



## **STAFF REPORT** **Municipality of Wawa**

**Maury O'Neill, CAO**



<b>For: Mayor and Council</b>	<b>Report No.: CAO 2022-04</b>
<b>Date: June 3, 2022</b>	<b>Council Meeting Date: June 7, 2022</b>

### **Facility Fee Waiver Policy – Revised**

#### **Recommendation**

**THAT** Council receive Report No. CAO 2022-04 dated June 3, 2022, and accept the recommendation to review the draft Waiver of Facility Fees Policy, copy attached as Appendix A.

**FURTHER** that the draft Policy be circulated for comment and a final version be forwarded to the June 21, 2022, Regular Council Meeting for approval.

#### **Report Purpose**

This report is to provide Council with a revised Waiver of Facility Fees Policy to ensure that guidelines and rules are set-out to assist the Director of Community Services and Tourism in determining when facility rental fees may be waived or reduced for not for profit organizations requesting reduced fees at municipal facilities, the community center and at sport fields. Further, the intent of the revised policy is to outline the fee waiver process and provide a consistent approach in the information that is provided for consideration.

#### **Background**

Municipal Policy MM-010 Facility Waiver of Fees was passed in May 2009. The Policy is out-dated, and the criteria set-out does not provide a consistent approach to making decisions when an organization should be eligible and receive a waiver of full fees or a partial reduction.

User fees are charged by municipalities to recover costs for services, including recreation program fees, facility rental fees and more. These fees are paid for by the specific user or group of users, including visitors and non-residents, rather than property owners through the municipal tax base.

User fees ensure tax fairness based on an understanding of who benefits from the services being delivered: an individual user (a public skating enthusiast) or a group (motorists who park in downtown areas) versus a large portion (or all) of the population (residents that rely on emergency services). Fully funding these services through the tax levy would result in a significant increase to property taxes for individuals who may never enjoy these specific services. User fees ensure we maintain adequate service levels comparable to other municipalities and meet user expectations by balancing affordability with demand for services.

Several requests for waiver of facility fees are repeatedly brought to Council each year for approval when the authority for making decisions could be delegated to the Director responsible for the facility. This will assist in making municipal operations more efficient, provide more consistent and fair decision making and reduce time required by Council in making minor decisions.

The draft revised Policy, copy attached, sets-out which organizations will be eligible for a waiver or reduction in facility rental fees. Community not for profit groups may be eligible to apply for a waiver or reduction of rental fees at the community centre and recreational facility space should they meet all the following conditions:

- a) must be a non-profit corporation, OR must be a newly created organization (established within 12 months of applying for the waiver or reduction of fees) which can prove they are operating on a not-for-profit basis;
- b) must be a Wawa based organization and at least 80% of participants/members are Wawa residents;
- c) must provide evidence that regular rental fees constitute a real barrier or financial hardship;
- d) event or activity meets a recreation or community development priority of the Wawa such as promote physical activity, healthy eating, literacy, poverty reduction, community engagement or capacity building, and activities for under-served groups;
- e) activity does not duplicate an existing program or activity;
- f) activity is open to the public;
- g) activity must not be for the purpose of generating revenue, including fundraising; and
- h) activity must comply and conform with applicable legislation, Council policies and by-laws, and is not contrary to law, including but not limited to the Ontario Human Rights Code, and the Criminal Code.
- i) The activity planned shall not impact access to the facility by the public and must be deemed by the Director not to compromise potential revenue from other organizations and it is not expected to result in additional costs for the Municipality.

A new clause also has been added to the Policy to add an upset limit to the facility rental fees waivers to aid in reducing requests from large event organizers and repeat user groups. Waiver of facility rental fees does have an adverse impact on municipal revenues and operations, particularly at the Community Center which has lost considerable user revenues over the past few years while costs have been increasing;

The request to waive or reduce fees per group/organization/event may be approved for up to a maximum of **\$1,500** within one calendar year approved by the Director of Community Services and Tourism, or in exceptional circumstances, such further bookings as approved by Municipal Council.

Other new clauses added delegate the authority for decisions to the Director of Community Services and Tourism which will reduce requests coming forward for Council decision ensuring a more consistent approach to requests;

The power and authority to refuse to issue an approval to waive or reduce fees, to cancel, revoke or suspend an approval, to impose terms and conditions, including special conditions, on an approval, or to exempt any person from all or part of this Policy are delegated to the Director of Community Services and Tourism.

Notwithstanding any other provision of this Policy, the Director may impose terms and conditions on any approval any time during the term of the approval, as are necessary Director to give effect to this Policy.

The Municipality reserves the right to refuse to enter into a Facility Rental Contract with respect to any application for a waiver or reduction of fees for an event on municipal property.

The draft revised Waiver of Facility Fees Policy has been developed to ensure a decision-making process on requests for consideration are made fairly and consistently based on set-out criteria which can be used by staff to make decisions based on Council direction expressed through this policy.

The draft Policy will be circulated for further comment to staff and Council has opportunity to provide input by June 17, 2022, so that a new Policy may be considered for adoption at the June 21, 2020, Regular Meeting.

## Conclusion

Staff is recommending that a revised Facility Waiver Fee Policy be reviewed by staff and Council and a final draft brought forward to Council on June 21, 2022, its next Regular Meeting.

Respectfully submitted,



Maury O'Neill  
CAO