

BYLAW C-8364-2023

A bylaw of Rocky View County 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 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 enacts as follows:

Title and Definitions

- 1 This bylaw may be cited as the *Special Event Bylaw*.
- 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 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 those identified in the *Special Event Reference Guide*.
- 5 Special events issued under this bylaw are exempt from the requirement to obtain a development permit for the purpose of the event.

Special Event Permits

- 6 Subject to the provisions of this bylaw, no person shall hold, conduct, manage, organize, or sell tickets for a special event without first obtaining a special event permit for the event.
- 7 Persons wishing to hold, conduct, manage, organize, or sell tickets for a special event must:
 - (1) submit an application to Rocky View County in the form prescribed and with the information required by the County; and



- (2) pay a non-refundable application processing fee at the time of application submission in the amount established by the *Master Rates Bylaw*, except for those listed under section 21 of this bylaw.
- 8 Applications for special events must be submitted at least 90 days prior to the date of the event. Rocky View County may accept an application submitted less than 90 days prior to the date of the special event on a case-by-case basis.
- 9 In addition to the non-refundable application fee required under section 7(2) of this bylaw, applicants may be required to provide payment for the following:
 - (1) any non-refundable fees associated with additional requirements specified in the *Special Event Reference Guide*, which are required to be paid at least 30 days prior to the special event;
 - (2) any fees associated with, but not limited to, policing or other expenses that Rocky View County may incur as a result of damage to County land, which are required to be paid at the request of the County; and
 - (3) a refundable security deposit for the use of County land in the amount established in the *Master Rates Bylaw*, which is required to be paid at least 30 days prior to the special event.
- 10 Rocky View County will only refund security deposits required by section 9(3) of this bylaw if the County land used for the special event are returned to the same condition as they were in prior to the event.
- 11 Upon receipt of a complete application, Rocky View County may:
 - (1) issue the permit either without conditions or with the conditions that the County considers appropriate; or
 - (2) refuse to issue the permit if the County, in its sole discretion, determines that there are risks to the public or property.
- 12 Rocky View County will not issue special event permits until:
 - (1) all required fees and security deposits have been paid; and
 - (2) the indemnity portion of the special event permit is signed.
- 13 Special event permits are only valid for the specific event, venue, dates, and times identified in the special event permit issued by Rocky View County.
- 14 Rocky View County, in its sole discretion, may suspend or revoke a permit at any time, for any reason, after it has been issued.

Responsibilities of Rocky View County

- 15 Rocky View County will support applicants through the application 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 complete application;
- (3) providing templates when possible to assist applicants in submitting required information;
- (4) attending pre- and post-special event meetings as requested by the applicant; and
- (5) providing conditional approval to special events as soon as is practicable, provided all requirements under this bylaw have been met.

Responsibilities of Event Organizers

16 Event organizers are responsible for:

- (1) providing one point of contact to Rocky View County for the special event and the associated application and permitting process;
- (2) ensuring that applications are completed fully and accurately to the best of their ability, including payment of any required fees and security deposits;
- (3) notifying Rocky View County of any changes or additions to the special event within two business days of the applicant becoming aware of the change after an application has been submitted to the County;
- (4) informing themselves of and ensuring that all required legislative and safety requirements are met prior to holding the special event;
- (5) attending pre- and post-special event meetings as required by Rocky View County;
- (6) notifying all Rocky View County residents who reside within 1600 metres (one mile) of the special event location, subject to change at the County's discretion, at least 30 days prior to the date of the event; and
- (7) adhering to all conditions of the issued special event permit.

17 The event organizer is solely responsible for any damage or injuries to people or property that occurs during their special event.

18 All costs and expenses incurred in meeting the requirements of this bylaw or adhering to any conditions or additional requirements of a special event permit are the sole responsibility of the event organizer.

Application Exemptions

19 Special events hosted by Rocky View County on County land are exempt from the requirement to obtain a special event permit under this bylaw.

20 Special events contained on lands solely owned by a local school board are exempt from the requirement to obtain a special event permit under this bylaw.

Fee Exemptions

- 21 Non-profit organizations, schools, and Rocky View County residents are exempt from paying the application processing fee required by section 7(2) of this bylaw.

General Penalty Provision

- 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 fine of \$10,000.00 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.

Offences

- 23 The specified penalty for any violation of this bylaw is \$750.00 and the minimum penalty for any such violation is \$500.00.
- 24 When there are multiple parties associated with a special event permit, each party is jointly and severally responsible for ensuring that all conditions of the permit and this bylaw are fully complied with.

Enforcement

- 25 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.
- 26 When an Enforcement Officer issues a person a violation ticket in accordance with section 25(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 if the Enforcement Officer believes that such an appearance is in the public interest pursuant to the provisions of the *Provincial Offences Procedure Act*.
- 27 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

- 28 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.

Strict Liability Offence

29 All offences created by this bylaw are to be interpreted as strict liability offences.

Effective Date

30 Bylaw C-7990-2020, being the *Special Events Bylaw*, and all amendments thereto are hereby repealed upon this bylaw passing and coming into full force and effect.

30 Bylaw C-8364-2023 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 this

19th day of September, 2023

READ A SECOND TIME this

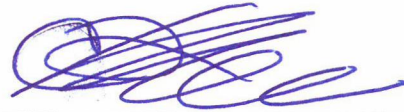
19th day of September, 2023

UNANIMOUS PERMISSION FOR THIRD READING
this

19th day of September, 2023

READ A THIRD AND FINAL TIME this

19th day of September, 2023



Reeve



Chief Administrative Officer

September 19, 2023

Date Bylaw Signed

Bylaw C-8364-2023**Schedule 'A' – Definitions**

- 1 **“Applicant”** means the person who applies for a special event permit in accordance with this bylaw.
- 2 **“Application”** means an application for a special event permit in accordance with this bylaw.
- 3 **“Council”** means the duly elected Council of Rocky View County.
- 4 **“County”** means Rocky View County.
- 5 **“County land”** means land 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 **“Development permit”** means a document or permit, which may include attachments, issued pursuant to the *Land Use Bylaw* authorizing a development.
- 7 **“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*, RSA 2000, c P-3.5, as amended or replaced from time to time, or a Bylaw Enforcement Officer employed by Rocky View County in accordance with the *Municipal Government Act*.
- 8 **“Event”** means special event.
- 9 **“Event organizer”** means the person organizing the special event, the applicant, and the primary contact for Rocky View County.
- 10 **“Land Use Bylaw”** means Rocky View County’s current *Land Use Bylaw*, as amended or replaced from time to time.
- 11 **“Master Rates Bylaw”** means Rocky View County’s current *Master Rates Bylaw*, as amended or replaced from time to time.



- 12 **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.
- 13 **“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.
- 14 **“Person”** has the same meaning as in the *Interpretation Act* RSA 2000, c I-8, as amended from time to time.
- 15 **“Provincial Offences Procedure Act”** means the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended or replaced from time to time.
- 16 **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
- 17 **“Special event”** means a one-time or annual event that falls under one of the following categories:
- (1) special events on private lands if the event:
 - (a) is ticketed;
 - (b) is open to the public;
 - (c) has impacts on Rocky View County roads; or
 - (d) changes the intended use of the land during the event.
 - (2) Special events on County land when the event:
 - (a) changes the intended use of the land during the event.
- 18 **“Special Event Reference Guide”** means Rocky View County’s *Special Event Reference Guide*, as amended or replaced from time to time, which is supplemental to this bylaw.