

REGIONAL DISTRICT OF BULKLEY-NECHAKO

Bylaw No. 1194

A bylaw to regulate special events

WHEREAS it is deemed advisable and expedient to require that owners and occupiers of real property provide adequate health, sanitation, vehicle control, and security for persons attending special events;

AND WHEREAS the Regional District of Bulkley – Nechako by virtue of Supplementary Letters Patent dated June 17, 1970, Order-in-Council 1961, was granted the powers of a municipal council under section 658(1)(c), 680(a), 523 and 725(a) to (g) of the *Local Government Act*, in relation to functions, gatherings and entertainment;

AND WHEREAS the Regional Board may impose a licence fee under the *Local Government Act* for any function, gathering, entertainment mentioned in the above-cited clauses or sections for which a fee is charged directly or indirectly for attendance;

AND WHEREAS the Regional Board may require as condition of issuance of a licence, the posting of security by the owner, occupier, or the person or persons promoting the function, gathering or entertainment in such form and amount as may be stipulated for the reimbursement of any costs incurred by the Regional District because of and as a consequence of the function, gathering, or entertainment.

NOW THEREFORE the Regional Board of the Regional District of Bulkley-Nechako in open meeting assembled enacts as follows:

1. This bylaw shall apply to the following areas as more particularly described in the Letters Patent of the Regional District of Bulkley-Nechako including amendments thereto, namely:
 - (i) Electoral Area “A”
 - (ii) Electoral Area “B”
 - (iii) Electoral Area “C”
 - (iv) Electoral Area “D”
 - (v) Electoral Area “E”
 - (vi) Electoral Area “F”
 - (vii) Electoral Area “G”

INTERPRETATION

2. In this bylaw, unless the content otherwise requires, the following words shall have the following meanings:

“Board” or “Regional Board” shall mean the Board of Directors of the Regional District of Bulkley-Nechako.

“Licence” shall mean a licence issued by the Board, under this Bylaw, authorizing the holding of a Special Event.

“Occupier and Owner” shall have the meanings respectively set forth in the *Local Government Act*, and amendments thereto;

“Person” shall have the meaning set forth in the *Interpretation Act*, and amendments thereto.

“Regional District” shall mean the Regional District of Bulkley-Nechako.

“Special Event” shall mean any public show, exhibition, carnival, fair, concert, or commercial performance attended by more than one thousand (1,000) people daily or any public show, exhibition, carnival, fair, concert or commercial performance which might reasonably be expected to be attended by more than one thousand (1,000) people daily.

“Congregation” or “Gathering” means the attendance of 1,000 or more persons at any place at the same time.

GENERAL

3. This bylaw shall not apply to any congregation, gathering, or event that is to take place:
- (a) in any licenced theatre or other place of assembly licenced or zoned by the authority having jurisdiction for the holding of such congregation, gathering or event; or
 - (b) in any school, gymnasium, auditorium or church.
4. No owner or occupier of property shall allow the said property to be used for a Special Event, the location of which has not been approved by the Regional Board.
5. No owner or occupier of property shall conduct, sponsor or allow to be held upon

their property any Special Event or allow on their property any congregation or gathering without first obtaining a licence pursuant to the terms and conditions of this bylaw.

6. No owner or occupier of property shall allow a congregation or gathering of persons or a Special Event to take place contrary to the terms of a licence for the holding of such congregation, gathering or Special Event issued pursuant to the terms of this bylaw.
7. The owner or occupier of the property upon which a Special Event is licenced under this bylaw shall take all steps to minimize disturbance to the quiet, peace, rest, enjoyment, health, comfort or convenience of the neighbourhood, or of persons in the vicinity.
8. The Board may require that a public meeting be held, by the Regional District, to allow for public input relating to the application prior to issuing a licence under this Bylaw.

APPROVAL

- 9.1 The applicant shall submit to the Regional District, not less than sixty (60) days prior to the commencement of the "Special Event", an application for approval in the form attached as Schedule "A" to this bylaw and it shall include the following:
 - (a) An application fee of \$200
(this fee will be waived for Special Events being held on land owned by a municipality that is outside municipal boundaries)
 - (b) written undertaking by the applicant to indemnify and save harmless the Regional District from and against any and all claims, actions, suits or demands that arise from or relate to the holding of the "Special Event".
 - (c) Proof of liability insurance to cover the agreement to indemnify and save harmless the Regional District, according to the following requirements:
 - i) \$2,000,000 Comprehensive General Liability policy with inclusive limits for bodily injury and property damage liability including coverage for participants;
 - ii) cross-liability clause;
 - iii) Regional District named as an additional named insured;
 - iv) 30 days prior written notice of cancellation or material change; and
 - v) executed copy of Certificate of Insurance, fourteen (14) days prior to the event.
 - (d) Without limiting the generality of the foregoing, the applicant may be

required to obtain additional amounts of insurance, with the form and the amount of the insurance to be acceptable in writing by the Regional District, and be determined by the nature of the Special Event and the number of persons expected to attend.

Note: The organizers should be aware that they are fully responsible to determine additional coverage they may require, if any, including Workers Compensation, that are necessary and advisable for their own protection and/or to fulfill their obligations in organizing the event including protection of the Regional District.

9.2 The applicant must:

- (a) Make arrangements with the Regional District Building Inspector for inspection of all buildings and structures to be used in conjunction with the Special Event. The inspection of buildings that have been issued building permits will be at the Regional District Building Inspector's discretion.
- (b) Submit to the Regional District a written plan detailing what will be provided as a first aid service for patrons and employees of the event.
- (c) Submit to the Regional District, for event with an expected attendance of more than 5,000 people per day, a documented emergency plan which addresses the safety of patrons of the Special Event, with respect to access to emergency services, fire, flood, riot, and other similar occurrences.
- (d) Provide, in the form of a cash deposit or Letter of Credit, security if required by the Board, in an amount and in a form approved by the Regional District as an irrevocable deposit for the reimbursement of any costs which may be incurred by the Regional District because of and as a consequence of the Special Event.
- (e) For Special Events that will be serving liquor, obtain a Special Occasion Licence under the *Liquor Control and Licensing Act*. Applications for public special events licences must be referred to the Regional District as per the RDBN Liquor Licensing Policy.

9.3 The Regional District will refer the application to the following list of agencies for their comments:

- Northern Health Authority
- Ministry of Transportation
- RCMP
- Ministry of Forest (if applicable)

- Local Fire Department (if applicable)
- Applicable Municipality (when event is held adjacent to or adjoining municipal boundaries)
- Regional District Building Inspection

Concerns identified by these agencies shall be resolved to each agency's satisfaction prior to the issuance of a Special Event Licence.

10. Special Events to be held on land owned by a municipality that is outside municipal boundaries (within a rural area) may, at the discretion of the municipality, be processed in the following manner:
 - 10.1 The applicant is to contact the municipality that owns the property to obtain permission for the Special Event.
 - 10.2 Subject to municipal policies and requirements the council of the subject municipality may issue permission, by resolution of Council, to the applicant for use of the property.
 - 10.3 This motion, along with any supplementary documents will be forwarded by the municipality to the Regional District of Bulkley – Nechako for its consideration. The Regional Board will consider the application and issue the special events licence subject to:
 - (a) Permission having been granted by the municipality by resolution of council;
 - (b) The requirements in Section 9.1 and 9.2 being met; and,
 - (c) The concerns of the agencies listed in Section 9.3 being resolved to each agency's satisfaction.

SPECIAL EVENT LICENCE

11. The Regional Board, upon being satisfied that the provisions of this bylaw are being complied with, may issue a licence to hold the "Special Event". The licence will be substantially in the form attached as Schedule "B" to this bylaw and may include conditions meant to achieve compliance with this bylaw.
12. The period for the licence granted pursuant to the provisions of this bylaw shall not exceed seven (7) consecutive calendar days.
13. A copy of the applicable licence for the day shall be posted on the site during the course of the event.

14. Final approval by the Regional District Building Inspection Department of all temporary construction must be received a minimum of seventy two (72) hours before the Special Event is to take place.
15. The applicant must provide the Regional District confirmation seventy two (72) hours prior to the event that the requirements of the referring agencies have been met.
16. The Regional District may revoke a licence if the provisions of this Bylaw have not been complied with.
17. If the Regional District revokes a licence, the Regional District shall advertise the cancellation of the Licence and the Special Event.
18. The Regional District will hold any deposit if required by this bylaw to the credit of the applicant until the Regional District has determined all costs to the Regional District using the Regional District's normal accounting procedures. The said deposit will be applied to such costs or charges occurring with respect to the matters contained in this bylaw and any surplus will be refunded to the applicant.
19. Any person who violates any of the provisions of this bylaw is guilty of an offence and is punishable in accordance with the *Offence Act*.
20. This bylaw shall be cited for all purposes as "Special Events Bylaw No. 1194, 2002".

READ A FIRST TIME the 22nd day of May 2003.

READ A SECOND TIME the 22nd day of May 2003.

READ A THIRD TIME the 22nd day of May 2003.

I hereby certify that this is a true and correct copy of Bylaw No. 1194.

Corporate Administrator

ADOPTED this 5th day of June 2003.

Chairperson

Corporate Administrator



Schedule "A" of Bylaw No. 1194
Regional District of Bulkley-Nechako
Special Events Licence

Application for Approval of Special Event
(Must be submitted no less than 60 days prior to the event)

1. Name of Event: _____
2. Applicant: _____
3. Address: _____
Phone: _____
4. Date(s) of proposed Event: _____
5. Legal Description of property/properties to be used for Special Event:

6. Expected daily attendance: _____/day

If the event has been held previously, actual attendance on the most recent occasion was _____/day (Supply evidence in support of attendance figures.)
7. Description of the proposed event: _____

8. Will liquor be distributed at the event? YES / NO

PLEASE INCLUDE THE FOLLOWING WITH YOUR APPLICATION FOR PRELIMINARY APPROVAL:

- Proof of Ownership (a copy of either a certificate of indefeasible title, a state of title certificate or a tax/assessment notice)
- Letter of authorization from all owners of the property in which the event is to take place
- Site plan of property showing and identifying all existing and proposed facilities
- Application fee (\$200) (If paying by cheque please make cheque payable to the Regional District of Bulkley-Nechako)
- Written undertaking to Indemnify the Regional District of Bulkley – Nechako
- Written proof of insurance
- Written confirmation of first aid details to be provided
- Hours of operation of music and liquor sales
- Emergency Response Plan

The Regional District will be referring this application to the following list of agencies. Any concerns raised by these agencies need to be resolved before the issuance of a Special Event Licence:

- Northern Health Authority
- Ministry of Transportation
- RCMP
- Ministry of Forest (if applicable)
- Local Fire Department (if applicable)
- Applicable Municipality (when event is held adjacent to or adjoining municipal boundaries)
- Regional District Building Inspection

The Environmental Health Officer of the Northern Health Authority responsible for the area in which the Special Event is to be held, may require information on the arrangements made for:

- toilet facilities and sewage disposal systems;
- grey water disposal from concessions;
- sani-dumps, showers, and any other proposal that require approval for sewage disposal;
- food and drink preparation, serving, and storage;
- potable water supply; and,
- garbage collection and removal.

The Royal Canadian Mounted Police in the area in which the Special Event is to be held, may require information on the arrangements made for:

- internal security at the site of the Special Event;
- the sale of liquor on-site;
- a police command post on-site, if necessary;

- security off-site relating to the Special Event; and
- the prevention of excessive or disturbing noises and nuisances

The Ministry of Transportation responsible for the area in which the Special Event is to be held, or where access is gained from a Forest Service Road, the Ministry of Forests may require information on the arrangements made for:

- on-site parking of vehicles;
- traffic control at the site; and,
- traffic control on other routes and accesses which will be affected by the Special Event.

The Fire Department Chief, where applicable, may require information on the arrangements made for fire protection.

Note: Applicants should be aware that they have to abide by the Forest Practices Code of BC and the Forest Fire Prevention and Suppression Regulation.

I hereby make application for Approval of a Special Events Licence pursuant to the Regional District of Bulkley-Nechako Special Events Bylaw, and declare the information contained herein is, to the best of my knowledge, factual and correct. It is understood that the information collected above will be used for the processing of this application.

I acknowledge that I am aware that toilet facilities, sewage disposal systems, and building and structures that require approval must be in place and approved 72 hours prior to the event. I am aware that failure to meet this deadline may result in the Special Event Licence being revoked.

I acknowledge that I am also aware that any installation of toilet facilities, sewage disposal systems, and buildings and structures that require approval, but have not been approved, in the 72 hours prior to the event may result in the loss of my performance bond (if required under section 9.2(d) of RDBN Bylaw No. 1194, 2002).

Date: _____

Signature: _____

Name (please print): _____

Signature: _____

Name (please print): _____



Schedule "B" of Bylaw No. 1194

**Regional District of Bulkley – Nechako
SPECIAL EVENT LICENCE NO. <<NO.>>**

ISSUED TO: <<contact>>
 <<organization>>
 <<mailing address>>
 <<city/town>>, <<province>>
 <<postal code>>

WITH RESPECT TO THE FOLLOWING LANDS:

<<legal description>>

1. This Special Event Licence is issued pursuant to Regional District of Bulkley – Nechako Bylaw No. 1194, 2002 and sections 797(1) and 797.1(d) of the *Local Government Act*.
2. This Special Event Licence specifically permits the following event to take place within <<legal description>>:

<<describe event and conditions>>

3. This permit is valid for a <<number>> day period, from <<dd/mm/yr>> to <<d/mm/yr>> inclusive.
4. This licence is not a building permit or a development variance permit, nor does it relieve the owner or occupier from compliance with all other bylaws of the Regional District of Bulkley-Nechako applicable thereto, except as specifically varied or supplemented by this permit.

AUTHORIZING RESOLUTION NO. <<number>> passed by the Regional Board this <<dd>> day of <<mm>>, <<yr>>.

THIS IS A CERTIFIED A TRUE AND CORRECT COPY OF REGIONAL DISTRICT OF BULKLEY-NECHAKO SPECIAL EVENT LICENSCE NO. <<NO>>.

DATED AT BURNS LAKE THIS <<dd>> day of <<mm>>, <<yr>>.

Corporate Administrative Officer