



Township of North Huron Rental Contract / Permit

Printed: 11 Jul 2017, 04:21 PM

User: dhl

Contract #: 22205
Date: 08 Jun 2017

User: dhl
Status: Firm

Township of North Huron Recreation Department, 99 Kerr Drive, P.O. Box 90 hereby grants Transfigured Town Inc. (hereinafter called the "Licensee") represented by Nathan Swartz, permission to use the Facilities as outlined, subject to the Terms and Conditions of this Agreement contained herein and attached hereto all of which form part of this Agreement.

I) Purpose of Use Other
 Festival of Wizardry

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II) Conditions of Use

Conditions of Use

- Temporary structures (tents) greater than 646 square feet require a tent permit. Temporary structures (tents) greater than 10x10 require a fire plan. Smaller tents grouped together that exceed the 646 square feet also require a tent permit. Locates are required for installation of temporary structures (tents).
- Vendors are not covered under the Township of North Huron insurance. Vendors are required to provide the Township of North Huron with a minimum of \$2 million general liability insurance naming the Township of North Huron as an additional insured.
- The Township of North Huron will be operating the Food Booth located in the lobby of the Blyth and District Community Centre during the hours of the event.
- North Huron is responsible for:
 - o Staffing, cleaning and maintenance of the interior of the Blyth and District Community Centre.
 - o Cleaning the washrooms at Shed #3
 - o Removal and disposal of garbage inside the Blyth and District Community Centre, and Shed #3 washrooms.
- Shared use (Township and Transfigured Town) of the Township Campground Shed is permitted as staging location for Transfigured Town cleaning and maintenance crew.
- Ice surface/Arena
 - o The ice surface will be returned after use in same condition
 - o Temporary flooring may be permitted with an approved installation and removal plan. Installation and removal of any temporary flooring is the responsibility of the licensee.
 - o The ice surface will be made available to the lease after 11:30pm on Thursday October 12, 2017 and returned for use by the municipality by 12:00 noon Monday October 16, 2017. Failure to return the ice surface in good condition to the Township by this time, will result in and expense to Transfigured Town Inc. for each hour of the delay at a rate of \$140.05 plus HST/hour. The fee will be collected as a deduction from the Security Deposit. Should the security deposit not be sufficient, an invoice will be sent to Transfigured Town Inc. for any additional expense.
 - o The licensee must supply the Blyth Facility manager with an installation and removal plan and use of ice plan for the event at least 60 days prior to the event for approval. Use of the ice surface is dependent on the plan and contingencies in place to ensure there is no damage to the ice surface, floor, boards, or facility.
 - o Precautions shall be included in the plan to ensure safety of the patrons. It is not safe to walk on the ice without appropriate PPE. The safety of the workers, volunteers and patrons on the ice surface is the responsibility of the licensee.
- Fencing
 - o The licensee is responsible for providing and installation of all fencing for the event. Locates are required for installation of any fencing that penetrates the ground.
- Insurance
 - o General Liability insurance is required for Transfigured Town with minimum \$5,000,000 limit per occurrence for bodily injury or property damage, showing the Corporation of the Township of North Huron as additional insured and containing cross liability/severability if interest clause.
 - o Insurance for all equipment rented by Transfigured Town, such as golf carts, must be covered by the insurance policy.
 - o Actions of all employees of Transfigured Town and volunteers of Transfigured Town must be covered under the General Liability policy.
 - o Vendors and suppliers of the Transfigured Town event, must show proof of their own General Liability insurance with minimum \$2,000,000 limit per occurrence for bodily or property damage, showing the Corporation of the Township of North Huron as additional insured, or the vendor/supplier must be covered under the Transfigured Town Inc. policy.
 - o Submit the proof of insurance certificate(s) for review by the Township insurance company to confirm coverage at least 60 days prior to the event.
- Indemnification
 - o The Licensee hereby indemnifies the Township of North Huron, it's elected officials, appointees, employees, servants and agents and holds them harmless, of and from, all liability, claims, suits, actions, causes of action and damages arising from the use by the Licensee of North Huron's facilities and premises as well as resulting from, or connected with the activities carried out

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by the Licensee in conjunction with the Festival of Wizardry.

- Schedule A is attached to this rental contract as a binding part of the agreement. Schedule A outlines all the plans that must be submitted to the Township for approval, and the deadlines for submission, review by the Township and final approval. At the discretion of the Township failure to meet the deadlines in Schedule A, the event may be cancelled. Failure by Transfigured Town two implement the plans as submitted shall result in the Township cancelling the event, or not permitting the doors to open to the facilities until the execution of the agreed upon plan is corrected.
- Damage deposit
 - o Submitted to the Township in the form of certified cheque or bank draft, made payable to the Township of North Huron.
 - o Returned to licensee upon successful site cleanup and a return of the site to pre-event conditions.
 - o All or some to be retained against additional clean up or damage experienced as a result of the event
- Set up and Take Down
 - o Unless otherwise noted above (i.e. ice surface) the grounds will be made available for set up and take down from 9:00am Tuesday October 10 until Tuesday October 17 at 6:00pm.

Payment Method

Rental Fee for use of the grounds as described below is \$10,000 (plus HST)

- Non-refundable security deposit \$5,000 due at time of signing the rental contract (plus HST)
- Balance of rental fee \$5,000 (plus HST) due Friday September 29, 2017
- Damage deposit \$5,000 due at time of signing the agreement in the form of certified cheque or bank draft made payable to the Township of North Huron.

Below lists the rental timeframes including set up and take down dates. The dates of the public event are Saturday, October 14th and Sunday, October 15th. 9:00am-6:00pm.

iii) Date(s) and Time(s) of Use

of Bookings: 6 Starting: Tue 10 Oct 17 12:00 AM Expected: 0
Ending: Tue 17 Oct 17 11:30 PM

Facility	Day	Start Date	Start Time	End Date	End Time	Fee	Extra Fe	Tax	Total
Arena Ball Park	Tue	10 Oct 2017	12:00 AM	17 Oct 2017	12:00 PM	\$0.00	\$0.00	\$0.00	\$0.00
Blyth Campground - Sites 1	Tue	10 Oct 2017	12:00 AM	17 Oct 2017	11:30 PM	\$0.00	\$0.00	\$0.00	\$0.00
Blyth Meeting Room	Tue	10 Oct 2017	12:00 PM	17 Oct 2017	08:00 AM	\$0.00	\$0.00	\$0.00	\$0.00
Radford Ball Park	Tue	10 Oct 2017	12:00 PM	17 Oct 2017	12:00 PM	\$0.00	\$0.00	\$0.00	\$0.00
Blyth Arena Hall	Tue	10 Oct 2017	10:00 PM	17 Oct 2017	12:00 PM	\$0.00	\$0.00	\$0.00	\$0.00
Blyth Arena - Ice	Thu	12 Oct 2017	11:30 PM	16 Oct 2017	12:00 PM	\$0.00	\$0.00	\$0.00	\$0.00

iv) Additional Fees

v) Payment Method

Rental Fees	Extra Fees	Tax	Rental Total	Damage Deposit	Total Applied	Balance	Current
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Balance of rental due and payable immediately.

vi) Other Information

The undersigned has read and on behalf of the Licensee agrees to be bound by this Permit/License and the Terms and Conditions contained herein and attached hereto, and hereby warrants and represents that he/she executes this Permit/License on behalf of the Licensee and has sufficient power, authority and capacity to bind the Licensee with his/her signature.

X: _____

X: _____

Nathan Swartz

Name: _____

Transfigured Town Inc.

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119 Bruce Street East,

Title: _____

Goderich ON N7A 1S8

Home: ()

Business: (519)441-8174

Township of North Huron Recreation Department

Fax: (519)

Date: _____

Date: _____

TOWNSHIP OF NORTH HURON –
USE OF FACILITIES RULES AND REGULATIONS

1. The issuance of a Facility Permit is entirely at the discussion of the Recreation Department. The Department reserves the right to cancel any permit temporarily or permanently.
2. The facilities named on this permit are to be used on the date(s) and time(s) specified and only for the purpose(s) named. The permit is not valid unless signed by the appropriate Director or authorized Department representative.
3. The permit is not transferable.
4. CANCELLATION POLICY – TO CANCEL THIS PERMIT WRITTEN NOTIFICATION MUST BE RECEIVED BY THE RECREATION DEPARTMENT NO LESS THAN FIFTEEN (15) BUSINESS DAYS PRIOR TO THE DATE STATED ON THE PERMIT. IF CANCELLED PRIOR TO THIS DATE THE \$5,000 SECURITY DEPOSIT WILL NOT BE RETURNED. THE DAMAGE DEPOSIT WILL BE RETURNED. FAILURE TO COMPLY WITH THIS POLICY WILL RESULT IN LOSS OF FACILITY FEE (100% OF THE TOTAL APPLICABLE FACILITY FEE)
5. The Township of North Huron will not be responsible for personal injury or for the loss of theft of clothing/equipment of the applicant/organization, or anyone attending on the invitation of the applicant/organization.
6. The maximum attendance at any facility shall be governed by the Fire Regulation or Department of Health. All exits must be kept free from obstruction at all times.
7. The permit holder is responsible:
 - a. To indemnify and save harmless the Township of North Huron from all claims therefore and upon request will lodge with the municipality confirmation of liability insurance coverage in a form and amount satisfactory to the municipality.
 - b. To pay all damages to the facilities and/or furnishings arising from the use of same as granted by the Township of North Huron.
 - c. To pay appropriate fees for additional requested staff assistance, including building maintenance, bartenders, etc.
 - d. To comply with all Federal, Provincial and Municipal By-Laws and resolutions particularly those pertaining to games of chance, lotteries, gambling and alcoholic beverages.
 - e. For the conduct and supervision of all persons admitted to the facilities permitted and shall see that all regulations contained in this permit are strictly enforced.
 - f. To ensure that all persons admitted to the function being held have vacated the permitted facilities and that all privately-owned property and personal affects have been removed by the time specified on the permit.
 - g. To ensure that no smoking is allowed anywhere in the facility or areas not permitted on the grounds.
8. The person signing the permit must be a person authorized by the organization to do so and such persons, when requested, shall produce for inspection such authorization in writing. The person signing the permit shall, when requested, agree to personally guarantee of any rental fees that are due to the municipality.

The permit holder has been given a copy of the rules and regulations which apply to this permit and agrees to be bound by these conditions.

TRANSFIGURED TOWN

SCHEDULE A

<u>Item</u>	<u>Details</u>	<u>Draft Submission</u>	<u>Review Period</u>	<u>Final</u>
Waste	<ul style="list-style-type: none"> • Plan to remove waste and recycling • Proof of contract • Set up and take down plan • Plan for site pick up • Site name change on contract • Location(s) of bins and receptacles put on large map • Include who is managing pick up during event? 	June 23 rd	June 26-30	July 10, 2017 finalized for July 17 Council meeting
Sanitation	<ul style="list-style-type: none"> • Huron County Health Unit • Number, location, accessibility • Threshers shed washrooms, TNH will clean & stock here and in community centre • Located at off-site parking or staging areas • Plan for site drop off and pick up • Cleaning and maintenance plan during festival • Proof of contract • Site plan for locations 	June 23 rd	June 26-30	July 10, 2017 finalized for July 17 Council meeting
Traffic & Parking	<ul style="list-style-type: none"> • Estimated number of attendee vehicles. (3209) • Plan for parking. Security at parking venue. • Suggestion: Thursday before mark out lines • Shuttle service • On-site vehicles, golf carts plan • Estimated number of worker and volunteer vehicles. Location of volunteer/worker parking. • Bicycle parking, Racks need to be located. Non at the site. • People movers from Thresher's. Negotiate on own with Threshers. • Trackless Train. 	June 23 rd Town Parking	June 26-30	July 10, 2017 finalized for July 17 Council meeting

	<ul style="list-style-type: none"> Create a map for alternative parking sites. Official off sites map to hand out to cars when lot is full. 			
Security and Access	<ul style="list-style-type: none"> Controls at Hwy 25 and Hwy 4 Controls at access points to grounds Fencing Proof of OPP and Security company contract and plan Control for media access Wristbands for identification Different ones for Media/Staff/Volunteers/Vendors 	June 23 rd	June 26-30	July 10, 2017 finalized for July 17 Council meeting
Vendors and Food Concession	<ul style="list-style-type: none"> Location and names of food vendors Vendors Insurance \$2M coverage – proof required Health unit requirements Location of vendors 	July 28, 2017	Aug 1-11	August 18, 2017
Volunteers	<ul style="list-style-type: none"> Provide volunteer plan/management/training Information Booth Volunteer/ Staff identification Provide list of volunteers 3 weeks prior to event (proof of volunteers) 	September 15, 2017	September 18-22, 2017	September 29, 2017
Insurance	<ul style="list-style-type: none"> \$5M event general liability insurance Insurance covers all volunteers Vendors and service providers provide proof of own \$2M insurance or proof they are covered under event policy Permission for communication between insurance companies. 	<p>June 23rd provide draft insurance policy proof certificate. Include Township as Additional Insured</p> <p>Include copy of proof of insurance for all service providers as well as vendors (i.e. tent company, stage company, etc.)</p>	June 26-30	July 10, 2017 finalized for July 17 Council meeting
Contract Agreement	<ul style="list-style-type: none"> Required rental agreement with Township of North Huron Specify all services required by Township 	June 23 rd	June 26-30	July 10, 2017 finalized for July 17 Council meeting

	<ul style="list-style-type: none"> • Council package for submission July 10th • Council meeting July 17th 			
Payment	<ul style="list-style-type: none"> • Security deposit (\$5,000 at time of contract signing) • Damage deposit (\$5,000 certified cheque) • Final payment (\$5,000 due September 29) 	June 23 rd Written confirmation accepting these terms from Transfigured Town.	June 26-30 Will be included in draft contract.	July 10, 2017 finalized for July 17 Council meeting
Road Closure	<ul style="list-style-type: none"> • Road closure request form for North Huron Roads • Event to cover any staffing costs associated with road closure • Closing of Gypsy Lane forms provided 	June 23 rd	June 26-30	July 10, 2017 finalized for July 17 Council meeting
Fencing	<ul style="list-style-type: none"> • Fencing plan and locations • Locates done by "One Call" • Fencing issues can be negotiated directly with threshers 			
Marketing and communication	<ul style="list-style-type: none"> • Trademarks and intellectual property communicated to all involved. • Festival of Wizardry • Point of Contact Connie Goodall • Standard communication about accommodations 	July 28, 2017	Aug 1-11	August 18, 2017
Lottery, raffle etc.	<ul style="list-style-type: none"> • License required for this activity Clerk North Huron 	July 28, 2017	Aug 1-11	August 18, 2017
Use of Amplified sound	<ul style="list-style-type: none"> • Event does not exceed the North Huron noise by-law • Stage agreement/insurance • Sound equipment and power • Electrical needs 	July 28, 2017	Aug 1-11	August 18, 2017
Live entertainment	<ul style="list-style-type: none"> • Performance riders • Dressing Rooms can be used for private use • Staging area plan • Speakers-Transfigure Town will ask Thresher's 	July 28, 2017	Aug 1-11	August 18, 2017

Emergency Plan	<ul style="list-style-type: none"> • Huron County EMS • Campground map is labelled with lanes and numbers – ensure plan includes use of this for EMS • Road closure notifications • North Huron Fire Department – set up meeting for any approvals required • Emergency weather siren notices • Permit posted at all times • Dressing Rooms & Hallways available for shelter. • Parking control with evacuation notice. • Training for volunteers • No WIFI on grounds 	June 23 rd	June 26-30	July 10, 2017 finalized for July 17 Council meeting
Tents	<ul style="list-style-type: none"> • Require tent permit • Require locates • Require tent fire plan • Require fire extinguishers 	July 28, 2017	Aug 1-11	August 18, 2017
Timing	<ul style="list-style-type: none"> • Set up schedule • Event schedule • Clean up/Take down schedule 	July 28, 2017	Aug 1-11	August 18, 2017
Community involvement	<ul style="list-style-type: none"> • Blyth BIA Transfigure Town will meet with group. • Threshers equipment use 	July 28, 2017	Aug 1-11	August 18, 2017
Carnival rides or amusements	<ul style="list-style-type: none"> • Requires insurance and certified vendor • Trackless Train 	July 28, 2017	Aug 1-11	August 18, 2017
Smoking	<ul style="list-style-type: none"> • Smoking control plan • Patrick Landry – Huron County Health Unit 	July 28, 2017	Aug 1-11	August 18, 2017
Animals	<ul style="list-style-type: none"> • Are pets permitted? • Animals involved in event? 	July 28, 2017	Aug 1-11	August 18, 2017
ATM	<ul style="list-style-type: none"> • Security • Power • Internet • Contract • Purposed one in Parking Lot and one at the Arena. 	July 28, 2017	Aug 1-11	August 18, 2017

Alcohol	<ul style="list-style-type: none"> • There is no alcohol service as part of this event • Personal alcohol use – controls, bag checks • Permission to inspect suspicious bags 	Policy from ISM		
Signage Plan	<ul style="list-style-type: none"> • List of required signs and locations 	July 28, 2017	Aug 1-11	August 18, 2017