



Town of Whitby Policy

Policy Title:	Member of Council Organized Community Events Policy
Policy Number:	To be assigned following Council or CAO approval
Category:	Governance
Reference:	Legislation, other Policies, Council Resolution #, etc.
Date Approved:	Click here to enter a date.
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Approval:	Council
Point of Contact:	Town Clerk

Policy Statement

To promote local government and the role of Council, it is recognized that Members of Council may choose to independently organize community events. The Corporation of the Town of Whitby recognizes the positive impact these events can have on the community by promoting greater awareness of local government and the role of local elected officials. This Policy sets guidelines and best practices for Members of Council to follow when organizing community events, in addition to identifying resources the Town will provide to support these events.

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1 Definitions

- 1.1 Council Expenses – Eligible expenses incurred by Members of Council in accordance with the Council Expense Policy G 050.
- 1.2 Member of Council Organized Community Event – An event open to the local community that offers activities, food, and/or entertainment and is organized and hosted by a Member or Members of Council in order to foster community building and/or promote the awareness of the Member’s role as an elected official and local government. Such events are different from Council Member hosted constituency meetings, business meetings, town halls, and issues-based community engagement sessions where the primary purpose is to provide presentations, information, and obtain feedback from residents without activities, entertainment, and food beyond light refreshments.

2 Election Year Restriction and Campaigning

- 2.1 Town support for Member of Council Organized Community Events, be it reimbursement through Council Expenses or other contributions of Town resources, shall not occur in an Election Period defined as:
 - With regard to a regular municipal election, the first day prescribed for the filing of nominations in accordance with the Municipal Elections Act and ending when the new Council takes office; or,
 - With regard to a by-election, from when the by-election is called and ending on voting day.
- 2.2 The occurrence of any campaigning, as defined by the Use of Corporate Resources for Election Purposes Policy G 070, at the Member of Council Organized Community Event will result in the Town not supporting the event and the member being required to reimburse the Town for any resources and Town contributions already provided.

3 Funding

- 3.1 It is recognized that Members of Council may choose to fund community events they organize as follows:
- By offsetting certain costs through their Council Expenses (e.g. park or facility permit). See also Council Expense Policy G 050 for eligible expenses;
 - Through personal funds; and/or,
 - By obtaining in kind and monetary sponsorships.
- 3.2 To promote accountability and transparency, Members of Council are encouraged to submit a statement to the Office of the Town Clerk on the prescribed form showing how their community event was funded. Upon submission, the form will be maintained as a public record in the Clerk's Office and, until its destruction, may be inspected by any person at a time when the Clerk's Office is open.
- 3.3 When accepting monetary donations, it is strongly recommended that Members of Council do not handle cash or manage funds through their personal accounts, and instead have sponsors pay vendors directly or designate a financial professional to manage the funds on their behalf. Examples of a designated financial professional include an accredited bookkeeper, certified accountant, and a treasurer of a registered corporation, registered charity, or religious organization.

4 Events on Town Property

- 4.1 Should a Member of Council wish to host an event on Town property, it will be treated as a Third-Party Special Event and the Member of Council will be required to adhere to the Special Events Policy and to obtain and pay for the facility or park permit and any costs associated with the programming of the event.
- 4.2 Each Member of Council is eligible to have one facility or park permit waived per year up to a maximum of \$500 to organize and host a community event in accordance with this Policy.
- 4.3 Appendix 1 outlines the steps to be followed to comply with the Special Events Policy and procedures outlined in the Special Events User Guide and to obtain the necessary facility or park permit.

5 Events not on Town Property

- 5.1 Member of Council organized community events that are open to the public and hosted on private property entail different requirements under the Special Event Policy to address impacts to the general public or local neighbourhood as a result of parking or noise. Requirements for community events on private property should be confirmed by contacting the Manager, Events, Culture and Tourism.

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6 Insurance

- 6.1 Members of Council who organize and host a community event as outlined in this Policy are considered to be acting in their official capacity as an elected official for the purpose of the Town's insurance policy, and as such will have insurance coverage from The Corporation of the Town of Whitby for their actions in relation to hosting and organizing the community event.
- 6.2 The Town's insurance coverage will not apply to any vendors providing goods or services for the event. As such, Members of Council are responsible for obtaining a certificate of insurance from each vendor naming the Town as an additional insured. Vendor insurance requirements are outlined in Appendix 1 and can be confirmed through the Commissioner of Financial Services/Town Treasurer.
- 6.3 The Town of Whitby maintains a roster of vendors for Town run special events and other initiatives and for which insurance coverage has already been confirmed. Members of Council have the option of using a vendor on the Town's roster, and doing so will avoid the need for the Member to confirm insurance requirements. The Member of Council remains responsible for retaining and paying the vendor and coordinating their services with respect to the community event.

7 Equipment Available and Staff Assistance

- 7.1 Members of Council will be required to secure their own event equipment. Certain event supplies may be made available by the Town for Members of Council to use. See Appendix 1 for information on the process to request and pickup Town event supplies.
- 7.2 Unless approved by the CAO, there will be no Staff in attendance or Staff assistance available at Member of Council Organized Community Events.
- 7.3 Additional in-kind services may be provided by the Town for Member of Council Organized Community Events at the discretion of the CAO, who will approve or deny such requests based on the scope and Town's operational requirements. For example, the Town may provide additional trash receptacles in a park for the day of the event and undertake waste collection following. Requests must be made to the CAO with sufficient notice to allow Staff to plan and allocate resources accordingly.

8 Promotion of Member of Council Hosted Special Events

- 8.1 Advertising and promotion of the Member of Council organized community event, such as flyers and online advertising, will be arranged directly by the applicable Member(s) of Council.

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8.2 Upon request, promotion of the Member of Council Organized Community Event will be provided through these corporate communication channels:

- Whitby.ca community calendar; and,
- Social media posts.

8.3 To utilize the above corporate communication channels, the Member of Council must submit their event information to the Manager, Events, Culture and Tourism with sufficient notice, being generally 60 days in advance.

9 Delegated Authority to Maintain Appendices

9.1 The Town Clerk is delegated the authority to create and maintain appendices to this Policy that outline the applicable process and procedures to be followed by Members of Council in order to obtain the necessary Town permits and approvals, and to detail any other requirements or processes with respect to event supplies, insurance requirements, external agency requirements, and applicable Town policies and by-laws.

Appendices

Appendix 1 Member of Council Organized Community Events – Processes and Approvals

**Appendix 1 to Member of Council Organized Community Events Policy:
Processes and Approvals**

1. **Complying with the Special Event Policy and booking a Town location for your event**
 - 1.1. Determine the date of event and location (at least 60 days prior to your event).
 - 1.2. Reach out to eventpermits@whitby.ca or to the Manager, Events, Culture and Tourism to confirm availability of the Town facility or property.
 - 1.3. Staff will confirm the particulars for the requested location and arrange for a park or facility permit to be issued in the Council Member(s) name. When issuing the permit, Recreation Staff will automatically waive the permit cost in accordance with Section 4.2 of the Policy. If the Member has already had one permit waived that year or the permit cost is in excess of \$500, then the Member may pay for the outstanding balance by:
 - Paying for it personally or having a sponsor of the event pay it on their behalf; or
 - Charge it to their Council Expenses. If no response is received from the Member, the outstanding cost will automatically be charged to the Member's Expenses.
 - 1.4. Depending on the scope of the event (i.e. inflatables, food trucks, a barbeque, open to the public, music, etc.), information and additional approvals as required under the Special Events Policy and the Special Events User Guide will be communicated.
 - 1.5. Staff will advise the Member of the applicable approvals based on the information shared regarding the event particulars, and the Member of Council is responsible for obtaining any necessary approvals and permits. See Sections 2 to 4 of this Appendix for information about insurance, inflatable requirements, and Durham Health food safety approvals.
 - 1.6. The Member of Council should check with the Mayor and Councillors' Office Staff if they require event equipment that the Town keeps in inventory.

1.7. The Member of Council will be responsible to pick up and return any event equipment loaned from the Town. It is the responsibility of the Member of Council to return any event equipment within 72 hours following the event.

2. Food at the event

2.1. The following Durham Health applications are to be completed for food trucks, food vendors, and when serving any food or drinks to the public at a community event:

2.1.1. [Durham Region Special Events Application Form for Event Organizer](#) – To be **completed by the Member of Council** and submitted at least 45 days prior to the event.

2.1.2. [Durham Region Food Vendor Application Form](#) – To be **completed by each food vendor** and submitted at least 30 days prior to the event.

2.2. For food related questions, please email the Region of Durham Health Department at ehl@durham.ca

3. General vendor insurance requirements

3.1. In accordance with Section 6.3 of the Policy, Members of Council can request from the Manager, Events, Culture and Tourism a roster of vendors the Town uses for special events and other initiatives and for which insurance coverage has already been confirmed.

3.2. If Members of Council use vendors that they have sourced for which the Town does not have confirmed insurance coverage on file, those vendors must meet the Town's minimum insurance requirements as identified below.

3.3. The Town's minimum insurance requirements are:

- Two million dollars (\$2,000,000.00) Commercial General Liability with the Town added as additional insured; and,
- Two million dollars (\$2,000,000.00) Automobile Liability.

3.4. The insurance policy shall name the Town of Whitby as additional insured. The vendor's insurance broker/agent or insurer will complete the Town's certificate of insurance form with no amendments.

- 3.5. The certificate of insurance is required to indicate the location and activity of the named insured for which the certificate is issued.
- 3.6. The insurer must be licensed and approved to operate in the Province of Ontario.
- 3.7. The Town reserves the right solely at its discretion to require additional types of insurance coverage or higher limits of insurance coverage depending on the nature of the event and types of activities planned during the event (i.e. fireworks, inflatables, amusement rides, sale of alcoholic beverages etc.). The Town may also require waivers and risk inspections at the discretion of Risk Management and the Town's insurer.
- 3.8. The vendor must agree to indemnify and save harmless the Town with respect to any and all actions arising either directly or indirectly.

4. Requirements for Inflatables at Special Events

- 4.1. If a Member of Council elects to use a vendor for inflatables for which insurance and permits have not already been verified by the Town, the following requirements must be met and documentation provided by the vendor:
 - 4.1.1. A TSSA Ontario Amusement Device License and Permit for inflatables.
 - 4.1.2. The inflatable provider assumes full responsibility for delivery, set up, operation, supervision and take down of all inflatables and at no time shall a volunteer operate the inflatable.
 - 4.1.3. The inflatable provider must carry and maintain in full force and effect Commercial General Liability in an amount of Five Million Dollars (\$5,000,000.00) for claims arising out of one occurrence. Such insurance policy shall be in the name of the inflatable provider and shall name The Corporation of the Town of Whitby as additional insured. Proof of insurance must be provided on the Licensor's Certificate of Insurance form.