

CITY OF BROOKS
BYLAW NO. 14/03

BEING A BYLAW OF THE CITY OF BROOKS, IN THE PROVINCE OF ALBERTA, TO CONTROL AND REGULATE SPECIAL EVENTS WITHIN THE CITY.

WHEREAS the Municipal Government Act RSA 2000, c M-26 as amended, provides that the Council of a Municipality may pass a Bylaw respecting the safety, health and welfare of people and the protection of people and property, respecting people, activities and things in, or near a public place or a place that is open to the public and respecting nuisances;

AND WHEREAS the Council of the City of Brooks deems it expedient to license, regulate and control Special Events held within the City of Brooks;

NOW, THEREFORE, the Council of the City of Brooks, in the province of Alberta, duly assembled, hereby enacts as follows:

1. **TITLE**

100. This Bylaw may be referred to as the "Special Events Bylaw".

2. **INTERPRETATION:**

200. In this Bylaw, unless the content otherwise requires,

201. "**Act**" means the Municipal Government Act, RSA 2000, c M-26 as amended or repealed and replaced from time to time;

202. "**Applicant**" means a person, group of persons, business, company, service club or organization, who has applied, in compliance with Schedule "A", for authorization to hold a Special Event under this Bylaw;

203. "**Bylaw**" means the City of Brooks Bylaw No. 14/03 as may be amended from time to time;

204. "**Chief Administrative Officer (CAO)**" means the Chief Administrative Officer of the City of Brooks regardless of any subsequent title that may be conferred on that officer by Council or statute, or his or her designate;
205. "**City**" means the City of Brooks, a Municipal Corporation in the Province of Alberta, or the geographical area contained within the boundaries of the City of Brooks, as the context may require;
206. "**Council**" means the Municipal Council of the City of Brooks;
207. "**Highway**" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes a sidewalk, including a boulevard adjacent to the sidewalk, if a ditch lies adjacent to and parallel with the roadway, the ditch, and if a Highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by regulation not to be a Highway as defined in The Traffic Safety Act, R.S.A. 2000, c. T-6;
208. "**Licensee**" means a person, group of persons, business, company, service club or organization who has been given permission, under the provisions of this Bylaw, to hold a Special Event;
209. "**Licensing Officer**" means the Chief Administrative Officer (CAO) or his/her designate for the purposes of carrying out his/her responsibilities under this Bylaw;
210. "**Peace Officer**" means a Bylaw Enforcement Officer appointed by the City of Brooks pursuant to Section 555 of the Municipal Government Act and for the purpose of enforcement of this Bylaw, also includes a Community Peace Officer, a member of the Royal Canadian Mounted Police (RCMP), or a Safety Codes Officer;
211. "**Public Health Inspector**" means the Executive Officer of Health appointed by Alberta Health, or a person designated by the Executive Officer of Health, or where no Public Health

Inspector has been appointed, a person as is designated by Alberta Health;

212. **"Public Place"** includes any place to which the public has access as of right or by invitation, express or implied, and without restricting the foregoing to constitute a public place it is not necessary that all segments of the public have a right of access thereto;
213. **"Special Event"** means and includes, but is not limited to, any music concert, performance, festival, dance, exhibition, entertainment, parade, wedding, assembly, athletic or sports contest, or any other event or function which is deemed a Special Event by the Chief Administrative Officer (CAO), held at a Public Place and to which members of the general public are invited or admitted for a fee or free of charge, but does not include a private gathering or event to which members of the public are not invited or admitted;
214. **"Special Events Licence"** means a document on which permission to hold a Special Event has been granted in writing to the Licensee pursuant to this Bylaw (Schedule "B"); and,
215. **"Tent"** means a portable temporary structure with a roof and/or walls that is erected for use during a Special Event.

3. ADMINISTRATIVE AUTHORITY

300. The Council hereby delegates the Chief Administrative Officer (CAO) the authority to carry out the terms and conditions of this Bylaw;
301. The Licensing Officer may issue a Special Events Licence and this Special Events Licence may include special conditions as are deemed necessary in the circumstances;
302. The Licensing Officer may refer any application to Council if it is believed the matter should be administered by Council;
303. The Licensing Officer may impose such conditions, costs, fees or bonds as is deemed suitable to the public interest including but not limited to the recovery of costs related to clean-up, maintenance, fire, public health, police and security;
304. If clean-up, maintenance and/or dismantle has not been completed by the Licensee in the time indicated on Schedule "A" and the property is left unsightly, the City of Brooks

- reserves the right to perform necessary restorative duties and the Licensee shall be solely responsible for costs associated with these duties;
305. Where the Licensing Officer refuses to issue a Special Events Licence or where a Special Events Licence is issued conditionally, the Applicant may appeal the refusal or any condition or conditions to Council within 30 days and the Council's decision regarding the Special Events Licence shall be final and binding; and,
306. Upon a Special Events Licence being granted under this Bylaw and in conjunction with the Street Closure Policy P-002-016 as may be amended from time to time, the Licensing Officer is hereby authorized, to the extent he/she deems necessary, to temporarily close or restrict the use of any Highway under City direction and may provide for the proper enforcement of any Special Event either by way of erection of barricades or by the adoption of any other means considered necessary or expedient.

4. SPECIAL EVENTS GENERAL

400. No person shall hold, conduct, manage or organize a Special Event within the municipality unless a Special Event application, as in Schedule "A", has been submitted and a Special Event Licence, as in Schedule "B", has been issued;
401. All applications for a Special Event Licence shall be made in writing (Schedule "A") and submitted to the City of Brooks not less than thirty (30) days prior to the proposed Special Event;
402. The City may, when deemed to be in the public's best interest, require that all applications for a Special Event Licence, as in Schedule "A", may include one or more of the following:
403. A statement describing the title and nature of the proposed Special Event;
404. The proposed date or dates of the Special Event, including set-up, time of day or night when the Special Event is to be held, and dismantle;
405. The estimated number of people who will attend the Special Event;
406. A statement setting forth the proposed location of the Special Event, including the legal description of the property, and, if the Special Event is to be held within a building, a description of the building;

407. The names, addresses and contact information of anyone contributing, investing, or having a financial interest in producing the Special Event;
 408. A statement of ownership of the land or building upon which or within which the proposed Special Event is to be held;
 409. A site plan of the Special Event area including dimensions of area and distance to adjoining structures and properties including neighbouring properties;
 410. A statement as to whether or not it is proposed that alcohol will be sold or provided at the Special Event, and, if so, the Applicant shall demonstrate compliance with all AGLC (Liquor Control Board) rules and regulations;
 411. A plan setting forth proposed security protection, parking areas, food concession, garbage collection and removal, first aid facilities, proper number of toilet and hand washing facilities and any other information deemed necessary by the Licensing Officer having regard to the particular nature of the Special Event;
 412. Demonstrate compliance with the Alberta Public Health Act as determined by the Executive Officer/Public Health Inspector of Alberta Health; and,
 413. Proof of adequate insurance in the amount determined by the Licensing Officer showing the City and any person, organization or agency acting under the authority of the City as being covered under the policy as an insured party.
414. The Licensing Officer and/or Council may require, with respect to an application for a Special Events Licence, that, as a condition of issuing a Special Events Licence, all property owners within a one block radius shall be notified in writing by the Licensee, thirty (30) days in advance, and given the opportunity to make comments;
415. The Licensing Officer and/or Council will require, after receiving an approval of a Special Events Licence, that the Licensee purchase an advertisement in at least one (1) local weekly newspaper, advertising the time, location and nature of the event, including any relevant street closures, for at least two (2) consecutive weeks prior to the event. The cost of this advertisement will be the sole responsibility of the Licensee.

416. In the case where additional policing (overtime and/or additional manpower) is required, the costs associated may be the responsibility of the Licensee and the Licensee shall comply with the applicable policies of the service provider;
417. A Peace Officer may enter a premise where a Special Event is being held for the purpose of inspecting a Special Events Licence or licence;
418. A Peace Officer believing upon reasonable and probable grounds that a Special Event has become disorderly or unsafe may order the person or persons causing the event to be disorderly or unsafe to leave the premises or may stop the Special Event by any reasonable means;
419. A Special Events Licence (Schedule "B") issued pursuant to this Bylaw shall be posted or displayed at the Special Event in a manner rendering it clearly visible at all times to those in attendance or wishing to inspect the Special Events Licence; and,
420. Council or the Chief Administrative Officer may abridge any time requirements and grant relief from any other noted requirements of this Bylaw where it appears that such an action is in the public interest.
421. City Special Events shall be exempt from obtaining a Special Event Permit but shall follow the required safety regulations outlined in this Bylaw.

5. TENTS FOR SPECIAL EVENTS - SCHEDULE "C"

500. No person shall hold, conduct, manage or organize a Special Event utilizing a Tent within the municipality unless a Special Event application as in Schedule "A" has been submitted, a Special Event License as in Schedule "B" has been issued, and the rules for "Tents for Special Events" as in Schedule "C" have been complied with; and,
501. Notwithstanding Section 5.1, Tents with occupancy loads less than 60 persons that are for non-licensed (alcohol-free) events wherein heating or cooking appliances are not utilized are exempt from the Special Event Licence process.

6. PENALTIES

600. Any person who has:
 601. Failed to hold a valid Special Event Licence;

- 602. Shown evidence of previous mismanagement of prior Special Events whether authorized by a Special Events Licence or not; or,
- 603. Contravened any provision of this Bylaw,

shall be guilty of an offence and shall be good and sufficient reason for the Licensing Officer to stop an event and/or refuse issuance of future Special Events Licences.

7. SEVERABILITY:

- 700. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

8. EFFECTIVE DATE:

- 800. This Bylaw shall take effect at the date of final passing thereof.

Read a first time this 3rd day of March, 2014.

Read a second time this 3rd day of March, 2014.

Read a third time and finally passed this 3rd day of March, 2014.



Mayor



Chief Administrative Officer

BYLAW NO. 13/XX - SCHEDULE "A"

CITY OF BROOKS
APPLICATION FOR A SPECIAL EVENTS LICENCE

SUMMARY OF EVENT

Name of Event: _____

Description/Nature of Event: _____

Dates/Times

Set-up: _____

Event Date/Time: _____

Dismantle/Clean-up: _____

Estimated Attendance

Numbers Projected: _____ Per Day: _____

Location

Address: _____

Registered Owner of Land: _____

Legal description: _____

Building Description: _____

Applicant/Organization Information

Primary Contact Person: _____

Name of Organization: _____

Mailing Address: _____

Town/City: _____ Province: _____ Postal Code: _____

Daytime Phone Number: _____ Cell Number: _____

Email: _____ Fax: _____

Alternate Contact Person: _____ Phone Number: _____

CITY OF BROOKS
APPLICATION FOR A SPECIAL EVENTS LICENCE – PAGE 2

SITE PLAN

To ensure an appropriate review of your event, please attach a site plan with your application. Please include information including the dimensions of the area and distance to adjoining structures, including neighbouring properties. Any portable or temporary structures such as bleachers, tents, platforms, etc should be indicated on your site plan.

Details:

ALCOHOL

Will alcohol be sold or provided at your event? Yes _____ No _____

If yes, will you be obtaining a liquor licence? Yes _____ No _____

WASHROOMS

Will you be using portable washrooms at your event? Yes _____ No _____

If Yes, how many? _____ Proposed locations: _____

OTHER PLANS

Please indicate a proposed plan for the following:

Security/Protection: _____

Parking Areas: _____

Food Concessions: _____

Garbage/Recycling Collection and Removal: _____

First Aid Facilities: _____

COMPLIANCE

Can you demonstrate compliance with the following?

Alberta Public Health (as determined by the Executive Officer/Public Health Inspector of the Palliser Health Region)?

Yes _____ No _____

Alberta Gaming and Liquor Commission (AGLC) if you will be serving/providing alcohol?

Yes _____ No _____

CITY OF BROOKS
APPLICATION FOR A SPECIAL EVENTS LICENCE – PAGE 3

COMPLIANCE, CONT'D

Can you provide proof of adequate insurance?

Yes _____

No _____

SIGNATURE

Applicant's Name

Applicant's Signature

Date

Phone Number

RCMP APPROVAL

Submit this completed document to the RCMP Detachment for their review to ensure they have no concerns regarding public safety or compliance with federal laws.

RCMP Member's Name/Stamp

RCMP Member's Signature

NOTICE OF DECISION – FOR OFFICE USE ONLY

Approved _____

Refused _____

Approved with Conditions _____

Conditions: _____

Date of Decision

Licensing Officer

BYLAW NO. 14/03 - SCHEDULE "B"

City of Brooks
201-1st Ave West
Brooks, AB
T1R 1B7

Phone: (403) 362-3333
Fax: (403) 362-4787

CITY OF BROOKS
SPECIAL EVENTS LICENCE – PURSUANT TO BYLAW 14/03

Event Name: _____

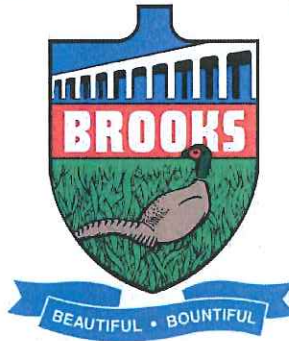
Event Type: _____

Location: _____

Contact Person: _____

Phone Number: _____

Alberta's Centennial City™



Permit Effective:

From: _____

To: _____

This is to certify that the Licensee is authorized to host a special event within the corporate limits of the City of Brooks, subject to provisions of the City of Brooks Special Events Bylaw and amendments thereto. This Licence is personal and cannot be transferred.

Licence to be posted in a conspicuous place

Licensing Officer

BYLAW NO. 14/03 - SCHEDULE "C"

The following shall be followed by all persons / corporations wishing to use Tents for specialty events or for regular use no matter how long the length of time in use.

1. Every Tent and decorative materials used in connection with these structures shall conform to CAN/ULC-S109-M, "Standard for flame Tests of Flame-Resistant Fabrics and Films (made with Flame Retardant Treatments or Materials). Proof of Flame Retardant shall be available to the inspector and shall accompany a request for Special Events Licence or Development Permit.
2. All electrical equipment and power supply to the tent shall meet the Electrical Code Standards and not pose an undue fire hazard.
3. Any portable electrical equipment shall be inspected prior to each use for fire hazards. Refuelling of this equipment shall be done in a safe manner.
4. Cables on the ground in areas used by the public shall be placed in trenches or protected by covers to prevent damage from traffic or a trip hazard.
5. Hay, straw, shavings or similar combustible materials shall not be permitted within the tent. Sawdust and shavings may be permitted if kept damp during the use of the structure.
6. Open flames shall not be permitted within the tent or anywhere near the tent when it could pose a Fire Hazard.
7. A person shall be employed to watch for fires if the occupancy is 300 or more.
8. Occupancy Load Certificates are required for Tents used by the public exceeding 60 persons.
9. All Tents shall not be erected closer than 3 meters to other structures on the same property.
10. All Tents shall be sufficiently distant from one another to provide an area to be used as a means of egress.
11. The ground enclosed by a Tent and for not less than 3 meters outside the structure shall be cleared of all flammable material and vegetation that will spread fire.
12. If the occupant load of the structure exceeds 60 persons no less than 2 egress doorways shall be provided. Further exits may be required depending on the travel distances (30 meters or greater) to the exits and the occupant load numbers.
13. If the occupant load exceeds 60 persons emergency lighting shall be provided as per the Alberta Building Code.
14. Illuminated exit signs shall be provided if the occupant load exceeds 150 persons.
15. Access routes to all exits shall not be blocked by tables, chairs or any other items.
16. Additional toilet facilities may be required.