

**THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS**

**BY-LAW NUMBER 11-120**

**BEING A BY-LAW TO ADOPT A SPECIAL EVENT LIABILITY INSURANCE PROGRAM POLICY FOR THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS.**

**WHEREAS** Section 8(1) of the Municipal Act S.O., 2001, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.


**WHEREAS** Section 11 of the Municipal Act S.O., 2001, as amended, provides that a municipality may pass by-laws respecting matters within the sphere of health, safety and well-being of persons and protection of persons and property, including consumer protection;

**AND WHEREAS** the Council of the Corporation of the Township of Lake of Bays wishes to provide a program for liability insurance for those individuals, groups and organizations wishing to hold special events in the Township of Lake of Bays and deems it necessary and expedient to establish a policy to govern the provision of said insurance program;

**NOW THEREFORE** the Council of the Corporation of the Township of Lake of Bays hereby enacts as follows:

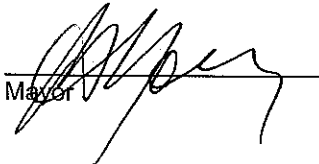
1. The Special Event Liability Insurance Program Policy for the Corporation of the Township of Lake of Bays, attached hereto as Schedule "A" and forming part of this by-law, is hereby approved and adopted.
2. That this by-law will become effective January 1<sup>st</sup>, 2012.

**READ a FIRST and SECOND time this 22<sup>nd</sup> day of November, 2011.**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**READ a THIRD time and finally passed this 22<sup>nd</sup> day of November, 2011.**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

TOWNSHIP OF LAKE OF BAYS PROCEDURE MANUAL			
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## 1. PURPOSE

- 1.01 To establish a policy providing for the requirement of liability insurance coverage for any groups, organizations and individuals not affiliated with the municipality, to use Township of Lake of Bays facilities.

## 2. POLICY

- 2.01 The Township of Lake of Bays operates facilities which are used for public activities and are requested by the public for special events. The Township has the responsibility to manage and operate its lands and facilities with adequate risk management practices to protect these resources.

Municipal facilities consist of any and all property owned and/or operated by the Township of Lake of Bays. This includes but is not limited to parks and facilities, arenas, community centres, senior centres, fire stations, roads, sidewalks and parking lots

Liability insurance provides protection to community volunteers and event organizers from claims arising from an occurrence at an event including bodily injury, property damage or personal injury.

It is the objective of Township to:

- Ensure event insurance coverage is in place during public use of Township of Lake of Bays facilities;
- Ensure insurance coverage is available and affordable to the users of the Township of Lake of Bays facilities;
- Facilitate insurance coverage for qualifying users.

## 2.02 APPLICATION

- a) The responsibility for a safe, well-managed special event is the responsibility of the organizer. The role of the municipality is to support the organizers in their venture.
- b) This policy works in conjunction with the Special Events Policy and the Alcohol Management Policy to provide the established guidelines for the use of municipal facilities and for events hosted by groups, organizations and individuals.
- c) Liability insurance in the amount of a minimum of two million (\$2,000,000) dollars is required for general activities and events. The Township of Lake of Bays reserves the right to increase the minimum to five million (\$5,000,000) dollars for extremely high risk activities.

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The determination of the level of risk and the amount of insurance coverage required is solely at the discretion of the Township of Lake of Bays.

- d) The Township shall not be responsible for any personal injury, sustained by any facility renter, permit holder, agreement holder, their users, invited guests or attendees. All risks of injury are assumed by the facility user who shall hold the Township harmless and indemnified therefrom, unless the result of any act or default of the Township.
- e) Coverage shall insure against claims for personal injury, death or property damage including the property of the Township occurring under, on, in or about the said facility. Certificate of such insurance shall state the nature of the event and shall name the Corporation of the Township of Lake of Bays as additional insured.
- f) Certificate of Insurance as proof of coverage shall be forwarded to the Township of Lake of Bays prior to the commencement facility use. Failure to provide certificate of insurance coverage will result in cancellation of the event booking.

g) Content Insurance Coverage

Anyone that uses the Township of Lake of Bays facilities for storage of equipment and supplies are required under this policy to carry content insurance coverage for their property.

The Township of Lake of Bays will not cover the loss of property under any condition, including loss or damage to personal property which has been brought to the site or an event by any individual or participant.

h) Alcohol Related Events

Events involving alcohol must abide by the Township of Lake of Bays Alcohol Management Policy, including purchasing liability insurance that provides a minimum of two million dollars (\$2,000,000) in alcohol liability insurance coverage. Certificate of insurance shall be provided which states the nature of the event and shall name the Township of Lake of Bays as additional insured.

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i) Exclusions

Many general insurance policies exclude such items as fireworks, petting zoos, use of animals or high risk type activities. Additional or special coverage may be required in the instance of excluded activities. It is the responsibility of the facility user to ensure adequate insurance coverage for the full nature of the planned event is obtained.

**2.03 OPTIONS FOR INSURANCE COVERAGE**

- a) Where a group, organization or individual is affiliated with a parent group/organization, that user may obtain insurance coverage for their facility use from the parent group/organization where such parent group/organization possesses insurance coverage. A certificate from the insurance carrier is required outlining the nature and duration of facility use and naming the Township of Lake of Bays as additional insured.
- b) A group or organization or individual may elect to approach an insurance broker or company to obtain insurance coverage. A certificate from the insurance carrier is required outlining the nature and duration of facility use and naming the Township of Lake of Bays as additional insured.
- c) A group, organization or individual may elect to obtain insurance coverage through the Special Events Liability Insurance Program offered by the Township of Lake of Bays.

**2.04 SPECIAL EVENTS LIABILITY INSURANCE PROGRAM.**

- a) Provides convenient and affordable insurance coverage for those user groups, organizations and individuals that do not have the required insurance at the time of rental.
- b) Groups, organizations and individuals wishing to obtain insurance through the Special Events Liability Insurance Program shall apply to the Township of Lake of Bays for insurance coverage based on the criteria of their proposed activity and/or event.
- c) The Insurance Company must approve all proposed activities and events.

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- d) Premiums/rates are calculated per event /per day /per total attendees/participants.
- e) In case of any claims the group, organization or individual is responsible for payment of the deductible.
- e) Groups, organizations and individuals are covered under this policy only while using the facilities of the Township of Lake of Bays.
- f) For activities and/or events which are excluded from insurance coverage or have only been provided two million (\$2,000,000) dollars in coverage where five million (\$5,000,000) is required, the group, organization or individual must secure their own insurance in accordance with the requirements as set out in this policy.

**3. ADMINISTRATION**

3.01 This policy shall be adhered to by all groups, organizations and individuals using municipal facilities. It shall be the responsibility of the facility managers or delegated staff to ensure that all insurance requirements are in fulfilled.

**4. REVISION CONTROL**

Revision Date	Revision	Effective Date

**5. ATTACHMENTS**

5.01 Nil