

**VILLAGE OF STIRLING
IN THE PROVINCE OF ALBERTA
Bylaw No. 448-13
Special Events Bylaw**

**A BYLAW OF THE VILLAGE OF STIRLING IN THE PROVINCE OF ALBERTA TO CONTROL,
REGULATE AND LICENSE SPECIAL EVENTS.**

WHEREAS, the Municipal Government Act, RSA 2000, Chapter M-26, as amended, authorizes a Council to 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, provides for a system of licenses, permits or approvals within the municipality;

AND WHEREAS, it is deemed proper and expedient to pass a bylaw to provide for the control, regulation and license of special events which occur within the municipality;

NOW THEREFORE, the Council of the Village of Stirling, duly assembled, enacts as follows:

TITLE:

1. This Bylaw may be cited as the "Special Events Bylaw".

DEFINITIONS:

2. In this Bylaw, unless the context otherwise requires:
 - a) **Act** means the Municipal Government Act, RSA 2000, Chapter M-26, as amended;
 - b) **Applicant** means the person who applies for a Special Event Permit pursuant to this Bylaw;
 - c) **Application** means an application for a Special Event Permit pursuant to this Bylaw;
 - d) **Bylaw** means Special Events Bylaw No. 448-13, as may be amended from time to time;
 - e) **Bylaw Enforcement Officer** means a person appointed to enforce the provisions of this Bylaw, and includes a member of the Royal Canadian Mounted Police, Municipal Bylaw Officer, Peace Officer and, when authorized, a Special Constable;
 - f) **Chief Administrative Officer** means the Person appointed to the position of Chief Administrative Officer by the Council of the Village of Stirling and includes any Person that the Chief Administrative Officer may appoint as his/her designate for the purposes of carrying out his responsibilities under the Bylaw and further includes any Person that may be appointed to act in the absence of the Chief Administrative Officer;
 - g) **Council** means the Municipal Council of the Village of Stirling;
 - h) **Development Permit** means a permit issued pursuant to the Village of Stirling Land Use Bylaw which authorizes a development;

- i) **Expected Attendance** means the number of people reasonably expected to attend the Special Event, including the Special Event promoters, staff, personnel and entertainers;
- j) **Health Officer** means the Officer or Person appointed by the Regional Health Authority having jurisdiction within the municipality;
- k) **Licensee** means the Person who has applied for and obtained a Special Event Permit pursuant to this Bylaw;
- l) **Licensing Authority** means Council or the Chief Administrative Officer or his/her designate;
- m) **Municipal** means the Village of Stirling, a Municipal Corporation in the Province of Alberta;
- n) **Owner of the Premises** means the Person who is shown on the Village's tax roll as being the registered Owner of the Premises where the Special Event is to be held;
- o) **Peace Officer** means a member of the Royal Canadian Mounted Police, Peace Officer or Municipal Enforcement Officer and, when authorized, a Special Constable;
- p) **Person** means any individual, corporation, partnership, organization or other legal entity and the heirs, executors, administrators or other legal representatives of an individual, corporation, partnership or organization;
- q) **Premises** means any land or buildings situated within the Village, whether owned privately or by the Village where the Special Event is held;
- r) **Security Officer** means an employee of a bonded company providing personal security services or a Peace Officer as defined in this Bylaw;
- s) **Special Event** means any event, gathering, celebration, function, festival, performance, competition, contest, exposition, amusement, entertainment, concert, parade or other similar activity held within the Village:
 - i. to which members of the public are invited or admitted for a charge or a donation; or
 - ii. which has an Expected Attendance of 100 or more people in any 24 hour period; and
 - iii. is operated, maintained or conducted for a period not to exceed 30 days.
- t) **Special Event Permit** means the permit issued pursuant to this Bylaw;
- u) **Village** means the Village of Stirling, a Municipal Corporation in the Province of Alberta, or the geographical area contained within the boundaries of the Village of Stirling, as the context may require;
- v) **Village of Stirling Land Use Bylaw** means the current Village of Stirling Land Use Bylaw.
- w) **Violation Tag** means a tag or similar document issued by the Village pursuant to the Act; and
- x) **Violation Ticket** means a ticket issued pursuant to Part II of the Provincial Offences Procedures Act, RSA 2000, Chapter P-34, as amended and any regulations thereto.

SPECIAL EVENT PERMIT REQUIRED:

3. No Person shall operate, maintain or conduct or permit to be operated, maintained or conducted a Special Event within the Village unless that Person has first obtained a Special Event Permit in accordance with this Bylaw.

SPECIAL EVENT PERMIT EXEMPTIONS:

4. A permit for a Special Event is not required pursuant to the Bylaw if the Special Event is:
 - a) operated, maintained, conducted or organized by:
 - i. the Village or an organization or society of the Village;
 - ii. a community organization recognized by the Village;
 - iii. a School or school board;
 - b) at a Premises with an approved Development Permit which would allow for the operation of the Special Event;
 - c) an amusement facility, commercial recreation or private recreation, as defined in the Village of Stirling Land Use Bylaw for which a Development Permit has been issued;
 - d) a grand opening, promotion or other similar marketing or sales event located at the Premises of and for a business/establishment within the Commercial (C), Industrial/Business (I/B) or Public (P) land use district, as classified in the Village of Stirling Land Use Bylaw, which does not exceed 30 days in a year;
 - e) during and on the same Premises as the Stirling Settler Days, the Stirling Fall Festival and the Christmas Craft Sale;
 - f) at the Village Community Centre or other Municipal building;
 - g) a religious or church function;
 - h) at a lodge, nursing home or seniors housing, as defined in the Village of Stirling Land Use Bylaw;
 - i) a family reunion, family wedding or family gathering; or
 - j) deemed exempt from obtaining a Special Event Permit by resolution of Council; such exemption shall be issued in writing.
5. An exemption pursuant to section 4 of this Bylaw does not exempt any Person undertaking a Special Event from complying with all applicable municipal, provincial or federal enactments and regulations.

SPECIAL EVENT PERMIT APPLICATION:

6. Applications for a permit to conduct a Special Event shall be made in writing on the form in Schedule A of this Bylaw to the Licensing Authority at least 60 days prior to the proposed date of the Special Event and shall be accompanied by a non-refundable application fee of \$150.00. A complete Application may be accepted within 60 days of the proposed Special Event if, in the opinion of the Licensing Authority, the Application can be properly evaluated within that time.
7. The Application shall contain the following information:
 - a) the name, mailing address, telephone number, fax number and e-mail address of the Applicant and Owner of the Premises. 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) the address and legal description of the Premises where the proposed Special Event is to be operated, maintained, or conducted;

- c) proof of ownership of the Premises where the Special Event is proposed or a statement signed by the Owner of the Premises indicating consent to use the Premises for the Special Event;
 - d) written consent from the Owner of the Premises authorizing Village personnel and its agents, Health Officers or Peace Officers to enter the Premises for the purpose of conducting a site inspection in connection with the application for a Special Event;
 - e) a detailed description of the kind, character or type of Special Event proposed;
 - f) the date(s) and hours of the proposed Special Event;
 - g) the area and maximum occupancy of the Premises;
 - h) the expected attendance for each day of the Special Event;
 - i) a means of contacting the Applicant, Licensee and Owner of the Premises during the proposed Special Event;
 - j) a detailed site plan for the Special Event which shows, to the reasonable satisfaction of the Licensing Authority, the boundaries of the lot, the location of existing buildings and structures, the arrangement of facilities including any temporary structures, and the location of parking, egress and ingress;
 - k) a written description and details of the Applicant's plans to provide:
 - i. security and fire protection;
 - ii. water supplies and facilities;
 - iii. sewage, sanitation and drainage facilities;
 - iv. food supplies and facilities;
 - v. first aid facilities and medical services and personnel;
 - vi. vehicle parking and circulation, including the number and location of parking spaces, vehicle access for policing and emergency services, and the proposed on-site and ingress and egress traffic control;
 - vii. lighting;
 - viii. any other matter, detail or description that the Licensing Authority deems appropriate.
 - l) a detailed written plan describing what provisions shall be made:
 - i. should the actual number of attendees at the Special Event exceed the Expected Attendance;
 - ii. to ensure noise and nuisance are controlled;
 - iii. for clean-up of the Premises and removal of garbage once the Special Event has concluded.
 - m) proof of public liability insurance covering liability for all personal injury and property damage for the Special Event.
8. Upon receipt of a complete Application, the Licensing Authority, at its discretion, may circulate the Application for review and written comment to:
- a) adjacent landowners, who will be provided a maximum of 15 days from the date of circulation to provide written comment; and
 - b) review agencies, such as but not limited to, the Health Officer, Peace Officer, Fire Chief, Alberta Gaming and Liquor Commission, County of Warner, Village personnel and departments and the Village's planning advisor.

9. The Licensing Authority may approve the Application and issue a Special Event Permit with or without conditions or refuse an Application upon consideration of the following:
 - a) any comments received pursuant to section 8;
 - b) the Applicant's ability to meet the standard regulations in section 10, including whether or not the Applicant has previously operated a Special Event in breach of a condition of a Special Event Permit;
 - c) and any other matters the Licensing Authority deems relevant.
10. Every Licensee shall comply with the following standard regulations. In the event of an inconsistency between the standard regulations in this section and any applicable provincial or federal enactment, the enactment shall take precedence to the extent of the inconsistency.
 - a) Water and sanitation facilities: The Licensee shall provide an adequate supply of potable water and sanitation facilities at the site of the Special Event in accordance with the approved Application and any requirements of the Health Officer.
 - b) Food concessions: At a Special Event where food and beverage will be provided, the Licensee shall provide such food facilities in accordance with the approved Application and requirements of the Health Officer.
 - c) Trash and refuse disposal: The Licensee shall furnish adequate trash cans and receptacles in accordance with the approved Application and any requirements of the Health Officer. Removal of trash and refuse shall be at least once a day or more often as may be required by the Health Officer. The removal of all trash and refuse shall be at the Licensee's expense.
 - d) First aid and medical services: The Licensee shall provide first aid facilities as may be required in accordance with the approved Application and any requirements of the Health Officer, Fire Chief and Emergency Services.
 - e) Parking areas: The Licensee shall provide adequate parking spaces for persons attending the Special Event by motor vehicle in accordance with the Applicant's approved parking plan.
 - f) Access and parking control: The Licensee shall provide adequate ingress and egress to the Special Event and therefore, necessary roads, driveways and entrance ways shall exist to ensure the orderly flow of traffic into the Premises. Traffic control personnel may be required at the Licensee's own expense. A special access for emergency vehicles may be required.
 - g) Security protection: The Licensee shall provide security protection (Security Officer), at his/her own expense, when deemed necessary by the Licensing Authority in accordance with the approved Application.
 - h) Communications: The Licensee shall ensure a communication system is established to ensure the Licensee can be contacted at all times during the hours of operation of the Special Event.
11. In addition to the standard regulations stipulated in section 10, the Licensing Authority may impose conditions on a Special Event Permit, including but not limited to the following:
 - a) the maximum number of persons that may attend the Special Event;
 - b) noise attenuation/monitoring measures and nuisance mitigation measures;
 - c) lighting requirements;
 - d) hours of operation;
 - e) parking requirements and transportation routes;
 - f) safety and security personnel requirements and procedures;

- g) specific requirements to ensure compliance with or augment the standard regulations in section 10;
 - h) provisions of an irrevocable letter of credit or other form of security in the amount deemed appropriate to cover any damages or expenses related to private or public property;
 - i) such other conditions which are, in the opinion of the Licensing Authority, reasonably necessary to protect the health, safety, welfare and property of the residents of the Village, the public and attendees of the Special Event.
12. Grounds for refusal of issuance of a Special Event Permit are at the discretion of the Licensing Authority. However, the Licensing Authority shall not issue a Special Event Permit, if in the opinion of the Licensing Authority, any or all of the following apply:
- a) the Application is incomplete;
 - b) the Application fee has not been paid;
 - c) the proposed health and safety provisions are inadequate;
 - d) the Premises is inadequate or not appropriate for the proposed Special Event;
 - e) a Development Permit is required in accordance with the Village of Stirling Land Use Bylaw.
13. An Applicant who's Application has been refused by the Chief Administrative Officer or his/her designate acting in the capacity of Licensing Authority, may file a written request for review, including the reasons for the review, with Council within 7 days of receipt of the Licensing Authority's decision to refuse the application. Council shall hold a review hearing within 30 days of receipt of the written request and shall hear from the Applicant, Licensing Authority, any party who received notice of the Application, and any party who claims to be affected by the decision that Council deems appropriate to hear.
14. After concluding the review in section 13, Council may refuse the request and uphold the Licensing Authority's refusal or issue the Special Event Permit with or without conditions in accordance with this Bylaw.

GENERAL PROVISIONS

15. Every Person applying for a Special Event Permit pursuant to this Bylaw shall satisfy the Licensing Authority and, as applicable, the Health Officer that he/she is able to meet the conditions and requirements set out in the Bylaw.
16. All costs and expenses incurred in meeting the requirements of this Bylaw or any conditions attached to the Special Event Permit to the Licensee or by reason of breach of this Bylaw shall be borne by the Applicant or the Person(s) in breach.
17. Where an irrevocable letter of credit or other acceptable form of security is required as a condition of the Special Event Permit, failure or neglect to provide the letter of credit or form of acceptable security within the time period stipulated by the Licensing Authority shall render the permit to hold the Special Event null and void.
18. Failure to submit proof that all applicable statutory obligations or conditions of the permit approval have been satisfied by the Applicant or evidence of previous mismanagement of similar events shall be good and ample reason for the Licensing Authority to refuse to issue a permit for the Special Event.
19. Any approval pursuant to this Bylaw does not relieve the Applicant of complying with any other municipal, provincial or federal legislation or requirements.

20. The Licensee shall agree to indemnify and hold harmless the Village from any liability for damage or injury to persons or property by way of issuance of the Special Event Permit.

VALIDITY OF SPECIAL EVENT PERMIT

21. A Special Event Permit is only valid for one Special Event held on the date and period of time specified on the Special Event Permit.

22. Notwithstanding issuance of a Special Event Permit, a Peace Officer, believing upon reasonable and probable grounds that the Special Event has become disorderly, may stop the Special Event by any reasonable means.

VIOLATIONS

23. Any Person who contravenes any provision of this Bylaw is guilty of an offence and liable:

- a) upon the issuance of a Violation Tag to the specified penalty as listed on Schedule B attached to and forming part of this Bylaw or;
- b) upon summary conviction to a fine not exceeding \$10,000.00 and not less than \$2,500 and, in addition to a fine of not less than \$500 per day for each day the violation continued after the Violation Tag or Violation Ticket was issued. The Court may assess a fine, or imprisonment for a period not exceeding one year or both.

24. A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

25. A Violation Tag may be issued to such Person:

- a) personally; or
- b) by mailing a copy to such Person at his/her last known post office address; or
- c) if being issued to a corporation by serving the Violation Tag personally upon the manager, secretary, receptionist or other officer or person apparently in charge at any premises of the corporation, or by mailing a copy to such person by registered mail.

26. The Violation Tag shall be in a form approved by the Chief Administrative Officer and shall state:

- a) the name of the Person;
- b) the municipal or legal description of the land on or near where the offence took place;
- c) the offence;
- d) the penalty for the offence as set out on Schedule B to this Bylaw;
- e) that the penalty shall be paid within fifteen (15) days of the issuance of the Violation Tag; and
- f) any other information as may be required by the Chief Administrative Officer or by the provisions of the Act or the Provincial Offences Procedure Act, RSA 2000, Chapter P-34, as amended.

27. Where a contravention of this Bylaw is of a continuing nature, further Violation Tags may be issued by a Bylaw Enforcement Officer provided, however, that no more than one Violation Tag shall be issued for each day the contravention continues.

28. Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Village the penalty specified on the Violation Tag.
29. Nothing in this Bylaw shall prevent a Bylaw Enforcement Officer from immediately issuing a Violation Ticket.
- a) In those cases where a Violation Tag has been issued and the penalty or penalties specified on the Violation Tag have not been paid within the prescribed time, a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedures Act, RSA 2000, Chapter P-34, as amended, or as repealed and replaced from time to time.
 - b) Notwithstanding any provisions of this Bylaw, a Bylaw Enforcement Officer is hereby authorized and empowered, without having first issued a Violation Tag and at the Bylaw Enforcement Officer's discretion, to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, RSA 2000, Chapter P-34, as amended, to any Person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has not contravened any provision of this Bylaw.
 - c) A Violation Ticket issued pursuant to this Bylaw shall be issued in the form and manner specified by the Provincial Offences Procedures Act, RSA 2000, Chapter P-34, as amended and any regulations made there under.

SEVERABILITY

30. 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.

FORCE AND EFFECT

31. This Bylaw shall come into force and take effect on the date of final passing.

READ A FIRST TIME THIS THE 22nd DAY OF MAY, 2013

READ A SECOND TIME THIS THE ____ DAY OF ____, 2013

READ A THIRD TIME THIS THE ____ DAY OF ____, 2013.

Mayor Jason Edwards

Chief Administrative Officer Mike Selk

VILLAGE OF STIRLING
SPECIAL EVENT PERMIT APPLICATION

Box 360, 229 4th Avenue, Stirling, Alberta T0K 2E0
P 403-756-3379 F 403-756-2262 email: office@stirling.ca

Date of Application: _____

Special Event Permit Application No.	
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Date Deemed Complete: _____

IMPORTANT NOTICE: This application **does not** constitute a Special Event Permit.

APPLICANT AND OWNER INFORMATION

1. **Name of Applicant:** _____ **Organization:** _____
Phone: _____ **Mailing Address:** _____
Phone (alternate): _____
Email: _____

2. **Is the applicant the owner of the Premises where the Special Event is to be held?**
 Yes No

Name of Owner: _____ **Mailing Address:** _____
Phone: _____
Email: _____

Please attach a copy of Proof of Ownership or a signed statement by the Owner of the Premises indicating consent to use the Premises for the Special Event.

3. **Please indicate if this application is being made by a partnership or incorporated company:**

- This application is made by a partnership (*please attach the names and addresses of all partners*).
- This application is made by an incorporated company (*please include below, signatures from two directors of the incorporated company, as well, attach the addresses of the corporate directors and a certified copy of the Certificate of Incorporation*).

Director Name: _____ Director Name: _____

Director Signature: _____ Director Signature: _____

SPECIAL EVENT INFORMATION

1. Address of the Premises where the proposed Special Event is to be held:

2. Legal description of the Premises where the proposed Special Event is to be held:

Lot: _____ Block: _____ Plan: _____

3. Special Event Contact Person (if different from Applicant): _____

Phone: _____ Organization: _____

Phone (alternate): _____ Mailing Address: _____

Email: _____

4. Please provide a detailed description of the type of Special Event (attach a separate sheet if required):

- 5. **Special Event Date(s):** _____
- Special Event Hours:** _____
- Special Event Day Phone #:** _____
- Special Event Day Alternate #:** _____
- Maximum Occupancy of Premises:** _____
- Set Up Time:** _____
- Clean Up Time:** _____
- Expected Attendance for Each Day of the Special Event** (including promoters, staff, personnel, and entertainers): _____

6. Please attach a written description and details of how the following will be provided during the Special Event:

- ✓ Security and fire protection
- ✓ Water supplies and facilities
- ✓ Sewage, sanitation and drainage facilities
- ✓ Food supplies and facilities
- ✓ First aid facilities and medical services and personnel
- ✓ Vehicle parking and circulation, including the number and location of parking spaces, vehicle access for policing and emergency services, and the proposed on-site and ingress and egress traffic control
- ✓ Lighting
- ✓ Safety and security
- ✓ Plans and provisions should the actual number of attendees at the Special Event exceed the Expected Attendance
- ✓ Plans and provisions to ensure noise and nuisance are controlled
- ✓ Plans and provisions for clean-up of the Premises and removal of garbage once the Special Event has concluded
- ✓ Any other matter, detail, or description that the Licensing Authority deems appropriate

7. Please attach proof of public liability insurance covering liability for all personal injury and property damage for the Special Event

SITE PLAN / MAP

1. Please attach a plan / map drawn to a suitable scale and photographs, if available, illustrating:

- ✓ Location of event
- ✓ The address and legal description of the Premises where the proposed Special Event is proposed
- ✓ Area and maximum occupancy of the Premises
- ✓ Boundaries of the lot
- ✓ Location of existing buildings and structures
- ✓ Arrangement of facilities including temporary structures
- ✓ Parking, egress and ingress

DECLARATION OF APPLICANT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Special Event Permit.

IMPORTANT: The personal information requested on this form is being collected for the purposes of considering issuance of a Special Event Permit as required by the Village of Stirling, under the authority of the Municipal Government Act. This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents may become available to the public subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection or use of your personal information, contact the Village of Stirling office at 403-756-3379.

SIGNATURE OF APPLICANT

DATE

CONSENT OF ENTRY

I/We hereby authorize the Village of Stirling personnel and its agents, Health Officers or Peace Officers to enter the Premises for the purpose of conducting a site inspection in connection with the application for a Special Event.

SIGNATURE OF REGISTERED OWNER

DATE

<i>Office Use</i>		
Permit application fee:	<input type="checkbox"/> yes	<input type="checkbox"/> no
Insurance Verification Attached:	<input type="checkbox"/> yes	<input type="checkbox"/> no
Site Plan / Map Attached:	<input type="checkbox"/> yes	<input type="checkbox"/> no
Interdepartmental Approvals/Notification Required (e.g. Police, Fire, etc):	<input type="checkbox"/> yes	<input type="checkbox"/> no
Certificate of Incorporation (if applicant is an incorporated company):	<input type="checkbox"/> yes	<input type="checkbox"/> no
Proof of Ownership of the Premises:	<input type="checkbox"/> yes	<input type="checkbox"/> no

BYLAW NO. 448-13

SCHEDULE "B"

SPECIFIED PENALTIES

Bylaw Section:	Offence Description:	Penalty:
23	Violation of any provision of the Bylaw:	<ol style="list-style-type: none">1. First offence within a calendar year, a fine of Two Hundred and Fifty Dollars (\$250).2. Second offence within a calendar year, a fine of Five Hundred Dollars (\$500).3. Third offence within a calendar year, a fine of One Thousand Dollars (\$1,000).