

SECTION D: BIA Insurance Coverage

- Commercial General Liability Coverage
- Directors & Officers Liability
- Property
- Group (Toronto Association of Business Improvement Areas Employee Benefit Package)

Commercial General Liability Coverage

BOARD OF MANAGEMENT OF BUSINESS IMPROVEMENT AREA

INSURANCE COVERAGE SUMMARY

1. COMMERCIAL GENERAL LIABILITY INSURANCE – \$5,000,000, per occurrence - Third party bodily injury and property damage and personal injury coverage. The policy covers all sums that your Board of Management becomes legally obligated to pay, including the cost of defence, for damages arising directly or indirectly out of your Board's programs and activities. The policy covers:
 - BIA organized events and activities, including the installation and placement of street furniture (Permission may need to be obtained from the City prior to placing the furniture on public streets or parks. The policy does not cover damage to street furniture.)
 - participation in events and activities organized by other groups (Note however that other groups are not covered by the policy.)
 - BIA staff and volunteers under control and supervision of the Board
 - BIA sidewalk sales (Note however that private businesses are not covered by the policy.)
2. The policy excludes coverage for:
 - other groups or organizations
 - damage to property owned or leased by the BIA
 - money and other financial securities
 - claims that result from professional services, including faulty workmanship and pollution liability
 - motorized licensed vehicles that your Board of Management owns or is legally obliged to insure

Important

You will find the following points helpful in clarifying some of your insurance related questions:

- The BIA's liability insurance policy will respond to protect the Board of the BIA (including its employees and volunteers). The policy does not extend coverage to any other group. The policy does not provide coverage for any event or activities not permitted by the Municipal Code.

- Third parties, including event organizers acting on the BIA's behalf, should carry their own Commercial General Liability insurance and should list the BIA and City of Toronto as additional insured on the policy. The policy should also include a Cross Liability Clause.
- Contractors or event organizers or other groups that are acting on the BIA's behalf or participating in an event should be required to maintain Commercial General Liability insurance or they should not be allowed to participate in the event or be allowed to perform work for the BIA or act on behalf of the BIA. Also, they should sign an indemnification provision wording that states that their group will save, hold harmless and fully indemnify the Board of the BIA and the City in the event of loss or claim that occurs as a result of their program or activity.
- Request that the third party groups, including contractors, event organizers or other groups acting on behalf of the Board, provide a certificate of insurance to evidence that they maintain Commercial General Liability Insurance.
- Waiver forms may be required to be signed by participants of events, especially sporting events or events where there is a high risk of injury.
- Coverage is provided to BIA events or activities held outside of the BIA boundary.

CLAIM INFORMATION

If a member of the public wants to claim against the City of Toronto for an injury or damage to their property, please inform them to put their claim in writing and to submit it immediately to:

City of Toronto Clerk
 100 Queen Street West
 1st floor North
 Toronto, ON M5H 2N2
 Fax: 416-392-1867
 E-mail: claims@toronto.ca

The claim will be forwarded to the City's Insurance Adjusters, Granite Claims Solutions, for evaluation and a letter of acknowledgement will be sent to them within two weeks of submission of their claim letter.

The Insurance & Risk Management Service (IRM) manages the City of Toronto's Insurance Program and is located within the Corporate Finance Division, Finance, 5 East, City Hall.

IRM Contacts:

Theresa Lomoro, Risk Management Analyst
 Corporate Finance, Insurance & Risk Management
 Tel: 416-392-7059
 Fax: 416-397-4555
 E-mail: tlomoro@toronto.ca



**Insurance & Risk Management Service
 Corporate Finance Division
 City Hall, 9th Floor, East Tower
 100 Queen Street West
 Toronto, Ontario, M5H 2N2**

RELEASE, WAIVER AND INDEMNITY FORM

In recognition of the potential risks of injury, health hazard or death that may result in my participating in the _____ at _____ property, by signing
(description of work) *(location)*

this form, I willingly assume such risks of injury, health or death. I, for myself, my heirs, executors, administrators, successors and assigns HEREBY RELEASE, WAIVE AND FOREVER DISCHARGE The City of Toronto and all other associations, sanctioning bodies and sponsoring companies, and all their respective agents, employees, officials, servants, contractors, representatives, elected and appointed officials, successors and assigns OF AND FROM ALL claims, demands, damages costs, expenses, actions and causes of action, whether in law or equity, in respect of death, injury, loss or damage to my person or property HOWSOEVER CAUSED, arising or to arise by reason of my participation in the _____ at _____, whether prior to, during or
(description of work) *(location)*

subsequent to the event and NOTWITHSTANDING that same may have been contributed to or occasioned by my negligence or the negligence of any of the aforesaid.

BY SIGNING this PARTICIPATION AGREEMENT, I ACKNOWLEDGE HAVING READ, UNDERSTOOD AND AGREED to the above WAIVER, RELEASE and DISCHARGE and I WARRANT that I am physically fit to participate in this event.

_____	_____	_____	_____
Date	Print	Name	Signatur
	(If Parent		

			e under 18 years of age, or Guardian to sign below)

Directors & Officers Liability Insurance

- TABIA has secured favourable rates for Directors & Officers Liability Insurance.
- Member BIA Boards can receive coverage under TABIA's policy at a fraction of the going rate.
- Some BIAs independently have paid between \$1,100 and \$2,500 annually.
- Through this initiative, your Board could be covered for a cost of between \$250 to \$550.
- See Section N: TABIA Discount & Affinity Programs for details.

Property

BIAs may wish to obtain insurance coverage for their street furniture. In general, property acquired through the City's cost sharing program is owned by the BIA, and if insurance coverage is required for damages to BIA-owned street furniture it must be at the BIA's expense. TABIA is considering negotiating favorable property insurance rates for BIAs.

Group (Employee Benefit Package)

TABIA has secured favourable rates for a comprehensive employee benefit package designed specifically for the self-employed and employers with one to five employees—including dental, life insurance and drug plan coverage. Whether your members are “mom and pop” businesses or have staff, this program will allow you to provide them with single coverage or family plans.

For additional information, please contact:

John Kiru, Executive Director

Toronto Association of Business Improvement Areas

Tel: 416-889-4111

Fax: 905-263-3125

E-mail: jkiru@toronto-bia.com

Also see Section N