


**PUBLIC HEARINGS AND MEETINGS
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 BYLAW FOR THE REGULATION OF SPECIAL EVENTS IN FOOTHILLS COUNTY
 & AMENDMENTS TO THE LAND USE BYLAW FOR SPECIAL EVENTS
 DECEMBER 6, 2023
 TO BE HEARD AT 1:30 P.M.**

APPLICATION INFORMATION	
	PROPOSAL: DRAFT NEW BYLAW FOR THE REGULATION OF SPECIAL EVENTS IN FOOTHILLS COUNTY & PROPOSED AMENDMENTS TO THE LAND USE BYLAW PERTAINING TO SPECIAL EVENTS
PROPOSAL: Staff has drafted a new Special Event Bylaw for the regulation of Special Events in Foothills County and subsequent amendments to the Land Use Bylaw pertaining to Special Events for Council's consideration.	
FILE MANAGER: Coreena Carr, Planner	

BACKGROUND

In September 1992, Council passed Bylaw 106/92 for the licensing and regulation of Concerts to deal with the regulation and permitting of large concerts being held in the County.

This bylaw has been amended a number of times as follows:

- February 8, 1996 - Bylaw 18/96 Licensing and Regulation of Concerts
- February 5, 1997 - Bylaw 11/97 Licensing and Regulation of Concerts
- June 12, 1997 - Bylaw 66/97 Licensing and Regulation of Special Events.(Current)

In 2010 an updated version of the document was created and later added as Appendix H under the updated Land Use Bylaw 60/2014.

This draft new bylaw is proposed to replace the repealed Bylaw 66/97 and replace Appendix H of the Land Use Bylaw for the regulation of Special Events in Foothills County.

PROPOSAL:

This public hearing is for consideration on two separate bylaws as follows:

- Part 1 – Proposed new Special Event Bylaw for the Regulation of Special Events in Foothills County.
- Part 2 – Bylaw to enable proposed amendments to the Land Use Bylaw pertaining to Special Events.

These two bylaws are being considered concurrently and should not proceed independently of each other.

PART 1 – DRAFT NEW SPECIAL EVENTS BYLAW

WHY ARE WE PROPOSING A NEW SPECIAL EVENTS BYLAW?

We are proposing amendments to the existing Special Event Bylaw for the following reasons:

- The Special Events Bylaw has not been updated since 1997 and requires updating.
- There has been an increasing demand for temporary and seasonal uses in the County such as garden markets, Christmas tree sales sites, and uses that may just occur over a period of a few days or weeks of the year. The proposed amendments will allow these types of temporary uses to fall under the Special Event Bylaw.
- Staff is proposing to streamline and eliminate duplication in the process where possible.
- We have an increasing number of events proceed without approvals and wanted to review our process, ensure adequate information is available to the public regarding requirements, and strengthen the ability to proceed with enforcement when events go ahead without approvals when necessary.
- Our goals are to provide more clarity and transparency regarding when approvals are necessary, and to give applicants an understanding of items or information that may be required either as part of an application or as a condition of an approval.

WHAT ARE THE PROPOSED CHANGES?

1. Defining Subcategories of Special Events.

Current Definition under Bylaw 66/97:

Special Event shall mean any event or activity, whether indoors or outdoors, which is held at any place within the municipality and to which members of the public are invited or admitted, whether or not an admission fee is charged, but shall not include family gatherings, community-sponsored events such as Christmas parties, breakfasts, card parties, or other similar social functions.

Staff is proposing two categories of special events based on size, intensity, and type of special event – minor and major. This will allow the County to differentiate between those special events requiring a Development Permit, those that require a Special Event License, or those exempt from County approvals.

The new draft bylaw has redefined Special Event as follows:

Special Event is an event, which depending on the event type, location, and size, is subcategorized either a minor or major special event as follows:

Major Special Event means a private or public event expected to have an attendance of 500 or more people. Due to the size and/or nature of the event, it may have a potential for higher degree of impact on neighboring properties by way of noise, traffic, and/or light pollution.

Minor Special Event means an event which meets the following parameters:

- a. a public event expected to have an attendance of less than 500 people,
- b. a private event expected to have an attendance of more than 150 people but less than 500 people.
- c. private events, expected to have an attendance of more than 50 but less than 150 people, held on a site more than twice annually.

Due to the size and the nature of these events, they are expected to cause minimal nuisance or impact on neighboring properties by way of noise, traffic, and/or light pollution. An otherwise minor special event may be “upgraded” to a major special event if the nature of the event may cause additional impact or nuisance (for example a high intensity of animals or dogs are included as part of the event, noise, light pollution, or other potential impact on neighboring properties).

For the purposes of these definitions, private and public events have also been defined as follows:

Event, Private means an event or gathering, intended for guests by invitation only such as, but not limited to, birthday parties, family reunions, family weddings, barbecues, or holiday celebrations and may include private corporate functions.

Event, Public means an event or gathering open to the general public, including but not limited to, exhibitions, expositions, fairs, markets, temporary sales venues, festivals, entertainment, cause-related awareness, fundraising, and leisure events.

2. New Approval Process

The current bylaw process requires a Special Event to go through both a Development Permit and then a subsequent licensing process. This process has proven to be time consuming, unclear, and somewhat repetitive.

Staff has proposed to amend the approval process under the new Special Events Bylaw, whereby Special Events will require either a Development Permit or a Special Event License, but not both. We have also provided consideration to when a Special Event will be exempt from County approvals for clarity. These changes have been proposed in an attempt to reduce red tape and make the approval process easier to understand and more efficient.

Special event approval processes are broken into three scenarios:

1. Special events that require a Development Permit - only the larger events requiring approval from external governing bodies and those events that may have greater potential for impact on neighbouring properties would require Development Permit approval.
 - a. All Major Special Events, require a Development Permit, **except where**:
 - i. The Event is held at a site that has been specifically approved under Development Permit for hosting such events and the Special Event falls within the parameters of the existing approval.
 - ii. Any Special Event hosted by the County or Authorized by the County on lands owned or controlled by the County.
 - iii. Any Special Event hosted by school official or affiliate group, held on lands owned or controlled by the local school board.
 - b. Minor Special Events recurring on a property more times annually than allowed under the definition (for example more than one private event of 150-500 in attendance or more than one public event of less than 500 attendance)
2. Special events that only require a Special Event License - smaller special events with minimal impact on neighbouring properties go through a licensing process which is a shorter and simpler process, while still allowing the County to ensure the safety of the public.
 - a. All Minor Special Events require a Special Event License except where they exceed the allowable number of recurring events on a property annually, in which case they require a Development Permit.

3. Events that are exempt from County approvals.

The following events held within Foothills County are exempt from Special Event approvals:

- a. A public or private event that is held at a site that has been specifically designed, built, and approved under an existing valid Development Permit for hosting such events and the said event is in compliance with the permitting conditions (for example an event venue, agricultural society, or community halls).
- b. A public or private event that has been issued a Development Permit for such special event in accordance with the Land Use Bylaw.
- c. Any number of private events held on a site annually with an expected attendance of 50 or less.
- d. Up to a maximum of two (2) Private Events on a site annually with an expected attendance of more than 50 but less than 150 people.
- e. A public or private event hosted by the County or authorized by the County pursuant to the terms of a lease, licence, or facility rental agreement, on lands owned or controlled by the County.
- f. A public or private event hosted by school officials or affiliated group, held on lands owned or controlled by a local school board.

The County may require a Special Event Licence or Development Permit, where it is determined by the Licensing Officer that any special event, due to the size and nature of the event, may have significant impact on neighboring properties. (for example, where animals or dogs involved with the event are brought to the site, or the event involves nuisance outside of what is expected under the defined level of special event.

Note: Other approvals may be required outside of the Special Event Bylaw or County approvals, even where events are exempt from approval under the County's Special Event Bylaw and Land Use Bylaw. (For example, AGLC approvals if liquor or cannabis is on site, approvals for signage, personal liability insurance requirements, etc.). Landowners are encouraged to look into what other authorities may have requirements for events.

3. Updated Requirements and Conditions – Schedule A to Special Event Bylaw

Staff has also outlined a list of application requirements and conditions that may be imposed when making application for a Special Event through both the Development Permit process or Special Event License. These requirements and conditions are intended to provide clarity and transparency for applicants regarding what they may have to provide to the County when making an application.

Schedule A to the Special Event Bylaw includes a list of those requirements and conditions and can be found as part of the draft Special Event Bylaw in **Appendix A** to this report.

A new Special Event Application Form has been developed to help both staff and applicants ensure that the appropriate information is included for a completed application.

4. Other Special Event Bylaw Details

The draft bylaw for the regulation of Special Events in Foothills County includes new and updated information on the following:

- a. Application fees have been removed from the bylaw itself and will be included within the Foothills County Fee Bylaw that is reviewed on an annual basis.
- b. A list of circulation agencies both internal and external are identified under Section 7.
- c. Decision, inspections, and appeal information is provided for clarity under Section 8 -10.
- d. A list of applicant and County responsibilities, as part of special event applications, is provided for transparency under Section 11.
- e. Information regarding offences, violations, and penalties, etc. as part of enforcement on special events is outlined under Sections 12 – 18.

A complete copy of the draft Special Event Bylaw is attached as **Appendix A** to this report for Council review and discussion. The current Bylaw 11/97 for Special Events has been included as **Appendix C** for comparison with what is currently in place.

PART 2 – PROPOSED LAND USE BYLAW AMENDMENTS

Concurrent with the proposal for a new bylaw for the regulation of Special Events in Foothills County, staff has proposed subsequent amendments to the Land Use Bylaw to align with provisions under the Special Events Bylaw.

Proposed amendments to the Land Use Bylaw include:

- Updated definitions to align with the Special Events Bylaw.
- Additional provisions under Section 4.2.1 “No Development Permit Required” to outline where a Development Permit is not required for a Special Event.
- An additional provision under Section 4.2.1 “No Development Permit Required” to identify when a Development Permit is not required for temporary signage, including for special events (no more than 14 days).
- New provisions are added to Section 9.26 Special Events under the Land Use Bylaw to align with the Special Event Bylaw.
- Provisions have been added to clarify that the applicable Special Event category – minor or major, must be listed as a use under the current land use district in order for a Development Permit application to be made, or a bylaw amendment must be enacted to redesignate the lands to an appropriate land use district prior to the Development Authority considering the development permit.
- Amendments have been made to the permitted and discretionary uses within land use districts under the Land Use Bylaw to identify where applications can be made for Secondary Suites.

A copy of the draft Land Use Bylaw amendments to correspond with the Special Event Bylaw has been included as **Appendix B** for Council’s information.

PUBLIC HEARING NOTICE

Notice of the public hearing was provided in the following manners:

- Advertised in the November 22, 2023, and November 29, 2023, issues of the Western Wheel.
- Notice of the hearing was posted on the County website starting November 22, 2023, through to the date of the public hearing.
- Social media notices were posted on both Facebook and Twitter November 28, 2023.

SUMMARY

Staff has provided a report for Council's consideration for the following two separate bylaws:

- Part 1 A draft new Special Event Bylaw for the regulation of Special Events in Foothills as attached in **Appendix A**; and
- Part 2 A bylaw to enable proposed amendments to the Land Use Bylaw pertaining to Special Events as attached in **Appendix B**.

OPTIONS FOR COUNCIL CONSIDERATION:

These two bylaws are being considered concurrently and should not proceed independently of each other. If Part 1 is not approved, or if any changes are made to Part 1, consideration will be required on Part 2 for consistency.

PART 1 – NEW BYLAW FOR THE REGULATION OF SPECIAL EVENTS IN FoothILLS COUNTY

OPTION #1 –1st READING APPROVAL

Should Council be of the opinion that the draft new bylaw for the "Regulation of Special Events in Foothills County" is consistent with the existing regional and municipal policy frameworks, and no significant planning considerations have been brought forward through the public hearing that cannot be resolved through the planning process; Council may wish to move first reading of Bylaw XX/2023 to authorize approval of the draft bylaw as outlined in the attached **Appendix A**.

Council shall direct staff on any additional information or changes they wish to see prior to second and third reading.

OPTION #2 POSTPONE APPLICATION

Should Council be of the opinion that additional information is required prior to rendering a decision, Council may choose to move to postpone approval on the draft new bylaw for the "Regulation of Special Events in Foothills County". Council shall direct staff to provide any additional information deemed necessary.

OPTION #3 - REFUSE APPLICATION

Should Council be of the opinion that the draft new bylaw for the "Regulation of Special Events in Foothills County" is not suitable, Council may choose to refuse the bylaw and should provide reasons for refusal.

PART 2 – AMENDMENTS TO LAND USE BYLAW PERTAINING TO SPECIAL EVENTS

OPTION #1 –1st READING APPROVAL

Should Council be of the opinion that the proposed Land Use Bylaw amendments are consistent with the existing regional and municipal policy frameworks, and no significant planning considerations have been brought forward through the public hearing that cannot be resolved through the planning process; Council may wish to move first reading of Bylaw XX/2023 to authorize amendments to the Land Use Bylaw as outlined in the attached **Appendix B**.

Council shall direct staff on any additional information or changes they wish to see prior to second and third reading.

OPTION #2 POSTPONE APPLICATION

Should Council be of the opinion that additional information is required prior to rendering a decision, Council may choose to move to postpone approval on the bylaw for proposed Land Use Bylaw amendments. Council shall direct staff to provide any additional information deemed necessary.

OPTION #3 - REFUSE APPLICATION

Should Council be of the opinion that the proposed Land Use Bylaw amendments are not suitable, Council may choose to refuse the bylaw for proposed Land Use Bylaw Amendments and should provide reasons for refusal.

APPENDICES

Appendix A – Proposed bylaw for the “Regulation of Special Events in Foothills County”.

Appendix B – Proposed bylaw including draft Land Use Bylaw amendments for Special Events.

Appendix C – Current Special Event Bylaw 66/97 (for reference).

APPENDIX A - PROPOSED BYLAW FOR THE REGULATION OF SPECIAL EVENTS IN FOOTHILLS COUNTY

Foothills County



BYLAW XXXX

BEING A BYLAW OF FOOTHILLS COUNTY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION OF SPECIAL EVENTS HELD IN FOOTHILLS COUNTY.

WHEREAS the *Municipal Government Act* allows municipalities to pass bylaws respecting the safety, health, and welfare of people, and the protection of people and property.

AND WHEREAS the *Municipal Government Act* allows municipalities to pass bylaws respecting people, activities, and things in, on, or near a public place, or a place that is open to the public.

AND WHEREAS the Council of Foothills County recognizes that Special Events are essential in our communities as they provide opportunities for social connection, which contributes to a sense of identity, place, and community vibrancy.

NOW THEREFORE the Council of Foothills County, in the Province of Alberta, enacts as follows:

1.0 SHORT TITLE

1.1 This bylaw may be cited as the "Special Events Bylaw".

2.0 PURPOSE

2.1 The purpose of this bylaw is to provide for permitting and regulation of Special Events held within the boundaries of the Foothills County.

3.0 DEFINITIONS

3.1 In this Bylaw, the following definitions shall apply:

"Approving Authority" means the authority authorized to exercise approving powers and duties on behalf of the County in accordance with the Municipal government Act and Land Use Bylaw.

"Applicant" means a person, who applies for a Special Event Licence or Development Permit pursuant to this Bylaw and shall also mean a Person who is appealing the refusal, revocation or suspension of a license or Development Permit.

"Application" means an application for a Special Event Licence.

"Bylaw Enforcement Officer" means a person who has been appointed by the County for the purposes of enforcing County Bylaws. A Bylaw Enforcement Officer is, in the execution of their enforcement duties, a person responsible for the maintenance and preservation of the public peace and as such, is deemed to be a Peace Officer.

Chief Administrative Officer (CAO) means the Person appointed by Council to the position of Chief Administrative Officer which is established by bylaw under Section 205 of the Municipal Government Act.

"Council" means the duly elected Council of Foothills County.

"County" means Foothills County.

"Development Permit" means a document issued under the Land Use Bylaw that approves a development.

“Event, Private” – means an event or gathering, intended for guests by invitation only such as, but not limited to birthday parties, family reunions, family weddings, barbeques, or holiday celebrations and may include private corporate functions.

“Event, Public” means an event or gathering open to the general public, including but not limited to, exhibitions, expositions, fairs, markets, temporary sales venues, festivals, entertainment, cause-related awareness, fundraising, and leisure events.

“Expected Attendance” means the number of people reasonably expected to attend the Special Event including the event promoters, staff, personnel, and entertainers.

“Fee Bylaw” means Foothills County’s current Fee Bylaw, as amended, or replaced from time to time.

“Land Use Bylaw” means Foothills County Bylaw 60/2014, being the *Land Use Bylaw*, as amended or replaced from time to time.

“Landowner” means the person or persons who own title to the land.

“Licensee” means a Person or entity that holds a current Special Event Licence issued pursuant to the provisions of this Bylaw.

“Licensing Officer” means the person or persons appointed by the Chief Administration Officer to issue licences and assist in the administration and enforcement of this bylaw.

“Non-Profit Organization” means:

- a. a society, credit union, or cooperative established under federal or provincial legislation.
- b. a corporation that is prohibited from paying dividends to its members and distributing the assets to its members on a winding up; or
- c. any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.

“Primary Contact Person” means the one primary point of contact for the special event and associate application and permitting/licensing process.

“Municipal Government Act” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.

“Peace Officer” means

- a. a Bylaw Enforcement Officer as appointed by the Foothills County Council to enforce the County Bylaws,
- b. a Community Peace Officer as appointed by the Solicitor General of Alberta,
- c. a member of the Royal Canadian Mounted Police, or
- d. person authorized as a Designated Officer by Council or the CAO to enforce the provisions of this Bylaw.

“Person” means a natural person, firm, corporation, association, partnership, society or legal entity.

“Private Corporate Function” means a event, held by a corporation or business for their staff, clients, or stakeholders, by invitation only, for the purposes of holiday parties, team building, etc.

“Remedial Order” means an order written pursuant to Section 545 of the Municipal Government Act.

“Site” means the property, properties, or portion of a property designated on a site plan included with the application form, showing the designated area utilized for the Special Event.

“Special Event” is an event, which depending on the event type, location, and size, is subcategorized either a minor or major special event as follows:

“Major Special Event” a private or public event expected to have an attendance of 500 or more people. Due to the size and/or nature of the event, it may have a potential for higher degree of impact on neighboring properties by way of noise, traffic, and/or light pollution.

“Minor Special Event” an event which meets the following parameters:

- a. a public event expected to have an attendance of less than 500 people,
- b. a private event expected to have an attendance of more than 150 people but less than 500 people.
- c. private events, expected to have an attendance of more than 50 but less than 150 people, held on a site more than twice annually.

Due to the size and the nature of these events, they are expected to cause minimal nuisance or impact on neighboring properties by way of noise, traffic, and/or light pollution. An otherwise minor special event may be “upgraded” to a major special event if the nature of the event may cause additional impact or nuisance (i.e. a high intensity of animals or dogs are included as part of the event, noise, light pollution, or other potential impact on neighboring properties).

“Special Event Licence” shall mean a licence for a special event in accordance with this bylaw.

“Special Event Reference Guide” means Foothills County’s Special Event Reference Guide, as amended, or replaced from time to time, which is supplemental to this bylaw.

“Subsequent Offence” means any offence under this Bylaw committed by a Person after that Person has already been convicted of an offence under this Bylaw or has voluntarily paid a fine for such an offence.

“Violation Ticket” means a notice or ticket in a form approved by the Council issued by the County allowing voluntary payment of a fine established under this bylaw.

4.0 GENERAL PROHIBITION

- 4.1 No person shall operate, maintain, hold, conduct, promote, advertise, or sell tickets for a special event within the County without first having obtained a Development Permit or Special Event License for the event unless exempt under this Bylaw or the Land Use Bylaw.

5.0 SPECIAL EVENT PERMITS & LICENCES

- 5.1 Persons wishing to hold, conduct, organize, manage, promote, or sell tickets for a Special Event in Foothills County must first obtain a Special Event Licence or have an approved Development Permit from Foothills County in respect of such activity in accordance with this Bylaw and Land Use Bylaw 60/2014 prior to holding the event, except where exempt under Section 4.2.1 of the Land Use Bylaw or Section 5.6 of this bylaw..
- 5.2 A Development Permit is required for all Special Events held in Foothills County not exempt under Section 4.2.1 of the Land Use Bylaw.
- 5.3 Development Permits shall be applied for and processed in accordance with the Foothills County Land Use Bylaw 60/2014.
- 5.4 A Special Event Licence is required for all Special Events not requiring a Development Permit except for events which are listed as exempt from a Special Event Licence under Section 5.6 of this Special Events Bylaw.

- 5.5 Notwithstanding Section 5.2 - 5.4, the County may require a Special Event Licence or Development Permit, where it is determined by the Licensing Officer that any special event, due to the size and nature of the event, may have significant impact on neighboring properties. (for example where animals or dogs involved with the event are brought to the site, or the event involves nuisance outside of what is expected under the defined level of special event).

Special Event Licence Exemptions

- 5.6 The following special events are exempt from the requirement of a Special Event Licence in Foothills County:
- a. A public or private event that is held at a site that has been specifically designed, built, and approved under an existing valid Development Permit for hosting such events and the said event is in compliance with the permitting conditions (For example Event Venue, Agricultural Society, Community Halls).
 - b. A public or private event that has been issued a Development Permit for such Special Event in accordance with the Land Use Bylaw.
 - c. Any number of Private Events held on a site annually with an expected attendance of 50 or less
 - d. Up to a maximum of two (2) Private Events on a site annually with an expected attendance of more than 50 but less than 150 people.
 - e. A public or private event hosted by the County or authorized by the County pursuant to the terms of a lease, licence, or facility rental agreement, on lands owned or controlled by the County.
 - f. A public or private event hosted by school officials or affiliated group, held on lands owned or controlled by a local school board.
- 5.7 Charitable or non-profit organizations and schools may be exempt from all required licence fees under this bylaw at the discretion of Council.

6.0 SPECIAL EVENT APPLICATION

- 6.1 Application for a Special Event must be made to the Approving Authority/Licensing Officer on the form prescribed, with the information required by the County, in writing in the following timelines:
- a. A complete Special Event Licence application for a Minor Special Event shall be submitted to the County a minimum of forty-five (45) days prior to the proposed date of the event.
 - b. A complete Development Permit application for a Major Special Event shall be submitted to the County a minimum of ninety (90) days prior to the proposed date of the Event.
- 6.2 The applicant shall submit a signed Declaration of Understanding concurrent with the application in which they declare their understanding that in making the application:
- a. they grant permission to Foothills County to enter the site for inspection, and
 - b. they indemnify Foothills County from any claims arising or any liability for damage to persons or property caused by way of issuance of the Special Event Licence or from the Special Event itself.
- 6.3 Applications shall be accompanied by a filing fee and application fee in the amount established in the Foothills County Fee Bylaw at the time of the application. The filing fee shall be non-refundable. The application fee may be refunded if the Special Event permit is not issued but is otherwise non-refundable.

- 6.4 In addition to the non-refundable filing fee and application fee required under Section 6.3 of this bylaw, the applicants or event organizers may be required to provide payment for the following:
- a. any fees associated with, but not limited to, policing, and other expenses the County may incur as a result of damage to its infrastructure, and
 - b. any fees associated with additional requirements specified in Schedule A of the Special Event Bylaw xx/23, which are required to be paid at least fourteen (14) days prior to the event.
- 6.5 The Approving Authority, may in their discretion, require a refundable security deposit, in a form acceptable to the County, in an amount deemed appropriate for the nature of the proposed event. The security deposit may be used to rectify damage to a road or property, to pay for maintenance, clean up, fire response or other charges related to the event, and/or to compensate the County for unpaid accounts accrued by the applicant or event organizer. Security deposits required shall be paid at least fourteen (14) days prior to the event. Such surety will be refunded further to the completion of the event, once it has been confirmed that all responsibilities of the applicant have been fulfilled.

7.0 APPLICATION CIRCULATION

- 7.1 Upon receipt of a complete application, the Licensing Officer may provide the complete application to any or all of the following individuals and agencies for their review and comments:
- a. Area Councillor
 - b. Manager of Foothills Patrol
 - c. Foothills County Fire Chief
 - d. Foothills County Director of Emergency Management
 - e. Foothills County Director of Corporate Services
 - f. Foothills County Manager of Parks and Recreation
 - g. Director of Public Works – Transportation & Servicing
 - h. Manager of Safety Codes
 - i. Other municipalities (where application may impact other municipalities)
 - j. Alberta Transportation – If involving Highways
 - k. Alberta Health Services – food vendors and personal services.
 - l. Alberta Gaming, Liquor & Cannabis Commission –if serving or selling liquor/cannabis is proposed.
 - m. Government of Alberta, Policing Standards Branch – if enhanced policing is likely to be required.
 - n. Medical Services – ambulance/first aid
 - o. Any other agency or person which in the opinion of the Licensing officer may assist in determining whether or not issuing the Special Event Licence is appropriate under the circumstance.

8.0 DECISIONS ON SPECIAL EVENT APPLICATIONS

Special Event Permit

- 8.1 Upon receipt of a Development Permit application for a Special Event, the application shall be processed in accordance with Section 5 of the Land Use Bylaw.

Special Event Licence

- 8.2 Upon receipt of a Licence application for a Special Event and in consideration of the application information and comments received by individuals and agencies for review and comment, the Licensing Officer shall within twenty (20) days after receipt of a complete application:
- a. Issue the licence either without conditions or with the conditions that the County considers appropriate; or
 - b. Have the applicant apply for a Development Permit where the event meets the criteria for a Special Event requiring a Development Permit. or
 - c. Refuse to issue the licence if:
 - i. the applicant or event organizer has previously operated a special event in breach of a condition of a licence, permit, or County bylaw.
 - ii. any of the individuals or agencies consulted recommends against the licence.
 - iii. in the opinion of the Licensing Officer, the noise or nuisance created by the special event could cause an unreasonable nuisance for persons in the area of the special event.
 - iv. in the opinion of the Licensing Officer, issuing the Special Event License may harm the health, safety, welfare and property of the special event attendees, County residents and/or members of the public; and/or
 - v. the complete application was not submitted to the satisfaction of the Licensing Officer
- 8.3 In accordance with Section 8.2, the Licensing Officer must make a decision on the Special Event Licence within twenty (20) days after receipt of a complete Special Event application unless a time extension agreement has been entered into with the applicant.
- 8.4 The Licensing Officer shall not issue a Licence, if:
- a. the application is not complete and/or the application fee has not been paid;
 - b. the proposed safety or security procedures are inadequate; and/or
 - c. the proposed site is inadequate for the Special Event.
- 8.5 The Licensing Officer may impose such conditions on the Special Event Licence that they, in their discretion, reasonably determine as being necessary to protect the health, safety, welfare and property of the Special Event attendees, County residents and members of the public. Schedule A includes a list of conditions that may be required on a special event depending on the size and nature of the event.
- 8.6 The ability of the Licensing Officer to grant relief from the requirements of this Bylaw shall be limited to those items within the authority of the Licensing Officer under this Bylaw. Being granted relief from requirements under this bylaw does not relieve the applicant or event organizer from any conditions or requirements imposed by other Federal, Provincial or Municipal, regulations, bylaws, contracts etc.
- 8.7 The Licensing Officer may grant a time extension to the timelines required for compliance of said conditions imposed on approval of an application where a time extension agreement has been entered into with the applicant.
- 8.8 All costs and expenses incurred in meeting the requirements of this Bylaw and any conditions of the Special Event Licence shall be borne solely by the applicant.
- 8.9 The Licensing Officer may revoke or suspend a Special Event Licence where the applicant:
- a. Fails, neglects, or otherwise refuses to pay to the County the fee prescribed by a provision of this Bylaw.
 - b. Fails, neglects, or otherwise refuses to fulfill any or all of the Development Permit conditions, or Special Event Licence conditions imposed pursuant to the provisions of this Bylaw or the Land Use Bylaw.
 - c. Allows the Special Event to be conducted in a manner contrary to the terms of this Bylaw or contrary to the terms and conditions of the Development Permit or Special Event Licence.

- 8.10 Where the application is denied, suspended, or revoked, the Licensing Officer shall mail and/or email a written notice to the applicant or event organizer. The notice shall include a statement of the reasons the application was denied, suspended, or revoked. After service of the notice, the event shall not be carried on until such time as a new Special Event Licence is issued, or the revoked or suspended licence is reinstated.
- 8.11 A notice of denial or revocation of a Special Event Licence shall be deemed to be served on the date of service unless it is sent by mail in which case it shall be deemed to be served seven (7) working days after the date it is mailed.

9.0 RIGHT OF APPEAL

- 9.1 Appeals on Development Permits for Special Events shall be done in accordance with Land use Bylaw 60/2014.

Special Event Licence

- 9.2 An applicant who has had an application for a Special Event Licence refused or a licence holder who has had a Special Event Licence revoked or suspended may appeal the Licencing Officer's decision to the Subdivision and Development Appeal Board.
- 9.3 To be considered valid, an appeal shall be made in writing on the appropriate form and be received by the County's Legislative Services Department within fourteen (14) days after service of notice under Section 8.2.
- 9.4 Upon hearing an appeal under Section 8.2, the Subdivision and Development Appeal Board may:
- confirm the refusal, revocation or suspension,
 - direct that the Special Event Licence be issued with or without conditions,
 - reinstate the revoked licence, or
 - remove or vary the suspension.

Decisions of the Subdivision and Development Appeal shall be final, and binding. No further appeal is available.

10.0 INSPECTIONS

- 10.1 Where an applicant has made an application for a Special Event Licence or is licensed or permitted under a Development Permit for a special event, the site may be inspected by the Licensing Officer and/or a Peace Officer.
- 10.2 Where a Licensing Officer and/or Peace Officer reasonably believes a Special Event requiring a Special Event Licence or a Development Permit is taking place, being organized, or tickets are being sold for such without the appropriate approvals, the applicant shall:
- Permit and assist in all inspections requested by the Licensing Officer and/or Peace Officer.
 - Furnish upon demand to the Licensing Officer and/or Peace Officer, all information or documentation related to the inspection or the County's licensing requirements.
- 10.3 When undertaking inspections under Section 10.2, the County shall provide notice pursuant to the provisions of Section 542 of the Municipal Government Act as may be amended or replaced from time to time.
- 10.4 During an inspection the Licensing Officer and/or Peace Officer may examine any records or documents for the purpose of enforcing this Bylaw and remove any relevant record or document from the site for the purpose of copying it. A receipt will be provided for any document or record so removed.

11.0- RESPONSIBILITIES

11.1 Responsibility of Foothills County

- a. Provide a one point of contact for the County, preferably the Licensing Officer, through the application and permit approval process, so the applicant is only needing to contact one County staff person for all information and questions.
- b. Respond to an applicant within seven (7) days of receiving a complete application for a Special Event Licence.
- c. Work with the applicant to ensure they understand the legislative and safety requirements to assist the applicant in completing and submitting required information.
- d. Attend pre- and post-event meetings as requested by the applicant and as deemed reasonable by the Licensing Officer.
- e. Provide a decision within twenty (20) days of receipt of a complete application.
- f. Liaise with internal technical experts to assist the applicant in meeting all required municipal legislative and safety requirements prior to the scheduled event.
- g. Issue a Special Event Licence when all requirements under the bylaw have been met.

11.2 Responsibilities of Applicant:

- a. The Applicant must ensure that a Development Permit or Special Event Licence has been obtained and all conditions met before the special event is to take place at that site. Advertising, promotion of, and ticket sales for an event shall not occur prior to the special event permit or license being issued. Any advertising, promotion or ticket sales conducted prior to all conditions of approval being met, will be at risk of the event not going ahead due to terms or conditions of the license, permit or this bylaw not being met.
- b. Complete the *Special Event Application* form and *Declaration of Understanding* fully and accurately.
- c. Pay all appropriate fees as required by the County's Fee Bylaw.
- d. Provide the County with one point of contact through the application and licence approval process, preferably the applicant.
- e. Ensure the parcel address (Foothills County Blue Sign) is posted during the event to allow for emergency response to the property.
- f. Notify the County within a minimum of seven (7) days of any changes or additions to the event once the application has been submitted to the County.
- g. Attend required pre- and post-event meetings, as requested by the County.
- h. Meet all requirements of a conditional approval of the licence and submit proof of such to the Licensing Officer in a timely manner in accordance with the decision.
- i. Comply with all relevant Federal, Provincial or Municipal laws in existence at the time of the Special Event.
- j. Ensure that all costs and expenses incurred in meeting the requirements of the *County's Special Events Bylaw xx/23* or any conditions attached to the Special Event Licence are paid, as these are the responsibility of the applicant.

12.0. OBSTRUCTION

- 12.1 No Person shall interfere with or obstruct the Licensing Officer or Peace Officer conducting an investigation or taking any action under the authority of this Bylaw or the Municipal Government Act.
- 12.2 The Municipality may, in addition to issuing violation ticket(s), make application to the Court of King's Bench to seek an Order pursuant to Section 543 of the Municipal Government Act, should a Person obstruct a Peace Officer lawfully exercising their authorities pursuant to the Municipal Government Act, the Land Use Bylaw, or this Bylaw.

13.0 GENERAL OFFENCES AND PENALTY PROVISIONS

- 13.1 No person shall operate, maintain, hold, conduct, promote, advertise, or sell tickets for a special event within the County without first having obtained a Development Permit or Special Event License for the event unless exempt under this Bylaw or the Land Use Bylaw.
- 13.2 No person shall operate, hold, conduct, promote, advertise or sell tickets for a special event within the County after a Special Event License or Development Permit has been revoked under Section 8.8 of the Bylaw.
- 13.3 Any Person who provides false or misleading information in an application is guilty of an offence and is liable on conviction to imposition of a penalty as prescribed by this bylaw.
- 13.4 Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a penalty as prescribed by the Bylaw.
- 13.5 Any person who :
- a. operates, maintains, holds, conducts, promotes, advertises or sells tickets for a Special Event in the County without having first obtained a valid Development Permit or Special Event Licence, unless the event is exempt under this Bylaw or the Land Use Bylaw; or
 - b. having obtained a Development Permit or Special Event Licence, fails to comply with any term or condition set out in this Bylaw or specified on the Development Permit or Special Event Licence; or
 - c. contravenes any provision of this Bylaw by doing any act or thing which the applicant is required to do or fails to do any act or thing the applicant is required to do; or
 - d. who obstructs or hinders any other person in the exercise or performance of that person's powers or duties pursuant to this Bylaw.
- is guilty of an offence.
- 13.6 No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of the bylaw.
- 13.7 Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000.00) and in default of payment of any fine imposed, to imprisonment for not more than one (1) year.
- 13.8 Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation other bylaw, or any requirement of any lawful permit, order or licence.

14.0 VIOLATION TICKETS AND PENALTIES

- 14.1 Where a Peace Officer has reasonable and probable grounds to believe that any person has contravened any provision of this Bylaw, they may commence proceedings by issuing a violation ticket in accordance with the Provincial Offences Procedure Act.
- 14.2 The specified penalty payable in respect of a contravention of any provision of this Bylaw is the amount shown in Schedule 'B' of this Bylaw in respect of that provision.
- 14.3 Notwithstanding Section 14.2:
- a. where any Person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period the specified penalty payable in respect of the second offence is double the amount shown in Schedule 'B' of this Bylaw in respect of that provision; and

- b. where any Person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the specified penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule 'B' of this Bylaw in respect of that provision.

14.4 The **minimum penalty** payable in respect of a contravention of any provision of this Bylaw is the amount shown in Schedule 'B' of this Bylaw in respect of that provision.

14.5 Notwithstanding Section 14.4:

- a. where any Person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the minimum penalty payable in respect of the second offence is double the amount shown in Schedule 'B' of this Bylaw in respect of that provision; and
- b. where any Person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the minimum penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule 'B' of this Bylaw in respect of that provision.

15.0 CONTINUING OFFENCES

15.1 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues.

16.0 MANDATORY COURT OR INFORMATION

16.1 No provision of this Bylaw shall prevent any Peace Officer from issuing a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedure Act, or from laying an information instead of issuing a violation ticket.

17.0 LIABILITY FOR COSTS

17.1 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw or the Municipal Government Act.

18.0 CERTIFIED COPY OF RECORDS

18.1 A copy of a record of the County, certified by the Person duly appointed as the Licensing Officer for the same as a true copy of the original, shall be admitted evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the Person signing it.

19.0 VALIDITY OF SPECIAL EVENT LICENCE OR PERMIT

19.1 A Special Event Licence or Development Permit for an event is only valid for the special event held on the date(s) specified on the decision. Any alternative dates should be noted in the application and acknowledged in the Special Event Licence or Development Permit decision.

CONDITIONS AND REQUIREMENTS:

Applications for Development Permit or Special Event Licence for any Special Event in Foothills County shall be subject to the following requirements and conditions at the Approving Authority's/Licensing Officer's discretion dependent on the size, complexity, and nature of the event:

1) Information to be submitted with applications for Special Events:

(a) Applicant /Landowner

The name, mailing address and telephone number(s) of the applicant and the landowner. If the applicant is a corporation or society, the application must have a certified copy of the Certificate of Incorporation attached and the application form must be signed by a least two directors of the corporation or society and the application shall contain the addresses of both directors.

The applicant shall include a copy of the current land title(s), proof of ownership of the property(s), and a written statement signed by the owner of the property indicating consent to use the property for the purposes of the Special Event.

(b) Special Event Location:

The legal description of the property(s) and 911 addresses (Foothills County blue sign) of the property where the event is to be held.

(c) Details of Special Event

Include a detailed description of the event(s) and associated activities and supporting functions of the event to be held on the property. Details must include items such as:

- Type of event (for example concert, rodeo, seasonal market, etc).
- Method of water and sanitation on site.
- Food supplied/food vendors or sale vendors on site.
- Proposed liquor consumption/sales on site.
- Proposed camping on site.
- Temporary structures or use of structures on site for the event.
- Illumination proposed on site.
- Temporary signage required.
- Fireworks or pyrotechnics proposed.
- Anticipated sound equipment/amplification/noise as a result of the event

(d) Date & Hours of Operation:

Include the date(s) the event is to occur on the property and the proposed hours of operation for the event.

All events and associated activities and supporting functions of the event, including setup and takedown, shall be subject to defined dated and restricted hours based on the nature of the event at the discretion of the Approving Authority/Licensing Officer.

(e) Special Event Attendees:

The maximum number of attendees on site during the event and/or any associated activities and supporting functions of the event. including spectators, customers, participants, and other persons expected to attend the site.

(f) Contingency Plan:

A contingency plan identifying alternate plans in the case of weather or unforeseen impediments that may preclude the event from occurring on the approved date, where applicable.

(g) Parking Plan:

A parking plan identifying adequate parking spaces for persons attending the event by motor vehicle. Such parking areas shall be clearly marked, and the parking plan shall include restrictions to off-site parking and how they will be enforced.

(h) Emergency Response Plan

An Emergency Response Plan shall be submitted for review and approval by the Director of Emergency Management and Foothills Fire Department. The Emergency Response Plan may vary based on the size and scope of the event.

This plan will help to identify risk or potential risks, identify what measures need to be put in place for the protection and well-being of the public and participants attending the event, and identify roles and responsibilities. The plan shall be adhered to at all times.

(i) Traffic Management Plan:

A Traffic Management Plan submitted to the Approving Authority/Licensing Officer for review and approval identifying adequate ingress and egress to the event site and parking areas.

All necessary roads, driveways and entrance ways shall be provided to ensure the orderly flow of traffic into the site from a highway or road which is part of the provincial or municipal road system.

An emergency access way for fire equipment, ambulance and other emergency vehicles may be required in accordance with the Emergency Response Plan approved for the site. Any traffic control personnel required to manage traffic flow for the event will be at the expense of the applicant.

See Events held on County or Provincial Roads for events held on roadways.

(j) Fire Safety Plan:

A fire safety plan may be required for review and approval by Foothills Fire Department, depending on the nature of the event, to ensure that access for fire apparatus is maintained, and fire extinguishers are installed, and fire codes are met where applicable. The Applicant shall submit the Fire Safety Plan to the Approving Authority/Licensing Officer upon requests or the application may be deemed incomplete.

(k) Waste Management Plan:

A waste management plan, outlining the proposed plan for waste management, disposal and recycling on the property shall be submitted to the Approving Authority/Licensing Officer for review and approval.

All waste materials are to be handled and disposed of under guidelines provided by governing Provincial regulatory bodies, at an approved waste disposal and/or recycling site at the applicant's expense. There shall be no long-term storage of waste material on the property, nor burning of waste materials on the property.

(l) Water and Sanitation Facilities:

Information outlining details pertaining to the water and sanitation facilities proposed for the site, including a site plan showing the location, shall be submitted to the Approving Authority or Licensing Officer for review and approval.

Every applicant shall provide at their own expense, an ample supply of potable water for drinking and adequate sanitation facilities at the site of the event.

All water and sanitation facilities shall comply with the requirements of the Public Health Act pertaining to potable water and sanitation facilities for events of this nature.

(m) Camping:

Any camping in conjunction with an event requires approval by the Approving Authority/Licensing Officer. Details on the location of camping on the site, provisions for egress, and ingress to the site for emergency vehicles or quick evacuation, provisions for washrooms and washing stations shall be submitted as part of the complete application.

(n) Signage:

Temporary signage, whether directional or for advertising purposes, required for the event, must be submitted for review and must comply with the County's Land Use Bylaw and any regulations through Alberta Infrastructure and Transportation for signage on Provincial Highways if applicable.

Approvals from the Approving Authority/Licensing Officer and/or Alberta Transportation in accordance with the Land Use Bylaw are required and proof of such submitted prior to the event. No signage is permitted beyond the boundary of the lot without applicable approvals.

(o) Noise Control:

Applicants shall specifically identify if sound equipment and/or amplification are to be used as part of the special event. A detailed plan is required to be submitted for approval by the Approving Authority/Licensing Office, outlining the times it will be used including any testing of such equipment and detailing steps to be taken to ensure noise disturbance outside the site is minimized and noise is controlled within the site of the event.

The final approval will outline specific parameters for noise control as it relates to the permit on a case-by-case basis.

The Foothills County Community Standards Bylaw 45/2013 should be reviewed and acknowledged by the applicant.

(p) Illumination:

Applicants shall specifically identify the placement and type of lighting proposed for the special event.

The final approval will outline specific parameters for lighting and the placement of lighting as it relates to the permit on a case-by-case basis.

Every applicant planning to conduct a Special Event after dark or planning to allow persons who attend the Special Event to remain at the site after dark, shall provide electrical illumination to ensure that those areas which are occupied are appropriately lighted.

Consideration should be given to the type of lighting and placement of lighting to minimize any impact to adjoining lands or roadways.

(q) Temporary Structures/Use of Structures

Any temporary structures that are to be used in conjunction with the event shall be identified in the application and are subject to the appropriate permits and inspections prior to occupancy, at the discretion of the *County Safety Codes Officer* and *Foothills Fire Department*.

Requirements may include, but are not limited to, provision of specifications for the involved structures, plans for anchorage, and accessibility. All temporary structures shall be removed from the parcel within a prescribed time following completion of the event.

Temporary Structures/Use of Structures will require a fire inspection from the *Foothills Fire Department* prior to the date of the Special Event. It is the applicant's responsibility to ensure that the use, occupancy, supply of any buildings used in support of the event meets with the requirements of the Alberta Building, Safety Codes, and Fire Codes at all times.

(r) Food Concessions:

Information pertaining to any proposed food services on site shall be submitted as part of the application.

The applicant shall comply with the requirement of the **Public Health Act** pertaining to food regulations for event organizers and shall ensure any business or community group operating food service establishments by invitation and/or contract of the applicant comply with the requirements of the **Public Health Act** pertaining to food regulations for temporary food establishment operators, at their own expense.

Food trucks used on site do require a current (yearly) Fire Inspection Report from one of the Foothills Regional partners. The Foothills Fire Department will require an inspection of any concessions situated on the site prior to the Special Event.

Proof of the completed inspection by the Foothills Regional Food Truck Inspection Group, Alberta Health Services inspection, and a copy of the current annual Fire Inspection Report from one of the Foothills Regional partners for food trucks used on site shall all be submitted prior to the event.

(s) Alcoholic Beverages/Liquor Licences:

Details on any proposed service or sales of alcohol on site shall be included with the application.

All events involving Alcohol require an approved licence from the **Alberta Gaming Liquor & Cannabis Commission (AGLC)**. Applicants/event organizers wishing to sell or serve alcohol at an event will need to adhere to both provincial and municipal requirements and are responsible for applying and obtaining the appropriate liquor licence from AGLC.

A copy of such licences shall be provided to the County at least seven (7) days prior to the date of the event. The applicant will be required to provide the occupancy load to the Foothills Fire Department prior to the date of the Special Event. Where liquor is part of an event, Special Event Liability Insurance with host liquor liability rider will be required and shall be provided to the County at least fourteen (14) days prior to the date of the event.

(t) Consumption of Cannabis

This consumption of Cannabis is restricted in Foothills County in public places including on privately or publicly owned property which the public reasonably has or is permitted to have access to. Bylaw 43/2018 To Restrict the Consumption of Cannabis in Public Places within Foothills County (as amended from time to time) adopted in 2018 also pertains to Special Events requiring County approval.

(u) Fireworks/Pyrotechnics:

Details with respect to any proposed fireworks/pyrotechnics shall be submitted with the Special Event application.

Any proposal for fireworks/pyrotechnics in conjunction with an event will require a *Fireworks Permit from Foothills Fire Department*. An on-line Fireworks Permit, approved by a Fire Safety Code Officer is required and proof of such permit shall be submitted to the Approving Authority/Licensing Officer a minimum of 24 hours prior to the event.

(v) Inflatable and Amusement Devices

Applicants must indicate if they propose to have any inflatable amusement devices on site during the Special Event.

The applicants are required to ensure such devices meet or exceed applicable legislated requirements including, but not limited to, Alberta Elevating Devices & Amusement Ride requirements and are responsible for the safe setup, operation, supervision, and take-down of any/all inflatable and amusement devices.

(w) Drones

Any applicants wishing to fly drones as part of their Special event, either for entertainment or to take aerial photos during the event must include details with the application. Drone use is solely managed through **Transport Canada**. Transport Canada requires you to register your drone and apply for a Special Flight Operations Certificate prior to flying your drone. Proof of such approvals for the Special Event shall be submitted prior to the event.

(x) Events Held on Municipal Roads or Highways

A separate application and approval process is required for holding an event on County roads or highways. A completed "Application to Hold an Event on Highways and/or Municipal Roads in Foothills County" including maps and details of the event, rules and regulation provided to participants, spectators, and volunteers (if applicable), a traffic control plan and an emergency response plan for the event, must be submitted to the Foothills County Legislative Services department for review and approval at least 90 days prior to an event being held.

If your event takes place on provincial roads, approval from **Alberta Transportation** is also required prior to you receiving your special events permit from the County. Approval from Alberta Transportation takes 30 to 45 days. Alberta Transportation requires applicants to submit a separate "Special Events on Highways" application form.

(y) Neighborhood Consultation Report

Applicants are encouraged to communicate details of any special event with adjacent neighbors (at a minimum) when holding a special event. Where there may be a wider spread impact, such as impact to a portion of roadway by increased traffic/interruption of use of a roadway, or a greater area impacted by noise/nuisance, a larger area of notice/consultation may be requested by the Approving Authority/Licensing Officer. This consultation is intended to resolve any concerns that the community may have prior to the event taking place.

A report outlining details of the landowner consultation that includes, but is not limited to, a list of residents/landowners, and interested parties that were notified, an outline of the impacts and benefits relayed by interested parties, and how the proponent intends on addressing the matters, shall be provided to the County as part of the Development Permit Application or Special Event Licence application.

- 1) The following are required standards for notification/consultation with neighboring property owners/residents for Special Events:
 - (a) For special events with an expected attendance of 250 people or more, the County requires the applicant to inform and review the proposal with residents and landowners of parcels adjacent to the property(s) where the Special Event is held, and at the discretion of the Approving Authority /Licensing Officer, to those landowners who are situated along any County or Provincial roadways they feel are impacted by increased traffic or restricted use of the roadway caused by the event.
 - (b) For Special events with an expected attendance of 500 people or more, a larger area of notification/consultation may be required at the discretion of the Approving Authority/Licensing Officer.
 - (c) For any Special events where, in the opinion of the Approving Authority or Licensing Officer it is anticipated by the nature of the Special Event, that there may be a wider spread impact than adjacent lands by way of noise, traffic generation, or other nuisance, the County may require the applicant undertake notification/consultation with a larger area of landowners/residents.

Applicants may use their discretion on the method of consultation/notification used to consult with neighboring residents (for example but not limited to face-to-face discussions, organized meetings, mailouts). Please ensure that a method allowing feedback is made available to ensure that the consultation is deemed adequate by the County. A request may be made to have the County do a mail out to required area landowners, in which case pre-stuffed envelopes, sealed, and affixed with the applicable postage amount and a copy of the circulation letter and any attachments can be sent to the County for mailout for a fee in accordance with the Planning Services Fees.

The Licensing officer may require, at their discretion, the applicant to hold a public meeting to address the concerns of the adjacent landowners.

The Approving Authority/Licensing Officer may waive the above notification/consultation requirements if, in their discretion, they feel that notification/consultation is not required in a particular case due to the size, nature, or location of the Special Event.

2) Additional Requirements:

(a) Liability Insurance:

The applicant shall maintain acceptable Special Event Liability Insurance from the date of commencement of set up or assembly for the event until the date of completion of all related activities including event take down. The applicable Certificate of insurance must be provided to the Approving Authority/Licensing Officer at least fourteen (14) days prior to the start of the event.

Liability Insurance coverage shall include protection for the County against claims for all damages or injury, including death to any persons and provide coverage for damage to any property of the County or any other public or private property resulting from any act or omission on the part of the applicant or any of his or her servants or agents. Such insurance shall name the County as an additional insured. Special Event Liability Insurance shall be a minimum of:

- \$2 million Special Event Liability Insurance or
- \$5 million Special Event Liability Insurance in instances where there is higher degree of risk.

(b) Security Deposit:

The Approving Authority, may in their discretion, require the applicant pay a refundable security deposit, in a form acceptable to the County, in an amount deemed given the nature of the proposed event.

The security deposit may be used to rectify damage to a road or property, pay for maintenance, clean up, fire response or other charges related to the event, and/or to compensate the County for unpaid accounts accrued by the applicant or event organizer.

Security deposits required shall be paid at least fourteen (14) days prior to the event. Such surety will be refunded further to the completion of the event, once it has been confirmed that all responsibilities of the applicant have been fulfilled.

(c) Enhanced Policing:

The Approving Authority/Licensing Officer, Foothills Patrol, Foothills Emergency Management, or the Fire Chief may require the presence of enhanced police as a condition of the approval of a license or development permit should a need for additional policing be identified.

Should the event require policing resources to ensure order, protection of properties, traffic and/or crowd control or any other need that a police presence may be most appropriate to deal with, the applicant will be advised of the number of policing resources required.

A minimum of 90 days is required to process a request for enhanced policing for an event.

The applicant shall cover all expenses associated with enhanced policing at rates approved by Government of Alberta. The approved rates shall be deposited to the County a minimum fourteen (14) days prior to the specified date the Special Event is to occur.

(d) Peace Officers

The Approving Authority/Licensing Officer, Manager of Foothills Patrol, Foothills County Director of Emergency Management, or the Foothills County Fire Chief may require the presence of Peace Officers as part of the approvals process, should an identified need for additional policing be identified.

Should the event require Peace Officer resources to ensure order, protection of properties, traffic control or any other need that a Peace Officer presence may be most appropriate to deal with, the applicant will be advised of the number of Peace Officer resources required.

A minimum of 45 days is required to process a request for Peace Officers for an event. The cost associated for enhanced Community Peace Officer services is found in the Foothills County Rates and Fees Bylaw, as amended from time to time.

This applicant shall cover all expenses associated with the use of Community Peace Officers. The funds required as per approved rates shall be deposited to the County a minimum fourteen (14) days prior to the specified date the Special Event is to occur.

(e) Consultation/Addressing Concerns

Further to a review of the consultation report by the Approving Authority/Licensing Officer, additional consultation may be required, or conditions imposed to alleviate any concerns brought forward in the consultation, at the discretion of the Approving Authority/Licensing Officer.

(f) Communications:

The applicant may be required to establish a communication system for public use where ordinary communications are not available. The Approving Authority/Licensing Officer may require provision of proof of reliable mobile communications at the site of the event._

(g) Miscellaneous

The Approving Authority/Licensing Officer may impose such additional conditions as are reasonably required in order to protect the health, welfare and property of local residents and persons attending any event.

An applicant is responsible for complying with all relevant federal, provincial, and municipal legislation, policies, bylaws, regulations, safety requirements, and approvals applicable to any aspect of a Special Event.

The Licensing Officer may grant relief from any of the above requirements where it appears that such an action is in the best public interest. This ability to gain relief shall be limited to those items within the control of the Licensing Officer under the Special Events Bylaw xxxx and does not relieve the Applicant or Event Organizer from any conditions or requirements imposed by law, contract, or otherwise.

OFFENCE PENALTIES

Section	OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
13.1	Carrying-on a Special Event without a Special Event Licence or Development Permit when said event is required to obtain a licence or development permit approval.	\$300.00	\$500.00
13.1	Carrying-on an additional Special Event without obtaining an additional Special Event Licence or Development Permit when said event is required to obtain a licence or development permit approval.	\$300.00	\$500.00
13.2	Carrying-on a Special Event for which a Special Event Licence is required when the Licence has been revoked or suspended and has not been reinstated and for which an appeal has not been received by the County.	\$500.00	\$1000.00
13.3	Provide false or misleading information on an application	\$300.00	\$500.00
13.4 (b)	Carrying-on a Special Event without meeting all requirements and conditions of the approval on the Special Event Licence or Development Permit.	\$300.00	\$500;00
13.4 (d)	Failing to allow or obstructing a Licencing Officer or Peace Officer's inspection of a Special Event site where a Special Event that is Licenced or is the subject of an application for a Special Event is being Carried on.	\$300.00	\$500.00
13.8	Interfering or obstructing the Licensing Officer or a Peace Officer while they are conducting an investigation or taking any action under the authority of this Bylaw or the Municipal Government Act	\$500.00	\$1000.00

**APPENDIX B - PROPOSED BYLAW INCLUDING DRAFT AMENDMENTS TO THE
LAND USE BYLAW FOR SPECIAL EVENTS**

BYLAW XX/2023

BEING A BYLAW OF FOOTHILLS COUNTY TO AUTHORIZE
AMENDMENTS TO LAND USE BYLAW NO. 60/2014

WHEREAS pursuant to the provisions of the Municipal Government Act, Chapter M-26 Revised Statutes of Alberta 2000, and amendments thereto, the Council of Foothills County in the Province of Alberta, has adopted Land Use Bylaw No. 60/2014 and amendments up to and including those passed on December 17, 2014.

AND WHEREAS pursuant to Section 191(1) of the Municipal Government Act, Chapter M-26 Revised Statutes of Alberta 2000, the power to pass a bylaw under this or any other enactment includes a power to amend or repeal the bylaw.

AND WHEREAS Bylaw XX/2023 was introduced to Council to further amend the Land Use Bylaw by authorizing text amendments to Land Use Bylaw 60/2014 pertaining to Special Events as described within the attached Schedule 'A'.

1. This Bylaw shall have effect on the date of third reading.

FIRST READING: XXX

Mayor

Municipal Manager

SECOND READING: XXX

Mayor

Municipal Manager

THIRD READING: XXX

Mayor

Municipal Manager

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this
day of _____, 2023.

SCHEDULE A

PROPOSED AMENDMENTS TO THE LAND USE BYLAW PERTAINING TO SPECIAL EVENTS

DEFINITIONS:

The following definition shall be deleted:

SPECIAL EVENT shall mean any event or activity, whether indoors or outdoors, which is held at any place within the County and to which members of the public are invited or admitted, whether or not an admission fee is charged, but shall not include family gatherings, community-sponsored events such as Christmas parties, breakfasts, card parties, or other similar social functions. More information on special events can be found in the Special Events Bylaw 66/97” attached as Appendix H of this bylaw.

The following definitions included in the Special Events Bylaw shall be included in the Land Use Bylaw for consistency and clarity:

EVENT, PRIVATE – means an event or gathering, intended for guests by invitation only such as, but not limited to birthday parties, family reunions, family weddings, barbeques, or holiday celebrations and may include private corporate functions.

EVENT, PUBLIC means an event or gathering open to the general public, including but not limited to: Exhibitions, expositions, fairs, festivals, entertainment, cause-related awareness, fundraising, and leisure events.

NON-PROFIT ORGANIZATION means:

- a. a society, credit union, or cooperative established under federal or provincial legislation.
- b. a corporation that is prohibited from paying dividends to its members and distributing the assets to its members on a winding up; or
- c. any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.

PRIVATE CORPORATE FUNCTION means an event, held by a corporation or business for their staff, clients, or stakeholders, by invitation only, for the purposes of holiday parties, team building, etc.

REMEDIAL ORDER means an order written pursuant to Section 545 of the Municipal Government Act.

SPECIAL EVENT – an event, which, depending on the event type, location, and size, is sub-categorized either a minor or major special event as per the Special Events Bylaw as identified below:

MAJOR SPECIAL EVENT means a private or public event expected to have an attendance of 500 or more people. Due to the size and/or nature of the event, it may have a potential for higher degree of impact on neighboring properties by way of noise, traffic, and/or light pollution.

MINOR SPECIAL EVENT means an event which meets the following parameters:

- a. a public event expected to have an attendance of less than 500 people,
- b. a private event expected to have an attendance of more than 150 people but less than 500 people.
- c. private events, expected to have an attendance of more than 50 but less than 150 people, held on a site more than twice annually.

Due to the size and the nature of these events, they are expected to cause minimal nuisance or impact on neighboring properties by way of noise, traffic, and/or light pollution. An otherwise minor special event may be “upgraded” to a major special event if the nature of the event may cause additional impact or nuisance (i.e. a high intensity of animals or dogs are included as part of the event, noise, light pollution, or other potential impact on neighboring properties).

SPECIAL EVENT BYLAW means Bylaw xx/2023 for the regulation of Special Events in Foothills County as amended or replaced from time to time.

SPECIAL EVENT LICENCE means a licence for a special event in accordance with the Special Event Bylaw xx/2023.

VIOLATION TICKET means a notice or ticket in a form approved by the Council issued by the County allowing voluntary payment of a fine established under this bylaw or other County bylaws.

The definitions are amended as follows:

BYLAW ENFORCEMENT OFFICER means a person ~~who has been appointed by the County for the purposes of enforcing County Bylaws. under the provisions of the Foothills County Bylaw Enforcement Officer Bylaw number 23/2013, and as amended from time to time.~~ A Bylaw Enforcement Officer is, in the execution of their enforcement duties, a person responsible for the maintenance and preservation of the public peace and as such, is deemed to be a Peace Officer.

SECTION 4.2.1 NO DEVELOPMENT PERMIT REQUIRED

The following shall be added to Section 4.2.1 No Development Permit Required:

- 4.2.1.62 No Development Permit is required for any Special Event that is held at a site that has been specifically designed, built, and approved under an existing valid Development Permit, for hosting such events (for example Event Venue, Agricultural Society), and the said event is in compliance with the conditions of the permit. Any special events that exceed the approvals for the site, shall require additional Development Permit or Special Event License approvals in accordance with the Special Event Bylaw.
- 4.2.1.63 Where listed as a permitted use, no Development Permit is required for a Special Event, Minor, unless the Approving Authority determines that the event may have undue impact on neighboring properties. A Special Event License is required for all Special Events, Minor in accordance with the Special Events Bylaw XX/23.
- 4.2.1.64 No Development Permit is required for a Special Event that has been issued a Special Event License except for:
 - a. a Minor Special Event, with an expected attendance of more than 150 people, held on a property more than twice annually.
 - b. Where development ancillary to the Special Event itself requires a Development Permit under the Land Use Bylaw.
- 4.2.1.65 No Development Permit is required for a Special Event exempt from a Special Event License in accordance with Bylaw XX/23.

- 4.2.1.66 No Development Permit is required for any Special Event hosted by the County or authorized by the County pursuant to the terms of a lease, license, or facility rental agreement, on lands owned or controlled by the County.
- 4.2.1.67 Any Special Event hosted by school officials or affiliated group, held on lands owned or controlled by a local school board.

Where Special Events are exempt from the requirement of a Development Permit, the County may rely on the Special Events License process to ensure that the event meets the requirements of the County in accordance with the Special Events Bylaw xx/23.

The following section of 4.2.1 pertaining to signage shall be amended to read as follows:

- 4.2.1.45 Temporary signs (no more than 14 days) with an area of less than 1.0 sq. m. (11 sq. ft.) intended to advertise any local event being held for charitable purposes, **or for a special event that has been approved by Development Permit or Special Event Licence or is exempt from requiring a Development Permit or Special Event License. which may be religious, education, cultural, political, social or recreation, but** (not for commercial purposes).

SECTION 9.26 OF THE LAND USE BYLAW AMENDED TO READ AS FOLLOWS:

- 9.26.1 No person shall operate, maintain, hold, conduct, promote or advertise a Special Event in the County unless they have first obtained **a the applicable Development Permit and or Special Event Permit License** from the County in respect of such **activity event**.
- 9.26.2. Special Events must be **conducted** in accordance with Bylaw ~~11/97~~ **XX/23** for the regulation of “Special Events” included as Appendix H of this bylaw.
- 9.26.3 A Development Permit is required for all Special Events not exempt under Section 4.2.1 “No Development Permit Required” of this Bylaw. It is the landowner’s/applicant’s responsibility to ensure they have obtained all necessary permits and Special Event Licenses.

Where special events are exempt from the requirement of a Development Permit, the County shall rely on the special events license to ensure that the event meets the requirements of the County.

- 9.26.4 A Special Event Licence is required for all Special Events not requiring a Development Permit unless listed as exempt from a Special Event Licence in accordance with the Special Events Bylaw XX/23.
- 9.26.5 Notwithstanding Section 9.26.3 to 9.26.4, the County may require a Special Event Licence or Development Permit, where it is determined by the Licensing Officer that any special event, due to the size and nature of the event, may have undue impact on neighboring properties. (for example where animals or dogs involved with the event are brought to the site, or the event involves nuisance outside of what is expected under the defined level of special event).
- 9.26.6. Special Events held on County or Provincial Road rights of ways must apply for approval through the County’s Legislative Services Department by submitting a completed “Application to hold an event on Highways and/or Municipal Roads in Foothills County” at least 90 days before the event. A Traffic Safety Plan may also be required for approval by Public Works. Where events are held on or impacting Provincial Highways, you may require an additional approval from Alberta Transportation and Economic Corridors.

- 9.26.7 Special Events may require approval by other municipal, provincial or federal jurisdictions depending on the nature of the event. The landowner/applicant is responsible for complying with all relevant municipal, provincial, or federal legislation, policies, bylaws, regulations, safety requirements, and approvals applicable to any aspect of a Special Event.
- 9.26.8 The Approving Authority may impose such conditions on the Special Event that he/she in his/her discretion, reasonably determine as being necessary to protect the health, safety, welfare and property of the Special Event Attendees, County residents and/or member of the public. Schedule A of the Special Event License Bylaw, attached as Appendix H of this Bylaw, includes a list of conditions that may be required on a Special Event depending on the scale and nature of the event.

Major Special Events

- 9.26.9 Where Special Event, Major is not listed as a use under the current land use district, for a parcel where such an event is proposed, a bylaw must be enacted to redesignate the lands to an appropriate land use district prior to the development authority considering the development permit.
- 9.26.10 Development permit applications for Special Event, Major shall be made to the Approving Authority on the prescribed Development Permit Application form with accompanied Declaration of Understanding and the necessary application fee outlined in the Foothills County Fee Bylaw a minimum of ninety (90) days prior to the proposed date of the event.

Minor Special Events

- 9.26.11 Applications for Special Event Licenses for a Special Event, Minor shall be made to the Licensing Officer on the prescribed Special Event Application form with accompanied Declaration of Understanding and the necessary application fee outlined in the Foothills County Fee Bylaw a minimum of forty-five (45) days prior to the proposed date of the event in accordance with the Special Event Bylaw XX/23.
- 9.26.12 Application for Special Event Licenses will be processed in accordance with the Special Event Bylaw XX/23 (Appendix H to this Bylaw)

APPENDIX H

Appendix H will be replaced with the updated Bylaw XX/23 for Special Events

The following chart will be added to Section 9.26 for information:

MAJOR SPECIAL EVENT	
Development Permit	<ul style="list-style-type: none"> • Development Permit required where Special Event is listed as a use • Redesignation to Direct Control District #35 – Event Venue may be required in advance of a Development Permit where a special event is not listed as a use in existing land use district.
Special Event License	No Special Event License is required where a Development Approval for the Special Event (s) has been approved, unless the Special Event is in excess of the events allowed under the Development Approval.
Attendance	Public or Private Event with expected attendance of 500 or more people.
Nuisance	Due to the size and/or nature of the event, it may have potential to cause a higher degree of nuisance or impact on neighbouring properties by way of noise, traffic and or light pollution during the event.
Camping	Camping may be permitted subject to approval by the Approving Authority.
Parking	Parking plan to be approved by Approving Authority.
Signage	Temporary signage is permitted subject to approval by the Approving Authority prior to the event in accordance with the Land Use Bylaw.
MINOR SPECIAL EVENT	
Development Permit	No Development Permit required (in accordance with Section 4.2.1. of the Land Use Bylaw and Special Event Bylaw XX/32.)
Special Event License	Special Event License required in accordance with the Special Event Bylaw.
Attendance	<ul style="list-style-type: none"> • <u>Public Event</u> expected to have an attendance of less than 500 people. • <u>Private event</u> expected to have an attendance of more than 150 people but less than 500 people. • More than two (2) <u>private events</u> on a property annually with expected attendance of more than 50 people but less than 150 people.
Nuisance	Due to the size and/or nature of the event, it is expected to cause minimal nuisance or impact on neighbouring properties by way of noise, traffic and or light pollution during the event.
Camping	Camping may be permitted subject to approval by the Licensing Officer.
Parking	Parking plan to be approved by Licensing Officer.
Signage	Temporary signage is permitted subject to approval by the Licensing Officer prior to the event in accordance with the Land Use Bylaw.
See Bylaw XX/23 for further details on requirements and conditions for Special Events.	

The following highlights the uses included within land use districts within the Land Use Bylaw:

Red – Added Special Event as a use

Black – Already exist as a use

SPECIAL EVENT AS A USE IDENTIFIED UNDER LAND USE DISTRICTS		
LAND USE DISTRICT	PERMITTED	DISCRETIONARY
Agricultural Agricultural Business	Special Event, Minor	Special Event Special Event, Major
County Residential	Special Event, Minor	Special Event, Major
Cluster Residential Country Estate Residential District Residential Community Residential Multi-Family Residential Manufactured Home	Special Event, Minor	
Highway Commercial Industrial Edge Recreation District Service District Municipal Land/Reserve	Special Event, Minor	Special Event Special Event, Major
Business Park Community Commercial Rural Business	Special Event, Minor	Special Event, Major
Hamlet Industry General Industry Natural Resource Extraction Low Intensity Industry	Special Event, Minor	Special Event, Major
Open Space District Environmental Protection	Special Event, Minor	Special Event, Major
Public Utility Federal/Provincial Jurisdiction	Special Event, Minor	Special Event, Major
All DC District not noted below	Special Event, Minor	Special Event, Major
DC#35 Event Venue	Special Event, Minor Special Event, Major	Special Event
DC#1 Spruce Meadows	Special Event, Special Event, Minor Special Event, Major	
DC#8 Telecommunication facilities DC#12 NE 29-18-02 – Gas Plant DC#28 Waste Management	None	None
All other DC Districts	Special Event, Minor	Special Event, Major

APPENDIX C - CURRENT SPECIAL EVENTS BYLAW 66/97

BYLAW NO. 66 /97

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 TO AUTHORIZE AMENDMENTS TO BYLAW 11/97 FOR THE LICENSING AND REGULATION OF SPECIAL EVENTS

WHEREAS pursuant to the provisions of the Municipal Government Act, Chapter M-26.1, 1994, and amendments thereto, the Council of the Municipal District of Foothills No. 31 in the Province of Alberta, has adopted Bylaw 11/97,

AND WHEREAS the Council of the Municipal District of Foothills No. 31 now deems it desirable to amend Bylaw 11/97;

NOW THEREFORE THE COUNCIL ANACTS AS FOLLOWS:

1. Bylaw No. 11/97 is amended by this Bylaw.
2. Bylaw No. 11/97 is amended to read as follows:

" BYLAW NO. 66/97

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 FOR THE LICENSING AND REGULATION OF SPECIAL EVENTS

Pursuant to the Municipal Government Act, being Chapter M26-1, R.S.A. 1994 and amendments thereto, the Council of the Municipal District of Foothills No. 31 in the Province of Alberta, duly assembled, hereby enacts as follows:

1. Purpose:
The purpose of this Bylaw is to license and regulate Special Events in the Municipal District of Foothills No. 31.
2. Definition In this Bylaw:
 - (1) "Special Event" shall mean any event or activity, whether indoors or outdoors, which is held at any place within the municipality and to which members of the public are invited or admitted, whether or not an admission fee is charged, but shall not include family gatherings, community-sponsored events such as Christmas parties, breakfasts, card parties, or other similar social functions.
 - (2) "Special Event License" shall mean a license issued pursuant to this bylaw in respect of a Special Event.
 - (3) "Council" means the Council of the M.D. of Foothills No. 31;
 - (4) "Health Officer" means the Medical Officer of Health appointed by the local Board of health or by the Board of a Health Unit as the case may be, or a person designated by the Medical Officer of health, or where no Medical Officer of Health has been appointed the local Board of Health or the Board of a Health Unit as the case may be or such person as is designated by the local Board of Health or the Board of a Health Unit,
 - (5) "Licensee" means a person who has applied for an obtained a license to operate a Special Event pursuant to this Bylaw;
 - (6) "Licensing Officer" means the Council or such person as Council may designate;
 - (7) "Municipality" means the Municipal District of Foothills No. 31.
 - (8) "R.C.M.P." means the Royal Canadian Mounted Police.
 - (9) "Supervisor of Medical Services" means the Supervisor appointed by the local hospital Board designated to oversee Ambulance Services for the area;

3. No person shall operate, maintain, hold, conduct, promote or advertise a Special Event in the municipality unless he or she has first obtained a Special Event License from the Licensing Officer in respect of such Special Event.

The Licensing Officer shall not issue a Special Event License in respect of a proposed Special Event unless a development permit has been issued pursuant to the Land Use Bylaw covering the proposed Special Event.

4. Applications for a Special Event License shall be made to the Licensing Officer in writing **a minimum of** 120 days prior to the proposed date of the Special Event and shall be accompanied by filing and application fees as follows:

	Filing Fee	Application Fee
Up to 500 people	\$35.00	\$ 200.00
501 - 2,500 people	\$35.00	\$ 500.00
2,501 - 10,000 people	\$35.00	\$1,000.00
10,001 plus	\$35.00	\$2,500.00"

The filing fee shall be non-refundable. The application fee will be refunded if the Special Event License is not issued but is otherwise non-refundable:

and shall contain the following information:

- (a) The name, age, residence, and mailing address and telephone number or numbers of the person making such application. 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) A written statement of the kind, character, or type of Special Event which the applicant proposes to conduct, operate, or carry on.
- (c) The address or legal description of property where the proposed Special Event is to be conducted, operated, or carried on. Additionally the applicant shall submit proof of ownership of the place where the Special Event is to be conducted or a statement signed by the owner of the premises indicating his or her consent that the site be used for the proposed Special Event.
- (d) The date or dates and the hours during which the Special Event is to be conducted.
- (e) An estimate of the number of customers, spectators, participants, and other persons expected to attend the Special Event for each day it is conducted.
- (f) The names and addresses of anyone contributing, investigating, or having financial interest greater than \$500.00 in producing the Special Event.
- (g) A financial statement to give assurance of the ability of the applicant to meet the conditions of the licence being applied for.
- (h) A detailed written explanation of the applicant's plans to provide security and fire protection, water supplies and facilities, sewage and drainage facilities, food supplies and facilities, sanitation facilities, First Aid facilities and service, vehicle parking space , vehicle access, policing and on site traffic control and, if it is proposed or expected that the spectators or participants will remain at night or overnight , the arrangements for illuminating the premises and for camping or similar facilities. The applicant's plan shall include what provisions shall be made for the numbers of spectators in excess of the estimated, provisions for the clean up of the premises and provisions for the removal of rubbish after the Special Event has concluded. A plot plan showing the arrangement of the facilities, including those for parking, egress, ingress, shall be submitted with such application.

5. Every applicant for licence shall be accompanied by a surety, in a form acceptable to the municipality, in amount not less than Ten Thousand Dollars (\$10,000.00) to cover any claims which might be brought against the municipality for any reason as a result of the Special Event being held within the municipality; such surety to return to the applicant(s) when the municipality deems there will be no such claim forthcoming.
6. Every person applying for a licence pursuant to this Bylaw shall satisfy the Licensing Officer and Health Officer that he or she is able to meet the conditions and requirements set out of this Bylaw.
7. Every Special Event Licence shall be subject to the following conditions and requirements which shall be complied with at all times by the Licensee:
 - (a) Security protection: Every licence shall provide at his own expense security protection. This shall include the provisions of a minimum of one security officer for every 100 persons expected to be in attendance.
 - (b) Water and sanitation facilities: Every licence shall provide an ample supply of portable water for drinking and sanitation purposes at the site of the Special Event. The minimum supply of water to outdoor Special Events shall be 68 litres of water for each person in attendance per day. All water shall meet Canadian Drinking Water Standards. Public and private flush-type water closes, lavatories and drinking facilities and sewage and drainage systems and items incidental to the operation of the foregoing shall be required as determined by the Health Officer.

This condition shall only be deemed to have been met where the Health Officer has accepted such arrangements as satisfactory.

- (c) Food Concessions: Where the site of the proposed Special Event is more than 200 metres distant from public eating places, food handling places or like establishments, the applicant shall provide such food facilities as may be required by the Health Officer to adequately provide food services to those persons attending the Special Event.
- (d) Every Licence shall be required to furnish such trash cans and garbage receptacles as may be required by the Health Officer. An adequate supply of plastic bag liners to fit the trash cans shall be provided and each container shall at all times have a plastic bag liner inserted. The pickup and removal of trash, refuse, garbage and rubbish shall be at least once a day or more often as required by the Health Officer. A signed contract with a licensed refuse collector shall be submitted and filed with the Health Officer. The removal of all trash and refuse shall be at the licensee's expense.
- (e) First Aid facilities: The licensee shall consult directly with the Supervisor of Medical Services to address their specific Medical Service needs and shall provide such First Aid facilities at the site of the Special Event as may be required by the Supervisor of Medical Services.
- (f) Policing: The licensee shall consult directly with the local Royal Canadian Mounted Police when planning special events and shall provide necessary policing for the event as required by them. Once an agreement and budget have been established for a special event, a Letter of Agreement between the Municipal District of Foothills No. 31 and the Province of Alberta will be drafted to cover the "recovery" of overtime costs incurred by members of the R.C.M.P. whilst providing Police services for the event. These monies from the licensee shall be deposited with the M.D. of Foothills No. 31, no later than three weeks prior to the event being held.

- (g) **Parking areas:** Every licensee shall provide adequate parking spaces for persons attending the Special Event by motor vehicle. The licensee may be called upon to provide a separate parking space for every two persons expected to attend the Special Event by motor vehicle. Such parking areas shall be clearly marked. The Licensing Officer shall approve an applicant's "parking plan" before a license shall be issued.
 - (h) **Access and parking control:** The Licensee shall provide adequate ingress and egress to the Special Event site and parking areas. All necessary roads, driveways and entrance ways shall exist to ensure the orderly flow of traffic into the premises from a highway or road which is part of the highway system or which is a highway maintained by the municipality. A special access way for fire equipment, ambulances and other emergency vehicles may be required. The Licensing Officer shall approve the licensee's plan for ingress and egress before a license shall be issued. Additionally, any licensee may be required to show that traffic guards are under his or her employ to insure orderly traffic movement and relieve traffic congestion in the vicinity of the Special Event area.
 - (i) **Hours of operation:** All Special Events which are subject to a licence pursuant to the provisions of this Bylaw shall close and cease operation continuously between the hours of 2:00 A.M. and 6:30 A.M. of each and every day.
 - (j) **Communications:** The applicant shall be required to establish a communication system for public use where ordinary communications are not available. The Licensing Officer may require a provision of a mobile phone at the site of the Special Event.
 - (k) **Miscellaneous:** The Licensing Officer may impose such additional conditions as are reasonably required in order to protect the health, welfare and property of local residents and persons attending Special Events.
8. A licence shall comply with all relevant federal, provincial or municipal laws existence.
9. The Licensing Officer may grant relief from any of the above requirements where it appears that such an action is in the best public interest. This ability to grant relief shall be limited to those items within the control of the Licensing Officer under this Bylaw and does not relieve the licensee from any conditions or requirements imposed by law, contract, or otherwise.
10. Any person who:
- (a) operates, maintains, holds, conducts, promotes or advertises a Special Event within the municipality without first having obtained a Special Event Licence; or
 - (b) having obtained a Special Event Licence fails to comply with the conditions set out in this Bylaw or attached to the Licence;

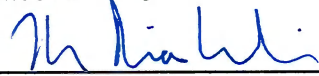
is guilty of an Offence and is liable on conviction to a fine of no more than \$2,500.00 and not less than \$1,500.00 and in addition, to a fine of no more than \$2,500.00 for every Offence that continues, and in default of payment, to imprisonment for a term not exceeding 30 days."

11. This Bylaw shall have effect on the date of its third reading.

FIRST READING: June 12, 1997



Reeve




Municipal Manager

SECOND READING: June 12, 1997



Reeve



Municipal Manager

THIRD READING: June 12, 1997



Reeve



Municipal Manager

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this 12th day of June, 1997.