



## **STAFF REPORT**

**Title:** Wicked Watersport Rentals Inc.

**Meeting Date:** April 23, 2019

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### **Executive Summary:**

The City of Cold Lake aims to offer affordable and exceptional recreational opportunities to its citizens and users. The City is committed to providing quality social and recreational programs, services and facilities for the enjoyment and benefit of the citizens.

Recently administration received from Mr. Raymond Cowell, Wicked Watersport Rentals Inc. requesting to operate on Kinosoo Beach for the 2019 summer season.

### **Background:**

Wicked Watersport Rentals operates a safe, fun and affordable watersport activities at Kinosoo Beach. In keeping with the Parks and Public Facilities Bylaw, Wicked Watersport Rentals is again requesting permission to operate in the same location on the beach more specifically in front of the sport courts.

Held in Section 7 - Use of Park/Public Facilities; no person shall make available for sale goods and services in a Park/Public Facility unless such activity is permitted by regulations or in the case of a public park/open space Council has given prior written approval

In 2018 Kinosoo Beach received some upgrades most notably an irrigation system. In considering Wicked Watersport Rentals request, administration recommends the following conditions to be included in the permission letter to Wicked Watersport Rentals Inc.

- Wicked Watersport Rentals Inc. must obtain the appropriate business license for the services being provided, in accordance with the City of Cold Lake Business License Bylaw.
- Wicked Watersport Rentals Inc. is considered a mobile vendor and must obtain a Mobile Vendor Permit as per City of Cold Lake Mobile Vendor Policy No. 205-AD-18.
- The business may operate on an available part of the municipal owned property at the beach, free of any charges. A specified space will not be designated and may change from day-to-day.
- Operation on the Provincial leased property of Kinosoo Beach will not be permitted.



- The business may leave a trailer on the beach between operational days.
- The City will not provide any services to Wicked Watersport Rentals Inc. This includes no power, shelter, equipment or security for all equipment or other assets. Wicked Watersport Rentals Inc. must be a completely independent, sustainable operation.
- This letter provides permission to continue to operate in a public park as designated, and will require annual renewal. This appears in accordance with Bylaw No. 539-PL-14. There will be no lease, simply permission to conduct this business in a park.
- The City will require proof of insurance consistent with City standard for the operations and name the City of Cold Lake as an additional insured for work performed from the municipal property. The City of Cold Lake is not responsible or liable for any part of or incidents arising from the operation of Wicked Watersport Rentals Inc. and Wicked Watersport Rentals Inc. will indemnify and save harmless the City, its employees and agents from and against all claims, losses, damages, costs and expenses made against or incurred by the operation.
- Wicked Watersport Rentals Inc. to provide the City with WCB coverage consistent with City standard.
- The City will NOT provide exclusivity for the operations of Wicked Watersport Rentals Inc. on the beach.
- No sandwich boards will be permitted on the beach. Advertising space may be provided via own mobile set-up.
- The City does not recommend or approve any modification or components be added temporarily or permanently in the water itself. Since this area is not in the City's jurisdiction, appropriate approval will be required from the Province of Alberta by Wicked Watersport Rentals Inc.
- Wicked Watersport Rentals Inc. is solely responsible for any damage to the Park including the irrigation system caused by Wicked Watersport Rentals Inc.
- The City of Cold Lake reserves the right to withdraw its' permission for any reason without notice which is delegated to the Chief Administrative Officer (CAO) or designate.

**Alternatives:**

Council may consider the following options:

1. Direct the City to send a letter to Wicked Watersport Rentals Inc. in support of Wicked Watersport Rentals operating on the beach for the 2019 summer season with the conditions presented in administration's report.
2. Direct the City to send a letter to Wicked Watersport Rentals Inc. in support of Wicked Watersport Rentals operating on the beach for the 2019 summer season with the conditions presented in administration's report as amended.
3. Accept the report titled Wicked Watersport Rentals Inc. as information.



**Recommended Action:**

That Council permit Wicked Watersport Rentals Inc. to operate at Kinosoo Beach during the summer months of 2019 subject to the following conditions:

- Wicked Watersport Rentals Inc. must obtain the appropriate business license for the services being provided, in accordance with the City of Cold Lake Business License Bylaw.
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- The business may leave a trailer on the beach between operational days.
- The City will not provide any services to Wicked Watersport Rentals Inc. This includes no power, shelter, equipment or security for all equipment or other assets. Wicked Watersport Rentals Inc. must be a completely independent, sustainable operation.
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- Wicked Watersport Rentals Inc. to provide the City with WCB coverage consistent with City standard.
- The City will NOT provide exclusivity for the operations of Wicked Watersport Rentals Inc. on the beach.
- No sandwich boards will be permitted on the beach. Advertising space may be provided via own mobile set-up.
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**Budget Implications (Yes or No):**

No

**Submitted by:**

Kevin Nagoya, Chief Administrative Officer