

**ADMINISTRATIVE ORDER NUMBER 2022-002-ADM
RESPECTING OUTDOOR COMMUNITY RINKS**

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

Short Title

1. This Administrative Order may be known as the *Community Rinks* Administrative Order.

Interpretation

2. In this Administrative Order,

(a) “applicant” means a registered non-profit organization applying to establish a community rink or for funding under this Administrative Order;

(b) “community rink” means an ice surface constructed by a community rink group to be used by the public for ice skating;

(c) “community rink group” means a registered non-profit organization or registered charitable organization operating a community rink;

(d) “Council” means the Council of the Halifax Regional Municipality;

(e) “registered non-profit organization” includes:

(i) a society incorporated pursuant to the *Societies’ Act*, R.S.N.S. 1989, c. 435, as amended;

(ii) a not-for-profit corporation incorporated pursuant to the *Canada Not-for-Profit Corporations Act*, S.C. 2009, c. 23; or

(iii) a not-for-profit organization otherwise incorporated pursuant to an Act of the Nova Scotia legislature;

(f) “Municipality” means the Halifax Regional Municipality;

(g) “registered charitable organization” means a charity registered in accordance with the Income Tax Act, R.S.C. 1985, c.1, as amended; and

(h) “staff” means employees of the Municipality.

Purpose and Objectives

3. The purpose of this Administrative Order is to:
 - (a) permit the operation of outdoor community rinks located on property owned by the Municipality and provide direction for the establishment and operation of such community rinks; and
 - (b) provide grants to eligible community groups to assist with the costs of insurance for outdoor community rinks located on property owned by the Municipality.

Eligibility

4. To be eligible for permission to operate an outdoor community rink or for consideration for a grant pursuant to this Administrative Order, the applicant shall be a registered non-profit organization or registered charitable organization in good standing at the Registry of Joint Stock Companies.
5. Applicants in default of their obligations to the Municipality under a grant program, or that are not current in payment of their municipal taxes, shall be given notice and an opportunity to remedy the situation. Applicants who do not remedy the situation will be ineligible.
6. To be eligible for permission to operate an outdoor community rink or for consideration for a grant pursuant to this Administrative Order, the community rink for which permission or a grant is sought shall be:
 - (a) situated on land owned by the Municipality;
 - (b) outdoors; and
 - (c) available for use by any member of the public.

Part I – Establishment of Community Rinks

Application Requirements

7. There shall be one (1) intake period per fiscal year. The intake period and application deadline shall be established by staff and advertised on the Municipality's website.
8. Applicants shall be required to re-apply annually.
9. Late or incomplete applications shall not be reviewed or considered.
10. All applications must be received by the application deadline. The method for submission shall be as established by staff and advertised on the Municipality's website.

11. All applications must be in the format prescribed on the program's application form and shall include:

- (a) a site plan that includes:
 - (i) the location of existing property lines on the proposed community rink site;
 - (ii) the location of existing structures and buildings on the proposed community rink site;
 - (iii) the location of existing landscape features such as planting beds, trees, pathways, benches, lighting, fencing, parking area on the proposed community rink site;
 - (iv) a brief description of the properties surrounding the proposed community rink site;
 - (v) the distances between property lines, existing structures and landscape features near the proposed community rink site;
 - (vi) the dimensions and locations on the proposed community rink site of any proposed fencing, rink boards, benches, garbage receptacles, or other similar features to be installed in support of the proposed community rink; and
 - (vii) the location of the proposed water source for the proposed community rink site; and
- (b) any other information requested by staff.

Application Review Process and Approval

12. Applicants will be notified promptly if their application is ineligible.

13. Applications will be reviewed by staff from Park Planning, Park Maintenance, and Community Development and a recommendation shall be made to the CAO, or delegate, on the application's approval.

14. Approval of applications is a decision of the CAO, or delegate, in their sole discretion.

15. (1) Council hereby delegates to the CAO the authority to approve and sign, on behalf of the Municipality, community rink agreements and any amendments to such agreements.

(2) The CAO may further delegate the authority granted to them under subsection (1).

Conditions of Approval

16. If a community rink is approved by the Municipality, the community rink group shall enter into a community rink agreement with the Municipality.
17. As part of the community rink agreement, the community rink will be required to carry commercial general liability insurance in respect of injury of one or more persons and property damage insurance in connection with the use of the community rink, in an amount of not less than \$2,000,000 with coverage extended to all users (participants and spectators) of the community rink, with the Municipality as named additional insured.
18. Every community rink group with an executed community rink agreement shall:
- (a) operate and manage the community rink in a fair, equitable, and transparent manner;
 - (b) comply with the approved site plan and community rink agreement; and
 - (c) be responsible for all expenses associated with operating and maintaining the community rink, including the provision of water to such community rink.
19. Community rink groups shall be required to submit a final report on the approved community rink by the stated deadline to include a minimum of:
- (a) the number of days the community outdoor rink was open;
 - (b) the number of days the community outdoor rink was used for skating; and
 - (c) any information available on the number of users of the outdoor community rink.
20. Failure of a community rink group to comply with this Administrative Order or the community rink agreement may result in termination of the community rink agreement and closure of the community rink by the Municipality.

Part II – Grants for Insurance for Community Rinks

Grants Available

21. There is hereby established a grant program to provide financial support toward the cost of insurance for outdoor community rinks.
22. The maximum grant available under this program per fiscal year per eligible outdoor community rink will be set by staff annually, taking into consideration the annual approved budget and the insurance market. The maximum grant amount shall be published annually on the Municipality's website.

Eligible Expenses

23. A grant may only be used to pay for the cost of general liability insurance for the outdoor community rink for which the application is made.
24. Proof of payment must be submitted to the Municipality no later than 10 days following the date of payment to the insurer.
25. Any surplus funds must be returned to the municipality at the time the proof of payment is submitted.

Application Requirements

26. There shall be one (1) intake per fiscal year. The intake period and application deadline shall be established by staff and advertised on the Municipality's website.
27. Late or incomplete applications shall not be reviewed or considered.
28. All applications must be received by the application deadline. The method for submission shall be as established by staff and advertised on the Municipality's website.
29. All applications must be in the format prescribed on the program's application form and shall include:
 - (a) a minimum of two quotes for the cost of general liability insurance as required by this Administrative Order;
 - (b) a budget for the cost of the installation and maintenance of the community rink;
and
 - (c) any other information requested by staff.

Application Evaluation

30. The following criteria shall be used to evaluate grant applications for consideration by the CAO:
 - (a) proximity of the proposed community rink to other skating opportunities;
 - (b) equitable geographic distribution of grant awards to the extent possible based on the applications received;
 - (c) capacity of community to support a community rink;
 - (d) any proposed fundraising to support the cost of the installation and maintenance of the community rink;
 - (e) quality of safety and communications plans;

(f) the insurance quotes submitted; and

(g) past performance where the applicant has previously operated an outdoor community rink on Municipal property.

Application Review Process and Approval

31. Applications will be administered by Parks & Recreation.

32. Applicants will be notified promptly if their application is ineligible.

33. (1) Council hereby delegates to the CAO the authority to approve grants under this Administrative Order, and to determine the amount of such grants.

(2) The CAO may further delegate the authority granted to them under subsection (1).

34. Final approval of all applications for a grant, and the amount thereof, is a decision of the CAO, or delegate, in their sole discretion.

35. Approval of grants is conditional on Council's approval of the annual program budget.

36. Due to limited funds, not all eligible applications may receive funding.

Conditions of Approval and Payment of Funds

37. (1) Subject to subsection (2), grant monies shall be dispersed in full upon approval of the grant application.

(2) Disbursement of grant funds is conditional on successful applicants entering into an agreement with the Municipality granting permission to construct the outdoor community rink as set out in Part I of this Administrative Order.

General

38. Nothing in this Administrative Order shall be interpreted to limit or otherwise prescribe Council's general discretion to provide grants under the *Halifax Regional Municipality Charter*.

Done and passed in Council this 31st day of May, A.D. 2022.

Mayor

Municipal Clerk

I, Iain MacLean, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of the Halifax Regional Council held on May 31, 2022.

Iain MacLean, Municipal Clerk

Notice of Motion:
Approval:

May 17, 2022
May 31, 2022