



City of Dawson

PROPERTY LEASE POLICY

07-02

Section 1: Purpose

1.1 Purpose

The purpose of this policy is to regulate the leasing of City of Dawson property and facilities;

1.2 Background

Each year the City of Dawson receives requests from individuals and groups to lease City of Dawson property and facilities. These requests vary in scope, purpose, size, cost and complexity.

1.3 Policy Statement

It is the intention of the Town of the City of Dawson to provide a process for approving the lease of City of Dawson property and facilities and to provide direction for the use of City of Dawson property and facilities.

Section 2: Objectives

2.1 General Objectives

The specific objectives of the policy are as follows:

1. Ensure that applications are treated fairly and in an equitable manner;
2. Ensure that City of Dawson property and facilities are utilized to the maximum community benefit
3. Ensure all City interests are met to protect assets and citizens of Dawson;
4. Ensure that all Federal, Provincial and Municipal Laws, Regulations and statutes are observed;
5. Protect the City of Dawson from legal liability.

Section 3: Definitions

3.1 Lease

For the purpose of this policy a lease is a contract renting land, buildings, etc., to another; for a period determinable at the will of either lessor or lessee in consideration of rent or other compensation. This policy will apply to periods in excess of 14 (fourteen) days. Periods less than 14 (fourteen) days will be dealt with as per the City Property and Facility Rental Policy.

Section 4: Procedures

4.1 Application

- a) Chief Administrative Officer will inform Council that a City of Dawson property is vacant or that a property lease is due to expire. Council should be informed of an imminent expiry at least three months in advance of the expiry date.
- b) Authority to approve property use or make a City of Dawson property available for sale or lease rests with Council.
- c) Upon a City of Dawson property or facility being made available for lease by Council, Chief Administrative Officer will prepare a Request for Proposals tender document for the property

- d) The Request for Proposals will be advertised in a local newspaper and City newsletter and posted in City offices and Post Office at least four weeks prior to deadline for proposals.
- e) A review committee comprised of the CAO, Senior Financial Officer, Superintendent of Public Works, Recreation Manager and Community Development and Planning Officer shall receive, review and make recommendations to Council to accept one proposal based on guideline criteria as directed by Council within this policy and outlined in Section 4.2 a) and approve the lease by bylaw.
- f) Proof of commercial general liability insurance, in accordance with section 5.2 below, must be provided prior to occupancy of any City of Dawson property or facility.
- g) Proof of all necessary permits, licenses and inspections must be submitted prior to occupancy, which may include, but are not limited to the following:
 - Environmental Health Permit – Government of Yukon
 - Liquor Licence – Government of Yukon
 - Fire Inspection
 - Building Inspection
- h) The Lessee should not advertise the use or make financial commitments before a lease is legally signed.
- i) The Lessee must adhere to all Federal and Territorial legislation, City of Dawson bylaws, policies and regulations. Noncompliance may result in the lease being terminated. The Lessee may also be prohibited from leasing City of Dawson properties and facilities.

4.2 Approval

- a, Preference will be given to proposals that demonstrate one or more of the following:
 - i, Provide a revenue source to the municipality
 - ii, Contribute to the economic development of the community
 - iii, Contribute to the sustainability of the community
 - iv, Maintain open public access to the activities of the proponent
 - v, Demonstrate partnerships within and outside of the community
 - vi, Provide opportunities for local involvement
 - vii, Create a lasting public and social benefit
 - viii, Address a recognized community need
 - b) Pursuant to Section 265 of the *Municipal Act*, all leases of City of Dawson property or facilities must be approved by bylaw.
 - c) The lease of City of Dawson property is subject to a formal lease agreement, based on the requirements of both the City of Dawson and the lessee.
 - d) The City of Dawson reserves the right to terminate leases of City of Dawson property based on any of the following:
 - i. interference with City of Dawson operations;
 - ii. potential for damage to City of Dawson Property
 - iii. lease has potential to affect negatively programs offered through the City of Dawson;
 - iv. non-compliance of any Federal or Territorial legislation, City of Dawson bylaws, policies and regulations
 - v. in the interest of public safety
 - vi. to any group with an outstanding debt to the City of Dawson
 - vii. to any group with previous history of non-compliance with this policy.
-

Section 5: General Conditions

5.1 Insurance and Liability

- a) The lessee must obtain a commercial general liability insurance policy; including liquor liability for leases involving alcohol, in an amount not less than two million (\$2,000,000.00) dollars (the Chief Administrative Officer reserves the right to increase this amount depending on the type of activities planned or buildings involved) with the City of Dawson named as additional insured and including a cross-liability clause. The City of Dawson is to be indemnified and held harmless from and against claims of any kind, liability, expenses and demands due wholly or in part as a result of any negligence, acts, or oversights by the lessee, it's agents, licensees, invitees, participants, contractors, during the use of property and services. A thirty (30) day notification prior to the cancellation of the policy must be included.

- b) The City of Dawson liability insurance coverage will not be extended to leased properties.

5.2 Environmental Health Permit

When any food services are offered to the public an Environmental Health Permit is required. Permits can be obtained from Environmental Health Services, Government of Yukon. Proof of permit must be submitted prior to occupancy.

5.8 No Smoking Bylaw

The City of Dawson No Smoking Bylaw must be adhered to.

This Policy shall be reviewed at least every two years to ensure that it is current and relevant.

POLICY TITLE: City of Dawson Property Lease

POLICY #: 07-02

EFFECTIVE DATE:

ADOPTED BY COUNCIL ON:

RESOLUTION #:

Mayor, John Steins

CAO, Paul Moore
