

# COMMUNITY AND COMMERCIAL USE OF FACILITIES AND GROUNDS

## Background

Under the *School Act*, the District is obligated to provide facilities and grounds sufficient to conduct school age education programs. The efficient operation of such programs is recognized as the primary purpose of all District facilities and grounds.

The District recognizes, however, that all taxpayers contribute to the cost of constructing and maintaining local facilities and grounds through provincial taxation. The District agrees, therefore, to extend to the public the privilege of having access to District facilities and grounds provided it does not interfere with school programs or other District initiatives; this can only be allowed at no cost to the District. In the event of a violation of this privilege, the District reserves the right to cancel the use of any school facility or grounds.

These procedures set out appropriate obligations to govern usage outside of school hours. Generally, the District agrees that facilities and grounds will be rented for a variety of uses in accordance with the spirit and intent of the *Canadian Charter of Human Rights and Freedoms*

## Procedures

1. If there is undue wear or tear or damage to District facilities that could result from the use, or where there is a reasonable expectation that a confrontation between opposing groups might occur as a result of a rental, the District may deny access to school facilities and grounds.
2. The District reserves the right to enter into reciprocal agreements with the City of Vancouver, and the Vancouver Board of Parks and Recreation with respect to joint site acquisition, development and maintenance. In addition, the District reserves the right to enter into agreements with those agencies respecting the cooperative use of facilities and grounds for conducting courses and programs. Financial arrangements for such agreements will be negotiated separately between the participating agencies.
3. The responsibility for the Use of the Facilities and Grounds procedures is assigned to the Secretary Treasurer.
4. The Secretary-Treasurer delegates the responsibility for the management of the Rentals and Leases Department to the Director of Facilities.
5. The Manager of Operations is responsible for the day-to-day operation of the Rentals and Leases Department.

## 6. Guiding Principles

- 6.1. Access is granted provided that public use of school buildings and grounds does not interfere with regular curricular and extra-curricular programming, and that rental charges be assessed as per regulation.
- 6.2. School grounds are closed from 10:00 pm to 6:00 am. Any use of school property without the benefit of a rental contract is in violation of the Trespass to Property Act.
- 6.3. The rental rates for all school facilities and grounds is established by the District and reviewed annually. The calculation of these rates will include full cost recovery of long and short term capital and all operating costs. Commercial rates will be at a minimum 20% higher than community rates.
- 6.4. The rental of all school facilities and grounds is the responsibility of the Rentals and Leases Department. Revenues derived from the rentals of all school facilities and grounds are the property of the District and will be shared with schools for the support of school programs.
- 6.5. The use of District facilities and grounds shall be made on the basis of the following priorities:
  - 6.5.1. First Priority: School Use- Regular school curricular and organized extra-curricular activities that are authorized, organized, and supervised by the School.
  - 6.5.2. Second Priority: District Programs – All other District programs, services and initiatives.
  - 6.5.3. Third Priority: Negotiated agreements with the City of Vancouver, and the Vancouver Board of Parks and Recreation.
  - 6.5.4. Fourth Priority: All other outside groups including community and commercial.

The above priorities apply, except where a District approved agreement requires otherwise. Despite historical rights, any user may be bumped from a particular time, day or facility or grounds based on the priority of use noted above. The group doing the bumping is expected to give as much notice as is possible.

- 6.6. Section 2.2 of the Tobacco Control Act prohibits all persons from smoking or using tobacco, or holding lighted tobacco, in or on school property.
- 6.7. The consumption of alcoholic beverages on District property may be permitted in some circumstances. The specific requirements for this use can be found in Administrative Procedure 553 Appendix A.

Reference: Sections 22, 23, 65, 85 School Act  
Liquor Control and Licensing Act  
Tobacco Control Act  
Trespass to Property Act  
Disposal of Land or Improvements Order M193/08  
School Opening and Closure Order M194/08  
Canadian Charter of Rights and Freedoms

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