable;
 - b) obey all federal and provincial laws and municipal bylaws and CVRD policies;
 - c) if required as a condition of approval, submit a safety plan; and
 - d) if required as a condition of approval, ensure that security services are available on-site.
- ii. Renters will:
 - a) Accept financial responsibility for any damages to property or furnishings or personal injury claims resulting from their activity (damage/security deposits may be required).
 - b) Ensure the area being rented is free from hazards and suitable for their needs before the start of their rental.
 - c) Maintain the rented area in a safe manner for participants and the general public.

G) Facility Use Requirements

- i. All use of facilities will be considered in light of the CVRD's need to ensure that:
 - a) No individual or group endorses views or ideas that violate the *BC Human Rights Code*, the *Criminal Code of Canada*, and/or the *Canadian Charter of Rights and Freedoms*, such as discrimination, contempt, or hatred based on race, ethnic origin, place of origin, citizenship, color, ancestry, language, creed (religion), age, sex, gender identity, gender expression, marital status, family status,

sexual orientation, disability, political affiliation, economic status, level of literacy, or any other similar factor.

- b) Events, in accordance with prevailing community standards, are not likely to cause deep or widespread offense.
- c) Activities are not conducted or promoted that have the potential to incite bullying, violence, and/or hatred.
- d) Activities are not conducted or promoted that are contrary to local, provincial, or federal law or CVRD policies or an official code of conduct.
- e) All regulatory approvals are obtained (e.g., alcohol, health permits, lottery licenses, etc.).
- f) There has been no previous non-compliance with the Conditions of Use or any other sections of this policy.

H) Payment of Fees & Charges

- i. The renter will pay rental fees and taxes:
 - a) at least 60 days prior to a major event rental;
 - b) at the time of booking for single rental bookings; or
 - c) on the 1st or 15th of each month for recurring long-term rentals as identified in the contract.
- ii. For large events where utilities are consumed or campers are present, renters must pay utility costs and camping fees within 15 days after the completion of the event.
- iii. Rental fees for the Sports and Aquatic Centres are set out in the [Comox Valley Recreation Complexes Fees and Charges Bylaw No. 12, 2008](#), which may be amended from time to time.
- iv. Rental fees for the Exhibition Grounds are set out in the [Comox Valley Exhibition Grounds Fees and Charges Bylaw No. 244, 2013](#), which may be amended from time to time.

I) Damage/Security Deposit

- i. The CVRD may require damage deposits from renters at their discretion for major events.

J) Cancellations by the Renter & Refunds

- i. Renters who wish to cancel a rental must submit a Booking Addition/Amendment/Cancellation" form.
- ii. Refunds for bookings will be issued in accordance with the following:

Rental Type	Cancellation Timeline	Refund
Major Events – Non-Minor Sports	60 days or more prior to event	100% refund
	59-30 days prior to event	25% refund
	29 days or less prior to event	No refund
Major Events – Minor Sports	45 days or more prior to event	100% refund
	30-44 days prior to event	25% refund
	29 days or less prior to event	No refund
Practice slots - Minor Sports & Non-Profit User Groups	14 days or more prior to event	100%
	13 days or less prior to event	No refund
Adult Sports	14 days or more prior to event	100%
	13 days or less prior to event	No refund
Single day room, ice, pool, riding ring, barn, or field rental	14 days or more prior to event	100%
	13 days or less prior to event	No refund

K) Safety Plan

- i. A written safety plan will be required for any events that meet one or more of the following criteria:
 - a) over 100 people;
 - b) events that involve alcohol; and/or
 - c) events with overnight camping on the Exhibition Grounds.
- ii. The safety plan must be received by the CVRD 15 days prior to the event.

L) Insurance

- i. Renters are required to provide proof of insurance of no less than \$2,000,000 per occurrence for their event or use of the facility, with the exception of pool rentals.
- ii. In the event of a special occasion where alcohol will be served, a valid liquor license must be in effect and proof of party alcohol liability insurance in the amount of no less than \$5,000,000 per occurrence must be obtained by the renter.
- iii. Unless insurance is provided to the renter by the CVRD’s third-party provider, proof of insurance and additional insured endorsement must be submitted to the CVRD at least 30 days prior to the rental date. The following must be included:
 - a) Proof of insurance must be provided on an original certificate of insurance.
 - b) This document must be signed (a stamped signature will suffice).

- c) The CVRD must be added as an “Additional Insured” which must accompany the “Certificate of Insurance.”
- d) The certificate of insurance must include “Primary Non-Contributory” language.

6. ROLES AND RESPONSIBILITIES

- i. The Senior Manager of Recreation Services is responsible for ensuring the policy is applied to all rentals and bookings.
- ii. The Manager of Recreation Administration, or their designate, is responsible for ensuring that all aspects of the policy is administered throughout the booking and rental process.
- iii. The Manager of Sports Centre Operations and the Manager of Aquatic Centre and Exhibition Grounds Operations are responsible for reviewing and providing feedback on safety plans for major events and advise on the referral process to the local fire department and emergency management organization.

7. REVISION HISTORY

Approval Date	Approved By	Description of Change

8. APPENDICES

- Appendix A – Comox Valley Regional District Recreation Facilities for Rent
- Appendix B – Comox Valley Regional District Declaration of Commitment

Appendix A

Comox Valley Regional District Facilities Available for Rent

1) Comox Valley Sports Centre

- a) 25-meter six lane lap pool
- b) Aquarium meeting room
- c) Mezzanine meeting room
- d) Arena 1
- e) Arena 2

2) Comox Valley Aquatic Centre

- a) 25-meter eight lane lap pool
- b) Leisure pool
- c) Wave room meeting room
- d) Arena 1
- e) Arena 2

3) Comox Valley Exhibition Grounds

- a) Lower field (including show riding ring and warm-up ring)
- b) Upper ring
- c) Rotary bowl
- d) Market field and south parking lot
- e) Stonehenge open riding ring
- f) Stonehenge covered riding ring
- g) Therapeutic indoor riding ring and barn
- h) Dove Creek field
- i) Kin Hut field
- j) North field
- k) Activity rooms A, B and C

APPENDIX B

Comox Valley Regional District Declaration of Commitment

Organizations/individuals in British Columbia are prohibited under the *BC Human Rights Code* and the *Criminal Code of Canada* from promoting hatred and discrimination. In addition, the Comox Valley Regional District (CVRD) is committed to upholding the values enshrined in the *Canadian Charter of Rights and Freedoms*, including but not limited to the values underlying the right to freedom of expression and the right to equal protection and benefit of the law without discrimination.

The CVRD has determined that as a reasonable and justifiable limit on free expression, the use of CVRD recreation facilities for the promotion or communication of hatred or discrimination must be prohibited. The CVRD has adopted a Recreation Facility and Rental Booking Policy that prohibits the rental of recreation facilities to individuals or groups which are likely to promote hatred or discrimination against any person or group based on a ground of discrimination prohibited by law such as Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression.

The CVRD requires all organizations and individuals who rent CVRD facilities to sign the following Declaration of Commitment. This Declaration must be signed by the individual or a representative of the organization requesting a facility booking and must be submitted with the rental request form. If your rental request is approved, this Declaration will be attached to your rental contract. The name of your organization and this Declaration may be included in a public report to the Comox Valley Regional District Board or the Comox Valley Regional District Recreation Commission.

Declaration:

I/We confirm our obligations under the *BC Human Rights Code* and the *Criminal Code of Canada* to refrain from the promotion of hatred and discrimination. In addition, I/we confirm our obligations under the CVRD Recreation Facility and Rental Booking Policy which prohibits the use of CVRD facilities to promote hatred and discrimination against any person or group based on a ground of discrimination prohibited by law such as Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression.

I/We acknowledge that failure to comply with this Declaration of Commitment and the Rental Booking Policy to the satisfaction of the Comox Valley Regional District may result in the termination of the rental contract.

Name of Organization

Name of Signatory

Signature

Date of Declaration