

Corporate Policy

	Tennis Clubs Policy	
	Policy Category: <i>(Follow corporate standard to be developed)</i>	
	Policy No.: <i>(Follow corporate standard, assigned by Clerk's Dept.)</i>	Implementing Procedure No.: <i>(Follow corporate standard, assigned by Policy Author)</i>
Approving Authority: ELT/Council		Effective Date: June 2013
Approved or Last Reviewed Date: January 2006		Next Review Year: 2018
Area(s) this policy applies to: Recreation, Parks and Asset Management		Owner Department: Recreation
Related Policy(ies): <ul style="list-style-type: none"> Supersedes the City's Tennis Court Development and Maintenance Policy 		

Note: Questions about this policy should be directed to the Owner Department.

1. Purpose Statement <i>(Outline why the organization is issuing the policy and its desired effect or outcome of the policy)</i>
<p>This policy provides for the application of a fair and consistent process to ensure Community Tennis Clubs operating on municipally owned property are operating with transparency while address issues of risk and liability and ensuring fair public access to tennis courts in Markham. This policy guides the operations of the Operations, Recreation and Asset Management Departments as it pertains to Community Tennis Clubs.</p>
2. Applicability and Scope Statement <i>(Who and what this policy applies to and/or affects)</i>
<p>This policy applies to all Community Tennis Clubs that operate in the City.</p>
3. Background <i>(Indicate any reasons, history, and intent that led to the creation of the policy)</i>
<p>The Tennis Club policy provides the mandate for the City to address the needs of Community Tennis Clubs and guides the operations of the Parks, Recreation and Asset Management departments.</p> <p>Council approved a Tennis Court Development and Maintenance Policy in 1980 with revisions in 1984 and 1991. The Policy was last updated in 2006 to include a provision that required new clubs (established post 1993) to provide 6 hours of prime time access to public at no cost. (4 hours for clubs established pre 1993)</p>
4. Definitions <i>(If applicable, define any terminology or interpret meanings of a general term)</i>
<p>City – means the City of Markham</p> <p>City Approved Contractors – means contractors listed by the Purchasing Department as approved for work on facilities and as amended from time to time</p> <p>Community Tennis Club (Club) - means a not for profit organization formed by a group of individuals</p>



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(volunteers) with a written constitution that operates with democratic principles and accountable to its membership and whose objective is to provide and support the activity of tennis and approved by the City

Commissioner - means the Commissioner of Community & Fire Services or his/her designate

Council – means the Council of the City of Markham

Executive – means elected representatives of clubs who have the authority to bind the club through agreements and commitments

Management Committee – means a committee established at the City consisting of representatives from the Parks, Recreation and Asset Management departments and one representative from each of the Clubs

Residents – means the residents of Markham that live in the City and/or reside in properties that are within the boundaries of the City

Staff Tennis Committee (Committee) – means a committee established at the City consisting of representatives from the Parks, Recreation and Asset Management departments

5. Policy Statements *(Detail the specific regulations, requirements, or modifications to organizational behaviour to be addressed by this policy)*

1. POLICY STATEMENT

The City's of Markham's Community Tennis Clubs policy is designed to encourage the active participation of the residents in the sport of tennis by providing organized tennis programs and access to courts thereby promoting a healthy lifestyle or all ages and groups. This is achieved by developing and nurturing partnerships with community clubs that provide this service resulting in a mutually beneficial relationship.

The policy will address the infrastructure requirements including the building and construction of tennis courts and club house, repairs and maintenance of the courts and club house. The policy will also provide guidelines that enable a fair and equitable process for the general public to access these facilities.

2. SCOPE

This policy applies to all Community Tennis Clubs that operate in the City.

3. COMMUNITY TENNIS CLUBS

3.1 ADMINISTRATION

- a. The City of Markham currently has ample opportunity for individuals to join a tennis club. As such, no new tennis clubs will be permitted.
- b. Existing Clubs must have a written constitution with an Executive that is elected through a democratic process.
- c. Existing Clubs have established operating guidelines and principles that mandate the function of the Executive and the Club.
- d. The Executive is accountable to its members and shall withstand public scrutiny of its actions.
- e. The membership is open to all Residents.
- f. Existing Clubs hold an Annual General Meeting (AGM) at which the Executive is elected by the general membership.



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- g. Existing Clubs execute an annual agreement with the City that includes details of the Management and Operations including the use of property, operations and maintenance of the club.
- h. Existing Clubs agree to conduct a comprehensive tennis program for the community and a junior development program as part of its mandate. The Club may be requested to submit a proposed tennis program at the beginning of each season to the Committee.
- i. The Management Committee will be governed by the tenets as per the Terms of Reference
(Refer Exhibit A)

3.2 CONSTRUCTION OF TENNIS COURTS

3.2.1 Initial Construction

The Club shall submit a written request with proper justifications when a need for a tennis court has been identified. This request will be addressed to the Commissioner prior to May of the year preceding the year of construction. The Commissioner will authorize the construction after review and recommendation by the Committee and approval by Council. Additional courts if requested shall be subject to the availability of land and funding. The City will be responsible for the tender and supervision of the construction of the courts as per specifications approved by the City.

3.2.2. Financing

The costs for construction of the courts will be shared 75% by the City and 25% by the Club. The payment terms will be negotiated with a maximum repayment of 5 years. The Club will be responsible for 50% of debt servicing costs incurred by the City.

3.2.3 Reconstruction/Resurfacing

The City through its Life Cycle Replacement program will provide 50% funding to reconstruct/resurface courts at most once every seven years. Where the Clubs feel that the courts do not warrant resurfacing, the same will be relayed to the Department in the beginning of the year and the replacement program will be adjusted accordingly. The City will be responsible for the tender and supervision of the reconstruction of the courts as per specifications approved by the City.

For Clay Court surfaces the City through its LC Replacement program will provide 50% funding for annual maintenance to an upset limit of \$3k per court. The Club will be responsible for all the costs related to resurfacing/reconstruction.

3.3 CONSTRUCTION or RENOVATION OF CLUB HOUSE & DECKS

3.3.1. CONSTRUCTION of RENOVATION

The Club shall submit a written request including requirements and with justifications when a need for a house renovation has been identified. This request will be addressed to the Commissioner and the City may approve the project to proceed after considering the social impacts associated with building the club house



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& decks. The City will be responsible for the design, specification, tender and supervision of the construction of the club house to meet the requirements provided by the Club and as approved by the City.

3.3.2 FINANCING

The costs for major construction or renovations of the club house will be shared equally by the Club and the City. The Club shall provide the City with a financing plan and a cash flow including fund raising that provides for the payment of the costs of construction prior to the City issuing tender documents. The initial servicing costs related to Hydro, Gas, Sanitary and Storm Sewer and Water will be equally shared by the Club and the City. All costs associated with temporary wash room connections during construction will be borne by the City. Aesthetic improvements and deck costs will be fully borne by the Club.

3.3.3 OWNERSHIP

The Club house is the property of the City and will be leased back to the Clubs for a nominal amount.

4. INSURANCE

The Club shall, at its sole cost and expense, take out and maintain with respect to the Leased Premises and the Club's use and occupation thereof Commercial General Liability naming the City as additional insured.

In addition, it is the Clubs responsibility to insure the clubhouse and all of the Club's contents & equipment, as any damage or loss incurred to either the Clubhouse or the Club's contents and equipment is not the responsibility of the City. The specific details of the insurance requirements are outlined in the annual permit.

5. OPERATIONS AND MAINTENANCE

5.1. OPERATIONS

5.1.1. Public Access to Tennis Courts

The current inventory includes both public and Club operated tennis courts. **Refer Exhibit B**

The Clubs shall be responsible to ensure access to the courts by the public and at a minimum follow the guidelines as outlined in **Exhibit C**.

All Clubs will be required to provide 10 memberships annually to the City of Markham. The City will determine how memberships are distributed. These memberships will entitle holders to all rights and privileges of any other member of the Tennis Club.

5.1.2 Fees for Public Access

There will be no fees charged to the public for access to the courts during public hours.



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5.1.3 Other

The public shall follow the rules and regulations as established by the Club. Signage promoting the access of the courts shall be posted by the City at areas that are visible to the public.

5.2 MAINTENANCE

5.2.1. Tennis Courts

The routine maintenance and associated costs of proper upkeep of tennis courts including the replacement of tennis nets will be borne by the Club. The repairs and maintenance costs of lights and fences will be borne by the City.

5.2.2 Club House

The routine service, repairs and maintenance costs for proper upkeep of the club house as well as hydro, gas, water and sewer, and, janitorial services will be borne by the Club. City Approved Contractors must be used for all electrical, mechanical and plumbing repairs or modifications other than simple fixture replacement, routine maintenance or seasonal servicing. Any additional amenities or renovations to existing facilities will be in accordance with Section 4.3.1 Construction or Renovations as noted above. Major repairs of the structural, envelope or building systems, including replacement, of the roof, foundation and weatherproofing will be project managed by the City and the costs shall be borne equally by the City and the Club. The City will conduct an annual inspection of the club house and identify the repairs and maintenance required. The City will also conduct occasional Building Condition Assessments to evaluate the needs for major repairs.

5.2.3 Process

The Club requesting additional amenities or renovations shall submit its request in writing to the Committee by May 1 of the year preceding the year of construction. Prior approval from the Committee shall be obtained for all other repairs and maintenance.

5.2.4 Payment

The City will invoice the Clubs annually before Jan 31 for all costs that are the Clubs responsibility. The Club make the payments within 30 days of receipt of the invoice. The Committee has the authority to deny access by the Club until all the overdue payments are received. For payments related to major repairs the City will negotiate appropriate payment terms with the club.



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Exhibit A

TERMS OF REFERENCE MANAGEMENT COMMITTEE

1.1 Composition of Management Committee

- a. The Management Committee be established on the date hereof, and will consist of three members to be appointed by the City of Markham from the Recreation Department, Operations Department and Asset Management Department, as well as one member representing each of the established Community Tennis Clubs.
- b. In addition to its members on the Management Committee, each Party may, from time to time, designate and appoint one or more alternate authorized members ("Alternates"). An alternate shall be entitled to attend meetings of the Management Committee in the place of a named member of that Party and to vote in the absence of, and in the place of, the Party's Members.

1.2 Mandate

- a. The Management Committee shall, from time to time, review rules and policies related to the use of the facilities as follows:
 - a. rules governing the use and operation of the facilities, including without limitation, security, access, safety, fire drills, health and maintenance matters and similar administrative issues;
- b. The Management Committee will provide a forum for discussion on how to collectively work with the City to foster participation and growth in the sport of tennis:
- c. Provide insight into locations of future tennis courts

1.3 Meetings

- a. The Management Committee will meet at least two (2) times per year or as otherwise agreed by the Management Committee from time to time, to consider matters related to use and maintenance.
- b. Meetings of the Management Committee will be held on such dates as are agreed to in advance by the Management Committee or may be called at any time by any member of the Management Committee, by written notice to all other members of the Management Committee delivered at least twenty-one (21) days prior to the date of such meeting (or such lesser amount of time as is reasonable in the event of an emergency), specifying the purpose or purposes for which such meeting is being called and the specific location of the meeting. Any business may be discussed at a regularly scheduled meeting. No business other than the business set out in the notice may be discussed at a meeting called by notice.
- c. All meetings of the Management Committee shall be held at the Civic Centre.
- d. A quorum at any meeting of the Management Committee will consist of at least two representatives of the City and at least four representatives from the Community Tennis Clubs. Each member of the Management Committee present at the meeting will have one vote. All decisions of the Management Committee will require a majority of votes to be approved.
- e. A decision of the Management Committee made in accordance with this respect to any matter within the limits of its authority and jurisdiction shall be binding upon all Parties, including any Defaulting Party. The vote of any member of the Management Committee on any decision to be made or



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question considered at any meeting of the Management Committee shall be binding on the Party appointing such member, and no Party, or its member(s), shall be obliged to enquire whether any other member has been duly authorized by the Party appointing such other member to vote in any particular manner.

- f. The chair of the meeting will cause minutes to be kept of all proceedings and resolutions at such meeting, and any minutes, if signed by the chair of the meeting, will be deemed evidence of the matters stated in them and such meetings will be deemed to have been duly convened and held and all resolutions and proceedings shown in them will be deemed to have been duly passed and taken.
- g. To the extent that the rules and procedures for the conduct of a meeting of the Management Committee are not prescribed in this Agreement, the rules and procedures will be determined by the chair of the meeting.



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Exhibit B

Tennis Court Inventory

A. Tennis Clubs

Club	Location	No. of Courts	Location by Ward
Armadale	Armadale Park	4	8
Box Grove	Box Grove Park	2	7
German Mills	Simonston Park	4	2
Highgate	Highgate Park	3	8
Markham	Reesor Park	6	5
Pomona	Pomona Valley Park	6	1
Unionville	Carlton Park	9 (incl. 3 Clay)	3

B. Public Courts

Location	No. of Courts	Location by Ward
Angus Glen CC	4 (indoor facility)	6
Bayview Glen Park	2	1
Berzcy Park	4 (incl. 2 courts to be assumed in 2013)	4
Duncan Park	3	2
Grandview Park	2	1
Johnsview Village Park	2	1
Morgan Park	2	5
Robinson Park	2	4
Thornlea Secondary School	3	2
Toogood Park	2	3
Wismer Park	2	4
Willow Heights Park	2	6



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Exhibit D

PUBLIC ACCESS TO COURTS

Court Access

- **Public Access** – 25 individual court hours will be offered for public use in a minimum of a two hour blocks. (eg. 4 courts available for 2 consecutive hours would represent 8 individual court hours). The Clubs will work with City upon signing of the agreement to determine when hours of public access will be available. These hours will then be posted on a sign and mounted by the City.



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6. Roles and Responsibilities *(Outline roles and responsibilities of those involved in the implementation of the policy)*

Recreation Department - An authorized staff will be nominated as the central point of contact between the Club and the City. The authorized staff shall bring forward items for discussion and approval by the Staff Committee

Staff Committee – Staff from Recreation, Parks and Asset Management shall be nominated to be part of the Staff Committee to discuss and approve requests as per the terms of the Policy. The Committee will be responsible to recommend any amendments to the Policy to the Executive Leadership Team (ELT)

Executive Leadership Team (ELT) will be responsible for approving the amendments to the Policy recommended by the Staff Committee and direct staff to obtain Council approval as required

Council will be responsible for receiving Staff recommendations for approval