

Town of Fort Macleod

Province of Alberta

Bylaw No. 1779

A BYLAW OF THE TOWN OF FORT MACLEOD IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION AND CONTROL OF, PUBLIC EVENTS.

SECTION 1- SHORT TITLE AND PURPOSE

- 1.01 This bylaw may be cited as the "Event(s) Bylaw".
- 1.02 The Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26 provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; people, activities and things in, on or near a Public Place or place that is open to the public; and, provide for a system of licenses, permits or approvals.

SECTION 2 - DEFINITIONS

- 2.01 In this Bylaw, unless the context otherwise requires:
 - a. "APPLICANT" means the person who applies for an Event license pursuant to this Bylaw;
 - b. "DAY" means the hours between 8:00 a.m. and 10:00 p.m. of the same calendar date;
 - d. "EVENT" means a Public Event;
 - e. "PERMITTING AUTHORITY" means the Chief Administrative Officer or their designate;
 - f. "NIGHT" means the hours between 10:00 p.m. and 8:00 a.m. of two consecutive calendar Days;
 - g. "PEACE OFFICER" means a Bylaw Officer, Peace Officer, a member of the Police Service of jurisdiction;
 - h. "PERSON(s)" means an individual or corporation and the heirs executors, administrators or other legal representatives of a Person(s) or corporation;
 - i. "PUBLIC EVENT" means Amusement and Entertainment Services as defined in the Town Land Use Bylaw 1600, parades, concerts, athletic contests, sports contests;
 - J. "PUBLIC PLACE" means any place to which the public has access as a 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;
 - k. "RECOGNIZED" means a pre-existing, formally organized organization;
 - l. "RESPONSIBLE PARTY" means every person who is an Applicant (if a corporation all directors), Event promoter, Event manager, provides entertainment or concessions, or profits in any way from the Event;
 - m. "SUMMARY CONVICTION" means a Summary Conviction under and by virtue of Part XXIV of the Criminal Code;
 - n. "TOWN" means the Town of Fort Macleod corporate limits;

SECTION 3 - GENERAL PROHIBITION

- 3.01 No person(s) shall hold, conduct, manage or organize or allow to be held or organized an event where a permit has not been issued for the event from the issuing authority.

SECTION 4 - EVENT PERMIT EXCEPTIONS

- 4.01 A permit for a Public Event shall not be required pursuant to this Bylaw if the Event is organized by one of the following:
- a. A Recognized community organization(s);
 - b. An agricultural society;
 - c. Religious or church functions where the Event is located on a site with an approved development permit;
 - d. 4-H Clubs;
 - e. Scouts, cubs, brownies or guides;
 - f. School or School Board;
 - g. Family reunions; and
 - h. Any other club(s) or organization(s) deemed by Council to be similar in nature.

SECTION 5 - LICENSE REQUIREMENTS

- 5.01 A permit for a Public Event is valid for one Event only and one location for the date(s) specified on the license.
- 5.02 A complete application for a permit pursuant to this By-law must be made no later than one hundred and twenty (120) days before the proposed date of the Public Event. The Chief Administrative Officer however may accept a complete application within 120 days of the proposed date of the Event if he/she is satisfied that the application can be properly evaluated within that time. A decision must be made by the Town no less than 60 days before the Event.
- 5.03 A complete application for a Public Event must include the following:
- a. Full name and address of the Applicant (if the Applicant is a corporation the names and addresses of all corporate directors);
 - b. Full name and address of all responsible parties;
 - c. The legal description of the location of the proposed Public Event and a current copy of the Certificate of Title for the proposed location;
 - d. A letter of authorization from the registered landowner;
 - e. A letter from the registered landowner authorizing Town personnel, personnel contracted by the Town or Peace Officers to visit the proposed site prior to the Event and if required during the Event to ensure that this or any other Bylaw, license conditions or other legislation are being complied with;
 - f. A non-refundable license fee as determined by Town from time to time;
 - g. An Event proposal that addresses the following matters:
 - I. A written statement outlining the kind, character or type of Public Event proposed;
 - II. The date(s) of the proposed Event(s);
 - III. The times the Event will begin and end;
 - IV. An indication of the expected attendance and a statement of how higher than expected attendance will be handled;
 - V. The method by which tickets to the Event(s) will be sold and, where they will be available and the name(s) and address(s) of all ticket agents;

- VI. A written statement detailing the type of beverages and food to be provided. (The Applicant must consult with the local health authority);
 - VII. A written statement detailing how the disposal of solid waste is to be addressed;
 - VIII. A detailed written plan setting out how water and sanitation facilities will be addressed for the proposed Event (The Applicant must consult with the local health authority);
 - IX. A statement as to whether or not it is proposed that alcohol be sold at the Event;
 - X. A detailed written plan setting out how the Applicant intends to address security concerns. The security plan will address:
 - a. how many security personnel will be in attendance at the Event;
 - b. qualifications of security personnel;
 - c. how security personnel will monitor the Event including arrivals and departures;
 - d. proposed access to the Event by emergency medical or fire personnel; and
 - e. the method of communication between security and Event personnel.
 - XI. A means of contacting the Applicant or Responsible Party during the proposed Public Event;
 - XII. A plan detailing ingress and egress for vehicular traffic and a proposed parking plan;
 - XIII. A detailed plan outlining any steps to be taken to ensure noise disturbance outside the Event location is minimized and any steps that will be taken to ensure noise is controlled within the Event.
 - XIV. A detailed written plan setting out how the Applicant intends to address emergency medical concerns, including how many medical personnel and equipment will be in attendance and the qualifications of the medical personnel
 - XV. Any other reasonable matter deemed appropriate by the Licensing Authority.
- 5.04 The permit may be approved with or without conditions. Although not limited to, the following conditions may be imposed on any license:
- a. The maximum number of persons that may attend the Event;
 - b. Specific requirements for access to and from the proposed location and parking;
 - c. Specific requirements for noise attenuation;
 - d. Specific requirements or procedures for any emergency medical personnel; security personnel (including contract requirements for Police or Peace Officer Services) or equipment;
 - e. Any other requirements that are deemed to be reasonably necessary by the Permitting Authority to protect the safety, health, welfare, and property of the attendees of the Event or the adjacent landowners.
- 5.05 In addition to the above requirements, the following additional conditions may be imposed:
- a. That the Applicant enter into a development agreement with the Town;

- b. That the Applicant provide the Town with an irrevocable letter of credit or a cash deposit, in an amount specified by the Permitting Authority, to be disposed of by the Permitting Authority in amounts deemed appropriate on the basis of legitimate claims.
- 5.06 All costs and expenses incurred in meeting the requirements of this Bylaw or any conditions attached to the permit or by reason of breach of this Bylaw shall be borne by the Applicant or the Person(s) in breach. This may include, but is not limited to all costs incurred by the Town in regards to policing, emergency fire or medical expenses.
- 5.07 Where an irrevocable letter of credit is required, failure to provide the letter of credit within a time period stipulated by the Permitting Authority shall render any permit to hold the Event as null and void
- 5.08 The Town may consult with any appropriate agency or authority such as the Local Health Authority, the Royal Canadian Mounted Police and any provincial or federal agency.
- 5.09 Any permit approved pursuant to this Bylaw does not relieve the Applicant of complying with any other municipal, provincial or federal legislation.
- 5.10 Failure to submit proof that all statutory obligations or conditions of permit approval have been satisfied by the Applicant or evidence of previous mismanagement of similar Events shall be good and ample reason for the Permitting Authority to refuse to issue a permit for the Event.
- 5.11 The Permitting Authority may refuse to issue a license if:
 - a. The Applicant or other responsible Person(s) have previously held an Event and breached any of the conditions of the permit for that Event;
 - b. In the opinion of the Permitting Authority the potential noise impact of the Event would create a nuisance for the community;
 - c. In the opinion of the Permitting Authority, the proposed Event cannot be conducted in a safe manner due to the proposed location; or
 - d. In the opinion of the Permitting Authority, the proposed Public Event is not an appropriate Event for the proposed location.
- 5.12 A Peace Officer, believing upon reasonable and probable grounds that a Public Event has become disorderly, may stop the Event by any reasonable means.

SECTION 6 - ENFORCEMENT

- 6.01 Any person who contravenes this Bylaw is guilty of an offense.
- 6.02 Any person who provides false or misleading information in an application for a license for a Public Event or Extended Dance Event commits an offence.
- 6.03 Except where otherwise expressly provided everyone who is convicted of an offense under this Bylaw is liable to a fine of not less than two thousand five hundred (\$2,500.00) dollars or to imprisonment for not more than six (6) months and not more than ten thousand dollars (\$10,000.00) or to imprisonment for not more than one (1) year, or to both fine and imprisonment.

SECTION 7 - SEVERABILITY

- 7.01 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a Court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

SECTION 8 - RESCINDED BYLAWS

- 8.01 Bylaw No. 1739 is hereby rescinded

SECTION 9 - EFFECTIVE DATE

9.01 This Bylaw shall come into effect at such time as it has received third (3rd) reading and has been signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME THIS 25 DAY OF November 2013 A.D.
MAYOR 
Rene Gendre

MUNICIPAL MANAGER 
David Connauton

READ A SECOND TIME THIS 25 DAY OF November 2013 A.D.
MAYOR 
Rene Gendre

MUNICIPAL MANAGER 
David Connauton

READ A THIRD TIME AND FINALLY DECLARED PASSED BY COUNCIL THIS 25 DAY OF November 2013 A.D.

MAYOR 
Rene Gendre

MUNICIPAL MANAGER 
David Connauton