

2018
Jurisdictional Scan: Limited Offer Services

Does your jurisdiction have a policy or standard contract for people/businesses to provide services like fitness classes, interpretation, art instruction within your parks? Do you differentiate between for-profit and not-for-profit?

JURISDICTION	REPLIED	YES/NO	CONTACT NAME
B.C PARKS	<input checked="" type="checkbox"/>	NO	Bob Austad

COMMENTS:

BC Parks has no direct service contracts for fitness classes, interpretation or art instruction in our parks currently. We are just getting back into providing park interpretation, so in the future we may see service contracts play a role again in BC Parks.

If a commercial business wanted to conduct the activities you listed in BC Parks, they would have to pursue application for a Park Use Permit. This requirement would apply for both profit and non-profit organizations. If the organization or group wanted to conduct their services for free, and it was going to be a one time event, we would likely wave the Park Use Permit and issue a letter of approval. Insurance would be required for a Park Use Permit and may be required on a letter of approval.

We also have Park Operators in BC Parks who operate the front country parks under formal contractual Agreements, and they would have to be consulted on accommodating the activities as you listed. Currently, some of these operators do fund or partner with other agencies/groups to offer interpretation, art related events and even fitness (more aligned to fun runs, not yet fitness classes). The Park Operators contractual Agreements give the Operators in many situations first right refusal on some activities. However, if the operator doesn't want to provide a service which BC Parks has determined can be entertained, then the original service provider stands a better opportunity to apply successfully to obtain a Park Use Permit or letter of approval. This process is rather detailed, but it is meant to ensure there is fair opportunity to proponents and not just the individual/company that brought the idea forward.

ALBERTA PARKS	<input checked="" type="checkbox"/>	YES	Lindsay Salloum
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COMMENTS:

This issue is currently under development right now in AB Parks, and is specifically being tested with:

- Culinary offerings/experiences via our Special Events permit:
<https://www.albertaparks.ca/albertaparksca/about-us/working-together/special-events/>
- Mobile food vendors via a Parks Authorization Letter (PAL) Application Form
<https://www.albertaparks.ca/albertaparksca/about-us/working-together/mobile-food-vendors/>
- Internally, Dinosaur Provincial Park is testing the use of the PAL application for mobile equipment rentals (i.e. SUP, canoe, kayak, bike, rentals, etc.)
- For guiding and instructing services we currently use this

<https://www.albertaparks.ca/albertaparksca/about-us/working-together/guiding-instruction/permit> permit. This policy is also currently under review, where additional delineation will be made between commercial versus education/not-for-profit providers.

Generally, if the applicant is a not-for-profit or the service in question is for no-fee educational purposes, the permit fee would be waived. If the applicant is proposing a service for profit, the same permit would still be required, but they would potentially pay a fee. If the applicant wants to be the exclusive service provider, we would be required to compete the opportunity via a Request For Proposal. Whether the permit fee is charged is also dependent on competition for proposed service delivery, public demand for the service, and public benefit. Currently, these practices vary a bit from park to park, as some parks are high use, so decisions there may be different from a park that is of low use/remotely located with fewer potential service providers. As well, other factors like the requested parks management plan, the impact to the land base, staff resources, etc., after the decision regionally.

We also do require that the proposed service helps AB Parks achieve its mandate and priorities. More information can be found here:

<https://www.albertaparks.ca/albertaparksca/about-us/working-together/>

SASKATCHEWAN PARKS		SOMEWHAT	Robin Campese
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COMMENTS:

We have a couple things in Saskatchewan. We will use a Business Operating License through our Business Unit for for-profit activities where no permanent structure is required and where no exclusive use of the land is required. It's usually for one operating season and covers things like yoga on the beach.

In general, we actively seek out and contract all special presenters in parks (i/e/ Learn to Fish, Bands/Music for Canada Day, Art in the Park, etc.) as part of Park Visitor Programming (PVP). We use the standard GOS one-time service agreement (attached) for all paid presenters. We don't really have a standard in place for non-paid presenters (i/e/ bat biologist from the University, paleontologist from the Museum) - we may or may not sign an agreement with them.

MANITOBA PARKS		YES	N/A
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COMMENTS:

PDF's attached: Special Event Application & Special Event Directive

- A "special event" is an event or activity that family members of members of a club, church or other organization may attend, or that the public is invited to attend through advertisements or other forms of public notice, that
 - May interfere with the normal operation of the park or the public's normal use of the park
 - Requires the exclusive use of an area of the park
 - Involves conduct that does not normally take place in the area of the park where the event or activity will occur
 - Creates a risk of injury or death to participants or spectators
- Process varies by size and service requirements of the event as outlined in the document. Process could include an application required, applicable fees, and insurance requirement.
 - Minor Special Event: permit with special conditions optional or not required
 - Moderate Special Event: permit with special conditions required

- Major Special Event: Formal agreement

ONTARIO PARKS		YES	Jason Anderson/ Charlene Coulter
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COMMENTS:

Bruce Bateman forwarded your request to me – I’m pleased to respond. Ontario Parks has an operational policy and procedure that pertains to special events in provincial parks (please see attached documents). In the policy, a special event is defined as: “Any activity within a provincial park which is organized and carried out, primarily by any individual, group, agency or association, that is not sponsored by the Ministry”

It also defines high and low risk activity special events, and provides direction for each respective special event type.

Our Special Event Agreement template is currently undergoing some extensive revisions, which will include a legal review, however it isn’t refined enough to share at this point.

Ontario Parks is currently conducting a review of operational policies, and this may be one of the policies that will be updated as a result of the review. However the review is in very early stages, and policy revisions would be occurring during this operating season.

If you have any questions regarding our Special Events in Provincial Parks policy or procedure, or any policy or procedure, please feel free to contact Charlene Coulter (who is cc’ed on this message).

SEPAQ (QUEBEC)	X		
NEWFOUNDLAND & LABRADOR	X		
NOVA SCOTIA	X		
PARKS NEW BRUNSWICK	Inquiring Jurisdiction		

Original Email:

Hi Dawn, could you pass along the following question to the CPC?
Thinking of services offered as a one time shot or periodically throughout the season (as opposed to a regularly offered service) - Do any jurisdictions have a policy or standard contract for people/businesses to provide services like fitness classes, interpretation, art instruction within their parks? Further, do they differentiate between for-profit and free?
Thanks and happy camping!

P.E.I PARKS		YES	Shane Arbing
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COMMENTS:

We have a pretty standard license agreement we use with service providers. There maybe a fee attached if the service requires anything from Parks (ie. building space, power and water, etc). We review each proposal individually to ensure it fits with our operation. One of the primary terms within all leases is adding Government as an additional insured to the required

insurance coverage. Depending on the service (canteens, horse back riding) the cost of this requirement in the insurance policy can be quite high for a seasonal operation. I've attached a couple for you to take a look at.

GOVERNMENT OF NORTHWEST TERRITORIES	X		
NUNAVUT PARKS	X		
YUKON PARKS	X		
PARKS CANADA	X		

Response Rate: 6/13 for **46%**

Key Findings:

- Many jurisdictions do not have a standard contract for “Limited Offer Services”, however they normally have a process for “Special Events”, which would cover most limited offer services.
- Special events are normally reviewed and treated individually for varying levels of permits, fees, and insurance required to operate.
- A clear distinction between for-profit and not-for-profit is not often made, however this difference would likely be identified during the individual application process each event undertaken.

Future Questions to Ask:

- None

Links to Resources:

- [Saskatchewan One Time Service Agreement](#)
- [Saskatchewan Business Operator License Agreement](#)
- [Manitoba Special Event Application](#)
- [Manitoba Special Event Directive](#)
- [Ontario Parks Special Events in Provincial Parks](#)
- [PEI Example of License Agreement: Brudenell Riding Stables Inc.](#)
- [PEI Example: Basin Head Canteen Concession License Agreement](#)