

ADMINISTRATIVE ORDER NUMBER 2014-020-GOV
Respecting Marketing Levy Special Event Reserve Grants

WHEREAS the Council of the Halifax Regional Municipality values the economic impact of large scale events to the Halifax Regional Municipality;

AND WHEREAS the Council of the Halifax Regional Municipality wishes to support organizations to attract and host large scale special events within the Halifax Regional Municipality through grants;

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

Short Title

1. This Administrative Order may be known as the *Administrative Order on MLSE Grants*.

Interpretation

2. In this Administrative Order,
 - (a) “Anniversary” means a celebration at quarter century intervals that an event acknowledges with enhanced programming;
 - (b) “Applicant” means an organization applying for funding under this AO;
 - (c) “Concerned status” means conditions attached to the release of grant funds in accordance with section 31 of this AO;
 - (d) “Council” means the Regional Council of the Halifax Regional Municipality;
 - (e) “Enhanced visibility” means multi-media opportunities to promote the Municipality that would not occur, in whole or in part, without a grant under this AO;
 - (f) “Grant” means a transfer of funds to an organization subject to eligibility criteria;
 - (g) “Special Events Advisory Committee” or, “SEAC” means the advisory committee of Council pursuant to the Terms of Reference attached in Schedule 1 to this AO;
 - (h) “Major Hosting Event” means a national or international event that typically does not recur annually in the same location and is awarded to a host destination through a competitive bidding process;

- (i) “Multi-media opportunities” means opportunities to profile the Municipality through a number of marketing platforms such as radio, television, video, print, internet and social media;
- (j) “Municipality” means the Halifax Regional Municipality;
- (k) “New or Emerging Event” means an event that has been held in Halifax for the first time within the past five (5) years, or strongly demonstrates a recent change or growth;
- (l) “Organization” means a registered charity, non-profit society or for-profit entity with demonstrated event management experience;
- (m) “Organizer” means the organization responsible for delivering the special event;
- (n) “Special event” means an event, festival or public celebration that:
 - (i) demonstrates capacity and the ability to develop as a tourism driver over the long term;
 - (ii) is promoted to and marketed to tourists; and
 - (iii) is available to the general public to attend, either free or through the purchase of tickets.
- (o) “Staff” means staff of Parks & Recreation; and
- (p) “Tourist” means a person who travels 100 kilometres or more specifically to attend the special event.

Purpose

3. The purpose of this Administrative Order is to provide grants from the Municipality to direct financial support to large scale special events in Halifax Regional Municipality that support and promote tourism and business development.

Grants Available

4. There are hereby established four grant programs:

- a) Signature Events: supports annual large scale special events.

- (i) Available to Organizations that have operated for a minimum of three (3) consecutive years with strong event management and a track record of success.
 - (ii) The special event must be in existence for a minimum of five (5) consecutive years and have a minimum budget of \$100,000.00.
 - (iii) May provide sustainable funding up to a maximum term of three (3) years.
 - (iv) Provides additional funding up to a maximum of 10% of the previous year's total grant amount to support additional programming for an anniversary of the event.
- b) Distinguished Events: supports one-time large scale events that have high potential for national and/or international exposure, an ability to encourage multiple day visits to the Municipality, and provide the Municipality with a competitive advantage.
- (i) Repealed.
 - (ii) The event must have a minimum budget of \$50,000.00.
 - (iii) Repealed.
 - (iv) Repealed.
 - (v) Repealed.
 - (vi) National University Sports Championships may be considered for funding within this category.
- (c) New Events (Emerging): supports Organizations that bring or create a new event in Halifax.
- (i) Available to Organizations that have operated for a minimum of one (1) year with demonstrated experience in event management.
 - (ii) The event must have a minimum budget of \$50,000.00.
 - (iii) Preference will be given to applicants that have secured corporate and government funding.

- (iv) The New Events (Emerging) Program:
 - a. provides up to five (5) years of sustainable funding; and
 - b. may provide the cost of executing a Sport Tourism Economic Assessment Model (STEAM) or an alternate industry recognized economic assessment tool as approved by staff in the first and fifth year of funding.

- (d) Major Hosting Events: supports Organizations bidding on the rights to host major events and supports programs, activities and services specific to the delivery of a major event being hosted in Halifax. Events must be of a size and scope sufficient to draw tourists to the Municipality's communities, attract significant media exposure, and profile Halifax destinations nationally and globally.
 - (i) The event must have a minimum budget of \$500,000.00.
 - (ii) Funding conditional on receiving event funding from other levels of government.

Application Requirements

- 5. Repealed.

- 5A. (1) The intake periods for each grant program shall be as follows:
 - (a) Signature Events: one intake period per fiscal year;
 - (b) Distinguished Events: two intake periods per fiscal year;
 - (c) New Events (Emerging): two intake periods per fiscal year; and
 - (d) Major Hosting Events: application to this program may be made at any time.

- (2) The intake periods and application deadlines will be established by staff and advertised on the HRM website.

- 6. Applications must be signed by the applicant's authorized representative(s).

- 7. All applications must be received by mail, in person or emailed by the application deadline. Applications may be submitted:

- a) in person to:
HRM Event Grants Officer
2nd floor, Dartmouth Ferry Terminal
 - b) by mail to:
HRM Event Grants Officer
P.O. Box 1749
Halifax, NS
B3J 3A5
 - (c) by email to:
eventgrants@halifax.ca
8. Late or incomplete applications will not be reviewed or considered.
9. All applications shall be in a format prescribed by staff and include:
- (a) a description of the applicant, including history and organisation's staffing and structure;
 - (b) details on any other funding received from the Municipality within the current and two previous fiscal years, including tax relief;
 - (c) a statement of corporate funding sources sought by the applicant, including current status of applications;
 - (d) a statement of other government funding sources sought by the applicant, including current status of applications;
 - (e) a detailed event description with a statement on the tourism and economic impact in the community;
 - (f) previous year's municipal service costs when applicable;
 - (g) a detailed event budget; and
 - (h) completion of an economic impact analysis, such as the Sport Tourism Economic Assessment Model (STEAM) or an alternate industry recognized economic assessment tool as approved by staff.

Eligibility

10. To be eligible for funding, an applicant shall be a registered not-for-profit society or for-profit entity in good standing with the Provincial Registrar of Joint Stock Companies or federally registered under the *Corporations Act* and:

- (a) Repealed;
- (b) has no outstanding municipal service costs due to the Municipality; and
- (c) has no outstanding reports or due to the Municipality.

11. For the organization to be eligible for funding the event must:

- (a) provide an element of the event open to the general public to attend;
- (b) secure additional sources of revenue such as corporate contributions, donations, sales, and membership fees and must pursue other sources of public or private funding;
- (c) be held within the geographical boundaries of the Municipality; and
- (d) be fourteen (14) days or less in duration.

12. The following organizations are not eligible for funding:

- (a) government agencies;
- (b) organizations aligned with a political party or to support activities thereof;
- (c) individuals;
- (d) educational institutions; or
- (e) groups using the funds for activities outside the Municipality.

13. The following events are not eligible for funding:

- (a) consumer shows;
- (b) trade shows;
- (c) meetings;

- (d) seminars;
- (e) repealed;
- (f) symposiums;
- (g) public lectures;
- (h) fundraisers;
- (i) professional training and development;
- (j) educational initiatives;
- (k) banquets;
- (l) conferences; and
- (m) marketing initiatives.

Expenses

- 14. Grants may be applied to programing, operating, marketing and promotional expenses.
- 15. No portion of the grant shall be:
 - (a) applied to volunteer bursaries or honoraria; or
 - (b) paid to members or officers of an organization's Board of Directors either directly or indirectly.

General Provisions

- 16. Staff is available to assist with the application process and other issues that may arise.
- 17. Staff may consult with provincial and federal government funders to thoroughly assess the rights and benefits being offered by the applicant.
- 18. Retroactive funding will not be awarded.

19. Any event that will occur less than three (3) months after the application deadline, or after the application submission in the case of a Major Hosting Event, will be assessed on a case by case basis with no guarantee of a decision before the date of the event.

20. All grant recipients must provide staff full access to the event for the purposes of monitoring and evaluation, including but not limited to audit and inspection of accounts, records, receipts, invoices, vouchers and other documents related to the funding provided through HRM.

Application Evaluations

21. The following criteria will be used to evaluate applications for Council's consideration:

- (a) degree of economic impact;
- (b) number of consecutive, multiple day visits from tourists;
- (c) enhanced visibility to Halifax as a tourist and business destination;
- (d) expertise of event organizer;
- (dd) amount of funding received from the Municipality within the current and two previous fiscal years, including tax relief;
- (e) financial stewardship as demonstrated through financial statements and proposed event budget; and
- (f) for New Events (Emerging) and Major Hosting Events, funding support from other levels of government.

22. To ensure transparency in the evaluation of applications:

- (a) all staff and SEAC members will complete a "Disclosure of Conflict of Interest" declaration;
- (b) staff or SEAC members who have provided direct assistance to support an applicant in completing an application shall not be involved in any part of the grant assessment process for that application;
- (c) advice or information given to one applicant shall be made available to all other applicants; and

(d) staff or SEAC members who declare an interest in an application, shall not be involved in any part of the grant assessment process for that application.

Application Review Process

23. Applications will be administered by staff of Parks & Recreation.
24. Applicants will be notified promptly if their application is ineligible for consideration.
25. Final approval of all applications for a grant, and the amount thereof, is a decision of Council in its sole discretion.
26. Notification of the decision of Council will be communicated to applicants after it is made.
27. Approval of grants is conditional on Council's approval of the annual program budget.
28. Due to limited funds, not all eligible applications may receive funding.

Conditions of Approval & Payment of Grants

29. Successful applicants are required to sign an HRM Event Grant Agreement. Funds will not be released prior to the HRM Event Grant Agreement being executed.
- 29A. (1) Council hereby delegates to the Chief Administrative Officer the authority to execute HRM Event Grant Agreements and to approve and execute any amendments to such agreements.

(2) The Chief Administrative Officer may further delegate the authority granted to them under subsection (1).
30. All HRM Event Grant Agreements will contain the following terms regarding Concerned Status:
 - (a) The Special Events Advisory Committee or Council may identify concerns with an organization or event and recommend the organization be placed under Concerned Status. An organizer will be notified immediately upon the organization being placed under Concerned Status.
 - (b) Concerned Status may occur if the organization:
 - (i) has a major deficit, such deficit being ten percent (10%) or more of the organization's annual budget;
 - (ii) shows evidence of not being financial viable;

- (iii) has a significantly reduced audience or sales base that differs from stated intentions;
 - (iv) does not demonstrate the ability to plan into the future;
 - (v) does not address major artistic concerns, such as artistic or editorial direction, declining quality of activity, or failure to achieve activity plan;
 - (vi) does not meet contractual obligations or minimum requirements outlined in the agreement; or
 - (vii) demonstrates management or governance practices which do not conform with generally acceptable practices in the sector.
- (c) An organization placed under Concerned Status will be required to meet quarterly with Parks & Recreation staff for review of the following documentation:
- (i) profit & loss statement;
 - (ii) balance sheet;
 - (iii) year-to-date budget;
 - (iv) bank reconciliation (only required upon specific request from staff);
 - (v) new or updated business plan; and
 - (vi) any other documentation relevant to the Concerned Status designation.
- (d) When an organization receiving a multi-year grant commitment has been placed under Concerned Status it may result in:
- (i) a lower grant award;
 - (ii) additional conditions placed on the current grant and any future grants; and
 - (iii) discontinuation of the grant term if applicable where issues go unresolved.

30A. (1) In the event that a state of emergency or a state of local emergency is declared within the geographic boundaries of the Municipality in accordance with the *Emergency Management*

Act, S.N.S. 1990, c. 8 or an order is issued by a medical officer within the geographic boundaries of the Municipality in accordance with the *Health Protection Act*, S.N.S. 2004, c. 4 and the declaration or order has a direct impact on the ability of a grant recipient to undertake its approved event, the grant recipient shall notify the Municipality.

(2) Upon being notified in accordance with subsection (1), Staff may work with the grant recipient on a case-by-case basis and may approve any one or a combination of the following within the scope of the HRM Event Grant Agreement:

- (a) a change to the scope or delivery of the event;
- (b) a lower grant award, including deferral or cancellation of the grant award; or
- (c) a change to the payment schedule.

(3) Nothing in this section shall be interpreted to limit or otherwise prescribe the Municipality's management of individual grants in accordance with the HRM Event Grant Agreement.

31. Grant monies for applications approved will be dispersed according to a schedule as outlined in the executed HRM Event Grant Agreement, with up to twenty per cent (20%) being withheld until completion of the event and submission of the final report.

32. Successful applicants are required to complete a final report form within one hundred and twenty (120) days of the conclusion of the event describing the impact of the funding received from the Municipality. A final report template will be available from Parks & Recreation staff. The criteria for reporting includes:

- (i) name of organization, amount of grant, terms and conditions;
- (ii) total event costs;
- (iii) a breakdown of the expenditure of the grant funds (the Municipality reserves the right to require proof of payments made);
- (iv) a final description of the event, including information on the completeness of the project; and
- (v) copies of printed and web based materials funded through the grant as well as documentation of events or projects directly or indirectly supported by the Municipality through this grant process.

33. A successful applicant may request an extension to file the final report if unable to meet the one hundred and twenty (120) days deadline. The request must be received one (1) month prior to the deadline. Submission of a request for extension does not guarantee that an extension will be awarded.

34. Failure to submit a final report within one hundred and twenty (120) days of the conclusion of the event or at the end of an approved extension period will result in:

- (a) the forfeiture of any remaining grant; and
- (b) placement of the organization on the Municipality's delinquent organizations list.

The organization will be notified of any forfeiture of grant funds.

35. Organizations placed on the delinquent organizations list are ineligible to apply for future grants from HRM. Organizations will be removed from the delinquent organizations list on submission of a final report.

36. The Municipality's support must be recognized as outlined in the "Requirements for Acknowledging Funding" set out in the HRM Event Agreement.

Referral by Council

37. The question of grant funding for a particular event pursuant to this Administrative Order may be referred by Council to a Standing Committee or to the Council in Committee for a recommendation to the Council on whether to provide grant funding.

Scope

38. Notwithstanding this Administrative Order, an application for an event may be considered by Council or the SEAC for a grant.

39. Nothing in this Administrative Order shall be interpreted to limit or otherwise prescribe Council's general discretion to provide grants under the *Halifax Regional Municipality Charter* or otherwise.

Transition

40. Notwithstanding this Administrative Order, current multi-year grants awarded by Council under the "Civic Events Granting Framework and Policy" shall be governed in accordance with the agreement made at the time of the award, including payment schedules and reporting requirements.

40A. A committee member appointed to SEAC at the time this Administrative Order comes into force shall remain a member of the committee until the member's position is vacated, at which time any new appointments to SEAC shall be in accordance with the Terms of Reference as set out in Schedule 1.

Repeal

41. The "Civic Events Granting Framework and Policy" adopted by Council on March 27, 2007 and all amendments thereto are hereby repealed.

Done and passed in Council this 10th day of November, 2015.

Mayor

Municipal Clerk

I, Cathy Mellett, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on November 10, 2015.

Cathy Mellett, Municipal Clerk

Schedule 1

Special Events Advisory Committee Terms of Reference

MANDATE

The HRM Special Events Advisory Committee shall review, evaluate and make recommendations to Regional Council regarding the annual Marketing Levy Special Events Reserve (MLSER) with staff support from Parks and Recreation.

STATEMENT OF PURPOSE

Pursuant to the Marketing Levy Special Events Reserve Administrative Order 2014-020-GOV, members of the HRM Special Events Advisory Committee will evaluate applications for funding for events that support and generate economic and tourism development.

1. COMPOSITION OF COMMITTEE

- 1.1. The HRM Special Events Advisory Committee shall comprise a voting membership of up to nine (9) as follows: Three (3) elected members of Halifax Regional Council appointed by the Audit and Finance Standing Committee;
 - 1.1.1. The three (3) elected members are to be appointed from Community Councils, with one (1) elected member appointed from each Community Council except the Regional Centre Community Council;
 - 1.1.2. One (1) elected member is also to be a member of the Audit & Finance Standing Committee;
- 1.2. The Chair shall be appointed by the Audit and Finance Standing Committee from the three (3) elected members of Halifax Regional Council appointed to the Special Events Advisory Committee;
- 1.3. The Vice Chair shall be appointed by the Audit and Finance Standing Committee from the Community Council membership;
- 1.4. The members-at-large from professional agencies shall be appointed by the Audit and Finance Standing to include:
 - 1.4.1. One (1) member from the Hotel Association of Nova Scotia;
 - 1.4.2. One (1) member from Destination Halifax;

- 1.4.3. One (1) member from the Halifax Partnership;
- 1.4.4. One (1) member from the Restaurant Association of Nova Scotia;
- 1.4.5. One (1) member from the Business Improvement Districts (BIDS); and
- 1.4.6. One (1) member from a business tourism organisation

2 **TERM OF OFFICE**

- 2.1 Each elected representative shall be appointed for a term of two (2) years, renewable.
- 2.2 Agency representatives shall be appointed for a term of two (2) years and thereafter may be re-appointed for a term of one (1) year so as to ensure staggered terms.

3 **VACANCIES**

- 3.1 The Chair shall inform the Clerk's Office of any vacancies.
- 3.2 Should a vacancy occur during an elected member's term of office the Council Selection Committee and Regional Council shall appoint a new representative to complete the balance of the term.
- 3.3 Should a vacancy occur during an agency member's term of office Regional Council shall appoint a replacement to complete the balance of the term.

4 **DUTIES**

The duties of the HRM Special Events Advisory Committee are to:

- 4.1 Advise Regional Council on all matters related to the allocation of the MLSER;
- 4.2 Continue to review eligibility criteria, priorities, policy and procedures for assistance under the respective programs and services managed under the auspices of the Marketing Levy Special Events Reserve Administrative Order 2014-020-GOV; and
- 4.3 The duties of the HRM Special Events Advisory Committee shall be reviewed annually by staff and Committee members and may be amended by Regional Council on an on-going basis.

5 **QUORUM**

5.1 A quorum at a regular meeting of the HRM Special Events Advisory Committee shall be a simple majority of members of which at least one (1) shall be an elected member of Regional Council.

6 **MEETINGS**

6.1 The committee shall meet as required to facilitate the timely review and recommendations on the MLSER.

6.2 The Chair in consultation with staff shall be responsible for calling all meetings of the HRM Special Events Advisory Committee.

6.3 Notice of the HRM Special Events Advisory Committee meetings and minutes shall be provided by the Clerk's Office.

7 **REMUNERATION**

Members of the HRM Special Events Advisory Committee shall not be remunerated for serving on the committee except where reimbursement is made in accordance with HRM policy for reasonable expenses incurred while in the service of the Committee.

8 **DECLARATION OF CONFLICT OF INTEREST**

Where personal or professional involvement or association could result in an actual or perceived conflict of interest for a member of the HRM Special Events Advisory Committee, the member shall declare the conflict and abstain from debate on the related topic, or where appropriate remove themselves from a meeting and shall not vote on any motion applying to the declared conflict.

Approved March 27, 2007
Amended April 1, 2008
Amended March 24, 2009
Amended November 30, 2010
Amended October 18, 2011
Amended December 6, 2011 (Appointment of Chair)
Amended October 30, 2012 (Composition & Quorum)

Administrative Order Number 2014-020-GOV
Respecting Marketing Levy Special Event Reserve Grants

Notice of Motion: October 27, 2015
Approved: November 10, 2015

Amendment # 1

Notice of Motion: May 22, 2018
Approval: June 5, 2018

Amendment # 2

Amend clause (k) of section 2
Amend subclauses a. and b. of clause 4(c)(iv)

Notice of Motion: April 6, 2021
Approval: April 20, 2021

Amendment # 3

Amend subsection 1.1.1 and section 1.2 of Schedule 1

Notice of Motion: October 26, 2021
Approval: November 9, 2021

Amendment # 4

Amend section 4(c)(iv)(a) and add section 29A and 30A

Notice of Motion: November 22, 2022
Approval: December 13, 2022