

**The Corporation of the
Town of Arnprior**

By-law Number 6642-16

A by-law to establish a Facility User Liability Insurance Program for user groups and individuals renting Town Facilities.

Whereas Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides broad authority on municipalities to enable municipalities to govern their affairs as considered appropriate and to enhance the municipality's ability to respond to municipal issues;

And Whereas the Council of the Corporation of the Town of Arnprior deems it desirable to establish a Facility User liability Insurance Program;

Therefore the Council of the Town of Arnprior enacts as follows:

1. **That** for all user groups and individuals renting a Town of Arnprior facility, it is mandatory to carry sufficient liability insurance and have the Town of Arnprior added as an additional insured; and
2. **That** all user groups and individuals renting a Town of Arnprior facility are required to produce proof of sufficient liability insurance coverage at the time of booking the facility; and
3. **That** the Facility User Liability Insurance Program, provided by the Town's municipal insurer, is offered to user groups and individuals renting Town facilities who do not carry adequate insurance; and
4. **That** the Director of Corporate Services/Treasurer and/or Manager of Financial Services is authorized to implement and update the Facility User Liability Insurance Program Guide, attached as Appendix A, for revisions, including rates from the insurer; and
5. **That** any By-laws and/or resolutions inconsistent with the provisions herein are repealed; and
6. **That** this By-law shall come into force and effect on January 1, 2017.

Enacted on P/is8R/714th day of November, 2016.



David Reid, Mayor



Maureen Spratt, Clerk



Town of Arnprior Facility User Liability Insurance Program Guide

WHERE THE R.IVERS MEET

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1.0 Introduction

As of January 1, 2017, it is **mandatory** for all rental user groups and individuals to carry liability insurance when renting a Town of Arnprior facility.

The Town of Arnprior offers a number of sport and social facilities for rent, whether it is for an organized event or a pick up hockey game. The Facility User Liability Insurance Program is offered to users of Town facilities (i.e. ice, fields, halls, etc.) who do not carry their own, or adequate insurance when renting a Town facility.

2.0 What is the Facility User Liability Insurance Program?

The Facility User Liability Insurance Program provides individuals and/or groups renting a Town of Arnprior facility to obtain affordable liability insurance protection. The intention of the insurance coverage is to protect facility users from financial exposure resulting from claims that may result during their activity or event.

The facility user liability insurance will be made available at the time of booking the facility. There will be a premium for the type of event, sport or activity. The limit of insurance coverage will be at \$2 million minimum per occurrence.

2.1 Facility Users

The requirement for user groups and individuals to carry liability insurance is specifically for those users renting a Town facility. This program does not apply to use of Town facilities where a facility rental fee is not applied.

2.2 Insurance Program Coverage

Commercial General Liability: provides coverage injuries sustained by a Third Party and/or damage to third party property, caused by the negligence of the facility user.

Tenants Legal Liability: provides coverage for damage to the area of the facility in the care and control of the renter.

Medical Payments: provides coverage for the cost of immediate medical expenses incurred following an accident without the necessity of blame or fault. Fault need not be established in order to access this cover.

Products & Completed Operations: provides insurance coverage for damages that may arise from products sold, once they leave the premises. This coverage requires the facility user/renter to be negligent.

Non-Owned Automobile Liability: provides insurance coverage for bodily injury and property damage caused by a vehicle not owned by the renter/facility user but used on the renter's behalf or under the renter's direction.

2.3 Limits of Liability

COVERAGE	COEXISTIBLE	LIMITS OF LIABILITY
Commercial General Liability-Per Occurrence	Nil	\$2,000,000
Personal and Advertising Injury Liability	Nil	Not Insured
Tenants' Legal Liability-Anyone premises	N/A	\$2,000,000
Medical Expenses-Per Person	Nil	\$10,000
Aggregate Limit-Products & Completed Operations Hazard	Nil	\$2,000,000
Non-Owned Automobile Liability	Nil	\$2,000,000

3.0 Insurance Requirements

Groups and individuals responsible for a facility rental are required to produce and maintain, throughout the duration of the Rental Agreement, proof of sufficient liability insurance coverage.

Depending on the type of activity, sport or event, users will be required to have liability insurance coverage of a minimum liability limit of \$2 million. The program encompasses the rental of facility space, sports fields, and rentable parkland.

The Liability Insurance Program provides the opportunity for individuals or groups renting our facilities to either:

1. Provide proof that they already have obtained liability insurance that meets the Liability Insurance Program requirements; **or**
2. Purchase liability insurance during the booking process.

4.0 Procedures

4.1 What if I Have the Required Insurance / Insurance Certificate?

If the user (renter) of the facility has the required liability insurance, proof of insurance naming the Town of Arnprior as an additional insured must be provided by the user group's insurance broker. If a Certificate of Insurance Coverage cannot be presented at the time of booking, coverage will automatically be charged. Charges will be refunded once a Certificate of Insurance is submitted by the user renting the Town facility.

4.2 How to Purchase Insurance

If the facility user does not possess adequate liability insurance coverage it can be purchased through the Facility User Liability Insurance Program at the time of the booking. The cost will be added to your Rental Agreement.

Insurance rates are based on the type of activity and perceived risk categories associated with the activity. The Facility User Rates Schedules are included in **Appendix A**. For special events not listed in the rates schedule, a separate rate referral from the insurer may be required.

Facility users are encouraged to discuss the Facility User Liability Insurance Program with their own personal broker/insurance provider to ensure they are making an informed decision and are comfortable with the product being offered under the Facility User Liability Insurance Program.

4.3 Making a Claim

In the event of a claim the facility user must contact the Insurer as soon as possible to ensure that the claim is recorded in a timely fashion. In the event of accident or injury please contact the respective emergency services to ensure that safety and appropriate medical attention is provided to those involved. In the event of a claim, it is the role of the Insurer to investigate, determine liability, and settle claims under their policy.

Frank Cowan Company

1-800-265-4000

Mulvihill JP & Son Insurance Broker Ltd

613-623-3123

4.4 Contact Information

For information or assistance with facility rentals, contact a Customer Service Representative at the Nick Smith Centre at 613-623-7301 or the Finance Branch, Town Hall at 613-623-4231.

Specific insurance queries regarding the Facility User Liability Insurance Program will be forwarded to the Insurer by Town staff as the Town is not licensed to provide insurance advice.

Frank Cowan Company Facility User Rates \$2,000,000 Limits of Liability

Sporting Events or Activities				
Note: <u>Organized Sports Leagues</u> without insurance are a Company Referral				
Low Risk				
Badminton, baton twirling, canoeing, dance lessons, horseshoes, lawn bowling, Pilates, skating, shuttleboard, table tennis, tennis, trampolining				
Medium Risk				
Basketball, baseball, basketball, cheerleading, cricket, dodge ball, dry land training, field hockey, figure skating, fitness classes, gymnastics, martial arts, non-contact sports (martial arts, pick up hockey, pick up lacrosse, touch/flag football), pickle ball, racquetball, softball, soccer, softball, squash, swimming with lifeguard, synchronized swim, water polo, volleyball, yoga				
Number of Participants	Low Risk		Medium Risk	
	Hourly Rate	Event	Hourly Rate	Event
1-25	\$250	\$60	\$4.00	\$95
26-50	\$400	\$90	\$6.00	\$120
51-100	\$600	\$120	\$8.00	\$190
101+	Refer	Refer	Refer	Refer
<p>Note: Over 1 day: Single Sports Events held for more than 1 consecutive days - a company Referral</p>				
Events - Annual Weekly and Seasonal Activities: Charge 2 times the flat fee; charge shown for Total Annual Premium				
E.g. Yoga Classes /medium activity with 20 people attend weekly. The Annual Charge would be: \$95 x 2 = \$190 Total Annual Premium				
E.g. A group of people get together weekly to figure skate from September to March (seasonal and medium activity) the total number of people in the group is 30 people. The Annual Charge would be: \$120 x 2 = \$240 Total Annual Premium				
Excluded Activities				
Alpine skiing, bacchelor/stagette parties, bike racing, boxing, climbing walls, contact sports (including hockey, lacrosse, martial arts), cycling, fireworks, gymnastics, horse related, kabaddi, kayaking, kickboxing, motor vehicle activities, rugby, skateboarding, snowboarding, stag/bachelor parties, tackle football wrestling and organized sports teams/leagues.				