



CORPORATE GUIDELINE

SPORTS FIELDS AND OUTDOOR FACILITIES ALLOCATION POLICY

DEPARTMENT:	DEVELOPMENT AND OPERATIONS
POLICY:	SPORTS FIELDS AND OUTDOOR FACILITIES ALLOCATION POLICY
APPROVAL:	COUNCIL
EFFECTIVE DATE:	JANUARY 9, 2023
REVISED DATE(S):	

1. PURPOSE

The Town of Shelburne encourages and promotes participation in sports to the overall benefit of the community. This policy outlines the criteria by which decisions regarding the allocation of available facility space and amenities will be made to address the current sport facilities, new user groups, and allocate minimum requirements of facility rental time at all municipally owned, leased, or controlled facilities. This policy will be administered by Development and Operations Staff and applies to all outdoor sport facilities municipally owned, or municipally supplied through third party agreements and is administered by the Development and Operations Department.

The policy has been developed to help address the impacts of changing demographics, registration trends, client demand, turf management, field deficits, etc. on the fair and equitable distribution of sport fields and facilities and on the successful ongoing management of the same.

2. POLICY STATEMENT

Every resident in the Town of Shelburne regardless of age, gender, race, income, and ability has a right to reasonable and equitable access to facilities and parks owned and controlled by the Town of Shelburne. The efficient operation and management of community infrastructure ensures facility availability and maximum benefits to all user groups. This policy will ensure fair and equitable access to facilities and the effective and efficient allocation of time and space. Using the following procedures, this policy will ensure the effective and efficient use of facilities both in terms of time and space.



3. DEFINITIONS

Adult Client – an applicant/group/organization/ client with participants 19 years of age and older.

Allocated Time – assigned time for clients (minor and adult) at a Town-owned facility; Development and Operations Staff develops the allocation to reflect various organizations entitlement and use of allocated time during various seasons.

Amendment – a change made to one or more bookings on a permit to a different date, time or facility.

Application – an established form used exclusively for requesting facilities.

Booking – a date, time and facility as specified on the rental permit.

Buffer Time – time required for an organization to catch up for possible delays during tournaments and/or regular game play.

Cancellation – cancelling one or more bookings from a permit.

Concessions – an organization who serves food at particular facilities.

Clean Up – time used after an event/game/seasonal use to clean up.

Client – an individual who has submitted an application for use of a Town facility, or a Permit Holder.

Event – an activity, regardless of whether an admission fee is charged, that has the following characteristics: planned in advance; not recurring, or recurs less often than monthly; has a duration of less than 10 consecutive days; involves the use of, or has an impact on Town services or Town facilities.

Facility – Town-owned or operated permitted space.

In Good Standing – an organization in good standing has complied with all its obligations and is allowed to carry out its activities or business.

League – a group of teams that play a schedule of games against each other, often divided into classes or levels, usually organized by an association of persons.

Minor Client – any applicant/group/organization/ client with participants 18 years of age or younger.



Non-Resident – a participant of an organization whose home address falls outside of the Town of Shelburne Municipal boundaries.

Occasional – any permit that does not consist of regular weekly bookings.

Permit – a document issued by Development and Operations Staff to a client giving authorization and consent for seasonal or occasional use of a facility.

Permit Holder – a client who has a permit for use of a Town-owned facility.

Resident – a person who lives in, owns property in, or owns or operates a business in the Town of Shelburne.

Seasonal – a permit that consists of a regular weekly booking for the duration of a season.

Schedule of Games – a list of games that includes dates, times, facilities and participating team names of every game played at a Town facility.

Sport Field – a natural or artificial turf field used for sports or other organized uses.

Structured Use – organize, arrange, or participate in a formal public gathering or formal meeting more than 15 people or use any area of a park or any sport field for exclusive use, play, or practice for an organized team, group, club or private business.

Team Roster – a list of participants for a team that includes last name, street name, postal code and Town.

- Section 28(2) of the Municipal Freedom of Information and Protection of Privacy Act (the Act) states: No person shall collect personal information on behalf of an institution unless the collection is expressly authorized by statute, used for the purposes of law enforcement or necessary to the proper administration of a lawfully authorized activity.

Time Block – two (2) or more hours of permitted time in sequence.

Tournament – a sport event in which teams compete to win a match and continue to play further matches in the competition until one team is left.

Town-Owned and Operated – a space that is owned and operated (maintained) by the Town of Shelburne.

Unused Time – permitted time that is not used.

The Town of Shelburne reserves the right to add or delete or modify any name or description included in this section of the policy during the term of this policy.



4. CLIENTS

Development and Operations Staff will develop the annual allocation that will best reflect the expressed needs of clients and the application of this policy. Development and Operations Staff will attempt to match the quality of play to the facility that is most conducive to usage and attempt to gain maximum efficient facility usage. The Town of Shelburne reserves the right to adjust, cancel, or reassign fields and facilities as required.

4.1 Client Priorities

Sport fields are allocated according to the following client priority levels, with the exception of facilities that may be designated as 'exclusive use' facilities:

1. Town of Shelburne events and recreation programming, including programming/events operated by third parties on behalf of the Town of Shelburne
2. Minor Clients
3. Adult Clients
4. Boards of Education, including post-secondary institutions
5. Town of Shelburne residents
6. All other clients

Refer to section 5.3 regarding the allocation of tournaments and events.

4.2 New emerging sport

The Town of Shelburne will recognize a new emerging sport, which is not currently being offered by an existing client, to enable it to establish its programs and services in the Town. The Town will first review the ability for a new emerging sport to be played on sport fields. Unallocated time will then be permitted, and the Town will work with existing clients to explore the potential reallocation of hours.

4.3 Residency

The Town of Shelburne recognizes the tax-based contribution and subsidy provided by its residents toward the development and operation of recreation and sport facilities and recognizes that residents will receive priority over non-residents in the allocation of facility time.

The Town requires a team roster to be submitted. The applicant and/or organization they represent must make their registrants aware of the intent to share their personal information with the Town of Shelburne. The applicant organization must provide the Town's Notice of Collection during the registration process. The applicant is responsible for notifying the Town of where and how the notice is being posted and provided.



Notice of Collection

“The personal information is being collected by the Town of Shelburne for the sole purposes of allocating sport facility time to organizations and individuals in accordance with the Town’s *Sport Fields and Outdoor Facilities Allocation Policy, Town of Shelburne, Fees and Charges Bylaw* and pursuant to section 11(2) of *Municipal Act, 2001* as amended. All information shall be kept in strict confidence and not used for any other purpose. Once collected, the information will be used only for this allocation purpose, retained, and disposed of in accordance with the Town’s Records Retention By-law and provincial law. By providing this information during registration, participants or their parents/guardians are authorizing the disclosure of personal information to the Town, specifically the following information about the participant:

- Surname
- Parent/guardian’s surname if different
- Parts of their address: street name, city/town, postal code

Questions about this collection should be directed to the Town’s Clerks Department at 203 Main Street East, Shelburne, Ontario, L9V 3K7, by phone at 519-925-2600 or by email at clerk@shelburne.ca.”

5. PROCESSING OF PERMIT APPLICATIONS

5.1 Submission of applications

All tournament, event and seasonal requests shall be submitted in the format prescribed and by the deadline set by Development and Operations Staff.

5.2 Allocation Procedures

5.2.1 Rental permits are allocated on an annual basis and no client should assume they will receive the same date(s) or facilities from one season to the next.

5.2.2 Where two or more clients apply for the same facility, date and time, priority will be given to the client who has permitted those hours for a minimum of two seasons immediately prior.

5.2.3 Applications received after the deadline date will be considered after all applications submitted prior to the deadline have been allocated.

5.2.4 Seasonal permits will be allocated in blocks of a minimum of two (2) hours.

5.2.5 No client will dominate a specific permit time block to the detriment of another client.

5.2.6 Clients who require more than one facility per night will be required to permit vertical (early to late) times at one facility before adding another.



5.2.7 Clients cannot permit facilities that will go unused with the exception of ensuring sufficient time is available to prevent a curfew situation.

5.2.8 Unused facilities (no shows) is not acceptable. Multiple instances of unused time may result in the cancellation of the permit or redistribution of the allocated time.

5.2.9 A higher priority of allocated time will be given to clients who commit to longer seasonal permits in accordance with seasonal booking procedures and in accordance with the allocation priority listed in section 4.1 of this policy. Next priority will be given to the application requesting the greater amount of time, no matter the sport, in accordance with seasonal booking procedures and in accordance with the allocation priority listed in section 4.1 of this policy.

5.2.10 The Town reserves the right to alter an application to meet the requirements in section 5.2.

5.3 Tournaments and events

Tournament and event applications will be allocated prior to seasonal applications.

Tournament and event applications received after the deadline will only be considered if there is no impact to seasonal clients.

Development and Operations Staff will allocate and restrict tournament play primarily to weekends.

The Town reserves the right to limit the number of tournaments and events held between May and September inclusive in an effort to minimize disruption to regular season clients.

5.4 Schedules

In order to maintain the efficient scheduling of staff and facility preparation, schedules must be submitted as per the deadlines in sections 5.4.1 and 5.4.2.

The Town reserves the right to specify the format of the schedule. Failure to provide schedules could result in the discontinuation of field maintenance and the cancellation of all or some of the permit for the remainder of the season.

Schedules must include sufficient buffer (non-playing) and clean up time to allow for completion of activities within the permitted times and to allow for sufficient transition periods when games are played in succession.

5.4.1 Seasonal schedules

Permit Holders must submit game schedules, practice schedules and special maintenance requests to Development and Operations Staff no later than 14 calendar days in advance of permitted use.



5.4.2 Tournament and event schedules

Permit Holders must submit the final tournament or event schedule to Development and Operations Staff no later than 14 calendar days in advance of permitted use.

5.5 Introduction of new community programs/services by clients

An increase in allocated hours for new and expanded programs/services will only be considered when facility time is available.

6. PERMIT AMENDMENTS AND CANCELLATIONS

The Town has the right to control all distribution and use at Town-owned facilities for the duration of a permit. Controls must be in place to minimize the negative impacts that unused, returned, amended and cancelled fields can have on the Town and its clients. As such, the Town will apply all guidelines outlined in this policy to reasonably and responsibly manage unused or changing needs once permits have been issued.

6.1 Amendments

Amendments made after a permit has been issued will be subject to the amendment fee set out in the Fees and Charges Bylaw.

The Town reserves the right to accept only returned hours that hold the greatest potential for rebooking.

6.2 Transferred or sub-leased facilities

The Town of Shelburne is the sole permit authority for all field and facility times. Clients have an obligation to advise the Town of the use of the Town's facilities at all times.

Changing the intended use or clients of the facility (e.g., practice becomes a game, Team A replaces Team B) within a single client's permit is acceptable. Related schedule updates must be submitted to Development and Operations Staff.

Occasionally transferring, trading or sub-leasing facilities between Permit Holders is strictly prohibited and may lead to the cancellation of a permit and future facility allocation.

Development and Operations Staff must facilitate any agreed upon exchange of permitted time between two clients on the applicable permits.

6.3 Cancellation by the Town

The Town reserves the right to reschedule or cancel any permit as necessary.



The Town reserves the right to cancel a permit or portion of a permit without notice should there be a breach of the conditions of use, or should the Town be of the opinion that the facilities are not being used for the purpose contained in the application.

Where rescheduling cannot be mutually coordinated, the Permit Holder affected will receive a full refund for the affected time.

Cancellation of facilities due to inclement weather will be made in accordance with section 6.5 and 6.7 of this policy.

6.4 Cancellation by Permit Holder

Once a permit is issued, single or occasional facility cancellations will be processed if initiated by the Permit Holder providing 14 calendar days written notice to Development and Operations Staff.

Cancellation requests received with less than 14 calendar days notice may not be considered.

The Town reserves the right to apply a cancellation fee per date and facility affected.

6.5 Inclement weather

If weather conditions do not allow a booking to proceed, the Permit Holder must submit a request to cancel or reschedule, pending availability, in writing to Development and Operations Staff within 48 hours of the booking date to receive a full refund or credit for the affected booking.

6.6 Multi-day Outdoor Facility Closure/Cancellations

In the event of a scheduled or unplanned multi-day facility closure, Development and Operations Staff will amend permits to minimize the impact of the closure on all Permit Holders. The Town reserves the right to make all final decisions regarding emergency cancellations and reallocation of affected bookings.

6.7 Short Term Outdoor Facility Closure/Cancellation

The decision to order a short-term closure of the facility and cancellation of permitted play is made when the fields are considered unsafe and when there is potential for long-term damage that could affect other permitted use.

Closure and cancellation decisions can be made by:

- Development and Operations Department
- Game officials (once the game is in progress and on a game-by-game basis only)
- Permit Holder or designate



A facility should not be utilized by a Permit Holder if:

- There is visual ponding of water on the playing surface
- Water sponges when walking on the playing surface
- There are any extreme weather conditions, e.g., electrical or hail storms
- Facility surface damage poses a risk to the Permit Holder

6.8 Reopening a closed outdoor facility on the same day

On-site staff will consider reopening a facility only if the unplayable conditions outlined in section 6.7 are no longer present.

6.9 Notification of facility closure / cancellation of permit

Development and Operations Staff will notify Permit Holders of a facility closure, however advance notification may not be possible under the circumstances of an evening or weekend weather event.

It is the responsibility of the Permit Holder to notify individual teams, players, competitors, officials, etc.

6.10 Unauthorized use of facilities

If a Permit Holder elects to use a facility after a booking has been cancelled or when a facility is visibly unplayable, the Permit Holder will be required to pay for all damages arising from this type of a facility abuse.

The Permit Holder will be held liable and responsible for any accidents or injuries incurred.

Noncompliance will result in the permit being cancelled and rescinded.

7. FACILITY MANAGEMENT

7.1 Curfewed games

The Town reserves the right to curfew any games, including tournament games, to maintain the schedule submitted and to be respectful of any related by-laws. It is the responsibility of the Permit Holder to notify Development and Operations Staff of any special requirements regarding curfews when submitting their schedules.



7.2 Parking and vehicles on fields

It is an offence to drive or operate any motor vehicle in any park, except upon the roadway therein designated for public vehicular use and to park any motor vehicle in a park except within a designated parking space as per the Parks Use By-law.

Repeat offences by any members of an organization could result in permit cancellation.

Exceptions may be considered by the Development and Operations Department upon receipt of a written request.

7.3 Provision of services and equipment for tournaments and events

Where additional services as requested through the permit such as moving in extra bleachers, snow-fencing, grading, and manual assistance are required over and above the normal Operator's duties, a charge for total labour (wage and burden) and equipment will be charged to the permit applicant.

The Town, upon review of the permit application, reserves the right to require the applicant to add the services of an Operator at any facility.

7.4 Concessions

Permit Holders must receive permission to provide any level of vendor or concession services on any Town facility or property at any time.

All requests must be made in writing and allow for the sufficient processing of such requests.

Permit Holders must consult the Wellington-Dufferin-Guelph Public Health department and follow all applicable regulations and guidelines.

8. FACILITY USE REGULATIONS

Pre-determined opening and closure of facilities will be based on capital upgrades or renovations, implementation of master plans or Council directives, rotation needs, maintenance needs, turf conditions and recovery, type of play and client requests.

Planned closures are determined by Development and Operations Department staff and communicated to clients in a timely fashion.

During the season, fields and facilities may be closed from time to time due to unforeseen renovation and repair needs or weather conditions. Refer to section 6 for more information on facility closures.

8.1 Permitted hours at outdoor facilities

Bookings can commence no earlier than 8:00 a.m. at all facilities.



Bookings must end by the end time on the permit, no later than dusk at all unlit facilities.

Bookings at lit facilities must end by the end time on the permit, no later than 11:00 p.m. as per the Parks Use Bylaw.

Exceptions may be considered by the Development and Operations Department upon receipt of a written request.

Prime Time Hours

Monday to Friday – 4:00 p.m. to 11:00 p.m.

Saturday and Sunday – 8:00 a.m. to 11:00 p.m.

Non-Prime Time Hours

Monday to Friday – 8:00 a.m. to 4:00 p.m.

- Minor league play is given priority over adult league play between 4:00 p.m. to 8:00 p.m.
- Adult league play is given priority over minor play from 8:00 p.m. to 11:00 p.m.

Requests to extend the permitted hours, including opening on statutory holidays, are required to be submitted in writing a minimum of 14 calendar days prior to the booking and are subject to approval. Additional fees will apply.

The Permit Holder will be invoiced for all hours used outside of the permitted time as well as for any additional costs that may have been incurred by the Town.

8.2 Outdoor facility seasonal opening and closing dates

Annual open and close dates will be predetermined each year and communicated to clients with the application package. Generally, the following guidelines will be followed to determine opening dates for outdoor facilities and is subject to conditions outlined in section 6 of this policy. Requests to open an outdoor facility early will be considered on a case-by-case basis.

9. GENERAL ADMINISTRATION

9.1 Permit requirements

Any structured usage of Town of Shelburne facilities, parkland, and trails requires a valid permit (signed by a designated representative of the applicant organization and the Development and Operations Department). Un-permitted use is prohibited.

By signing the permit, the applicant is acknowledging that they and/or organization they represent agrees with the policies, procedures, by-laws, rules and regulations, terms and conditions on the permit and shall be referred to as the Permit Holder.



9.2 Rental fees and payment

All clients will be charged rental, amendment and cancellation fees as outlined in the Fees and Charges By-law.

Full Permit payment is due no later than 5 business days in advance of permitted use. Failure to provide full payment could result the cancellation of all or some of the permit.

The Town will not accept or process requests from clients that are not in good standing with the Town and have not paid their account balance from the previous season.

9.3 Client indemnification

The Permit Holder shall defend, indemnify and save harmless the Town of Shelburne and its members of Council, officers, volunteers, employees and agents against any and all costs (including legal fees and disbursements), expenses, losses, liabilities, claims, demands, actions or causes of action, or direct, indirect, general, special, incidental or consequential damages suffered or incurred by the Town of Shelburne (including claims made by third parties against the Town of Shelburne) as a result of a breach of a term or provision of this Agreement by the Permit Holder or in any way, related to the Permit Holder's use and operation of the property and premises; the conduct of those persons in their care, custody or control and/or all activities occurring before, during and after their allocated time.

The Permit Holder (for itself and its insurers) shall release the Town of Shelburne and its members of Council, officers, employees, volunteers and agents and waives any rights, including rights of subrogation, it may have against them for compensation for any loss and all costs (including legal fees and disbursements), expenses, losses, liabilities, claims, demands, actions or causes of actions, or direct, indirect, general, special, incident or consequential damages suffered or incurred by or damage occasioned by the client's use, operation, activities and/or occupancy within the property and premises before, during and after their allocated time.

9.4 Insurance requirements for Permit Holders

The Permit Holder shall during permitted time arrange, pay for and keep a Commercial General Liability (CGL) or General Liability insurance policy written on an occurrence basis with a limit of coverage of not less than two million dollars (\$2,000,000) in respect of any one accident or occurrence with The Corporation of the Town of Shelburne named on the Policy as an Additional Insured. The liability policy cannot contain an exclusion for participants participating in any activities being held by the client. Policy coverage shall include, but is not limited to, third party bodily injury including death, property damage and personal injury. The Policy shall contain a cross liability and/or severability clause that protects each insured to the same extent as if they were insured separately. The Policy shall be endorsed to provide the Town of Shelburne with not less than 30 calendar days notice in writing of any cancellation,



material amendment or change restricting coverage. The Policy must be with an insurance company or companies licensed to operate in the Province of Ontario and acceptable to and in a form satisfactory to the Town of Shelburne.

The Permit Holder shall verify that valid insurance coverage as set out in this policy is in place by submitting an Insurance Certificate (I.C.) that must be acceptable in all respects to the Town of Shelburne. The Permit Holder shall submit an I.C. no later than one 5 business days in advance of permitted use. Upon expiry of the I.C., the Permit Holder must provide an up-to-date I.C. Failure to provide the I.C. could result the cancellation of all or some of the permit.

The Permit Holder agrees to make the policy available to the Town of Shelburne for review at any time from time to time in the event of a Claim.

The taking out of insurance shall not relieve the client of any of its obligations under this Agreement or limit its liability hereunder. No policy shall contain any provision which would contravene the obligations of the client hereunder or otherwise be the detriment of the Town of Shelburne.

9.5 Rzone Policy – Respect & Responsibility

The Town of Shelburne is committed to fostering an environment where there is Respect for yourself; Respect for others; and Responsibility for your actions. The Town discourages any form of inappropriate behaviour at all Town recreational programs, facilities, parks and trails, in written or verbal communications (including email or phone), or at any other location where Town staff are present.

Included in this commitment is an understanding that organizations and the general public using Town of Shelburne property, facilities, and programs must take primary responsibility for the behaviour of all associated with them: participants, officials, spectators, patrons, parents, etc.

The Rzone policy applies to all Town of Shelburne property, facilities, and programs and to all patrons and guests as well as activities that are structured (i.e., permit issued) and unstructured (i.e., no permit issued) and outlines the measures and enforcement steps to be taken in order to address inappropriate behaviour.

No form of vandalism, violence, or indecency, including viewing, producing or exhibiting lewd, illegal or offensive materials are acceptable on properties, or in facilities.

9.6 Smoke-Free Ontario Act

The Smoke-Free Ontario Act combined with the regional Smoking and Vaping By-law, prohibits smoking and vaping on municipal property, including publicly owned outdoor recreational facilities, playgrounds, public areas, and parking lots. The Permit Holder is responsible to ensure that no smoking occurs on municipal property for the duration of this



permit and to ensure any person(s) smoking and/or vaping leave the property or extinguish the cigarette. The Permit Holder's failure to fulfill this responsibility under the law could be subject to an offence charge and face a fine.

9.7 Municipal Alcohol Policy

The Town has developed an Alcohol Risk Management Policy to prevent problems that arise from alcohol consumption within its facilities and to promote a safe, enjoyable environment for those who use these facilities.

Alcohol is not permitted at any event unless you have received Council approval and proof of a valid liquor license is provided by the Permit Holder to the Town of Shelburne and posted at the event at all times.

To serve alcohol at an event anywhere in the province, the Permit Holder is required to obtain a Special Occasion Permit (SOP) from the Alcohol and Gaming Commission of Ontario (AGCO), facilitated by the Liquor Control Board of Ontario (LCBO). Adherence to the Liquor License Act of Ontario, and Municipal Alcohol Policy is required at all times.

9.8 Sport Field and Outdoor Court Allocation Policy review and update

The Sport Field and Outdoor Court Allocation Policy will be reviewed on a regular basis, initiated by Development and Operations Staff, and updated as required.

Development and Operations Staff has the authority to adjust procedural items related to timing, process, etc. as appropriate and to respond to Council directions related to revenue achievement and strategic business approach.

10. REFERENCES AND RELATED DOCUMENTS

Facility Use Terms and Conditions
Smoking and Cannabis By-laws
User Fees and Charges By-law (updated annually)
Parks Use By-law
R Zone Policy
Municipal Alcohol Management Policy

11. CONTACT

Development and Operations
Telephone: 519-925-2600 ext. 261
Email: rentals@shelburne.ca
Website: www.shelburne.ca