

<b>DEPARTMENT:</b>  <b>RECREATION &amp; CULTURE</b>	<b>DATE EFFECTED:</b>  <b>January 1, 2009</b> Revised November 30 2009	<b>POLICY:</b> <b>Arena Payment &amp; Cancellation Policy</b>  <b>Report R-2008-36</b> <b>Report R-2009-36</b>
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SECTION: 1000.55

**Purpose**

This policy establishes and clarifies the City’s responsibility for arena administration, and its commitment to the management of:

- Fiscally responsible arena operations
- Fair and equitable arena ice/floor allocation
- Processing of tournament, special event and seasonal arena permits
- Special event arena management

**1. Arena Operations**

The City of Niagara Falls will responsibly manage its arena resources to ensure optimum usage and programming, to reflect municipal directives and to minimize risk and operational issues, as well enhance fiscal health to allow for timely and effective arena management.

**2. Tournaments and Special Events**

The City of Niagara Falls supports tournaments and special event rentals. Tournament and special event rentals are revenue generating opportunities to both the organizers and the City of Niagara Falls as well as economic spin-off to the community at large. They may include events of regional or provincial significance or tournaments hosted by seasonal clients, private individuals, organizations or the community.

**2.1 Tournaments and Special Events Payment Schedule**

- Require 25% deposit on a credit card day of booking tournament/special event.
- Tournament/event ice/floor usage to be confirmed 30 days in advance with a second payment of 25% of the total amount owing.
- Remaining 50 %, payment is due the day of the tournament/event.
- Above conditions including use of a credit card and 25% deposit do not apply to arena tenant organizations in good financial standing. Tenant organizations will be invoiced following their tournament .

**2.2 Tournament Permit Amendments and Cancellations**

The City will effectively manage any client requests for tournaments and special event permit amendments or cancellations with the goal of minimizing administrative, revenue and operational impacts. When changes or cancellations are requested, the guidelines outlined in this policy will be applied.

**3. Permit Amendments**

**3.1 Cancellations**

PRC has the right to control all arena ice/floor distribution and use of City-owned and operated arenas for the duration of the arena permit. Controls must be in place to minimize the negative revenue impacts that unused, returned, amended and cancelled ice/floor time can have on the arena operation, its clients and the tax payers of Niagara Falls.

**3.2. Transferred Arena/ Arena Trades/Sub-Leased Arena**

The City of Niagara Falls is the sole permit authority for all arena times. The City must be aware of and be

able to control the intended use of all arenas within its permitted times. It is recognized that last-minute changes to the intended use of the arena may occur under rare, infrequent and unforeseen circumstances however PRC must be notified by the permit holder. Failure to notify the PRC may result in termination of the permit and cancellation of future bookings.

### 3.3. Permit Cancellation

Once an arena rental permit has been signed, the following cancellation policies come into effect:

Tournaments and Special Events (initiated by the permit holder and/or the permit holder's designated arena permitted/scheduler(s))

- Require 60 calendar days written notice to PRC in order to receive a full permit refund. A partial 25% refund will be given upon 30 calendar days written notice.
- Administration fee of \$20.00 per permit for cancellations
- No refund will be given upon 29 or less days cancellation notice.
- If a buyer cannot be found for the requested to be cancelled hours, the permit holder is responsible to pay the full cost for unsold hours and the additional cancellation fees.

### Youth Tenant Organization Tournaments

- Require 60 calendar days written notice to PRC in order to receive a full permit refund. A partial 25% refund will be given upon 30 calendar days written notice.
- Youth tournaments will be eligible for exemption from the 60 calendar day or 30 days calendar notice subject to and conditional upon the remission of appropriate documentation from applicable provincial organizations.
- Administration fee of \$20.00 per permit for cancellations
- If a buyer cannot be found for the requested to be cancelled hours, the permit holder is responsible to pay the full cost for unsold hours and the additional cancellation fees.

### Seasonal rentals

- Require 15 calendar days written notice to the PRC in order to receive a full permit refund.
- Administration fee of \$20.00 per permit for cancellations
- If a buyer cannot be found for the requested to be cancelled hours, the permit holder is responsible to pay the full cost for unsold hours and the additional cancellation fees.

### Occasional Rentals

- Require 15 calendar days written notice to the PRC in order to receive a full permit refund.
- Administration fee of \$20.00 per permit for cancellations
- If a buyer cannot be found for the requested to be cancelled hours, the permit holder is responsible to pay the full cost for unsold hours and the additional cancellation fees.

### 3.4. Permit Cancellations by the City of Niagara Falls

The City reserves the right to reasonably postpone, reschedule or cancel any permitted activity due to justified circumstances. The City reserves the right to cancel a permit or portion of the permit if there is a breach of the condition or regulations, Rzone or should the City be of the opinion that the arena is not being used for the purpose contained in the application. The City will exercise no tolerance to any form of violence, vandalism or inappropriate behaviour. Where postponement or rescheduling cannot be mutually coordinated, the permit holder affected will receive a full refund/credit for the time owing.

### 3.5 Curfew Arena

The City reserves the right to curfew any games, including tournament games, to maintain the schedule submitted and will consider the cancellation of any or all permits if the user does not cooperate. It is the responsibility of user groups to inform PRC of any special requirements regarding curfews at the time the schedules are submitted.

### 3.6 Opening Arena Facilities Outside of Standards Hours of Operation

The opening of arenas on statutory holidays, when they are normally closed, or beyond established operating hours will be considered only if the applicant agrees to pay for the full operational costs for such an opening and pending the availability of staff. All reasonable requests will be reviewed and responded to. Application does not guarantee approval.