

**INCORPORATED HAMLET OF TUKTOYAKTUK
BYLAW #365/17**

BEING A BYLAW OF THE INCORPORATED HAMLET OF TUKTOYAKTUK IN THE NORTHWEST TERRITORIES TO ASSUME RESPONSIBILITY AND AUTHORITY FOR THE PROVISION OF RECREATION PROGRAM AND SERVICES, PURSUANT TO THE PROVISIONS OF THE HAMLETS ACT S.N.W.T. 2003, C.22, S.72.

WHEREAS, Council deems it necessary to replace the Recreation Programming & Services Bylaw# 179/93.

NOW THEREFORE, The Council of the Hamlet of Tuktoyaktuk, in a duly assembled meeting enact as follows:

SHORT TITLE

1. This Bylaw may be cited as the "Recreation Bylaw".

INTERPRETATIONS

2. In the bylaw:
 - a. "Recreation Committee" or "Committee" means a Committee of Council, appointed by and responsible to the Council of the Hamlet of Tuktoyaktuk.
 - b. "Council" means the Council of the Hamlet of Tuktoyaktuk.
 - c. "Recreation Facilities" means buildings, fields or other spaces used by the Hamlet of Tuktoyaktuk to provide recreation activities or opportunities, whether or not they are owned by the Hamlet.
 - d. "Hamlet" means the Hamlet of Tuktoyaktuk.
 - e. "Senior Administrative Officer" means the Senior Administrative Officer for the Hamlet of Tuktoyaktuk.
 - f. "Finance Comptroller" means the Finance Comptroller for the Hamlet of Tuktoyaktuk.
 - g. "Recreation Manager" means the Recreation Manager in charge of all recreation facilities and program administration for the Hamlet of Tuktoyaktuk.
 - h. "Users" means participants in recreation activities, observers and attendees at events held in recreation facilities.

3. RESPONSIBILITIES:

- a. Council will assume overall responsibility for the provision of recreation programs and services, including the operation and maintenance of public facilities.
- b. Council will evaluate community needs, set priorities, and establish programs and services to meet the identified needs.
- c. Council will promote the benefits and values of good recreation programs and encourage community participation in such programs.

- d. Council will promote training & development of community volunteers and encourage volunteers to participate in community events.
- e. Council will deliver recreation programs and operate recreation facilities either directly or through local groups or organizations.
- f. Council will ensure that an annual recreation budget will be set as part of the overall budgeting process.

4. DISCHARGE OF RESPONSIBILITY

To ensure that the above responsibilities are properly discharged, Council will appoint a Recreation Committee to act as an advisory body to Council, whose terms of reference are outline in Appendix 'A' which is attached to the bylaw.

5. ESTABLISHMENT OF RECREATION COMMITTEE

- a. Council may appoint a Recreation Committee consisting of up to nine (9) members pursuant to Schedule A of this Bylaw.
- b. Members who are appointed to the Committee must be of good moral standing and must provide a copy of a vulnerability sector criminal check, the criminal records check must be valid for the last 12 months prior to appointment.

6. RESPONSIBILITIES

- a. The Committee will identify community recreation priorities and needs and will make recommendations to Council for the establishment of programs, services and facilities required to meet these identified needs while working closely together with the Recreation Manager.
- b. The Recreation Manager along with designated staff will take into consideration the recommendations made by the Recreation Committee to deliver recreation programs and operation of recreation facilities either directly or through local groups or organizations.
- c. The Recreation Manager will work with the Finance Comptroller and Senior Administration Officer or their designate to ensure that all revenues and expenditures are maintained in the Hamlet books and financial records. These records will be included in the annual year end audit statements as prepared by the Hamlet Auditors.
- d. The Recreation Manager will be responsible to prepare an annual recreation budget and will bring forward to the Senior Administrative Officer and the Finance Comptroller any recommendations made by the Recreation Committee to include expenditures as part of the complete Council budgeting process.

BYLAW NO 365-17 SCHEDULE "A"
OPERATIONAL RECREATION COMMITTEE TERMS OF REFERENCE

1. DUTIES OF THE COMMITTEE

- a. The Committee shall act to coordinate recreation programs and services, maintaining liaison with both public and private recreation organizations within the community. The Committee shall ensure that maximum and equitable use is made of all available recreation resources by all of the people of Tuktoyaktuk.
- b. The Committee shall ensure a year round, balanced and varied recreation program for all community residents by encouraging, assisting and/or advising groups providing recreation programs.
- c. The Committee shall hear and consider representations by any individual, organization or delegations of people regarding recreation and recommend appropriate actions to Council.
- d. While Council retains authority for establishing policies related to recreation, the Committee may make recommendations on policy and establish rules and regulations within those areas of Committee responsibility described herein. Current policy and regulation guidelines shall be maintained.

2. DISCHARGE OF RESPONSIBILITY

- a. To ensure the above responsibilities are properly discharged, Council will:
 - i. appoint a Recreation Committee whose Terms of Reference are outlined in Schedule "A" of this bylaw.
 - ii. have on staff a Recreation Manager;
 - iii. have on staff other recreational employees who will be responsible to carry out duties as directed by the Recreation Manager.
 - iv. establish, maintain and support policies and regulations applicable to the use of Recreation Facilities as outlined in Schedule C of this bylaw.
 - v. establish and enforce user fees as outlined in the Municipal Fees Bylaw#331-11

3. THE COMMITTEE SHALL BE RESPONSIBLE FOR

- a. Providing recommendations to the Recreation Manager and Council on programming for all community residents.
- b. The Committee shall promote leadership development of community volunteers.
- c. The Committee shall perform such other duties as Council may from time to time delegate.

4. FINANCIAL ACCOUNTABILITY

- a. Council shall ensure proper records of revenues and expenditures are maintained by the Senior Administrative Officer or designate in the Council books and the financial records.
- b. The Senior Administrative Officer or designate shall submit quarterly statements of revenues and expenditure to Council with assistance from the Finance Comptroller.
- c. All records shall be included in the annual year end audit statements as prepared by the Council auditors.

5. COMPOSITION OF THE COMMITTEE

- a. The Committee shall consist of up to nine (9) members representing a broad range of recreation activities in the community.
- b. The Chairperson of the Committee shall be a Council member appointed by Council.
- c. Other Committee members shall be approved by a Motion of Council.

6. TERMS OF OFFICE:

- a. The Terms of office for the Committee Members shall be for a period of two years commencing on the date of appointment by Council and terminating on the first week in January of the following year.
- b. In the event of a vacancy occurring because of resignation, death or inability to serve, Council shall appoint a replacement who shall hold office for the remainder of the term.
- c. Any member of the Committee who is absent for two (2) consecutive meetings without approval of the Chairperson or the Committee shall be deemed to have resigned.
- d. Members may be appointed for consecutive terms

7. PROCEDURES OF THE COMMITTEE:

- a. The Committee shall, through its Council representative, report to Council on a regular basis on its activities.
- b. Regular meetings of the Committee shall be held at least once per month, the time and place to be determined by the Committee at its first meeting, but may be changed by the Committee as necessary.
- c. An agenda for meetings shall be made and communicated to all members at least three days before the meeting.
- d. Special meetings may be called on twenty-four (24) hours' notice, by the Chairperson or at the request of any two (2) members of the Committee.
- e. Indemnities shall be paid on a semi-annual basis in the following amounts:
 - i. The Chairperson shall receive \$100.00 per Recreation Meeting attended;
 - ii. The members shall receive \$75.00 per Recreation meeting attended.
- f. A quorum at any regular or special meeting of the Committee shall be one half the membership plus one.

- g.** A minute book shall be kept and minutes of all regular and special meetings shall be recorded by the Recreation Manager. Copies of all minutes shall be presented to Council for approval.
- h.** Committee recommendations shall be considered by Council at the next regular meeting of Council following a meeting of the Committee.
- i.** All meetings of the Committee shall be open to the public.

8. DUTIES OF CHAIRPERSON:

- a.** The Chairperson shall preside over meetings and general Committee proceedings; represent the Committee at Council meetings; and, shall in all ways possible uphold the Committee's community responsibility as defined in Sections 1 and 2 of this Bylaw schedule.
- b.** In the absence of the Chairperson at a meeting, the Committee shall select a Vice-Chairperson who shall act as Chairman for that meeting.

9. DUTIES OF COMMITTEE:

- a.** Each Committee member shall take an active part in the direction of the Committee's program, serve in whatever capacity he/she may be called upon to fulfill, and in all ways possible uphold the committee's community responsibility as outlined in sections 1 and 2 of this document.
- b.** The Committee's members shall represent the Committee at public events, and shall in all ways possible, uphold the Committee's responsibility as outlined in section 1 and 2 of this document.

BYLAW NO. 3 -17 SCHEDULE "B"

POLICIES AND REGULATIONS FOR USE OF RECREATION FACILITIES

GENERAL:

1. Persons under the influence of alcohol or drugs may be asked to leave at any public Recreation activity.
2. Recreation staff is authorized to remove users from the facilities for misconduct.
3. The Recreation Manager is authorized to ban users from facilities for repeated instances of misconduct; the period of time considered appropriate under the circumstances will be at the discretion of the Recreation Manager with the following exception:
 - a. Where the user who banned from the facility is a member of an organization authorized to use the facility, the period of the ban shall be determined by said organization and the initial suspension shall continue until the organization considers the ban.
4. Recreation staff will, before the end of their shift, submit a written incident report to the Manager in all instances where a user is removed from a facility and the Recreation Manager shall report all removals or bans to the Committee and to the Senior Administrative Officer or his/her designate as soon as possible after the incident is reported.
5. During special events, children under the age of 12 will be asked to leave the facility at 12 o'clock midnight unless accompanied by a parent or legal guardian.
6. During any event where alcohol beverages are served, children under the age of 19 will not be permitted in the facilities.
7. During any casino event, children under the age of 19 will not be permitted in the facilities.

Any individual or organization requesting support to host either a public or private dance or function where alcohol is served must abide by guidelines as follows:

- a. A request to serve alcohol beverages in any of the recreational facilities must be made in written form to the Hamlet Council for approval for special occasions deemed to be satisfactory to Councils standards and/or weddings.
- b. A maximum of six (6) liquor tickets will be given to each guest per event.
- c. All bouncers, organizers or helpers are not allowed to consume alcohol during the event.
- d. Two bouncers, one male and one female must be present throughout the entire dance monitoring the lobby, hallway and washrooms.
- e. Two additional bouncers present throughout the entire dance monitoring the doors inside the hall.
- f. Two additional bouncers to monitor the outside of the hall and help where necessary.
- g. Prior notification of dates, time and contact person to the RCMP.
- h. Last call is to be given thirty (30) minutes and any unused liquor tickets are to be refunded fifteen (15) minutes before the end of the event.

- i. Liquor licences must be visible during the event, and all conditions on the licence are enforceable by the Committee.
- j. No unopened liquor will be sold on the premises and all unfinished liquor must be thrown in the garbage before the individual leaves the facility.
- k. Any other guidelines or regulations that are established by GNWT Acts or Regulations, or by council bylaws or policies.

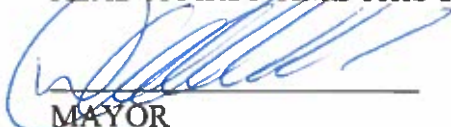
FACILITY RENTAL:

1. All arrangements for facility rentals shall be made a minimum of two (2) weeks prior to use. Such arrangements shall be made through the Recreation Manager and/or Finance Officer at the Hamlet office for invoicing purposes.
2. Applicable damage deposits **MUST** be received in full before any facility will be made available. Facilities must be left in the same condition as found.
3. Failure to pay the rental fee or damage deposit in advance may result in the event being cancelled.
4. Damage or cleaning costs incurred by the Hamlet after an event shall be charged against the damage deposit. Where such damage deposit is not sufficient to cover the cost, the Hamlet shall hold the applicant personally responsible for additional costs incurred.

REPEALS:

Bylaws No. 179/93 have been hereby replaced with this bylaw.

READ A FIRST TIME THIS 1st DAY OF February 2017.



MAYOR



SENIOR ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS 15th DAY OF March 2017.



MAYOR



SENIOR ADMINISTRATIVE OFFICER

READ A THIRD TIME AND PASSED THIS 15th DAY OF March 2017.



MAYOR



SENIOR ADMINISTRATIVE OFFICER

It is hereby certified that this By-Law No. 365-17 has been made in accordance with the requirements of the Hamlets At and the Bylaws of the Hamlet of Tuktoyaktuk.