

Request for Decision



To: Committee of the Whole
From: Corporate Services
Date: October 10, 2023
Subject: Campground Bylaw and Policy Updates
Recommendation: **THAT the Committee of the Whole recommends to Council to give first three readings to the Municipal Campground Bylaw No. 2104.**

Purpose

For Committee of the Whole to review and recommend to Council to give first three readings to an update and amalgamation of Bylaw 2026 and Policy 1206-A1 regarding the Municipal Campground.

Background

The Campground Policy 1206-A1 and the Campground Regulation Bylaw No. 2026 were both implemented in 2016. Staff has noted recently that changes to the current Bylaw along with the compilation of the current Policy would be beneficial as some items and references are outdated. Staff also reviewed current practices and procedures to ensure that the new Bylaw aligns with these standards.

Staff drafted the attached Campground Bylaw No. 2104 that combines the Campground Policy and Bylaw into a single document. The proposed Bylaw includes changes in relation to the requests from Council at the Regular Meeting on September 11, 2023. At that meeting, Council adopted the following resolutions:

- **THAT Council instructs Staff to end the annual camping season on October 15 of each year, in the upcoming draft versions of the Bylaw.**
- **THAT Council instructs Staff to include a provision for a potential Winter Caretaker for the Campground in the upcoming draft version of the Bylaw.**
- **THAT Council instructs Staff to allow an earlier start date for reservations for the Campground in the upcoming draft version of the Bylaw.**
- **THAT Council instructs Staff to remove the clauses from the Campground Policy and Bylaw for allowing the Chief Administrative Officer to make changes at any time.**

Other resolutions regarding the financial items will be included on a Fees and Charges Bylaw update report on this agenda. The request for pricing on an extension of the camera system to the Campground/BMX area will be included as part of the 2024 budget process.

Key Changes

Based on the instructions from Council, Staff prepared the Bylaw and included the key changes listed above, codified current practices, as well as relocated items from the Policy into the draft Bylaw.

1. Definitions (S.2):
 - a. Added definitions for City, Campground Attendant, Person, Staff, Winter Caretaker.
 - b. Update definitions for Campground, Fees and Charges Bylaw, Municipal Ticket and Information (MTI) Bylaw, Operator.
 - c. Removed definitions for Chief Administrative Officer, Manager of Operations.
2. Regulations (S.3):
 - a. No changes have been made to any of the clauses except to update definitions and for S.3.17 and 3.18 to allow for some flexibility for Staff to determine exact site configuration for RV length and tenting configurations as the campground receives upgrades or requirements change, essentially future proofing the Bylaw.
3. Operations (S.4):
 - a. This section saw the majority of the changes as it is the section that combined all the operational aspects of the Policy, the previous Bylaw, as well as the majority of Council's resolutions.
 - b. Extension of the Campground Season to October 15 (S. 4.2)
 - c. An option for a Winter Caretaker has been added (S. 4.4)
 - d. Reservations would be available as of February 1. (in alignment with Visitor Information Center (VIC) staff scheduling and booking into database (S.4.5.1 + 4.5.2)
 - e. Cancellation related items were added along with a link to the Fees and Charges Bylaw (S. 4.5.3 + 4.5.4)
 - f. S. 4.6 includes other services that are provided (washrooms, wi-fi). This was relocated from the Policy.
4. Offences and Penalty (S.5) has been updated to reflect current language used in City Bylaws regarding enforcement.
5. Exceptions (current Bylaw No 2026 - S.6) – this section has been removed as per Council resolution from September 11, 2023.
6. The General (S.7) section has been updated with current language in other City bylaws.

Operational Exceptions

Following Council direction, by removing the Exceptions S.6 from the drafted Bylaw, the following operational outcomes are expected that will impact current customer service levels as Staff will not be able to go outside of the authority that is provided under the updated Bylaw:

Current Bylaw No. 2026	Draft Bylaw No. 2104
Staff can provide refunds in certain situations even when the City had to cancel on short notice or while people were already staying at the campground.	S. 3.1 and S.4.5.4 – No refunds will be made by Staff (other than as authorized through the cancellation process - S.4.3) unless Council approves them at a Council meeting. As a result, we are expecting higher negative feedback about City service levels.
Staff can extend camping days – the bylaw has a limit of 14 days. (S.3.14). Extending stays was helpful in certain situations when campers are already at the campground and required extra days for various reasons.	S.3.15 only permits Staff to extend stays if the request was made three weeks in advance. So, if the request is not received in advance, Staff will not be able to extend the stay. As a result, we are expecting higher negative feedback about City service levels.
Staff can permit group events and rates on short notice and sometimes overflowing into City Park. This was helpful in the past due to Grand Forks International Baseball Tournaments or other group events that saw a sudden cancellation or change in their planned accommodation, or simply a requirement for additional tenting space.	S.3.16 provides the ability to allow for Staff to provide for group events and rates; however, must be received at least 1 month prior. So, if the request is not received prior to the 1 month notice period, Staff will not be able to arrange rates and group camping. S.3.19 requires that camping must be within designated camping areas. City Park itself is not a designated camping area. So, Staff would not be able to extend the camping area into City Park or another City property if needed. As a result, we are expecting higher negative feedback about City service levels and won't be able to accommodate in certain situations.
Staff can adjust the camping or reservation season if needed or requested or allow for a stay outside of the camping season if beneficial to the City. This was beneficial in the past on a one-off basis (newcomer to town; temp. operations manager)	Staff will not be able to alter the start and end date of the camping season (S. 4.2) nor vary the start and end date of the reservation services dates (S. 4.1) even if there is a benefit to the City.
Check-out time was able to be varied if needed.	S. 4.3 Check-out time won't be able to be varied by Staff. As a result, we are expecting higher negative feedback about City service levels and won't be able to accommodate individual challenges

Given the above, Staff expects additional negative feedback on Facebook, Google Maps, and other online camping sources throughout the camping season (At present, the Campground has a 4.3 Star rating on Google from 97 reviews). We also anticipate additional emails and verbal & written feedback with requests for Council to vary these items or to issue refunds.

If the COTW would like to recommend to Council that the draft Bylaw that will be presented to Council includes exceptions for these operational items, the following resolution would be required:

THAT the Bylaw that will be presented to Council include exceptions to permit Staff to:

- **Issue refunds regarding stays – S. 3.1 and S. 4.5.4**
- **Permit extended stays – S. 3.15**
- **Permit group events and rates – S. 3.16**
- **Permit extension of camping area to other areas – S. 3.19**
- **Vary start and end dates of camping season and reservation services dates to align with operational needs, resource scheduling, or seasonal challenges. – S. 4.1 and S. 4.2**
- **Vary check-out times – S. 4.3**

Summary

In Summary, the attached Bylaw combines current practices, the current Bylaw, the current Policy, and any changes requested by Council into a single draft Bylaw. It would be prudent for Council to consider the potential impacts to the campground users given the operational service levels that Staff would be able to provide under the new Bylaw.

Benefits or Impacts

General

Creating a Bylaw that includes the most recent practices for the Campground users, this will include updates to the current reservation and operational dates to better suit and provide flexibility to the public. Changes will also include the implementation of a Winter Caretaker to provide additional eyes on the facility.

Finances

No additional costs to the City except for potential electrical use for the winter caretaker. Other fees will be captured in the Fees and Charges Bylaw.

Strategic Impact

N/A

Risk Assessment

Compliance: Current Bylaw No. 2026, Current Policy No. 1206-A1, Community Charter Section 8.

Risk Impact: Low

Internal Control Process: Draft has been reviewed internally prior to delivery to the COTW. Staff is following standard procedures for adopting bylaws as per Policy No. 116.

Next Steps / Communication

- Staff will present the Bylaw for first three readings at a future Regular Meeting, along with a repeal Bylaw to repeal the current campground Bylaw No. 2026 (Draft is attached)
- At a future meeting, Staff would also be proposing to rescind the current Campground Policy No. 1206-A1.

Attachments

1. Draft Bylaw No. 2104 – Campground Bylaw
 2. Current Campground Bylaw No. 2026
 3. Current Campground Policy No. 1206-A1
 4. Draft repeal bylaw No. 2026-R
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Recommendation

THAT the Committee of the Whole recommends to Council to give first three readings to the Municipal Campground Bylaw No. 2104.

Options

1. The COTW could propose other amendments to the DRAFT Bylaw at this time.
2. The COTW could recommend to Council that the draft Bylaw include exceptions for operational items, the following resolution would be required:
THAT the Bylaw that will be presented to Council include exceptions to permit Staff to:
 - Issue refunds regarding stays – S. 3.1 and S. 4.5.4
 - Permit extended stays – S. 3.15
 - Permit group events and rates – S. 3.16
 - Permit extension of camping area to other areas – S. 3.19
 - Vary start and end dates of camping season and reservation services dates to align with operational needs, resource scheduling, or seasonal challenges. – S. 4.1 and S. 4.2
 - Vary check-out times – S. 4.3