

BYLAW C-7990-2020

A bylaw of Rocky View County, in the Province of Alberta, to provide for the permitting and regulation of special events held in Rocky View 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 Rocky View 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 Rocky View County, in the Province of Alberta, enacts as follows:

Title

- 1 This bylaw may be cited as the *Special Events Bylaw*.

Definitions

- 2 Words in this bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided in Schedule 'A' of this Bylaw.

Purpose and Application

- 3 The purpose of this bylaw is to provide for the permitting and regulation of special events held in Rocky View County.

Special Event Compliance

- 4 Special event organizers are responsible for compliance with all relevant federal, provincial and municipal legislation, policies, bylaws, regulations, safety requirements, and approvals that are applicable to any aspect of a special event and as identified in the special event and neighbourhood guidelines.
- 5 Special events approved under this bylaw are exempt from the requirement to obtain a development permit under the *Land Use Bylaw*.

Special Event Permits

- 6 Persons wishing to hold, conduct, manage, organize, or sell tickets for a special event must:
 - (1) submit a special event permit application to Rocky View County in the form prescribed and with the information required by the County; and

- (2) pay a non-refundable application fee in the amount established in Rocky View County's *Master Rates Bylaw* at the time of application.
- 7 Applications for neighbourhood special events must be submitted at least 30 days prior to the date of the special event, and applications for medium and large special events must be submitted at least 120 days prior to the date of the special event.
- 8 In addition to the non-refundable application fee required under section 6(2) of this bylaw, applicants may be required to provide payment for the following:
 - (1) any fees associated with additional requirements specified in Rocky View County's *Special Event Reference Guide for Event Organizers*, which are required to be paid at least 30 days prior to the event;
 - (2) 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
 - (3) a refundable security deposit for the use of Rocky View County land in the amount established in Rocky View County's *Master Rates Bylaw*, which is required to be paid at least 30 days prior to the event.
- 9 Security deposits required under section 8(3) of this bylaw will be refunded if the lands are returned to the same condition as they were prior to the special event.
- 10 Upon receipt of a complete special permit application, Rocky View County may:
 - (1) issue the permit either without conditions, or with the conditions that the County considers appropriate;
 - (2) refuse to issue the permit if there are reasonable or probable grounds that a risk to the public or property exists; or
 - (3) suspend or revoke a permit after it has been issued.
- 11 Special event permits will not be issued until:
 - (1) all required application fees and deposits have been paid;
 - (2) the indemnity portion of the special event permit is signed; and
 - (3) Rocky View County is satisfied that all legislative and safety requirements have been met.
- 12 Special event permits are only valid for the specific event, venue, date, and times identified in the issued permit.

Responsibilities of Rocky View County

- 13 Rocky View County will support applicants through the special event process by:
 - (1) providing one point of contact through the application and permitting process;

- (2) responding to applicants within two business days of receiving a completed application;
- (3) providing detailed guidelines that refer to legislative and safety requirements of all levels of government;
- (4) working with applicants to ensure they understand legislative and safety requirements, and providing templates wherever possible to assist applicants in submitting required information;
- (5) attending pre- and post-special event meetings as requested by the applicant;
- (6) providing conditional approval to large & medium special events at least 60 days prior to the event date, if all requirements under this bylaw have been met; and
- (7) liaising with internal technical experts to assist event organizers in meeting all required legislative and safety requirements at least 30 days prior to the special event.

Responsibilities of Event Organizers

14 Event organizers are responsible for:

- (1) being the one point of contact with Rocky View County for the special event and the associated application and permitting process;
- (2) ensuring that special event applications are completed fully and accurately to the best of their ability, including payment of any required application fees and security deposits;
- (3) notifying Rocky View County of any changes or additions to the special event within two business days once an application has been submitted to the County;
- (4) ensuring that all required legislative and safety requirements are met at least 30 days prior to the event; and
- (5) attending pre- and post-event special event meetings as required by Rocky View County.

15 All costs and expenses incurred in meeting the requirements of this bylaw or any conditions or additional requirements of a special event permit are the sole responsibility of the Event Organizer.

Application Exemptions

- 16 Special events hosted by Rocky View County on lands owned or controlled by Rocky View County are exempt from the requirement to obtain a special event permit under this bylaw.
- 17 Special events on lands owned or controlled by a local school board are exempt from the requirement to obtain a special event permit under this bylaw.

Fee Exemptions

- 18 Charitable or non-profit organizations and schools are exempt from all required permit fees under this bylaw.

Offences

- 19 Any person who violates any provision in this bylaw has committed an offence and is subject to a minimum and specified penalty of \$400.
- 20 No person shall hold, conduct, manage, organize, or sell tickets for a special event without first obtaining a conditional special event permit for the event.
- 21 Each responsible party is jointly and severally responsible for ensuring that all conditions of the special event permit and this bylaw are fully complied with.

General Penalty Provisions

- 22 In accordance with the *Municipal Government Act*, any Person who violates any provision of this bylaw is guilty of an offence and is liable upon conviction to a maximum penalty of \$10,000 or, in default of payment of the fine, to imprisonment for a period not exceeding one year, or to both fine and imprisonment in such amounts.

Enforcement

- 23 When an Enforcement Officer has reasonable and probable grounds to believe that a person has violated any provision of this bylaw, the Enforcement Officer may commence court proceedings against such person by:
- (1) Issuing the person a violation ticket pursuant to the provisions of the *Provincial Offences Procedure Act*, or
 - (2) Swearing out an information and complaint against the person.
- 24 Where an Enforcement Officer issues a person a violation ticket in accordance with section 23(1) of this Bylaw, the Enforcement Officer may either:
- (1) Allow the person to pay the specified penalty established in this bylaw for the offence by including such specified penalty in the violation ticket; or
 - (2) Require a court appearance of the person where the Enforcement Officer believes that such appearance is in the public interest, pursuant to the provisions of the *Provincial Offences Procedure Act*.
- 25 No provision of this bylaw, nor any action taken pursuant to any of its provisions, shall in any way restrict, limit, or preclude Rocky View County from pursuing any other remedy in relation to an offence that may be provided by the *Municipal Government Act* or any other law of the Province of Alberta.

Severability

- 26 If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

Effective Date

- 27 Bylaw C-5949-2004, being the *Concerts Bylaw*, and all amendments thereto are hereby repealed upon this bylaw passing and coming into full force and effect.
- 28 Bylaw C-7990-2020 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this 25th day of February, 2020

READ A SECOND TIME IN COUNCIL this 25th day of February, 2020

UNANIMOUS PERMISSION FOR THIRD READING this 25th day of February, 2020

READ A THIRD TIME IN COUNCIL this 25th day of February, 2020



Reeve



Chief Administrative Officer or Designate

February 25, 2020
Date Bylaw Signed

Bylaw C-7990-2020

Schedule 'A' – Definitions

- 1 **"Applicant"** means a person who applies for a special event permit pursuant to this bylaw.
- 2 **"Application"** means an application for a special event permit.
- 3 **"Council"** means the duly elected Council of Rocky View County.
- 4 **"County"** means Rocky View County.
- 5 **"County Land"** means lands owned or controlled by Rocky View County and includes, but is not limited to, the following:
- (1) municipal and environmental reserves;
 - (2) municipal and school reserves;
 - (3) public utility lots;
 - (4) fee simple lands;
 - (5) highways, roads, and road allowances;
 - (6) Sidewalks and pathways; and
 - (7) easements and leased or licensed land.
- 6 **"Enforcement Officer"** means a member of the Royal Canadian Mounted Police (RCMP), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the *Peace Officers Act* S.A. 2006 c P-3.5, as amended from time to time, or a Bylaw Enforcement Officer employed by Rocky View County in accordance with the *Municipal Government Act*.
- 7 **"Event Organizer"** means the person organizing the special event, is the applicant, and is the primary contact for Rocky View County;
- 8 **"Non-Profit Organization"** means a society, credit union, or cooperative established under federal or provincial legislation or:
- (1) a corporation that is prohibited from paying dividends to its members and distributing the assets to its members on a winding up; or
 - (2) any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.
- 9 **"Land Use Bylaw"** means Rocky View County Bylaw C-4841-97, being the *Land Use Bylaw*, as amended or replaced from time to time.
- 10 **"Master Rates Bylaw"** means Rocky View County's current *Master Rates Bylaw*, as amended or replaced from time to time.

- 11 **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.
- 12 **“Person”** has the same meaning as in the *Interpretation Act*, RSA 2000, c I-8, as amended from time to time.
- 13 **“Provincial Offences Procedure Act”** means the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended or replaced from time to time.
- 14 **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
- 15 **“Special Event”** means a temporary or annual one-time activity that takes place on private or County land and refers to any of the following sub-categories:
- (1) **“Large Special Events”**:
- (a) encompasses multiple locations;
- (b) blocks or restricts the use of County land;
- (c) requires a road closure or impacts the normal use of a major public roadway;
- (d) requires traffic control, flag personnel, or pacer cars;
- (e) uses pyrotechnics or open flames;
- (f) requires multiple approvals (i.e. road closure, building permit, fire inspection); or
- (g) is inter-jurisdictional.
- (2) **“Medium Special Events”**:
- (a) are film or media production events;
- (b) use multiple roadways;
- (c) impacts normal use of major public roadways; or
- (d) requires traffic control, flag personnel, or pacer cars.
- (3) **“Neighbourhood Special Events”**:
- (a) are neighbourhood or community block parties that take place on or impact County land.
- 16 **“Special Event Reference Guide for Event Organizers”** means Rocky View County’s *Special Event Reference Guide for Event Organizers*, as amended or replaced from time to time, which is supplemental to this bylaw.