

REGIONAL DISTRICT OF COMOX-STRATHCONA

BYLAW NO. 2155

WHEREAS the Regional District of Comox-Strathcona was granted the powers of a municipal council under Section 523, 661, 680 and 725(a) to (l) of the Municipal Act in relation to functions, gatherings and entertainment:

AND WHEREAS the approval of the Minister of Health has been obtained;

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

1. CITATION

This bylaw may be cited as “**CONTROL OF SPECIAL EVENTS REGULATORY BYLAW NO. 2155, 1999**”

2. INTERPRETATION

In this bylaw:

“**Applicant**” means an application for a permit and the holder of the issued permit;

“**Board**” means the Board of the Regional District;

“**Regional District**” means all parts of the Regional District of Comox-Strathcona not contained within the boundaries of a city, town, district or village municipality under the Municipal Act;

“**Permit**” means a special event permit issued under this bylaw in the form set out in Schedule A to this bylaw;

“**RCMP**” means the Royal Canadian Mounted Police;

“**Chief of Police**” means the officer in charge of the detachment of the RCMP having jurisdiction in the area of the proposed Special Event;

“**Site**” means the land described in a permit, on which a special event is to be held;

“**Special Event**” means any event or gathering at which the attendance is likely to exceed 1000 persons and for which a fee is charged directly or indirectly.

3. APPLICATION OF BYLAW

Despite the rest of this bylaw, this bylaw does not apply to any special event:

- a) which is licensed by any government or governmental agency having the jurisdiction to do so;
- b) Held by a board of school trustees under the School Act;
- c) held by the Regional District
- d) held within the boundaries of a city, town, district or village municipality;
- e) held within indoor facilities in accordance with the Fire Services Act.

4. PERMIT REQUIRED

- a) No special event may be held or be permitted to be held in the Regional District unless a permit for that special event has been obtained pursuant to this bylaw.
- b) The Board delegates to the Administration Officer or in his absence, to the Manager of Administrative Services/Secretary, the authority to issue a permit for a Special Event under this bylaw.

5. OBTAINING A PERMIT

The registered owner or the occupier of land on which a special event is to be held must obtain a permit for that special event. An application for a permit must be made at least forty-five (45) days before the date on which the special event is to be held or begin. An application for a permit must be made in the form set out in Schedule 'A' to this bylaw. The application must be accompanied by:

- a) the written consent of the registered owner of the land where the special event is to be held, if it is to be held by someone other than the registered owner of the land;
- b) a document in which the medical health officer, as that term is defined in the Health Act for the place in which the special event is to be held, expresses his or her satisfaction, that sufficient arrangements have been made for the following facilities and services for the special event, as applicable;
 - i) potable water supply;
 - ii) toilet facilities;
 - iii) waste collection and removal facilities; and
 - iv) food and drink storage, dispensing, preparation and use;
- c) a document in which the Chief of Police,
 - i) expresses his or her satisfaction that sufficient arrangements have been made for the following, as applicable:
 - A) off-street parking of motor vehicles, as that term is defined in the Highway Act.
 - B) policing and other necessary security on and around the site;
 - C) traffic control on and around the site; and
 - D) provision of a police and security command post; and
 - ii) sets out the estimated cost of providing policing for the special event;
- d) a document in which the fire inspector or local assistant, as those terms are defined in the Fire Services Act, having jurisdiction for the site expresses his or her satisfaction that the site conditions and all buildings and other structures on the site comply with applicable fire safety enactment's;
- e) security deposit for policing and other costs required under Sections 6 or 8; and
- f) a document setting out in reasonable detail, that arrangements have been made for first aid care and facilities for the special event.

6. SECURITY FOR POLICING COSTS:

- a) A permit may not be issued until the applicant has delivered to the Regional District the estimated amount of policing costs, established as provided for in Section 5(e) to be delivered in cash or by certified cheque.
- b) The amount is to be used by the Regional District to pay the RCMP or other police forces having jurisdiction, or both, of the actual costs incurred in policing the special event.
- c) The Regional District may pay their actual costs from the amount deposited under this section to the RCMP or other police force after the special event.
- d) Payment of the amount does not affect the applicant's obligation to pay all those costs and if the policing costs exceed the amount deposited under this section, the excess of the actual costs must be paid at one by the applicant to the RCMP or other police force having jurisdiction, or both.
- e) If the policing costs, as certified by the RCMP or other police force having jurisdiction, or both, are less than the amount paid to the Regional District under this section, the Regional District must refund the remaining amount as soon as is practical.
- f) No interest is payable on any amount paid to the Regional District under this section.

7. PERMIT FOR MULTIPLE EVENTS

Provided that the requirements of Sections 5 and 6 have been met, a permit may be issued which applies to more than one special event, if such special events are of a similar nature and are to be held on the same land by the same person within twelve (12) months of the issuance of the permit.

8. PERMIT REGULATIONS:

A special event for which a permit has been issued under this bylaw is subject to the following regulations:

- a) The special event may begin no sooner than 9:00 a.m.;
- b) The special event and all activity in relation to the special event must be completed by 12:00 a.m. (midnight).

9. RESPONSIBILITY FOR COSTS:

The applicant is responsible for all costs incurred or connected with the special event, including the costs of providing policing for the special event and of cleaning up the site after the special event. Without affecting Section 6, the Regional District may require as a condition of issuance of a permit that the applicant deliver to the Regional District, security for costs to clean up the site after the special event. Section 6 applies to this section with the necessary changes.

10. CONFLICT WITH ZONING BYLAW:

Nothing in this bylaw is to be interpreted as permitting a special event to be held where the special event is not a use permitted under the Zoning Bylaws of the Regional District.

11. OFFENCE:

It is an offence punishable under the Offence Act:

- a) for any person to hold a special event, or to permit a special event to be held, without a permit on land of which they are the registered owner or the occupier; or
- b) for any person to hold a special event without a permit.

12. REPEAL

Bylaw No. 600 cited as "Control of Special Events Bylaw No. 600" is here by repealed.

READ A FIRST AND SECOND TIME THIS 26TH DAY OF APRIL 1999.

READ A THIRD TIME THIS 26TH DAY OF APRIL 1999.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2155 being "Control of Special Events Regulatory Bylaw No. 2155," as read a third time by the Board of the Regional District of Comox-Strathcona on the 26th day of April , 1999.

"B. Whitehead"

Secretary

APPROVED BY THE
MINISTRY OF HEALTH

5TH DAY OF MAY 1999.

ADOPTED THIS

28TH DAY OF JUNE 1999.

"D.M. Andrews"

Chairperson

"B. Whitehead"

Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2155 being "Control of Special Events Regulatory Bylaw No. 2155" as adopted by the Board of the Regional District of Comox-Strathcona on the 28th day of June, 1999.

"B. Whitehead"

Secretary

Schedule 'A'**Regional District of Comox-Strathcona****Special Event Licence Application Form**

The Regional District of Comox-Strathcona's control of Special Events Bylaw No. 2155 1998 prohibits the holding of a special event without a licence under that bylaw. This form must be completed fully and submitted to the Regional District of Comox-Strathcona in order to obtain a special event licence. (A licence is considered to contain all provisions of Special Events Bylaw No. 2155, 1999 as licence conditions which must be complied with by you). You contractually agree with the Regional District of Comox-Strathcona to comply with those conditions by taking out a licence.

1. Name of event applied for: _____
2. Location of event (give street address): _____

3. Nature of event: _____
4. Estimated attendance: _____ Admission Charges: _____ Yes _____ No
5. Dates of event: _____
6. Full name and address of applicant: _____

7. Phone Number of applicant or contact person: _____
Fax Number (if applicable): _____
8. Hours of each day event is held: _____
9. Full names and phone numbers of any affiliated organizations and sponsors:

Schedule 'A'

10. Described fully, arrangements for the following, as applicable:

- a) Potable water: _____

- b) Toilet facilities: _____

- c) Waste collection and removal: _____

- d) Food and drink storage,
dispensing preparation and
use: _____

- e) Off-street parking of motor
vehicles as that term is defined
in the Highway Act. _____

- f) Policing and other necessary
security on and around the
site: _____

- g) Traffic control in and around
site: _____

Schedule 'A'

11. Consent of the registered owner of land for holding of special even. (if applicable)

The registered owner(s) of the land described above consent to the holding of the above special event:

Owner(s) Name

Witness Name

Owner(s) Name

Witness Name

12. By signing below, the applicant agrees to obey the Regional District or Comox-Strathcona Special Events Bylaw No. 2155, 1998 including being solely responsible to pay all policing, clean-up and other costs and agrees to release, indemnify and save harmless the Regional District of Comox-Strathcona, its elected and appointed officers and employees from and against all claims, actions, causes of action, suits, demands, expenses, fees or fines arising from the holding of the special event.

Owner(s) Name

Witness Name

Owner(s) Name

Witness Name

Your application will not be considered complete and a Special Events licence will not be issued until you have supplied the following:

- Written approval from the local medical health officer (Ministry of Health)
- Written approval from the local fire department.
- Written approval from the local RCMP Detachment.
- Security deposit (if required by the RCMP).
- Special Occasion Licence Request (if serving alcohol at the special event.)

Schedule 'A'

CHECKLIST FOR SUBMITTING YOUR SPECIAL EVENT LICENCE APPLICATION

HAVE YOU INCLUDED?

- Written approval from the local medical health officer (Ministry of Health)
- Written approval from the local fire department.
- Written approval from the local RCMP Detachment.
- Security deposit (if required by the RCMP).
- Special Occasion Licence Request (if serving alcohol at the special event.)