

Appendix A to staff report SRCS.19.022

Policy

Policy Name:	Community Tennis Club Policy
Policy Owner:	Recreation & Culture Division
Approval:	Council
Effective Date:	January 1, 2017
Date of Last Revision:	N/A
Review Date:	Proposed June 1, 2021
Policy Status:	New, 2016

PREAMBLE:

The Town of Richmond Hill provides facilities, programs and services to meet the sport and recreational needs of its residents. As such, the Town provides publicly accessible tennis courts for the use and benefit of the community. The Community Tennis Club Policy acknowledges that tennis participation contributes to healthy lifestyles and promotes active living which contributes to a healthier community.

AFFIRMING STATEMENTS:

Community Tennis Clubs are instrumental in promoting the sport of tennis and cultivating tennis players. Community Tennis Clubs organize and deliver programs that encourage different types of play. They also provide general public access to courts during specified times of the day and days of the week.

The Town's relationship with Community Tennis Clubs is based on mutual respect, cooperation, collaboration and a commitment to grow the sport of tennis.

The Town will strive to ensure that the tennis service delivery system is seamless, effective and efficient in serving the needs of all tennis enthusiasts.

SCOPE

The Community Tennis Club Policy applies to not-for-profit Tennis Clubs that have been constituted to promote the sport of tennis and that operate on Town owned tennis courts.

PURPOSE:

The Richmond Hill Community Tennis Club Policy governs the relationship between the Town and Community Tennis Clubs that license the use of the Town's tennis courts. The Policy is intended to promote the sport of tennis while maximizing the equitable use of

tennis facilities. The Policy addresses tennis facilities and supporting infrastructure. It also provides guidelines for Club operations and administration and sets out the Club's obligations to preserve fair and equitable general public access to the facilities licensed by the Club.

The Policy is intended to help guide a graduated and strategic approach to developing and supporting Community Tennis Clubs reasonably distributed throughout Richmond Hill. It aims to ensure that the tennis service delivery system in the Town, including the Town's relationship with all Community Tennis Clubs, is structured and operated as effectively and efficiently as possible. In accordance with this principle, Clubs will be formed within geographical areas to facilitate the equitable delivery of tennis services throughout Richmond Hill while minimizing the competitive impact of one Club on another.

DEFINITIONS:

"Board of Directors" – A democratically elected committee charged with the legislative and operational obligations to manage sustainable tennis Club operations

"Council" – The Mayor and Members of Council of the Town of Richmond Hill

"Commissioner" – The Commissioner of Community Services of the Town of Richmond Hill

"Director" – The Director of Recreation and Culture Services of the Town of Richmond Hill

"Community Tennis Club" – A group of volunteers who have developed a not-for profit tennis club with a constitution and a board of directors who are compliant with legislative requirements and employ democratic processes in their operations.

"Constitution and By-laws" – A document that describes the location, purpose, goals, objects and general operating procedures of a Community Tennis Club as well as the roles and responsibilities of its officers.

"Financial Records" – An annual income statement and balance sheet demonstrating the Community Tennis Club's financial performance over the previous two fiscal periods as well as its ability to meet its financial obligations.

"Major Repair" – A capital repair or replacement of tennis courts (e.g. rebuilding or resurfacing courts, etc.) that requires the preparation of detailed specifications and drawings.

"Member" – A resident who meets membership criteria, has paid the prescribed fee to belong to the Community Tennis Club and abides by its By-Laws and code of conduct. A

75% residency requirement is a condition of obtaining Community Tennis Club status. The residency requirement is specified in the Community Group Affiliation Policy which may be adjusted from time to time.

“Membership/Registration Fees” – A schedule of fees for an annual membership (within various categories of memberships) and costs for ancillary programs, instruction and related services.

“Minor Operating Repair” – A repair to tennis courts or tennis court amenities (e.g. nets, net posts, fences or lights, etc.) not requiring the preparation of detailed specifications and drawings.

“Not-for-Profit Organization” - A not-for-profit organization provides services, programs and opportunities for residents. The organization is governed by a volunteer board of directors and there is no personal financial gain for members, trustees or directors. Any net revenues after operating and capital expenditures are reinvested into the organization and funds can only be used to promote the organization’s purpose.

“Paid Staff” – Community Tennis Club’s staff who are employed by the Club and are compensated for work fulfilling their operating obligations.

“Players/ Membership List” – A listing of members of the Community Tennis Club including contact information (full name, address, postal code, phone numbers and email addresses).

“Richmond Hill Resident” – A resident residing permanently in Richmond Hill, a person owning property in Richmond Hill or a person paying business taxes within the Town of Richmond Hill.

“Richmond Hill Tennis Advisory Committee” – A Committee that provides advice and guidance to Director of Recreation and Culture Services and that is structured and administered as described in the Richmond Hill Tennis Advisory Committee Terms of Reference.

“Town” - Refers to the Town of Richmond Hill

A COMMUNITY TENNIS CLUB’S MANDATE

A Community Tennis Club’s primary role is to develop and deliver programs and services to meet the identified needs of its members. Most Clubs will offer a junior program as one of these services. While Clubs will exist as not-for-profit entities, they may hire professional staff to run the operations, teach lessons or perform other duties necessary to ensure the Club conforms to the needs of its members while complying with this Policy.

FORMING NEW COMMUNITY TENNIS CLUBS

Where required, the Town would assist in the creation of new Community Tennis Club development through applicable Town practices and procedures. The Town will be responsible for the approval of new Community Tennis Clubs. The operations and obligations of all Clubs will be governed by this Policy. The general process that will lead to the development of a new Club is as follows:

1. The Town will strategically select sites suitable for Community Tennis Clubs based on:
 - *existing infrastructure* – ability to utilize existing courts either in their current form or to expand the number or quality of courts at the identified site;
 - *size* - ability to accommodate four or more courts plus parking and potentially a clubhouse;
 - *geographic location* - regionally disbursed throughout the Town; and
 - *competitively sensitive* – distant enough from other community tennis centres to avoid competitive disadvantaging existing or future Clubs operating at community tennis centre sites.
2. Community Services will organize, coordinate and facilitate consultation in the surrounding community before forming a new Community Tennis Club.
3. Community Services will facilitate the formation of a Club executive or Board of Directors. With support from the Town, the executive or Board will validate that there are a minimum of 30 potential adult members per court at the site, who are interested in joining the Club. The executive will submit a list of prospective members to Community Services including names, postal codes, email addresses and phone numbers.
4. With the Town's assistance, the executive will establish a constitution and By-laws. In accordance with the constitution, the executive will organize the initial annual meeting that will occur annually thereafter.
5. The By-laws should include provisions that contemplate the dissolution of the Club. At a minimum, the By-laws should recognize that the Club is responsible to notify the Town about plans to dissolve including the timing of the planned dissolution. The By-laws should also set out the process of winding up the Club's operations including settling outstanding liabilities, dealing with equipment and other assets owner by the Club, and the distribution of funds remaining in operating and reserve accounts.

NOT-FOR-PROFIT STATUS

All Community Tennis Clubs will be not-for-profit organizations and are required to demonstrate to the Town their not-for-profit status. Each Club will have an elected executive or Board of Directors, have a constitution and By-laws, produce annual financial statements and organize an Annual General Meeting. The Town reserves the right to review a Club's books and financial records at any time with reasonable advance notice provided to the Club. Should the Town determine that further review of the Club's financial records is warranted, at its discretion, the Town may require that a Club supply an audited statement.

LICENCE AGREEMENT

All Community Tennis Clubs will enter into a License Agreement with the Town that outlines the obligations of the parties to the Agreement for the use of the tennis courts and support facilities at the park location in which the Club resides. The Town will only issue Licenses to Clubs that can demonstrate a minimum of thirty (30) members per court at the Club's intended location. License Agreements will pertain to one tennis location in an individual park location. Community Tennis Clubs will be limited to one License Agreement with the Town. The duration of the Club's operating season will be specified in the License Agreement, which may be adjusted from time to time to accommodate changes in community needs or in response to weather conditions. In general terms, it is contemplated that the duration of the Clubs' summer program will be from April 15th to October 15th each season. Clubs will not be permitted to use the tennis courts or enter the clubhouse premises outside of the operating season without written permission from the Town.

PUBLIC TENNIS COURT ACCESS

Community Tennis Clubs are required to preserve non-Club member access to the courts at a guaranteed minimum of six (6) hours per week per court during primetime hours of play – to be negotiated between the Club and the Town. The Club will not organized programs or events during times that have been designated as public access hours. There will be no fee for non-member access during public access times. At its initial cost, the Town will provide signs that promote the public use of courts by non-members at each Community Tennis Club location. If public hours are changed as a result of the Club's schedule adjustment, the cost of new signage will be the Club's responsibility. The Club and the Town will post the public access times on their web sites or advertise the availability of public access hours on other appropriate promotional material.

RESIDENCY REQUIREMENT

Community Tennis Clubs must meet all requirements of the Town of Richmond Hill Community Group Affiliation Policy, which is attached as Appendix C. Specifically, the

Affiliation Policy stipulates a minimum residency requirement which means that 75% of a Club's membership roster or non-member participant list must be residents of Richmond Hill. A 75% residency requirement is separately applicable to membership lists for adult and junior members and is a condition of obtaining Community Tennis Club status. The residency requirement is specified in the Community Group Affiliation Policy which may be adjusted from time to time.

REPORTING REQUIREMENTS

The Community Tennis Club will submit a copy of its constitution and By-laws to the Town at the time the Club enters into its License Agreement for the use of the Town's tennis courts. Thereafter, the Club will submit the following to the Town:

- any changes or additions to the Club's constitution or By-laws;
- membership list with members names, member classification (adult, junior, etc.) and municipal residence;
- proposed fee schedule including membership and all other fees (including guest fees) for the upcoming season;
- an operational budget demonstrating operational sustainability;
- financial statement for the previous season including capital reserve contributions; and
- list of items that were funded by capital reserves in the previous twelve months and the capital reserve fund balance.

INCLUSIVITY

A Community Tennis Club's membership will be open to all residents of Richmond Hill. Clubs will develop and deliver or oversee a comprehensive tennis program for all ages and abilities including a tennis development program for children, teens, adults and older adults.

COMMUNITY TENNIS CLUB MEMBERSHIPS AND MEMBERSHIP PROCESSES

Community Tennis Clubs will offer adult and junior membership categories. Junior members will be under the age of eighteen (18) years as of January 1st of the current year. Additional membership categories may be added from time to time, with Town approval.

Clubs will establish a membership application process that is consistent with its By-laws. On an annual basis, membership applications will be available to any Richmond Hill resident provided that the applicant complies with the Club's By-laws.

Existing Clubs may accept applications for membership renewal for members of the previous season prior to accepting applications from new potential members. Clubs are

permitted to establish a deadline for membership renewal after which both new and renewal applications will be considered in the order in which the applications have been received by the Club. The Club must give Richmond Hill residents priority when considering new member applications.

At the Club's discretion and with Town approval, the Club may be permitted to close the application process to new members. A threshold of seventy-five (75) adult members per court will be used by Town in evaluating a Club's request to cap its membership. If a capped membership is approved, the Club will be required to establish a waiting list. The Club is not permitted to charge a fee to perspective members being added to the waiting list. Residents will get priority over non-residents on the wait list.

The Club is required to establish and publicize the guest policy describing the terms and conditions of when guests of members can use the tennis courts outside of public access hours.

The Club will establish rules and regulations for the proper use of tennis courts, tennis etiquette and player conduct while patronizing the tennis courts or support facilities. The Club will also establish penalties for individuals found to not comply with the rules and regulations. The penalties and penalty process, which must conform with applicable Town policies, will be administered and implemented by the Club.

MEMBERSHIP FEES

Community Tennis Clubs will charge annual membership fees to sustain the Community Tennis Club operations. Membership fees shall be sufficient only to provide such funds as the members and the executive deem necessary to pay for the annual Community Tennis Club operating expenses plus repayment of the Club's capital contribution to the construction of a new clubhouse (if applicable and based on the negotiated repayment plan) and to contribute to the capital reserve fund for repair and replacement items.

INSURANCE

All Community Tennis Clubs are responsible to obtain insurance as required through the Town of Richmond Hill's Community Group Affiliation Policy. The Club is required to provide a General Liability Insurance Certificate in the amount of \$2,000,000 (in 2016) naming the Town as co-insured (using Town's standard insurance form). The Affiliation Policy Insurance limits may change from time to time.

ROUTINE COURT AND FACILITY MAINTENANCE

In accordance with the requirements of the License Agreement, the Club will be responsible for maintaining tennis courts and ancillary structures to approved standards and ensure that any minor repairs are completed in concert with the Town and its

approved contractors. Further, after approval from the Town, the Club will be responsible for the costs of regular maintenance and/or improvements to the interior of the clubhouse for which it has a License (e.g. cleaning, painting, decorating, shelving, upgraded kitchen or bathrooms etc.).

COMMUNICATION

Community Tennis Clubs will communicate directly with Community Services on matters regarding operations, major maintenance and development of its programs and facilities.

Community Tennis Clubs will establish a complaint policy including a complaint resolution process that will be reviewed and approved by the Town. The policy must distinguish between “major” and “minor” complaints or disputes. All major disputes and resolutions must be reported to Recreation and Culture Services within 5 business days.

SAFETY AND SECURITY

Unless otherwise included in the License Agreement, Community Tennis Clubs will ensure the following:

- all paid staff and volunteers who work with children and vulnerable populations have undergone current Police Reference Checks; and
- all leaders within the Community Tennis Club overseeing organized programs (including both staff and volunteers) are to have successfully completed Emergency First Aid training as well as evacuation procedures.

OPERATION AND MAINTENANCE OF TENNIS FACILITIES

Community Tennis Club Responsibilities

- Fund 100% of the all annual operating costs of the Club activities.
- Fund 100% of minor repair costs to tennis courts or tennis court amenities (e.g. nets, net posts, fences or lights, etc.)
- Fund 100% for all hydro and other utility expenses as well as all other operating costs including maintenance and repair involved with the proper upkeep of the courts and interior and exterior of the clubhouse.
- Fund all costs relating to installation, removal, repair, replacement of nets, posts and windscreens.
- Fund all costs associated with keying or rekeying the courts or clubhouse when the club has requested the rekeying.

- Fund all signage costs to promote the Club and its programs and all public access hour signage requirements due to altering of times at request of Club (NB: All signage must conform to the Town's Signage By-Law).
- Fund all costs for insurance.
- Fund 50% cost for all major repair to clubhouse, lighting system and courts.
- Clubs shall maintain any existing clubhouse in good state of repair, satisfactory to the Commissioner of Community Services (or designate) and to a standard that ensures a safe playing environment.
- Clubs shall provide daily maintenance of notice boards and general appearance and cleanliness of the courts, clubhouse and surrounding area.
- Storage of items is prohibited in electrical and mechanical areas/rooms in accordance with legislative requirements including the Ontario Building Code and Ontario Electric Safety Code.
- Clubs will provide the Town notice of what repairs and changes are required to benches, garbage receptacles, etc.
- Clubs will report to the Town any vandalism to the courts, clubhouse and surrounding area.

Town of Richmond Hill Responsibilities

- Repairs and maintenance of court lights and fences.
- Initial installation of public access hours signage.
- Maintain lifecycle program for all facilities, equipment and systems.
- Supply trash receptacles as deemed required.
- Arrange for contracted services such as garbage pickup, etc. as deemed required.
- Perform inspections of facilities in accordance with Town policies and procedures.
- Coordinate and manage all major repair projects and contribute 50% of cost for all major repairs to courts, clubhouse or lighting systems.

CONSTRUCTION AND RECONSTRUCTION OF TENNIS FACILITIES

Community Tennis Club Responsibilities

- Where a new Community Tennis Club is formed and requires a clubhouse and ancillary facilities, the cost of the additional amenities will be shared with the Club being responsible for 25% of all associated capital costs. Payment terms will be negotiated between the Town and the Club but will not extend past a maximum

5-year repayment term. The Club will be responsible for 50% of the Town debt servicing cost if incurred by the Town.

- Clubs shall establish a capital reserve fund appropriate to the life cycle of the asset. The reserve shall be held separately from the Community Tennis Club's general funds and shall be reflected in the Club's financial records as a capital improvement reserve.
- Any Club that wishes to make any capital improvement to the building or court surface, shall submit a written request for approval to the Commissioner of Community Services, or designate. A reply in writing from the Commissioner of Community Services, or designate, must be received prior to proceeding. The Club will be responsible to fund 100% of the associated costs for any capital improvements that are beyond the Town's scheduled lifecycle repair and replacement plan.
- The Clubs shall contribute 25% cost sharing for all court reconstruction/resurfacing.

Town of Richmond Hill Responsibilities

- Plan, fund and oversee the construction of new tennis courts.
- The Town will retain ownership of the tennis courts, clubhouse and amenities.
- Where a new Community Tennis Club is formed and requires a clubhouse and ancillary facilities, the cost of the additional amenities will be shared with the Town being responsible for 75% of all associated capital costs.
- The Town will discuss resurfacing needs with the Clubs and determine when resurfacing or reconstruction should occur on a priority basis. The Town will oversee all construction to specified design standards and shall contribute 75% of the resurfacing/reconstruction costs.

RELATED DOCUMENTS:

- The Parks Master Plan
- The Recreation Master Plan
- The Community Group Affiliation Policy