

BYLAW NO. 66 /97

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 TO AUTHORIZE AMENDMENTS TO BYLAW 11/97 FOR THE LICENSING AND REGULATION OF SPECIAL EVENTS

WHEREAS pursuant to the provisions of the Municipal Government Act, Chapter M-26.1, 1994, and amendments thereto, the Council of the Municipal District of Foothills No. 31 in the Province of Alberta, has adopted Bylaw 11/97,

AND WHEREAS the Council of the Municipal District of Foothills No. 31 now deems it desirable to amend Bylaw 11/97;

NOW THEREFORE THE COUNCIL ANACTS AS FOLLOWS:

1. Bylaw No. 11/97 is amended by this Bylaw.
2. Bylaw No. 11/97 is amended to read as follows:

" BYLAW NO. 66/97

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 FOR THE LICENSING AND REGULATION OF SPECIAL EVENTS

Pursuant to the Municipal Government Act, being Chapter M26-1, R.S.A. 1994 and amendments thereto, the Council of the Municipal District of Foothills No. 31 in the Province of Alberta, duly assembled, hereby enacts as follows:

1. Purpose:
The purpose of this Bylaw is to license and regulate Special Events in the Municipal District of Foothills No. 31.
2. Definition In this Bylaw:
 - (1) "Special Event" shall mean any event or activity, whether indoors or outdoors, which is held at any place within the municipality and to which members of the public are invited or admitted, whether or not an admission fee is charged, but shall not include family gatherings, community-sponsored events such as Christmas parties, breakfasts, card parties, or other similar social functions.
 - (2) "Special Event License" shall mean a license issued pursuant to this bylaw in respect of a Special Event.
 - (3) "Council" means the Council of the M.D. of Foothills No. 31;
 - (4) "Health Officer" means the Medical Officer of Health appointed by the local Board of health or by the Board of a Health Unit as the case may be, or a person designated by the Medical Officer of health, or where no Medical Officer of Health has been appointed the local Board of Health or the Board of a Health Unit as the case may be or such person as is designated by the local Board of Health or the Board of a Health Unit,
 - (5) "Licensee" means a person who has applied for an obtained a license to operate a Special Event pursuant to this Bylaw;
 - (6) "Licensing Officer" means the Council or such person as Council may designate;
 - (7) "Municipality" means the Municipal District of Foothills No. 31.
 - (8) "R.C.M.P." means the Royal Canadian Mounted Police.
 - (9) "Supervisor of Medical Services" means the Supervisor appointed by the local hospital Board designated to oversee Ambulance Services for the area;

3. No person shall operate, maintain, hold, conduct, promote or advertise a Special Event in the municipality unless he or she has first obtained a Special Event License from the Licensing Officer in respect of such Special Event.

The Licensing Officer shall not issue a Special Event License in respect of a proposed Special Event unless a development permit has been issued pursuant to the Land Use Bylaw covering the proposed Special Event.

4. Applications for a Special Event License shall be made to the Licensing Officer in writing **a minimum of** 120 days prior to the proposed date of the Special Event and shall be accompanied by filing and application fees as follows:

	Filing Fee	Application Fee
Up to 500 people	\$35.00	\$ 200.00
501 - 2,500 people	\$35.00	\$ 500.00
2,501 - 10,000 people	\$35.00	\$1,000.00
10,001 plus	\$35.00	\$2,500.00"

The filing fee shall be non-refundable. The application fee will be refunded if the Special Event License is not issued but is otherwise non-refundable:

and shall contain the following information:

- (a) The name, age, residence, and mailing address and telephone number or numbers of the person making such application. If the application is made by a partnership, the names and addresses of the partners shall appear. Where the applicant is an incorporated company, the application shall be signed by at least two Directors of the incorporated Company and shall contain the addresses of such corporate Directors and shall have attached a certified copy of the Certificate of Incorporation.
- (b) A written statement of the kind, character, or type of Special Event which the applicant proposes to conduct, operate, or carry on.
- (c) The address or legal description of property where the proposed Special Event is to be conducted, operated, or carried on. Additionally the applicant shall submit proof of ownership of the place where the Special Event is to be conducted or a statement signed by the owner of the premises indicating his or her consent that the site be used for the proposed Special Event.
- (d) The date or dates and the hours during which the Special Event is to be conducted.
- (e) An estimate of the number of customers, spectators, participants, and other persons expected to attend the Special Event for each day it is conducted.
- (f) The names and addresses of anyone contributing, investigating, or having financial interest greater than \$500.00 in producing the Special Event.
- (g) A financial statement to give assurance of the ability of the applicant to meet the conditions of the licence being applied for.
- (h) A detailed written explanation of the applicant's plans to provide security and fire protection, water supplies and facilities, sewage and drainage facilities, food supplies and facilities, sanitation facilities, First Aid facilities and service, vehicle parking space , vehicle access, policing and on site traffic control and, if it is proposed or expected that the spectators or participants will remain at night or overnight , the arrangements for illuminating the premises and for camping or similar facilities. The applicant's plan shall include what provisions shall be made for the numbers of spectators in excess of the estimated, provisions for the clean up of the premises and provisions for the removal of rubbish after the Special Event has concluded. A plot plan showing the arrangement of the facilities, including those for parking, egress, ingress, shall be submitted with such application.

5. Every applicant for licence shall be accompanied by a surety, in a form acceptable to the municipality, in amount not less than Ten Thousand Dollars (\$10,000.00) to cover any claims which might be brought against the municipality for any reason as a result of the Special Event being held within the municipality; such surety to return to the applicant(s) when the municipality deems there will be no such claim forthcoming.
6. Every person applying for a licence pursuant to this Bylaw shall satisfy the Licensing Officer and Health Officer that he or she is able to meet the conditions and requirements set out of this Bylaw.
7. Every Special Event Licence shall be subject to the following conditions and requirements which shall be complied with at all times by the Licensee:
 - (a) Security protection: Every licence shall provide at his own expense security protection. This shall include the provisions of a minimum of one security officer for every 100 persons expected to be in attendance.
 - (b) Water and sanitation facilities: Every licence shall provide an ample supply of portable water for drinking and sanitation purposes at the site of the Special Event. The minimum supply of water to outdoor Special Events shall be 68 litres of water for each person in attendance per day. All water shall meet Canadian Drinking Water Standards. Public and private flush-type water closes, lavatories and drinking facilities and sewage and drainage systems and items incidental to the operation of the foregoing shall be required as determined by the Health Officer.

This condition shall only be deemed to have been met where the Health Officer has accepted such arrangements as satisfactory.

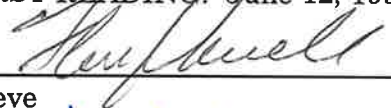
- (c) Food Concessions: Where the site of the proposed Special Event is more than 200 metres distant from public eating places, food handling places or like establishments, the applicant shall provide such food facilities as may be required by the Health Officer to adequately provide food services to those persons attending the Special Event.
- (d) Every Licence shall be required to furnish such trash cans and garbage receptacles as may be required by the Health Officer. An adequate supply of plastic bag liners to fit the trash cans shall be provided and each container shall at all times have a plastic bag liner inserted. The pickup and removal of trash, refuse, garbage and rubbish shall be at least once a day or more often as required by the Health Officer. A signed contract with a licensed refuse collector shall be submitted and filed with the Health Officer. The removal of all trash and refuse shall be at the licensee's expense.
- (e) First Aid facilities: The licensee shall consult directly with the Supervisor of Medical Services to address their specific Medical Service needs and shall provide such First Aid facilities at the site of the Special Event as may be required by the Supervisor of Medical Services.
- (f) Policing: The licensee shall consult directly with the local Royal Canadian Mounted Police when planning special events and shall provide necessary policing for the event as required by them. Once an agreement and budget have been established for a special event, a Letter of Agreement between the Municipal District of Foothills No. 31 and the Province of Alberta will be drafted to cover the "recovery" of overtime costs incurred by members of the R.C.M.P. whilst providing Police services for the event. These monies from the licensee shall be deposited with the M.D. of Foothills No. 31, no later than three weeks prior to the event being held.

- (g) **Parking areas:** Every licensee shall provide adequate parking spaces for persons attending the Special Event by motor vehicle. The licensee may be called upon to provide a separate parking space for every two persons expected to attend the Special Event by motor vehicle. Such parking areas shall be clearly marked. The Licensing Officer shall approve an applicant's "parking plan" before a license shall be issued.
 - (h) **Access and parking control:** The Licensee shall provide adequate ingress and egress to the Special Event site and parking areas. All necessary roads, driveways and entrance ways shall exist to ensure the orderly flow of traffic into the premises from a highway or road which is part of the highway system or which is a highway maintained by the municipality. A special access way for fire equipment, ambulances and other emergency vehicles may be required. The Licensing Officer shall approve the licensee's plan for ingress and egress before a license shall be issued. Additionally, any licensee may be required to show that traffic guards are under his or her employ to insure orderly traffic movement and relieve traffic congestion in the vicinity of the Special Event area.
 - (i) **Hours of operation:** All Special Events which are subject to a licence pursuant to the provisions of this Bylaw shall close and cease operation continuously between the hours of 2:00 A.M. and 6:30 A.M. of each and every day.
 - (j) **Communications:** The applicant shall be required to establish a communication system for public use where ordinary communications are not available. The Licensing Officer may require a provision of a mobile phone at the site of the Special Event.
 - (k) **Miscellaneous:** The Licensing Officer may impose such additional conditions as are reasonably required in order to protect the health, welfare and property of local residents and persons attending Special Events.
8. A licence shall comply with all relevant federal, provincial or municipal laws existence.
9. The Licensing Officer may grant relief from any of the above requirements where it appears that such an action is in the best public interest. This ability to grant relief shall be limited to those items within the control of the Licensing Officer under this Bylaw and does not relieve the licensee from any conditions or requirements imposed by law, contract, or otherwise.
10. Any person who:
- (a) operates, maintains, holds, conducts, promotes or advertises a Special Event within the municipality without first having obtained a Special Event Licence; or
 - (b) having obtained a Special Event Licence fails to comply with the conditions set out in this Bylaw or attached to the Licence;

is guilty of an Offence and is liable on conviction to a fine of no more than \$2,500.00 and not less than \$1,500.00 and in addition, to a fine of no more than \$2,500.00 for every Offence that continues, and in default of payment, to imprisonment for a term not exceeding 30 days."

11. This Bylaw shall have effect on the date of its third reading.

FIRST READING: June 12, 1997

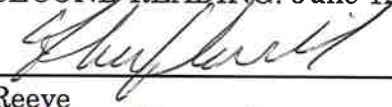


Reeve




Municipal Manager

SECOND READING: June 12, 1997

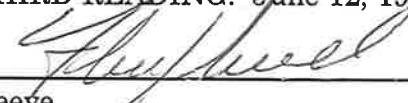


Reeve



Municipal Manager

THIRD READING: June 12, 1997



Reeve



Municipal Manager

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this 12th day of June, 1997.