

Title **Use Lease or Rental of College Facilities and Grounds Policy**

Effective Date  
**June, 2011**

Replaces  
**E06 Use of Gym Facilities dated November 2006**

## **POLICY STATEMENT**

It is the policy of Cambrian College to permit the use of College facilities to external users such as institutions, companies, associations and community groups provided that the use does not negatively affect the academic instruction process, our students and staff, or the service departments of the College.

This policy applies to the use of all Cambrian facilities, leased or owned, including classrooms and labs, learning commons, library space, meeting rooms, offices, atriums and hallways, open student study spaces, wall space, campus grounds and parking lots.

Adherence to this policy is required in order to ensure that the College is adequately protected from liability and disruption when external users are permitted to use College facilities and to ensure that the College maximizes its revenue opportunities from the rental of space to external users.

### **Use of Facilities - Priorities**

The availability of Cambrian College facilities and grounds shall be prioritized as follows:

1. Cambrian College academic program delivery;
2. College student services and support initiatives,
3. College sponsored meetings, events and official College functions, and
4. Ancillary Business Opportunities and Non-college use (i.e. commercial and community support).

## **ADMINISTRATIVE GUIDELINES**

The College will offer the use of its facilities by:

- permitting **external** users to rent rooms, common space, wall space or external campus space through rental, lease, or other fee for service agreements;
- establishing formal facility/space booking procedures through a centralized procedure;
- establishing a set of standard rental rates that maximize the revenue streams for the greater benefit of the College;
- establishing consistent principals and guidelines for the use of College facilities by external users that ensures compliance with College policies, standards, and fire, safety and building code regulations and the Ministry of Training Colleges and Universities Binding Policy Directive on Entrepreneurial Activities; and

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- establishing requirements for liability insurance for external users to ensure that the College is adequately protected in the event of accident, misuse or impropriety on the part of external users.

The use of College facilities by external users is subject to the following Principles and Limitations:

1. All College facilities belong to the College and the primary purpose for the use of College facilities is to meet the College's education objectives.
2. The College permits the use of its facilities by external organizations such as, associations, community groups, commercial business enterprises, marketing and advertisement firms, and the film/tv industry; provided such use does not conflict with the College's Mission and Values and:
  - a. does not cause interference with the orderly functioning of the College or infringe on the rights or privileges of others; these rights include the right to peaceful pursuit of campus activities and to enjoy the rule of law;
  - b. does not promote hatred or discrimination against, or expose to contempt, any person or group of persons as applicable under legislation or law;
  - c. does not advertise, promote or operate programs or services that are in competition with College programs, and does not compete with any College commercial activities or otherwise conflict with current contracts or agreements related to the use of facilities; and,
  - d. does not directly or indirectly contravene provisions of any law, statute, regulation, by-law, enactment, policy, or otherwise, of Canada, of the Province of Ontario, of any municipality in which a campus is located and of Cambrian College. This includes the Criminal Code of Canada, the Human Rights Act, the Freedom of Information and Protection of Privacy Act and other laws of general application.
3. External users of College facilities will be responsible for all conduct related to their activities and will be held financially responsible for any damages that may be incurred as a result of their activity.
4. Financial benefits (gross revenues less the associated costs incurred in the use of the facility) arising from contracts which are for commercial purpose or gain by external users shall flow to the general revenues of the College. Examples of these types of contracts might be movie/tv/commercial productions, the use of parking lots and grounds, or the rental of rooms, lecture halls, hallways or atriums for activities solely for the direct commercial gain/benefit of the user or long term rentals of space.

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5. The college reserves the right to refuse or cancel agreements for the use of its facilities when;
  - a. the use is in conflict with this policy,
  - b. the use is not suitable for the requested facility,
  - c. the proposed activities are not as described when booked,
  - d. the activity may be unlawful or present a risk to public safety or persons using the facility, poses a negative image for the college, or
  - e. when an emergency occurs that prevents the College from proceeding with the booking.

The Director, Ancillary Business Operations is responsible for the general administration of this policy. Specifically the Director, Ancillary Business Operations shall:

- a. develop and maintain the procedures necessary to ensure compliance with this policy;
- b. act as a central booking office for all agreements involving the use of facilities not normally covered by the respective campus academic room scheduling system and for agreements by external users for commercial gain;
- c. approve all 'Facilities–Use' short-term (less than 30 days) contracts, leases and agreements required under this policy and ensure such contracts and agreements are fully compliant with the principals and guidelines of the policy;
- d. establish and publish procedures to be followed by external college users of Cambrian facilities to ensure compliance with all aspects of this policy;
- e. ensure that appropriate 'Facilities–Use' contracts/agreements are in place for each use of the facility, to reasonably protect the College in the event of damage, injury or dispute;
- f. establish a fee schedule for the rental of Cambrian's various facilities; and
- g. administer all contracts, leases and agreements to ensure compliance and collection of fees.