

## MEMORANDUM OF UNDERSTANDING

### MEMORANDUM

Dated: , 2018

Between:

The Alice Munro Festival of the Short Story Committee (the Committee)

AND

The Corporation of the Township of North Huron (the Township)

### **WHERE AS:**

The Alice Munro Festival was initiated as an event hosted by the Wingham and District Horticultural Society, and has significant ties to the Town of Wingham both as an established local event, and because of Wingham's ties to Alice Munro;

AND FURTHER THAT the event has expanded in scope to include a planning committee and event that encompasses other communities in Huron County;

AND FURTHER THAT the Township has traditionally supported this event due to its impact on tourism, but no longer is desirous of having the board operate as a Committee of Council;

The parties have come together to establish this Memorandum of Understanding to clarify the roles and responsibilities of each.

### **THIS MEMORANDUM OF UNDERSTANDING (MOU)**

#### a) COMMENCEMENT

The MOU becomes effective when signed and dated by both parties.

#### b) DURATION

This MOU will continue indefinitely until terminated in accordance with Section 8 or until such time as the Alice Munro Festival of the Short Story ceases to exist, or until such time as a revision of this Memorandum of Understanding is signed by both parties, replacing this MOU agreement.

#### c) MODIFICATIONS

Additions or modifications to this MOU must be made in writing and signed by the authorized representatives of both parties.

### **1. INTENT OF THIS MOU:**

- The purpose of this Memorandum is to provide a framework for the relationship between the Alice Munro Festival of the Short Story Committee and the Township of North Huron.

### **2. THE ROLE OF ALICE MUNRO FESTIVAL OF THE SHORT STORY COMMITTEE**

- The role of the Committee is to host an annual event *The Alice Munro Festival of the Short Story*. One day of the event will be hosted in the Town of Wingham due to the historical connection between the author Alice Munro, and the Town of Wingham. Additional days or activities of the event may be hosted in North Huron or in another Huron County community.
- The Committee operates independently of the Township. It is not a Committee of Council or a committee of the Township of North Huron. The committee is responsible for their own activities and finances, and is not covered under Township of North Huron insurance.
- The Committee is responsible for all activities of their volunteers, vendors, guests, and public attending this event.

### **3. RESPONSIBILITIES OF THE TOWNSHIP OF NORTH HURON AND THE ALICE MUNRO FESTIVAL OF THE SHORT STORY COMMITTEE.**

- The Council of the Township of North Huron will consider a financial contribution to the Festival, on an annual basis as part of their budget process. In exchange the Township of North Huron would be recognized as a sponsor of the event.
- Under the provisions of the North Huron Donation and Fee Waiving Policy the committee will be provided with meeting space for planning meetings of the committee. Although the fee for the space is waived, the committee is required to acquire a rental permit from the Township for use of the space.
- Rental fees waived for use of the Town Hall Theatre in Wingham. Although the fee for the space is waived, the committee is required to acquire a rental permit from the Township for use of the space. All conditions under the rental contract must be complied with by the committee. The committee will cooperate with the Township to reduce the "hard costs" associated with the use of

this space. Volunteers of the committee will assist with set up and take down, and return the facility in the condition it was assumed by the Committee.

- The Committee will comply with all Federal, Provincial and Municipal By-Laws and resolutions particularly those pertaining to games of chance, lotteries, gambling, special events, and alcoholic beverages.
- The Committee must apply for any required tent permits or licenses from the Township of North Huron for their event.
- The Committee will assign one position to a North Huron Council Representative on the committee. North Huron Council will appoint that Council Representative annually. Their role is to attend meetings and be a liaison between the Committee and Township Council and staff.
- The Committee is responsible for the conduct and supervision of all persons admitted to the facilities and shall see that all regulations are strictly enforced. The Committee will ensure that all persons admitted to the function being held vacated the permitted facilities and that all privately-owned property and personal affects have been removed by the time specified. Return the facilities to the Township in the condition they were prior to the event.

**4. INDEMNITY**

- The Alice Munro Festival of the Short Story Committee shall indemnify the Township of North Huron from fines, suits, claims, demands from any loss, damage, or injury suffered by any Committee/Volunteer member resulting from negligence, willful misconduct or default on the part of the Alice Munro Festival of the Short Story Committee.

**5. INSURANCE**

- The Festival and the Committee are not covered under the Township of North Huron insurance.
- The Alice Munro Festival of the Short Story Committee will obtain its' own liability insurance coverage. Annually the Committee will provide the Township of North Huron with a' proof of insurance certificate', naming the Township of North Huron as an additional insured.
- General Liability insurance is required for Alice Munro Festival of the Short Story 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.
- Insurance for all equipment rented by the Committee must be covered by the insurance policy.
- Actions of all Committee members and volunteers must be covered under the General Liability policy.
- Vendors and suppliers of the event, operating on Township property, 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.
- Submit the proof of insurance certificate(s) for review by the Township insurance company to confirm coverage at least 30 days prior to the event.

**6. NOTICES**

- Notices must be in writing, signed by, or on behalf of the sender. The notices must be addressed to the recipient and delivered to the recipient's address either by pre-paid mail, facsimile or email. Any facsimile or email delivery requires confirmation of receipt by the sender.

**7. DISPUTE RESOLUTION**

- If a dispute arises regarding the intention and or interpretation of this MOU, the issue shall be resolved between The Alice Munro Festival of the Short Story Committee Chair and the Director of Recreation and Facilities of the Township of North Huron through a discussion. If a resolution cannot be reached, the dispute can be referred to the Council of the Township of North Huron for a decision. Both parties, (the Alice Munro Festival of the Short Story Committee Chair and the Director of Recreation and Facilities of the Township of North Huron) can request the intervention of the Council.

**8. TERMINATION**

- Either party may terminate this arrangement without cause, by giving at least six (6) months' notice, or any period as may be mutually agreed to, with written notice to the other party.

**EXECUTED AS A MEMORANDUM OF UNDERSTANDING**

SIGNED for and on behalf of

THE ALICE MUNRO FESTIVAL OF THE SHORT STORY  
By

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name Date: \_\_\_\_\_

\_\_\_\_\_  
Witness Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

SIGNED for and on behalf of

THE TOWNSHIP OF NORTH HURON

\_\_\_\_\_  
Neil Vincent, Reeve

Date: \_\_\_\_\_

\_\_\_\_\_  
Richard AI, Clerk

Date: \_\_\_\_\_