NIAGARA FALLS PUBLIC LIBRARY	DATE EFFECTED: January 21, 2026 DATE REVISED:	SPACE LEASING & RENTAL POLICY
Associated Policies: None		

POLICY STATEMENT

The Niagara Falls Public Library Board is committed to the responsible stewardship of Library assets while supporting partnerships that enhance community service delivery. The Library may permit third-party occupancy of Library space where such arrangements align with the Library's mandate, provide a clear public benefit, and meet financial and governance requirements established by the Board.

PURPOSE

The purpose of this policy is to establish a consistent and transparent framework for the leasing of Library-owned or Library-controlled space to third-party organizations. This policy ensures that leasing arrangements are financially responsible, equitable, and aligned with the Library Board's fiduciary obligations.

SCOPE

This policy applies to all medium and long term leases or occupancy agreements involving third-party use of Library space.

This policy does not apply to:

- Short-term meeting room or program space use
- One-time or temporary bookings governed by other Library policies

DEFINITIONS

"Base Rent" means the rental rate per square foot established at market value for the leased space.

"TMI (Taxes, Maintenance, and Insurance)" means a charge applied to recover operating and building-related costs attributable to leased space.

"Third-Party Organization" means any external organization occupying Library space under a lease or occupancy agreement.

GOVERNANCE AND LEGISLATIVE AUTHORITY

The Niagara Falls Public Library is established under the *Ontario Public Libraries Act*, R.S.O. 1990, c. P.44, and is governed by the Niagara Falls Public Library Board.

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In accordance with section 19 of the *Public Libraries Act*, the Library Board may, with the consent of City Council, acquire land, erect, add to or alter buildings, acquire or erect buildings larger than required for library purposes and lease any surplus part thereof, and sell, lease, or otherwise dispose of any land or building that is no longer required for the Board's purposes.

Where a proposed third-party occupancy or leasing arrangement constitutes the acquisition, leasing, or disposition of real property within the meaning of section 19 of the *Public Libraries Act*, the consent of City Council shall be obtained prior to the execution of any agreement.

Except as expressly required by the *Public Libraries Act*, authority for the management and operation of the Library, including the establishment of policies governing third-party occupancy of Library space, rests with the Library Board.

GUIDING PRINCIPLES

Third-party occupancy of Library space shall be guided by the following principles:

1. **Community Benefit**
   Occupancy arrangements must support the Library's role as a public service and community hub.

2. **Financial Stewardship**
   Leasing arrangements must recover appropriate costs and support the sustainability of Library operations.

3. **Consistency and Equity**
   Comparable organizations shall be treated consistently, with clearly defined criteria for any discounts or adjustments.

4. **Transparency and Accountability**
   All lease arrangements shall be documented, approved, and retained in accordance with Board and audit requirements.

ELIGIBILITY

Third-party occupancy may be considered for:

- Registered non-profit organizations
- Registered charitable organizations
- Public or quasi-public agencies
- Other legal entities approved by the Library Board where a clear community benefit is demonstrated

Final approval of eligibility rests with the Library Board.

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RENTAL FRAMEWORK

Base Rent

- Base rent shall be established at **market rate**, informed by comparable local commercial or institutional leasing data.

Non-Profit and Charitable Discount

- Registered non-profit and charitable organizations may be eligible for a discount on base rent.
- Discounts apply only to base rent and do not apply to TMI charges.
- Eligibility must be supported by appropriate documentation.

Taxes, Maintenance, and Insurance (TMI)

- All leased space shall be subject to a TMI charge to recover applicable operating costs.
- TMI is annually reconciled and based on cost recovery
- TMI rates are projected annually based on actual costs attributable to the leased space.
- TMI may include, but is not limited to:
    - Property taxes
    - Building insurance
    - Utilities and common area maintenance
    - Additional services, where applicable

SERVICE ADJUSTMENTS

Where a tenant independently manages certain services, such as cleaning, the TMI rate may be adjusted accordingly. Any service exclusions and corresponding adjustments must be documented in the lease agreement.

LEASE APPROVAL & ADMINISTRATION

- All third-party occupancy arrangements must be set out in a written lease or agreement.
- Lease terms, including duration, renewals, and escalation provisions, shall be determined on a case-by-case basis.
- All lease agreements require approval by the Library Board.
- Administration is responsible for implementing and managing approved leases in accordance with this policy.

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FINANCIAL MANAGEMENT AND RECORDS

- Lease revenues and related expenses shall be tracked in accordance with Library financial and audit practices.
- Executed lease agreements shall be retained in accordance with the Library's records management requirements.

REVIEW

This policy shall be reviewed periodically by the Library Board and updated as required.

Last Reformatted: January 21, 2026	Last Board Reviewed: January 21, 2026