

DISTRICT OF BARRIERE

BY-LAW NO. 0021

A BY-LAW TO REGULATE SPECIAL EVENTS IN THE DISTRICT

WHEREAS under the provisions of the Community Charter S.B.C. 2003, Chapter 26, Section 8(3) and 8(7), the Council may by by-law regulate, prohibit and impose requirements in relation to public places, the protection and enhancement of the well being of its community in relation to nuisances and disturbances, public health and protection of the natural environment.

AND WHEREAS it is deemed advisable to provide for adequate health, sanitation and protective measures for persons attending special events where large numbers of people are in attendance or may be anticipated to be in attendance;

NOW, THEREFORE, the Council of the District of Barriere, in open meeting assembled, ENACTS AS FOLLOWS:

1. This By-law may be cited for all purposes as “District of Barriere Special Events Regulation By-law No. 0021, 2008”.
2. This By-law shall not be construed so as to apply to:
 - (a) gatherings held in public parks;
 - (b) gatherings held in community halls;
 - (c) gatherings held on land zoned PA-2 in accordance with the District of Barriere Zoning By-law No. 0008, 2008.
 - (d) gatherings held on School Board land with the permission of the Superintendent of Schools; and
 - (e) filming.
3. Subject to Section 2, no person being the owner or occupier of land shall allow the land to be used as a gathering place for:
 - (a) Two Hundred and Fifty (250) or more person where the consumption of alcoholic beverages has been banned; or
 - (b) One Hundred and Twenty-five (125) or more persons where any person, group or organization plans to sell or otherwise dispense of alcoholic beverages or the owner or occupier of the land permits persons attending at the gathering to consume alcoholic beverages,
 - (c) until a permit has been issued for the gathering.
4. Subject to Section 2, an Event Organizer wishing to organize or hold a special event or gathering must complete an event application provided by the District for that purpose. For the purposes of this By-law, “Event Organizer” means the person who has the financial responsibility for the special event or gathering including contracting with entertainers, ambulance and fire services, security firm, having use of or renting the facility or site, and advertising the special event or gathering.

5. Application, in writing, for a permit to hold such an event, congregation or gathering of people shall be made to the District Chief Administrative Officer (or his/her designate), at the District of Barriere Office located at 4936 Barriere Town Road, Barriere B.C:
 - (a) where no alcoholic beverages are to be consumed, or anticipated to be consumed, not less than one month (30) days; or
 - (b) where alcoholic beverages are to be consumed or reasonably anticipated to be consumed, not less than one month (30) days,before the first day on which the event, congregation or gathering of people is to be held.
6. The event permit application specified in Section 5 must:
 - (a) be signed by the Event Organizer; and
 - (b) be presented to the District CAO or his/her designate in accordance with Section 5.
7. Every application for a permit under this By-law shall be accompanied by the herinafter required approvals which shall be in writing and shall be signed by the appropriate persons or officials;
 - (a) the approval of the registered owner and the occupier of the land upon which the event, congregation or gathering of people is to be held;
 - (b) a certificate of the Medical Health Officer/Public Health Inspector for the District of Barriere that adequate arrangements have been made for the following:
 - (i) domestic water supply;
 - (ii) toilet facilities;
 - (iii) garbage collection and removal; and
 - (iv) food and drink storage, dispensing, preparation and use;
 - (c) a statement from the Commanding Officer of the Barriere Detachment of the Royal Canadian Mounted Police, or his/her designate, to the effect that adequate arrangements have been made for the following:
 - (1) the parking of automobiles and all other means of transport;
 - (2) policing and other necessary security on and around the site;
 - (3) traffic control on and around the site (including access routes for emergency vehicles;
 - (4) provision of a police and security command post (if deemed advisable by the Commanding Officer;
 - (5) additional policing services, on the basis of:
 - (i) a minimum of two officers for the first 500 persons; and
 - (ii) a further officer for each additional 25 persons, or portion thereof,

Up to the maximum capacity of the facility or site, where applicable, and as established in the event application. Prior to the issuance of the event permit, payment for the additional policing services must be made to the District.

- (6) The Commanding Officer may:
 - (i) reduce the number of officers described in subsection 5(c)(5); and
 - (ii) approve the use of Accredited Volunteers. For the purposes of this By-law “Accredited Volunteers” means volunteers under the direction and control of the Event Organizer who have been approved by the Commanding Officer;
 - (d) a statement from the District of Barriere Chief Administrative Officer or his/her designate, that the adequate arrangements have been made for fire and life safety for the site and that all accommodation to be provided thereon will conform to the requirements of the *BC Building Code*;
 - (e) a policy of comprehensive general liability insurance with a per occurrence limit of not less than \$2,000,000 and an endorsement to add the District of Barriere as additional insured to protect the District in the event of bodily injury, including death, and property damage liability that may result from or arise out of the holding of the special event or gathering and to indemnify the District for damage to and destruction of District property that may occur by reason of the special event or gathering. The policy of insurance shall contain a cross liability clause and shall be in a form acceptable to the District of Barriere;
 - (f) approval from the District of Barriere expressing satisfaction that sufficient arrangements have been made for the following, if applicable:
 - (1) the parking of automobiles and other means of transport;
 - (2) traffic control on and around the site, including access routes for emergency vehicles;
 - (3) provision of signs, barricades, other traffic control devices, and/or traffic control personnel, as may be deemed necessary and/or appropriate by the District of Barriere, and;
 - (4) where applicable, sets out the estimated cost to provide public works services for the special event;
 - (g) a statement from the Chief Administrative Officer (CAO) or his/her designate indicating that the event is not in violation of existing by-laws (ex: noise, parking, signage etc). Any exemptions or extensions must be approved in writing by the CAO or his/her designate.
8. Where applicable, applicants for event are responsible for all costs incurred by the special event, including the cost to provide public works, fire services, additional policing, and additional administrative services, and to restore the site after the event.
- (a) the applicant shall post a performance bond, as estimated by the District to provide public works, fire services, police and additional administrative services, by cash, certified cheque or letter of credit, with the District before the issuance of a permit.

- (b) the applicant may be required. As a condition of permit issuance, to post a performance bond with the District, in an amount satisfactory to the District, to restore the site after the special event.
9. Once approvals are obtained from the persons and officials specified in Section 6, a special event permit will be issued by the Chief Administrative Officer or his/her designate. This permit must:
- (a) be displayed or be available onsite for inspection by any persons or officials specified in Section 7; and
 - (b) be accompanied with all supporting approvals and permits.
10. Failure to comply with any requirements specified pursuant to Section 6, Section 7 and Section 8, will render invalid any permit issued pursuant to this By-law.
11. (1) Every person who violates any of the provision of this By-law, or who suffers or permits any act or thing to be done in contravention of any of the provisions of this By-law, or who neglects to do, or refrains from doing, anything required to be done by any of the provisions of this By-law, or who does any act which violates any of the provisions of this By-law, will be guilty of an infraction and will be liable to the penalties imposed by this By-law.
- (2) A person who violates any of the provisions of this By-law, will upon summary conviction be liable to a penalty of not less than \$100.00 and not more than \$5,000.00, plus the costs of the prosecution.

READ FOR A FIRST TIME the 20th day of October, 2008.

READ FOR A SECOND TIME the 20th day of October, 2008.

READ FOR A THIRD TIME the 20th day of October, 2008.

ADOPTED this 3rd day of November, 2008.

Original Signed by Mike Fennell
Mike Fennell – MAYOR

Original Signed by Wayne Vollarth
Wayne Vollarth - CAO