

# THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS

## BY-LAW NO. 47-2013

### **A By-law to Regulate and Govern the holding of Special Events in the Township of Georgian Bluffs, and to establish a license system for Special Events.**

**WHEREAS** Sections 8 through 11 of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, confers broad authority on a municipality to govern its affairs as it considers appropriate, and to pass by-laws to regulate or prohibit matters within its jurisdiction; and

**WHEREAS** the *Municipal Act*, 2001, provides that municipalities may provide for a system of licenses, and has the power to suspend or revoke such license, and to limit or impose conditions on such licenses as it deems necessary to ensure the health, safety and enjoyment of property; and

**WHEREAS** the Council of the Corporation of the Township of Georgian Bluffs desires to support special events in the Township of Georgian Bluffs and will assist, where possible, in facilitating Special Events at public and private locations within the jurisdiction of the Township; and

**NOW THEREFORE** the Council of The Corporation of The Township of Georgian Bluffs enacts as follows:

### **1. DEFINITIONS**

For the purpose of this by-law:

“AGCO” means the Alcohol and Gaming Commission of Ontario.

“Application” means an Application for Special Event License.

“Building Department” means the Building Department for The Township of Georgian Bluffs.

“Certificate of Insurance” means a document issued by an insurance company that certifies that an insurance policy has been purchased for the Special Event, or which applies to the property on which the Special Event shall occur, and which provides an abstract of the liability provisions of the insurance contract.

“Charitable Organization” means an organization that provides for The Relief of Poverty, The Advancement of Education, The Advancement of Religion, or other charitable purposes beneficial to the community which do not fall under the previous three classifications.

"Clerk" means the Clerk for the Corporation of The Township of Georgian Bluffs.

"Community Event" means an event which is held for or which benefits the residents or local area within Georgian Bluffs Township.

"Council" means the Council of the Corporation of The Township of Georgian Bluffs.

"Fees" means an application fee or processing fee paid by the applicant of a Special Event License, as outlined in Schedule "A" attached hereto.

"Fire Services" means the Inter Township Fire Department and or the Town of South Bruce Peninsula Fire Department.

"Fireworks" means a combustible or explosive device for producing a striking display of light or a loud noise, used for signaling or as part of a celebration.

"Health Unit" means the Grey Bruce Health Unit.

"License" means a license issued by the Township for the regulated operation of a vehicle, business or trade, or to hold *an event* or a charitable gaming event in accordance with a By-law of the Township *or under a Provincial statute*.

"Liquor License" means a License issued by the Province of Ontario in the form of a Special Occasion Permit or a Liquor License for the purpose of serving alcohol.

"Major Event" means an exhibition, concert, festival or other organized event, held for profit or otherwise, with more than 1,000 people expected to be in attendance.

"Not-for-Profit" means an event or activity of a *community group* or not-for-profit organization that is held without monetary gain.

"By-law Enforcement Officer" means a Police Officer, a Municipal Law Enforcement Officer, or other Officers appointed by the Township to enforce the Township by-laws.

"OPP" means the Ontario Provincial Police.

"Emergency Medical Services" means the County of Grey Emergency Medical Services.

"Permit" means a Burn Permit, a Sign Permit, or other permits issued by the Township.

"Person" shall include an individual, corporation, business entity, group or Association.

"Special Event" means an exhibition, concert, festival or other organized event held for profit or otherwise with between 300 and 1,000 people expected to be in attendance.

“Township” means the Corporation of The Township of Georgian Bluffs.

“Township Facility” means any land owned or leased by the Township of Georgian Bluffs which is accessed by or provided for public use, including but not limited to an arena, community hall, park or green space, parking lot, office, opened and unopened road allowances.

“Zoning” means the zoning applied to land in accordance with the Comprehensive Zoning By-law of the Township.

## **2. SCOPE**

- 2.1 This by-law has been enacted to ensure public safety, to control noise, traffic, odor and nuisance, to mitigate any negative impact on the community, and to ensure that the Township is able to prepare and respond where necessary.

## **3. REGULATIONS**

- 3.1 No person shall hold or permit to be held a Special Event within the Township of Georgian Bluffs unless the Township has granted a license for such event or activity.

## **4. APPLICATION FEES AND PROCESSING**

- 4.1 A Special Event application (Schedule “A” attached) may be obtained from the Clerk’s Office and shall be submitted to the Clerk’s office.
- 4.2 The application fee (Schedule “B” attached) may be waived at the discretion of the Clerk or Designate if the event is for charitable or not-for-profit purposes, or for the benefit of the Georgian Bluffs Community as a Whole.
- 4.3 An application for a Special Event shall be submitted with all required documentation no less than sixty (60) days before the proposed event.
- 4.4 Written approval may be required from the AGCO, the OPP, the Fire Services, Grey County Emergency Medical Services, and the Grey Bruce Health Unit or other approval authorities. It is the responsibility of the applicant to obtain these documents and attach them to the application for license, where applicable.
- 4.5 If the Special Event is to be held on lands owned by other than the applicant, written approval of the property owner shall be submitted with the application.
- 4.6 The applicant may be required to meet with the Clerk’s Office and other Township departments. The Clerk *shall* forward the completed application to other departments as needed for comment.

- 4.7 If approval for an event is denied, such decision will be provided in writing setting forth the reasons for denial. *Such decision shall be final.*

## 5. LICENSE APPROVAL PROCESS

- 5.1 A Special Event License may be issued by the Clerk upon receipt and review of an application if, in the opinion of the Clerk, the following conditions have been met:

- a. There is a demonstrated benefit to the community, residents and businesses by holding the event;
- b. The proposed event or activity is compatible with the surrounding area or neighbourhood, giving consideration to acceptable increases in noise, traffic, crowd control and other Township concerns;
- c. Any proposed use of public property, rights of way, or facilities will not unreasonably interfere with the normal use of the property, rights of way or facilities by the municipality or the general public;
- d. If the event involves the use and or sale of alcohol, the applicant shall provide proof of current liability insurance in the minimum amount of five million dollars (\$5,000,000.00) along with a copy of the liquor license and Special Occasion Permit;
- e. The applicant shall provide proof of current liability insurance in the minimum amount of two million dollars (\$2,000,000.00), for a *non-alcoholic event*;
- f. The Certificate of Insurance shall be submitted to the Township with the application clearly stating the address of the insured location or event; The Township shall be named as an additional insured party on the Certificate of Insurance;
- g. Township resources to support the proposed activity are available;
- h. The proposed use conforms to the Township Zoning By-law;
- i. All comments or recommendations from Township departments and related agencies have been received and are favourable;
- j. The applicant provides a site plan to the satisfaction of the Township (no new permanent structures associated with the special event will be permitted);
- k. The applicant provides information to the satisfaction of the Township as to how site servicing (i.e. water and sewage) for the event will be handled;
- l. Any concerns noted shall require reconciliation before approval is granted.
- m. If the property where the special event is being held fronts onto a County Road or a Provincial Highway, the Township shall request comments from the respective road authority prior to any special event license being issued.

## 6. LICENSE REQUIREMENTS

- 6.1 Further conditions or requirements may be imposed to ensure health, safety, welfare and nuisance control. Such conditions may include, but are not limited to:

- a. The payment of a reasonable fee for the use or allocation of Township property and equipment, and the posting of a performance bond, a letter of credit irrevocable up to ninety (90) days after the conclusion of the event, or other surety securing payment of such fee;
- b. The provision of adequate crowd control and traffic control, security, fire protection, food handling, waste and refuse disposal, and noise restrictions;
- c. Providing the Township with a criminal record check(s) of the owner or applicant; and
- d. Inspections conducted by the Municipal Law Enforcement Officer, the Building, Planning or Fire Departments and the local Health Unit may be required based on the size, location and nature of the event.

## **7. EXEMPTIONS**

7.1 *The Township of Georgian Bluffs reserves the right by resolution of Council to exempt certain community events. These events may include, but are not limited to:*

- a. *The Kemble Harvest Blowout Event*
- b. *The Big Bay Canada Day Celebrations Event*
- c. *The Kemble non-motorized parade*
- d. *Fundraising events held by Church Organizations*
- e. *Grey Sauble Conservation Foundation Memorial Ceremony*

## **8. ADMINISTRATION**

8.1 The Clerk's Office shall be the main contact for Special Events in the Township. Administration of this By-law may be conducted through By-law Enforcement, Fire Services, Planning and Building.

## **9. OTHER REQUIREMENTS**

9.1 Any Special Event license issued to a person, group or business under this By-law shall adhere and comply with other Township by-laws, policies, rules and regulations, and those of other governmental agencies.

9.2 A Major Event, whether for profit, not-for-profit, where more than 1,000 people will be in attendance, shall require the approval of Council.

- 9.3 Township by-laws, policies, rules and regulations noted in Sec. 9.1 may include, but are not limited to the most recent version of the following:
- a. Comprehensive Zoning By-law
  - b. Alcohol Risk Management Policy
  - c. Signage Regulation By-law
  - d. Noise By-law
  - e. Lottery Licensing requirements of the Province of Ontario
  - f. Statutes under the Alcohol and Gaming Commission of Ontario
- 9.4 *Other proposed events or uses that have not otherwise been identified in existing municipal by-laws or policy documents may be regulated by the Special Events By-law in order to minimize any conflict that may result from the use.*
- 9.5 Should an applicant fail to comply with any of the provisions of this by-law, and any provisions of the Special Event license or any other by-laws of the Township, the Clerk may, at any time, revoke or suspend the Special Event License without notice.
- 9.6 Should an application for a Special Event license under this by-law be denied or revoked, the application may be reconsidered at a subsequent occasion upon the applicant addressing, to the satisfaction of the Clerk, the reasons given for the initial denial of the application.
- 9.7 An Officer of the Township may enter onto private property at any reasonable time for the purpose of carrying out an inspection to determine compliance with:
- a. This and any other Township by-law;
  - b. A direction or Order of the municipality made under the *Municipal Act*, the Ontario Building Code Act, Planning Act, or under a Township by-law;
  - c. A condition of a license issued under this or any other Township by-law.

## 10. OFFENCES

- 10.1 No person shall permit or hold a Special Event as defined herein without first obtaining a Special Event License issued under this by-law.
- 10.2 No person shall hold or permit to be held a Special Event except in accordance with the Terms and Conditions set out in the License.

## 11. PENALTIES

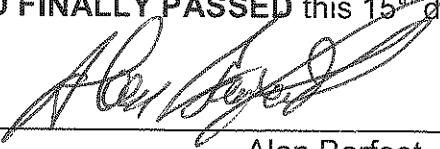
- 11.1 Every person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to a fine as provided for in the *Municipal Act*.


- 11.2 Any person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable:
- a. on a first conviction, to a fine of not more than \$10,000.00; and
  - b. on any subsequent conviction, to a fine of not more than \$25,000.00.
- 11.3 Any corporation which contravenes any provision of this By-Law is guilty of an offence and upon conviction is liable:
- a. on a first conviction, to a fine of not more than \$50,000.00; and
  - b. on any subsequent conviction, to a fine of not more than \$100,000.00.

## 12. GENERAL

- 12.1 This By-law shall be called the "Special Events By-law".
- 12.2 This By-law shall be administered by the Clerk's office.
- 12.3 This By-law shall be enforced by the Municipal Law Enforcement Officer of the Township of Georgian Bluffs or the Ontario Provincial Police.
- 12.4 The municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with this By-law, a condition of this by-law, or to ensure compliance with a direction or order made under this By-law or under the Municipal Act, 2001.
- 12.5 Should any section, subsection, clause, paragraph or provision of this by-law, including any part of the Schedules to this by-law, be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part, other than the provision or part of the Schedule declared invalid.
- 12.6 Schedule "A" attached hereto and forming part of this by-law shall be called the Application for Special Event Permit.
- 12.7 Schedule "B" attached hereto and forming part of this by-law shall be the Schedule of Fees pursuant to this by-law.
- 12.8 This by-law shall come into force and take effect upon final passage hereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED** this 15<sup>th</sup> day of  
May, 2013..

  
\_\_\_\_\_  
Alan Barfoot, Mayor

  
\_\_\_\_\_  
Bruce Hoffman, Clerk



**The Township of Georgian Bluffs  
Application for Special Event Permit  
Schedule "A" to By-law No. 47-2013**

Applicant Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone: Day \_\_\_\_\_ Evening \_\_\_\_\_

Email: \_\_\_\_\_

Date(s) of Proposed Event: \_\_\_\_\_

Time(s) of Proposed Event: \_\_\_\_\_

Location of the Event: \_\_\_\_\_

Property Owner (if different than applicant): \_\_\_\_\_

Property Owner Contact (if different than applicant): \_\_\_\_\_

1. Describe the Proposed Event:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Does this event require the use of Township Property (i.e. roads, facilities)?    Y    N

If yes, explain: \_\_\_\_\_

**Note:** Events that occupy or close Township Roads will require Temporary Road Occupancy or Closure approval.

3. How many people are expected to attend the event: \_\_\_\_\_

**Note:** Major Events of 1,000 people or more require the approval of Council.

4. Does the event involve the use and/or sale of alcohol?    Y    N

**Note:** Licensed events on Township property must comply with the Georgian Bluffs Alcohol Risk Management Policy.

5. The OPP Grey County Detachment have been notified of this event:    Y    N

Written confirmation from the OPP may be required.

6. What is the Zoning designation on the subject property? \_\_\_\_\_



7. Is the requested use permitted under the designated Zoning? \_\_\_\_\_  
 (If the requested use is not permitted, please contact the Planning Department.)

8. Proof of Current Insurance Attached:        Y        N

Regular Event	Event Involving Use/Sale of Alcohol
Provide proof of current liability insurance in the minimum amount of two million dollars (\$2,000,000.00).	Provide proof of current liability insurance in the minimum amount of five million dollars (\$5,000,000.00).

**Note:** The Certificate of Insurance shall identify the address of the event as being the insured property and shall name the Township of Georgian Bluffs as an additional insured party.

9. Are you planning a fire or any burning?    Y    N    If so, burn permit is required.

10. Will there be food vendors at the event?    Y    N    If so, Refreshment License required.

**Note:** Each vendor is required to obtain a Refreshment Vehicle License.

**Permit Requirements:** Applicants may be required to post a performance bond up to ninety (90) days after the conclusion of the event.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Internal Use Only:**

Department	Comments/Conditions	Signature
Clerks		
Fire		
Building		
Roads		
Treasury		
Planning		

Application is: Approved / Denied                      Approval Date: \_\_\_\_\_

Reason for Denial: \_\_\_\_\_

**THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS**

**SCHEDULE 'B' to By-law No. 47-2013**

**SPECIAL EVENTS BY-LAW – SCHEDULE OF FEES**

<b>Type of Event</b>	<b>Number of Attendees</b>	<b>Permit Fee</b>
Special Events	Up to 1,000	\$200.00
Major Event	1,000 or more	\$500.00
Not for Profit Event	Up to 1,000	\$75.00
Not for Profit Event	Over 1,000	\$500 At Council's discretion