

CONSOLIDATED FOR CONVENIENCE ONLY

**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1247-2012**

A bylaw of the Squamish-Lillooet Regional District to provide for the regulation of special events.

WHEREAS it is deemed advisable to provide adequate health, sanitation, vehicle control and security for persons attending special events, and for the adequate protection of the quiet, peace, rest, enjoyment, comfort and convenience of the general public; [Amendment Bylaw No. 1291-2013]

AND WHEREAS the Regional District may regulate a function, gathering, or entertainment;

AND WHEREAS the Regional District may impose a permit charge for any function, gathering, or entertainment for which a fee is intended to be charged; [Amendment Bylaw No. 1291-2013]

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

NOW THEREFORE, the Board of the Squamish-Lillooet Regional District, in open meeting assembled, enacts as follows:

SECTION 1 APPLICATION

1.1 This bylaw applies to Special Events held in all the electoral areas of the Squamish-Lillooet Regional District.

SECTION 2 DEFINITIONS

2.1 For the purpose of this bylaw, the following words or expressions are defined:

“Board” means the Board of the Squamish-Lillooet Regional District.

“Class I Special Event” means a Special Event having an attendance of two hundred (200) or more people and less than five hundred (500) people, or any Special Event the Regional District expects will have an attendance of two hundred (200) or more people and less than five hundred (500) people.

“Class II Special Event” means a Special Event having an attendance of five hundred (500) or more people and less than one thousand (1,000) people, or any Special Event the Regional District expects will have an attendance of five hundred (500) or more people and less than one thousand (1,000) people.

“Class III Special Event” means a Special Event having an attendance of one thousand (1,000) or more people, or any Special Event the Regional District expects will have an attendance of one thousand (1,000) or more people.

“Fee” means any consideration paid, transferred, exchanged, assigned, or acknowledged, or to be paid, transferred, exchanged, assigned, or acknowledged. [Amendment Bylaw No. 1291-2013]

“Medical Health Officer” means a person designated as a medical health officer under the *Public Health Act*, S.B.C. 2008, c. 28.

“Permit” means a permit issued by the Regional District.

“Permit Holder” means a person holding a permit issued by the Regional District.

“Regional District” means the Squamish-Lillooet Regional District.

“Special Event” means any public assembly, show, exhibition, carnival, fair, concert, rave, vehicular race, parade, sporting event, performance or other event attended by, or which may reasonably be expected to be attended by, more than 200 people, and which may occur on one day or on consecutive days
[Amendment Bylaw No. 1291-2013]

“Special Event Permit” means a permit granted by the Regional District pursuant to the provisions of this bylaw.

SECTION 3 GENERAL

3.1 If the Regional District has reason to believe that more than two hundred (200) people are expected to attend at any location with respect to a Special Event within the Regional District, the Regional District may give notice in writing to any or all of the owners or occupiers of the lands upon which the Special Event is to be held, or the promoters of the Special Event, requesting any or all of them to apply for a Special Event Permit to hold a such Special Event and to comply with the provisions of this bylaw. [Amendment Bylaw No. 1291-2013]

3.2 Notwithstanding section 3.1 and the definition of Special Event, an application may be made for a Special Event Permit for an event not expected to exceed 200 people and upon application to the Regional District, the event shall be deemed to be a Class I Special Event herein for the purposes of this bylaw, to which all provisions of this Bylaw, including section 4.1 vii) a), shall be applicable. Nothing herein requires any such Special Event to be granted a Special Event Permit. [Amendment Bylaw No. 1291-2013]

3.3 Non-consecutive dates shall constitute separate Special Events. [Amendment Bylaw No. 1291-2013]

SECTION 4 APPLICATION REQUIREMENTS

4.1 An application, in writing, for a Permit to hold a Class I, II, or III Special Event shall be made to the Regional District office not less than Sixty (60) days, nor more than Two Hundred and Seventy (270) days, before the first day on which such a Special Event is to be held. An application for a Class I, II, or III Special Event permit shall:

- i) state the legal description of the property (or properties) at which the Special Event is to occur
- ii) state the name, address and telephone number of the promoter of the Special Event and the name, address, and telephone number of the owner or occupier of the property (or properties) at which the Special Event is to take place
- iii) the dates of the Special Event including setup and teardown
- iv) the total number of expected spectators and participants including volunteers
- v) include a sketch plan of the property showing the following:

- a) the location and use of existing structures
 - b) the location and use of any temporary structures proposed for the Special Event including any temporary seating arrangements which may be proposed
 - c) the location and size of parking areas
 - d) the location, number and arrangement of washrooms and other sanitation facilities
 - e) the location, size, and nature of garbage disposal, recycling, and composting containers
 - f) the location, size, and nature of domestic water dispensing facilities
 - g) the location of cooking facilities and other food and drink preparation, if such are proposed
 - h) the location of first aid sites and equipment
 - i) the location of any water body within 30 metres of the proposed site
 - j) where a Special Event is to occur on more than one property, a sketch plan showing a) to i) above is required for each property
- vi) be accompanied by a statement describing the proposed arrangements for the following:
- a) access and egress to and from the Special Events site(s)
 - b) security and crowd control
 - c) fire protection, this shall include a copy of the applicant's letter and fire plan as sent to the Provincial Wildfire Management Branch
 - d) first aid
 - e) water supply systems as defined by the Drinking Water Protection Act
 - f) sanitary facilities
 - g) garbage, recycling, wastewater, and organics collection and removal, and consideration of Bear Smart guidelines
 - h) food premises including offsite storage of food and food related equipment, cold storage and ice trucks
 - i) emergency medical facilities
 - j) source of heat for cooking facilities (if any)
 - k) power to support all of the above
 - l) land disturbance, dust and sediment control
 - m) noise control to protect the quiet, peace, rest, enjoyment, comfort and convenience of neighbouring residents and the general public
- vii) if the applicant, or the owner or occupier of the lands on which the Special Event is intended to take place, intends to charge a Fee, directly or indirectly, for persons to participate in or attend the Special Event, the application must be accompanied by a payment of:
- a) \$100 for a Class I Special Event
 - b) \$200 for a Class II Special Event
 - c) \$300 for a Class III Special Event
 - 1) plus \$100 for every one thousand (1,000) participants or any part thereof between two thousand (2,000) participants and ten thousand (10,000) participants.
 - 2) plus \$200 for every one thousand (1,000) participants or any part thereof between ten thousand (10,000) participants and twenty thousand (20,000) participants.
 - 3) plus \$300 for every one thousand (1,000) participants or any part thereof over twenty thousand (20,000) participants.
- viii) comply with any requirements, permits or approvals from the SLRD Building Department, the BC Safety Authority, the Liquor Control and Licensing Branch of the Provincial government and the B.C. Agricultural Land Commission, if applicable. [Amendment Bylaw No. 1291-2013]

4.2 All applications for a Class I, II, or III Special Event shall be accompanied by the following:

- i) written approval from the registered owner and occupier of the land(s) upon which the Special Event is to be held;

- ii) written confirmation from the Medical Health Officer responsible for the area in which the Special Event is to be held, that he or she is satisfied with arrangements relating to public health;
- iii) written undertaking by the applicant to indemnify and save harmless the Regional District and its directors, officers, servants, agents, employees, contractors, subcontractors, and others from and against all costs, losses, damages, compensation, claims, demands, actions, judgments and expenses, including actual legal expenses of every kind, description and nature whatsoever, in any way connected with or arising from the Special Event, in whole or in part, including but not limited to, any death or injury to persons or property loss or damage resulting from any acts or omissions of the Permit Holder, its directors, officers, servants, agents, employees, contractors, subcontractors and others, or that would not have occurred but for the use or occupation of the property by the Permit Holder;
- iv) where an event is multi-jurisdictional, confirmation of extra-jurisdictional approval(s).
[Amendment Bylaw No. 1291-2013]

4.3 In addition to the requirements of Section 4.1 and 4.2, applications for Class II and III Special Events shall be accompanied by the following:

- i) written confirmation from the Royal Canadian Mounted Police (RCMP) officer or designate in charge of the area(s) in which the Special Event is to be held, stating that they are satisfied with arrangements relating to public order and security;
- ii) written confirmation from the Ministry of Transportation & Infrastructure stating that they are satisfied with arrangements relating to access to the Special Events site(s);
- iii) if access will be from a forest service road, then written confirmation from the Ministry of Forests, Lands, and Natural Resource Operations stating that they are satisfied with arrangements relating to access to the Special Events site(s).

SECTION 5 SECURITY

- 5.1 The Regional District will require as a condition of granting a Class II or III Special Event Permit, the posting of a security by the owner or occupier of the premises, or by the person or persons holding the Special Event.
- 5.2 An application must be accompanied by a security deposit in the form of cash or a standby irrevocable letter of credit in the amount of:
 - i) \$5,000.00 for a Class II Special Event
 - ii) \$10,000.00 for a Class III Special Event. [Amendment Bylaw No. 1291-2013]
- 5.3 The Regional District may set a higher or lower amount for the security required in subsection 5.2 if the Regional District believes that the scope, scale, and nature of the proposed Special Event creates an increased or decreased risk of damage to persons, land and property. [Amendment Bylaw No. 1291-2013]
- 5.4 Subject to section 5.5, the Regional District will hold any security deposit for a maximum of 30 days following the conclusion of the Special Event, at which time the Regional District shall return the security or such portion of the security not returned under subsection 5.5. [Amendment Bylaw No. 1291-2013]

- 5.5 If, in the opinion of Regional District, the Special Event causes damage or results in the Regional District incurring financial costs and expenses for the cleanup, repair, reconstruction or replacement of any public place or Regional District property which is not remedied immediately upon demand, the Regional District may from time to time draw down on the security posted to the extent of any cost incurred or expected to be incurred by the Regional District in connection with the cleanup, repair, reconstruction, or replacement, including but not limited to legal costs on a solicitor and own client basis. [Amendment Bylaw No. 1291-2013]
- 5.6 For the purposes of Section 5, damage caused by the Special Event includes, but is not limited to, damage caused by a participant or spectator at the Special Event. [Amendment Bylaw No. 1291-2013]

SECTION 6 INSURANCE

- 6.1 As a condition of granting a Class I, II, or III Special Events Permit, the Regional District will require proof of insurance to cover the agreement to indemnify and save harmless the Regional District, as follows:
- i) A. Class I: Commercial General Liability of \$2,000,000 minimum per occurrence in Canadian funds;
B. Class II & III: Commercial General Liability of \$5,000,000 minimum per occurrence in Canadian funds;
 - ii) the document must include a cross liability clause;
 - iii) the following must be “named insured” included in the coverage:
Squamish-Lillooet Regional District;
 - iv) 30 days prior written notice of cancellation or material change.
- 6.2 If the Regional District believes the nature of the proposed Special Event creates an increased risk of injury or death to participants or spectators, or an increased risk of damage to property, the Regional District may require the applicant to provide additional insurance coverage. [Amendment Bylaw No. 1291-2013]

SECTION 7 COSTS, CHARGES AND EXPENSES

- 7.1 All costs, charges and expenses whatsoever incurred in meeting the requirements of this bylaw shall be borne by the applicant. [Amendment Bylaw No. 1291-2013]

SECTION 8 POWERS OF THE REGIONAL DISTRICT

- 8.1 Where the Regional District considers that because of the nature of the proposed Special Event, including but not limited to, considerations as to the:
- i) small number of participants;
 - ii) small number of spectators;
 - iii) minimal need for traffic control, crowd control, security or parking;
 - iv) minimal need for emergency services and personnel;
 - v) few anticipated community impacts;

vi) proposed dates and times of the Special Event; or

vii) proposed route and use of public places.

An applicant may be exempted from providing some or all of the information and materials prescribed in Sections 4, 5, or 6 of the bylaw.

- 8.2 In addition to the requirements set out in sections 4, 5 and 6 of this bylaw, the Regional District may impose one or more of the following conditions as part of the Special Event Permit:
- i) A. the form, content, means and extent of notice to potentially affected owners and occupiers surrounding the Special Event property including, without limiting the generality of the foregoing, any one or more of the following:
 - 1. highway signage at or near the entrance to the lands on which the proposed Special Event is to be held, indicating the dates and times of the Special Event;
 - 2. copies of the Special Event Permit, or the application therefor, or both, to be posted at or near:
 - (a) the entrance to the lands on which the Special Event is to be held;
 - (b) any other public place designated by the Regional District within the electoral area in which the Special Event is to be held;
 - 3. where the applicant has a website, publishing the details of the proposed Special Event on such website;
 - 4. publication of the Special Event Permit, or the application therefor, or both, on the website of the Regional District;
 - 5. mailing copies of the Special Event Permit, or the application therefor, or both, to potentially affected owners and occupiers surrounding the Special Event property; and
 - 6. such further and other reasonable notice to potentially affected owners and occupiers surrounding the Special Event property as may, in the opinion of the Regional District, be reasonable in the circumstances.
 - B. the permitted venue(s) or route(s), or both, of the Special Event;
 - ii) A. the maximum permitted number of days on which the Special Event may be held;
 - B. the permitted dates and times of the Special Event, including restrictions or conditions placed on any planned activities of the Special Event within the dates and times specified and in accordance with this section;
 - iii) the maximum permitted number of participants or spectators or both;
 - iv) the procedures required to be in place to address access and egress to and from the Special Event for participants, spectators, event personnel, and emergency medical, police, and fire vehicles, equipment and personnel;
 - v) the number and qualifications of emergency medical personnel and equipment that must be available during the Special Event;
 - vi) the number and qualifications of traffic control and security personnel and equipment that must be available during the Special Event;
 - vii) the procedures required to be in place to address traffic control, traffic direction and safety concerns;
 - viii) the procedures required to be in place to address crowd control and security concerns;

- ix) limitations on noise permitted during the Special Event, including limitations on noise permitted and limitations on planned activities which may produce noise during any specified times of the Special Event;
- x) such reasonable terms and conditions as are, in the opinion of the Regional District, reasonably necessary to protect the safety, health, welfare and property of the participants and spectators of the Special Event and the safety, health, welfare, property, quiet, peace, rest, enjoyment, comfort and convenience of the general public. [Amendment Bylaw No. 1291-2013]

8.3 The Regional District upon being satisfied as to compliance with the provisions of this bylaw, including any Special Event specific conditions imposed by the Regional District, may issue a Special Event Permit for the holding of a Special Event and may stipulate that such Permit is contingent upon receipt of any outstanding documents or approvals required by this bylaw. [Amendment Bylaw No. 1291-2013]

8.4 The Regional District may refuse to issue a Special Event Permit if:

- i) the applicant has not submitted all the information and the written confirmation required in Sections 4, 5, and 6;
- ii) the applicant has submitted false or misleading information;
- iii) the issuance is prohibited by, or contrary to, another bylaw, act, or regulation, or applicable authorizing agency;
- iv) the applicant is not in compliance with all the provisions of this bylaw;
- v) the quiet, peace, rest, enjoyment, comfort and convenience of neighbouring residents cannot be adequately protected by the applicant's proposed arrangements pursuant to section 4.1(vi)(m) herein, nor by any conditions that may be imposed by the Regional District pursuant to section 8.2 of this bylaw; or
- vi) the nature of the proposed Special Event creates an increased risk of injury or death to participants or spectators, or an increased risk of damage to property which cannot be adequately addressed for the Regional District by way of additional insurance coverage from the applicant pursuant to section 6.2 of this bylaw.

[Amendment Bylaw No. 1291-2013]

8.5 Where the Regional District considers that an applicant for a Special Event Permit is unlikely to be able to meet the requirements of this bylaw or the specific conditions of a Special Event Permit imposed pursuant to sections 5.3, 6.2 and 8.2, or any of these sections, or has breached the conditions of this bylaw or the conditions of a current or previous Special Event Permit, the Regional District may refuse to issue, or may revoke, the Special Event Permit.

[Amendment Bylaw No. 1291-2013]

8.6 The Board delegates to the Chief Administrative Officer of the Regional District the authority, on behalf of the Regional District, to:

- i) exempt an applicant from having to provide some or all of the information and materials prescribed in sections 4, 5 or 6 of the bylaw, pursuant to section 8.1 of this bylaw;
- ii) impose specific conditions for a Special Event Permit pursuant to sections 5.3, 6.2 and 8.2, or any of these sections;

- iii) approve applications for Special Event Permits pursuant to section 8.3 of this bylaw;
- iv) amend at any time Special Event Permits granted pursuant to this bylaw;
- v) refuse to issue a Special Event Permit pursuant to any of the grounds enumerated in sections 8.4 and 8.5 of this bylaw; and
- vi) revoke Special Event Permits pursuant to section 8.5 of this bylaw;

provided that the Chief Administrative Officer must consult with the appropriate Electoral Area Director(s) for the area(s) in which the proposed Special Event is to be held before exercising this authority.

[Amendment Bylaw No. 1291-2013]

SECTION 9 INSPECTIONS

- 9.1 Bylaw enforcement officers, other Regional District staff and members of the Royal Canadian Mounted Police are hereby authorized to enter, at all reasonable times, on any property subject to this bylaw, to ascertain whether this bylaw is being observed. [Amendment Bylaw No. 1291-2013]

SECTION 10 PENALTIES

- 10.1 Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, is guilty of an offence and
- (a) pursuant to the *Local Government Act* or the *Offence Act* or both shall be liable on summary conviction to:
 - (i) a fine not exceeding two thousand dollars (\$2,000.00), imprisonment of not more than 6 months, or both,
 - (ii) the costs of prosecution, and
 - (iii) any other penalty or remedy imposed or permissible pursuant to an enactment;
 - (b) the penalties and remedies imposed under subsection (a) shall be in addition to and not in substitution for any other penalty or remedy imposed by or permissible under this bylaw or any other enactment; and
 - (c) each day that a violation is caused or allowed to continue constitutes a separate offence under this bylaw.

[Amendment Bylaw No. 1317-2014]

SECTION 11 PROHIBITIONS

- 11.1 Every person commits an offense contrary to the provisions of this bylaw who:
- i) organizes or holds a Special Event, unless the Regional District has issued a valid Special Event Permit for such an event
 - ii) obstructs the entry of any person or persons charged with the administration or enforcement of this bylaw

- iii) allows a Special Event to take place contrary to the terms of a valid Special Event Permit or other written approval issued pursuant to this bylaw.

SECTION 12 SEVERABILITY

12.1 If any section, subsection, sentence, clause, or phrase in this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw.

SECTION 13 REPEAL

13.1 Squamish-Lillooet Regional District Control of Special Events Bylaw No. 17, 1970, and Squamish-Lillooet Regional District Special Events Permit Approval Delegation Bylaw No. 847-2003 are repealed and replaced by this bylaw.

SECTION 14 CITATION

14.1 This bylaw may be cited for all purposes as the “Squamish-Lillooet Regional District Special Events Bylaw No. 1247-2012.”

READ A FIRST TIME this	23	day of	July, 2012.
READ A SECOND TIME this	23	day of	July, 2012.
READ A THIRD TIME this	23	day of	July, 2012.
ADOPTED this	23	day of	July, 2012.

Susan Gimse
Chair

Peter DeJong
Secretary

Squamish-Lillooet Regional District Special Events Bylaw No. 1247-2012, as amended by Squamish-Lillooet Regional District Special Events Bylaw No. 1247-2012, Amendment Bylaw No. 1291-2013 and Squamish-Lillooet Regional District Offences Amendment Bylaw No. 1317-2014.