

SER-011-008

Strathcona County
Municipal Policy Handbook

Licensing Of Recreational and Social Facilities

Date Approved by Council: 10/09/84; 10/09/90; 11/07/06
08/30/2011

Resolution No: 1102/84; 852/90; 688/2006
581/2011

Lead Role: Chief Commissioner

Replaces: 60-64-015

Last Review Date: August 30, 2011

Next Review Date: 08/2014

Administrative Responsibility: Planning & Development Services

Special Notes:

Reference the Municipal Government Act, RSA 2000, c. M-26, Section 61 (1) (2), as amended from time to time, authorizes a Municipality to grant rights with respect to its property.

Policy Statement

The County shall facilitate the orderly and timely granting of its property rights under a Recreation, Parks and Cultural Facility License Agreement for non-profit community organizations.

Definitions

Lands - means dedicated or designated vacant lands or facilities which are presently owned by the County or controlled by the County and are not required for civic purposes or are limited in economic use and are currently used as non-profit recreation and social facility sites and other such sites as may be approved by Council.

License - means a Recreation, Parks and Cultural Facility License Agreement where a person or organization is granted the right to use the facility or premises without becoming entitled to exclusive possession of County-owned land or facilities.

Licensed Area - means a community building, parking lot, and other permanent facilities such as tennis courts, outdoor rinks, sports fields, etc., that have been community-funded.

Public Use - means uses including but not limited to general use, rentals, lessons or courses and special functions.

Recreational and Social Organization – means those organizations that are incorporated under a special act of the legislature, the Agriculture Societies Act, Part IX of the Companies Act or the Societies Act, and having objects related to the promotion and encouragement of recreation services, and providing recreation facilities and services which may be provided by the Municipality.

Guidelines

1.0 Recreational and Social Organization

- 1.1 to non-profit recreational and social organizations operating activities and/or facilities which are beneficial to the Community.
- 1.2 Organizations conducting any form of residential or commercial activity will be dealt with outside this Policy.
- 1.3 Semi-commercial and private type of clubs will not be considered under this Policy due to their commercial type of operation and their ability for substantial revenues. These clubs will be dealt with by the Planning and Development Services Department on an individual market license basis.

2.0 Terms of License

- 2.1 Shall be for a term of up to five (5) years and may be renewed upon request of the Licensee in accordance with the terms and conditions of this Policy in effect at the time of renewal. The County will not unreasonably withhold this renewal.
- 2.2 Negotiations for License renewals may commence not more than one (1) year in advance and not less than (2) months in advance of expiry date at the option of the Licensee, and shall be completed within two (2) months in advance of the expiry date in each case. A Letter of express interest to renew the License must be received from the Licensee.
- 2.3 In unusual circumstances, exceptions to this Policy may be considered by the County for major projects or renovations deemed to be in the public interest.
- 2.4 If, at the end of the term of the License, the Licensee remains in possession of the land, the License shall not be assumed to be renewed, and the License may be held in an overholding state as a month-to-month tenancy; subject in all respects to the terms of the originating License.

Roles and Responsibilities

The Director of Recreation Parks and Culture is responsible to:

- 1. negotiate—and administer under the supervision of the Director of Planning and Development Services.
- 2. obtain a recommendation from Planning and Development Services, and the Director of Facility Services prior to authorization of any construction, renovations, additions or improvements to the land,
- 3. ensure that any improvements on dedicated or designated County land shall be constructed by the County or by organizations with the approval of the Director of Recreation, Parks and Culture Department and the Director of Facility Services
- 4. annually request and obtain a copy of the annual return of the Association to ensure compliance with the License.
- 5. ensure implementation and execution of the Recreational and Social Facility Standard License Agreements as provided by the Director of Planning and Development Services.
- 6. Act as “Facility Director” for execution of the Recreational and Social Facility Standard License Agreement.
- 7. maintain accurate and complete Recreational and Social Facility Standard License Agreement files
- 8. ensure all correspondence is provided to the Director of Planning and Development Services

The Director of Planning and Development Services is responsible to:

- 1. obtain recommendation from the Director of Recreation, Parks and Culture and the Director of Facility Services prior to the issuance, amendment or renewal of the Recreation, Parks and Cultural Facility License Agreement.

2. prepare all for review and implementation by the Recreation, Parks and Culture Director and Legislative and Legal Services.
3. maintain accurate and complete Recreation, Parks and Cultural Facility License Agreement files
4. Act as "Land Director" for execution of the Recreation, Parks and Cultural Facility License Agreement.
5. Obtain signature by the County's authorized signing officers
6. provide duly executed copies of the complete Recreation, Parks and Cultural Facility License Agreement to the Director of Recreation, Parks and Culture and the Director of Facility Services.
7. review this Policy every three (3) years.