



Ice Allocation Policy and Guidelines

2011

1. Purpose

The Town of Essex's arena facility portfolio will significantly change in 2011 as a result of the anticipated closure of the Memorial Arena. It has become necessary to more clearly define and communicate how ice will be managed, allocated and distributed fairly and equitably for all user groups. This policy and guidelines contained within will serve as a guide for the ice allocation process.

The goal of this policy is to promote and encourage participation in ice sports to the overall benefit of the community. This Ice Allocation Policy has been developed to address upcoming changes to the current arena facility portfolio, changing demographics and market supply of indoor ice.

The policies identified in this document establish and clarify the Town's responsibility for ice allocation, facility administration, and its commitment to the management of:

- I. Fiscally responsible ice facility operations;
- II. Fair and equitable ice allocation;
- III. Processing of tournament, special event and seasonal ice permits;
- IV. Special event ice management;
- V. General administration requirements;
- VI. Enhancement of the quality of life for all citizens; and
- VII. Safe and accessible services to all.

2. Ice Allocation Responsibility

The Town of Essex's Community Services Booking Clerk has the responsibility to coordinate the allocation and distribution of ice on an annual basis to reflect population, registration, utilization and participation patterns, in addition to

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applying municipal, provincial and federal directives where required. The Booking Clerk is responsible for implementation of the policies as outlined.

3. Ice Facility Operations

The Town of Essex will responsibly manage its ice resources to ensure optimum usage and programming, to reflect municipal directives and to minimize risk and operational issues, as well enhance the fiscal health to allow for timely and effective infrastructure updates.

4. Ice Allocation and Distribution

4.1 Client Scheduling Priorities

Ice will be allocated utilizing to the following priority groups:

- I. Town of Essex recreational ice programs;
- II. Youth organizations;
- III. Tournaments and special events;
- IV. Seasonal clients;
- V. Boards of education – high school hockey and school ice;
- VI. Occasional and commercial users; and
- VII. Occasional and commercial users tournaments and special events

The Town of Essex supports special programs like tournaments and special events. These programs provide revenue generating opportunities to the program organizers and the Town of Essex as well as economic spin-off to the community at large. Typically, tournament and special event ice time is allocated above and beyond group's regular seasonal allocation.

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4.2 Seasonal Clients

Groups in this category are defined as groups that use the ice facility(s) on a weekly basis for an entire season. Examples are men's and ladies hockey leagues, pick-up hockey groups, etc. The Town of Essex wishes to recognize long-term clients.

Grandfathered status will provide existing clients (clients prior to the 2010/2011 ice season) access to historical ice (same or similar date or time blocked) to all seasonal clients that have had the same hour(s) for two or more consecutive years from the current year.

The Town reserves the right to change the ice allocated to grandfathered clients when facility closures or restrictions must be applied, when ice schedules negatively influence operational and/or program efficiencies and resident demands. In these circumstances every attempt will be made to find an equitable ice time replacement.

If a designated 'grandfathered' permit holder disbands or fails to apply for ice in consecutive ice seasons, they will lose their 'grandfathered' status. If they reapply in a subsequent ice season, they will be treated as a new client. The 'grandfathered' designation is not transferable.

4.3 Boards of Education – High School Hockey, and School Ice

School bookings are to be administered on a first-come, first-served basis through the Facility Booking Clerk.

High School Hockey – A designated convener will be the point of contact for the high school hockey allocations (Practice and Game Allocation).

4.4 Occasional or Commercial Users

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Groups in this category are defined as organizations or individuals that use ice time with the intent of generating positive net income (profit). At the Town's discretion, not-for-profit groups may be allowed to generate net income from the use of allocated ice time so long as the subjects use aligns with the "fundamental activities" of the group. In consultation with ice users the Director will establish a process to ensure that net income producing activities of not-for-profit groups remain consistent with the goals, objectives and guiding principles of the Allocation Policy as well as the best interests of Essex residents.

4.5 Residency

The Town of Essex recognizes the tax-based contribution provided by its residents toward the development and operation of recreation ice facilities and recognizes that residents will always receive priority over non-residents in the allocation of ice time, except in the case of Bylaw #916 (ice use agreement).

The Town reserves the right to impose residency requirements or limitations on permit applicants at any point in time in the future when it is deemed necessary to do so (e.g. restricted ice capabilities).

The Town will accommodate the regular use of ice by non-residents after resident demand is satisfied and under special circumstances such as reciprocal agreements. Non-residents will not achieve historical status in regards to permit allocation on a year to year basis. Non-residents use will be reviewed on a case by case basis.

4.6 Weekly Hours of Entitlement and Distribution for Youth Organizations

The number of weekly hours allocated to any Youth Organization will be based on justified need. On the annual basis, registration data must be supplied by the Youth Organizations in an approved format to the Booking Clerk. The total number

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of registrants in a particular group will comprise a percentage when compared against the total registration of all youth groups. Once the registration percentages have been determined, allocation of available prime time ice will be allocated.

Example using 1,000 registrants and 3 youth groups

EMHA	600 registrants	or the equivalent of 60% of available prime time
Lakeshore Girls	300 registrants	or the equivalent of 30% of available prime time
Skate Essex	100 registrants	or the equivalent of 10% of available prime time

4.7 The Seasonal Minimum Commitment

All youth organizations and seasonal users are required to commit to a minimum:

Fall and Winter – 27 of 29 consecutive weeks permit schedule to be completed between the 12th of September and the end of the winter session March 31.

Exceptions to the 27-week commitment may be made when the Town is unable to supply replacement ice for disruptions to regular ice time during weekends and emergency closures.

Spring and Summer – Off-season ice time requests must be submitted 3 months prior to the requested start date and will be reviewed by management before requested times are approved to ensure that a fiscally responsible decision is made.

4.8 Time Period Entitlements and Restrictions

4.8.1 Prime and Non-Prime Ice

All youth organizations will receive an equitable distribution of prime and non-prime hours. All youth organizations, regardless of gender orientation,

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level of competitiveness, and total hours of entitlement shall not receive relatively more or less prime time access than a similar client.

Prime Time	Monday – Friday	4pm-11pm
	Saturday and Sunday	7am-11pm
Non-Prime Time	Monday – Friday	11pm to 4pm
	Saturday – Sunday	11pm-7am

4.8.2 Weekday and Weekend Ice

An ice distribution ratio of 50% weekday ice and 50% weekend ice will be used as a guideline by the Booking Clerk when allocating ice to seasonal and youth organizations.

Weekday Monday to Friday

Weekend Saturday and Sunday

4.8.3 Block bookings

Ice will be allocated in blocks of time (minimum of one (1) hour). No organization will dominate a specific time block to the detriment of another organization. All organizations will share equally in the distribution of early and late prime time ice. In an organization can demonstrate, to the satisfaction of the Booking Clerk, that 'blocking of time' as outlined in this policy is not feasible, alternate methods of time distribution may be considered.

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4.9 Conflict Resolution

Ice time request conflicts that arise from the user group meeting will be brought to the Director. These conflicts will be brought forward to the specific groups affected for discussion and resolution with the Director acting as mediator. Should no resolution be reached with mediation addressing a specific ice time request conflict a final decision will be made with consideration given to the following factors.

These factors would include:

- I. User group historical ice allocation;
- II. The degrees in which the user groups ice time requests have been met, apart from the ice time request in conflict;
- III. The age of the user group as it relates to the period of ice time in conflict;
- IV. Sport(s) requirements of the groups involved. This would include requirements of governing sport bodies and logistics involved in the sport(s); and
- V. Other applicable Town of Essex policies.

Should the groups not be able to resolve the conflict, the decision of the Director will be final.

5. Processing and Management of Tournaments and Special Events Applications and Permits

The Town of Essex recognizes the significant positive impacts that tournaments, special events and championships can provide to the community. In order to accommodate these events and minimize disruptions to regular programs and league play, the Town of Essex will attempt to schedule these tournaments after the regular season (March 31).

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5.1 Tournament Permit Amendments and Cancellations

The Town 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 the Ice Allocation Policy will be stringently applied.

6. Processing and Management of Seasonal and League Ice Applications and Permits

Group 1

- 1) Group 1 is defined as a user that books more than 5 hours per week;
- 2) Groups are not allowed to cancel their ice from September 15 to January 31. Beginning February 1 groups will be allowed to cancel ice time that is not required but must do so seven (7) days in advance of the ice time and will be charged \$30.00 per hour of cancelled ice time unless the ice time is rebooked by the Town of Essex;
- 3) Any cancellation of ice time in August must be done (7) days in advance of the ice time and will be charged \$30.00 per hour of cancelled ice time unless the ice time is rebooked by the Town of Essex;
- 4) Ice time may only be cancelled at the beginning or end of the rental time (For example: The original rental was from 7:00 p.m. to 10:00 p.m. and the group wants to cancel one hour, they must cancel either 7:00 p.m. to 8:00 p.m. or 9:00 p.m. to 10:00 p.m.);
- 5) Groups may tentatively book ice time after February 1 for playoffs/playdowns; however, if a request for that ice time arises the user group will be contacted and must make an official decision if they want the ice time or will give it to the requesting group. This decision must be made within 24 hours or the ice will be given to the group requesting the ice time;

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- 6) Should the user wish to sublease unused time under their permit, they will be responsible for collecting the fees from the groups that they sublet the time to. It is the responsibility of the user groups to contact the Facility Clerk to verify that the group using the ice is covered through an insurance policy with \$2,000,000 liability insurance; if they do not have this insurance, it can be purchased through the Town of Essex for \$7.00 per hour of ice time; and
- 7) Groups will be sent a billing report on the first of every month, or first business day after, and will have until the tenth (10) of the month to contest any ice time charges. The group must pay their bill by the twentieth (20) of the month or will be charged the prevailing late payment penalty on the outstanding balance—the rate is presently at two percent (2%) interest.

Group 2

- 1) Group 2 is defined as a user that books .25 to 4.75 hours per week;
- 2) Groups may cancel up to two (2) ice times between September 1 and March 31. This must be done before the signing of the contract which is due by August 31;
- 3) All other ice time will be billed regardless if the ice is used or not;
- 4) Subletting of ice time will not be allowed; and
- 5) Groups must have their ice paid for by the fifteenth (15) of every month or a two percent (2%) interest charge will be applied to the outstanding balance.

Group 3

- 1) Group 3 is defined as a group that does not book regular ice time;
- 2) Groups must pay a 50% deposit for their ice time booking and must pay for their rental in full at least three (3) business days in advance; and

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- 3) If the user chooses to cancel their ice time prior to the three (3) business days in advance of the rental they will lose their deposit. If they cancel less than (3) business days in advance they will lose the entire rental fee.

7. General Ice Management

7.1 Ice use and Ice Flood Schedules

In order to maintain the efficient scheduling of maintenance staff, ice floods, and to ensure the accurate communication of pad and room assignments to participants, the Town requires that all groups supply ice use schedules and flood requirements to the Booking Clerk one month prior to the commencement of the season. Failure to comply could result in the cancellation of all or some of the permit contract for the remainder of the ice season.

The Town reserves the right to accept or modify ice flood requests to ensure the achievement of operational efficiencies and pad coordination. Special floods for any ice use time of less than two hours will not be considered (e.g. a 90-minute game does not qualify to receive an extra mid-game flood).

7.2 Group Representation

In order for the Booking Clerk to effectively serve all customers, all groups are asked to elect no more than two representatives to serve as liaison between the Booking Clerk and their group. All communications between the group and the Booking Clerk should, at all times, be channeled through each group's representatives.

7.3 Safety Concerns

The Town staff has noticed the following safety practices not being followed by certain groups. Individuals have been observed on the ice surface without helmets,

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children sitting on boards, coming on the ice, putting pucks and water bottles on the ice surface before the Zamboni doors. Failure of users to comply with these and all other ice safety rules can result in the cancellation of ice time for the disobedient group.

7.4 Curfew Ice

The Town 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 in the implementation of this Ice Allocation Policy directive. It is the responsibility of user groups to inform the Booking Clerk of any special requirements regarding curfews at the time the schedules are submitted. It is the responsibility of the user to ensure all ice required is booked prior to on ice activities.

7.5 Instructional Program and Leisure Skate Management

The Town of Essex reserves the right to offer instructional programs and leisure skate services at its arenas for the benefit of the general public. Instructional programs and leisure skate services proposed to be offered by any permit applicant is subject to the Town's review and approval. Through application of the guidelines outlined in the Ice Allocation Policy, duplication of programs and services will be managed effectively and coordinated to limit or remove any negative impact(s).

7.6 Program or Leisure Skate Cancellations

In order to minimize user frustration, dissatisfaction and related negative impacts, the Town of Essex will not cancel advertised instructional programs and leisure skate times, with the exception of the following:

- I. Significant and high profile special events as approved by the Director.

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- II. Low registration in instructional programs.
- III. Emergency shutdown situations and ice maintenance issues.

7.7 Temporary Ice Cancellations and Redistribution

In the event of an unplanned multi-day facility closure, the Booking Clerk will act to redistribute ice permits so that all ice users are universally impacted while certain types of ice use are protected from cancellation over others. The Town will apply predetermined ice priorities and procedures identified in this Ice Allocation Policy. The Town reserves the right to make all final decisions regarding emergency ice cancellations and redistribution.

7.8 Opening Arenas Outside of Standard Hours of Operation

The opening of arena facilities on statutory holidays, when they are normally closed, or beyond established operating hours (as defined by this Ice Allocation Policy), 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.

8. General Administration

8.1 Forms

The Town reserves the right to reject applications and requests from clients who submit forms or documents which are not complete or contain falsified information.

8.2 Insurance Requirements for All Facility Users

The organization shall, at all times during which it is allocated ice time in Town of Essex recreational facilities, arrange, pay for and keep in force and in effect

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Comprehensive General Liability Insurance on an "occurrence" basis including personal injury, bodily injury and property damage protecting the Town of Essex, its elected Members of Council, its employees, agents and contractors (hereinafter "Released Persons") and the organization against all claims for damage or injury including death to any person or persons, and for damage to any property of the Released Persons or any public or private property, howsoever caused including damage or loss by theft, breaking or malicious damage, or any other loss for which the Released Persons or the organization may become liable resulting from the organization's use of ice time in Town of Essex recreational facilities. Such policy shall be written with inclusive limits of not less than Two Million Dollars (\$2,000,000). The Town of Essex must be named as additional insured.

The organization (for itself and its insurers) shall release each of the Released Persons and waives any rights, including rights of subrogation; it may have against them for compensation for any loss or damage occasioned by organization or loss of use of property of the Purchaser.

The organization shall provide certificates of insurance evidencing the coverage as required above to the Booking Clerk upon ice time confirmation by the Booking Clerk, which certificates shall include the obligation on the part of the issuer of the certificates to endeavor to provide thirty (30) days written notice of cancellation to the certificate holders. Upon expiry, documents of renewed coverage are again to be provided and the organization will make policies available to the Town for review from time to time and in the event of a claim.