

CITY OF WHITEHORSE

BYLAW 97-18

A bylaw to provide for the collection of Parks and Recreation Fees and Charges.

WHEREAS Section 220 of the Municipal Act provides that Council may by bylaw impose and collect recreation fees;

NOW THEREFORE the Council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the "**Parks-Recreation Fees & Charges Bylaw**".

DEFINITIONS

2. In this bylaw, the following definitions will be understood as:

- (1) **Ages and Grouping Definitions**

- (a) Adult

- a person nineteen (19) years of age, up to and including fifty-nine (59) years of age.

- (b) Student

- an adult who is in attendance at a recognised secondary/post secondary institution and produces a valid student card at the time of purchase.

- (c) Youth

- a person six (6) years of age, up to and including eighteen (18) years of age.

- (d) Preschool

- a person five (5) years of age or younger.

- (e) Senior Citizen

- a person sixty (60) years of age or older.

- (f) Disabled Person

- a person who in some aspect of their life, may require support due to a physical or cognitive limitation.

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(g) Family

one (1) or more adult(s) or senior citizen(s) and one (1) or more children (adult(s), student(s), youth(s) and/or preschooler(s) residing in the same household. The exception being for parents that reside in different households.

(h) Accompanying Volunteer

a person accompanying a patron/participant for the direct benefit of the patron participating in recreation service. The fee for the volunteer shall be waived.

(2) **Group Classification Definitions**

(a) Commercial/Profit

a group/business/entrepreneur carrying on any business or industrial undertaking of any kind or nature for the provision of professional, personal or other service for the purpose of profit or gain.

(b) Non-Profit/Community Group

a group/organisation with non-profit status as defined in the Societies Act or a not for profit community group providing cultural, recreational, social, sport activities with the direct benefit to the participants. The group could be adult, youth and family oriented.

Exception: A non-profit community group would be treated like a commercial group when admission fees are charged for the activity.

(c) Group Home/Social Service

a group/organisation licensed under the Department of Health and Social Services where living accommodations on a temporary or long term basis are provided for individuals who, on account of physical or mental disability, require a minimum of personal assistance.

(d) Social Service Agency

an agency or organisation that provides services designed to enhance the physical and/or mental well-being of an individual; whose services are treatment or preventative in orientation, and; recreation/leisure are a tool used in treatment.

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(e) Joint Use Agreement

the Agreement between the Government of Yukon and the City of Whitehorse governing the use of facilities for recreation purposes.

(3) **Terms of Reference Definitions**

(a) City means the municipality of the City of Whitehorse.

(b) Council means the duly elected Council of the City of Whitehorse.

(c) Facility means a physical entity that is built, installed or established to serve a particular service/purpose.

(d) Parks means municipal outdoor areas used to accommodate the recreation of residents of the City or enhance the beauty or preserve the natural surroundings of the community.

(e) Arenas/Rinks mean the indoor and outdoor ice rinks, including Stan McCowan, Takhini Arena and the outdoor rinks.

(f) Recreation Department means the Parks and Recreation Department of the City of Whitehorse.

(g) Benefit Based Fees Approach means the process and approach to establishing fees for recreation services that considers broad public benefit. Public benefit in general refers to anything that increases the welfare of the community, is a value to the community as a whole or responds to a need of the general public.

(4) **Rental/Activity and Time Classification Definitions**

(a) Prime Season

Pool - January to December

Arenas - September 15 to April 30 - Stan McCowan

October 1 to March 31 - Takhini

(b) Prime Time

Arena - Monday thru Friday 3:00 pm - 12:00 midnight

Saturday/Sunday 8:00 am - 12:00 midnight

Pool - Monday thru Friday 6:00 am - 10:00 pm

Saturday/Sunday 8:00 am - 11:00 pm

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- (c) Non-Prime Time
all other hours or those hours covered under the Joint Use Agreement.
 - (d) Early or Extended Ice Season
the timetable of use that precedes and follows the prime season for Arenas.
 - (e) Joint Use Time
the daytime use of facilities or schools as agreed to under the Joint Use Agreement.
 - (f) Non-Prime Season
all other times.
 - (g) Regular Ice Season
the timetable of use that occurs on a consistent basis in the Arenas between October 1 - early April as approved in the budget process.
 - (h) Program
means the planned use of resources over a set period of time in teaching/learning situation with stated objectives.
- (5) **Fee Definitions**
- (a) Program Fees
the cost to each participant of a recreation program including labour, supplies, printed material and administrative overhead.
 - (b) Rental Fees
the cost to the group of individual to rent a facility, room or equipment.
 - (c) Damage Deposit
the security cash deposit paid to the City, prior to the event/activity, to hold in the event of damage to the facility or equipment. The deposit is fully refundable where appropriate.
 - (d) Key Deposits
the cost of keys to a participant or group for access (keys or cards) to the facility under the Joint Use Agreement.

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(e) Admission Fees

the cost to each participant when dropping in to a public facility or a scheduled activity within a public facility. These can be individual fees or bulk purchases such as passes and punch cards. The admission fees for the Pool shall include the use of the sauna, whirlpool and shower facilities.

(f) Advertising Fees

the cost to a company or group to rent advertising space in the Arena facilities and on Arena equipment, for printed advertising in the Leisure Guides or other specified areas within Parks and Recreation Department.

(6) The City of Whitehorse establishes and collects fees for the following areas:

- (a) Admissions (individual drop-in, passes)
- (b) Programs (registered programs and special events)
- (c) Merchandise (clothing, personal care, supplies)
- (d) Resource rentals (facilities, equipment and advertising)

(7) Adult Rental Rate

is charged when over 50% of group is over nineteen (19) years of age.

(8) Youth Rental Rate

is charged when over 50% of group is under nineteen (19) years of age, is disabled or over the age of sixty (60) years.

(9) GST

the Federal Goods and Services Tax that is levied to programs and services (7%) charged over and above the fees.

PRIORITY OF USE

3. (1) The priority of use of recreation facilities shall be as follows:
- (a) Youth
 - (b) Public/Senior Citizens/Family
 - (c) Adult
 - (d) Commercial/Private

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(10) Arenas

the priority of use for arenas shall be ice sports/activities during the prime season

(11) Pools

the priority of use for pools shall be learn to swim and aquatic education programs, followed by recreational swimming.

COMPLIANCE WITH POLICY AND PROCEDURE

4. All user groups and individuals shall comply with the policies, rules and regulations governing facility usage.
5. Usage shall be in accordance with the terms and condition of the rental agreements.

PAYMENT OF FEES

6. Any individual or group must pay the assigned fees as outlined in Fees and Charges Bylaw 98-12 as amended from time to time:

(1) Admission

payment in advance.

(2) Facility Rental

invoice and payment received within 30 days, interest will be charged at a rate of one point five percent (1.5%) per month. If an additional thirty (30) days, and the account remains unpaid, the user will receive written notice that user privileges will be terminated.

FEES SCHEDULES (ADMISSION AND FACILITY - RENTAL FEES)

7. Lions Swimming Pool Fees

The fees to be charged for the use of the Whitehorse Lions Swimming Pool are set out in Fees and Charges Bylaw 98-12 as amended from time to time.

8. Arenas (Indoor and Outdoor)

The fees to be charged for all City owned and operated arenas are set out in Fees and Charges Bylaw 98-12 as amended from time to time.

9. Rotary Peace Park

The fees to be charged for the use of Rotary Peace Park are set out in Fees and Charges Bylaw 98-12 as amended from time to time.

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10. Miscellaneous

The fees to be charged for miscellaneous charges are set out in Fees and Charges Bylaw 98-12 as amended from time to time.

BYLAW REPEAL

11. Bylaw 94-50, including all amendments thereto, is hereby repealed.

COMING INTO FORCE

12. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING: April 14, 1997
THIRD READING and ADOPTION: April 28, 1997

ORIGINAL BYLAW SIGNED BY:

Mayor: "Kathy Watson"

City Clerk: "Pat Burke"