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| <u>C 5</u><br>COMMUNICATION memorandum<br><u>Oct 15 / 12</u><br>ITEM - <u>1</u> |
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**DATE:** October 11, 2012

**TO:** Task Force on the City's Role in Festivals and Community Events

**FROM:** Joseph A.V. Chiarelli  
Manager of Special Projects Licensing & Permits  
Insurance Risk- Management

**RE:** Short Term License/Permit for Food Vendors and Recreational Affiliates Policy

At the meeting of September 24, 2012, the Task Force requested the Manager of Special Projects, Licensing and Permits address the following issues:

1. Short Term License/Permit for Food Vendors specifically addressing written procedures and processes required by event organizers in submitting street vendor forms and York Region Health Department requirements for "bake sale" vendors; and
2. Recreation Affiliates Policy - to provide a fact sheet with respect to insurance coverage under the affiliates policy.

**Short Term Licence/Permit for Food Vendors**

Staff has discussed the issue regarding food vendors at Festivals and Community Events with health inspector at York Region Health. They have advised that applicants are required to provide a listing of all food vendors selling food at such events. In this regard they have advised that "Organizer Application Form for Special Events" a copy of which is attached hereto, must be submitted to York Region Community and Health Services at least 30 days before the start of the event. This form will be provided as part of the Special Event Application through the City Clerk's Office.

With respect to "bake sale" vendors, staff have been advised by York Region Health Services that all food sold at special events must be prepared in a facility inspected by them. Food prepared in a resident's kitchen is not an inspected facility and accordingly, health officials cannot approve the sale of goods prepared in such facilities. If organizers are intending to sell such "baked goods" they are required to list on the "Organizer Application Form for Special Events" where these goods will be prepared. York Region Health will then make a determination regarding the products and provide recommendations to the event organizer.

**Recreational Affiliate Policy**

Attached hereto, is a brief summary provided by the City's insurer that addresses the insurance coverage available to its recreational affiliates.



## Organizer Application Form for Special Events

Complete and return form to York Region Community and Health Services  
at least **30 days** before the start date of this event

If you need help completing this form, call York Region *Health Connection* at **1-800-361-5653**

|                            |                           |                          |                                |                          |
|----------------------------|---------------------------|--------------------------|--------------------------------|--------------------------|
| <b>Office Fax Numbers:</b> | Georgina:<br>905-989-0237 | Markham:<br>905-940-9872 | Richmond Hill:<br>905-762-2091 | Tannery:<br>905-836-8315 |
|----------------------------|---------------------------|--------------------------|--------------------------------|--------------------------|

|   |   |  |  |
|---|---|--|--|
| <b>Event Information</b>  |   |  |  |
| Event Name:   |   | Expected Number of Vendors:  |  |
| Event Date(s):  |   | Expected Number of Attendees:  |  |
| <b>Organizer Information</b>  |   |  |  |
| Organizer's Name:   |   |  |  |
| Corporation/Numbered Company:   |   |  |  |
| Address:  |   | Business Phone:  |  |
| City/Town:  | Postal Code:  | Cell Phone:  |  |
| Email Address:  |   | Fax:   |  |
| <b>Event Description</b>  |   |  |  |
| Event Location/Address:   |   |  |  |
| Venue Type: <input type="checkbox"/> Public Park <input type="checkbox"/> Street Festival <input type="checkbox"/> Mall Property <input type="checkbox"/> Other (specify):  |   |  |  |
| Hours of Operation:   |   | Diagram of Event Layout Provided <input type="checkbox"/> Yes <input type="checkbox"/> No  |  |
| <b>Responsibilities of Organizer</b>  |   |  |  |
| <b>Sanitary Facilities (if yes, specify number)</b>   |   |  |  |
| Portable Toilets <input type="checkbox"/> Yes <input type="checkbox"/> No   |   | Portable Hand Wash Basins <input type="checkbox"/> Yes <input type="checkbox"/> No   |  |
| Permanent Toilets <input type="checkbox"/> Yes <input type="checkbox"/> No  |   | Permanent Hand Wash Basins <input type="checkbox"/> Yes <input type="checkbox"/> No  |  |
| <b>Water Supply</b>   |   |  |  |
| Potable water supplied to vendors: <input type="checkbox"/> Yes (If yes, complete next question on the source of the water) <input type="checkbox"/> No   |   |  |  |
| <b>Water Source</b>   | <input type="checkbox"/> Water Truck - Company Name:  |  |  |
|   | <input type="checkbox"/> Bottled Water <input type="checkbox"/> Municipal <input type="checkbox"/> Well |  |  |
|   | <input type="checkbox"/> Other (specify):   |  |  |
| Water lines: Food-grade material <input type="checkbox"/> Yes <input type="checkbox"/> No Backflow devices provided: <input type="checkbox"/> Yes <input type="checkbox"/> No   |   |  |  |
| Ice supplied to vendors: <input type="checkbox"/> Yes (If yes, source of water used to make ice): <input type="checkbox"/> No   |   |  |  |
| <b>Hydro</b>  |   |  |  |
| Electricity available: <input type="checkbox"/> Yes <input type="checkbox"/> No Back-up power available: <input type="checkbox"/> Yes <input type="checkbox"/> No   |   |  |  |
| Refrigerated truck available: <input type="checkbox"/> Yes <input type="checkbox"/> No  |   |  |  |
| <b>Garbage</b>  |   |  |  |
| Garbage cans/bins available: <input type="checkbox"/> Yes (specify number): <input type="checkbox"/> No   |   |  |  |
| Garbage will be disposed of daily: <input type="checkbox"/> Yes <input type="checkbox"/> No   |   |  |  |
| <b>Vendors</b>  |   |  |  |
| Total number of Food Vendors participating in event:  |   | Will there be any vendors that perform personal services such as tattooing, body piercing, hair cutting?<br><input type="checkbox"/> Yes <input type="checkbox"/> No |  |
| Will any vendors have a petting zoo (i.e., any event where public contact with animals is allowed and/or encouraged, such as a petting corral or open farm)? <input type="checkbox"/> Yes <input type="checkbox"/> No |   |  |  |
| Proposed types of foods that will be served (e.g. hamburgers, chicken skewers, roast beef, etc.):   |   |  |  |



The following is not intended to be all-inclusive and is subject to the terms, conditions and exclusions of the Recreational Affiliates of the City of Vaughan policy on file with the City of Vaughan.

#### **COMPREHENSIVE GENERAL LIABILITY:**

**Question:**

What does the Recreational Affiliates of the City of Vaughan Liability policy cover?

**Answer:**

It would be lengthy to list all the insuring agreements under the policy, but in many cases many inquiries relate to the concept of Liability Insurance.

General Liability Insurance is designed to protect a person or any entity against any legal responsibility arising out of a negligent act or a failure to act as a prudent person would have acted, which results in bodily injury or property damage to another party.

**Question:**

What are the limits of the policy and what is the deductible?

**Answer:**

The Liability Limit offered by the policy is \$5,000,000 per occurrence for bodily injury, property damage, personal and advertising injury, and tenant's legal liability. The \$5,000,000 is also the aggregate limit for the policy. The deductible is \$1,000.

**Question:**

Is property covered by the policy?

**Answer:**

**No.** Any physical property that is owned by the insured, or in the care, custody or control of the insured, is considered first party property and will not be covered under the policy.

**Question:**

Are Directors & Officers (Board Members) covered by the policy?

**Answer:**

The Directors & Officers of an insured organization are covered if they are brought into a lawsuit arising out of a General Liability issue, i.e., bodily injury or property damage to a third party. Directors & Officers Liability, however, with respect to their duties to their respective organizations, is not covered by the policy and would require a full Directors & Officers Liability policy.

**CGL – cont'd.****Question:**

Are Volunteers covered by the policy?

**Answer:**

**Yes.** The definition of "who is an insured" includes volunteer workers, but only while acting within the scope of their duties to the recreational affiliate.

**Question:**

Is Liquor Liability Covered?

**Answer:**

**Yes.** The policy contains a Host Liquor Liability extension to the organizations that host events with liquor served. However, if the event has a beer tent or liquor facility licensed for more than 500 people, it should be referred to the insurer as an additional premium may apply.

**Question:**

Are fireworks and other pyrotechnics covered?

**Answer:**

**No.** Any events with these activities need to be referred to the insurer, where additional coverage can be arranged.

**Question:**

When should I request a Certificate of Insurance from a supplier?

**Answer:**

A Certificate is required anytime that you have a sub-contractor or a supplier where you are giving up control and responsibility of that portion of the event. For example, if you are renting an inflatable obstacle or bouncy castle for your event, the company you are renting from must provide a Certificate of Insurance that names the Recreational Affiliate as an additional insured.

**Question:**

What does "additional insured" mean?

**Answer:**

Additional insured status on a policy means that your supplier or sub-contractor's insurance policy will defend you if you are brought into a lawsuit arising out of the operations of the supplier or sub-contractor. In layman's terms, it means that if you are giving up control of an aspect of your event, they will take responsibility for any Liability issues arising out of that aspect.