

Brazeau County

BYLAW NO: 774-11

A BYLAW OF BRAZEAU COUNTY, IN THE PROVINCE OF ALBERTA, PROVIDING FOR THE PERMITTING AND REGULATION OF SPECIAL EVENTS AND CONCERTS

Pursuant to Sections 7 and 8 of the Municipal Government Act R.S.A., 2000, Chapter M-26, the Council of Brazeau County enacts as follows:

1) Purpose

The purpose of this bylaw is to permit and regulate special events and concerts in Brazeau County, which approval is at the discretion of Brazeau County Council.

2) Definitions

"Concert" shall mean any musical festival, dance festival, rock festival, or similar musical activity, whether indoor or outdoor, at which music is provided by paid or amateur performers, or by pre-recorded means, and which is held at any place within the county, and to which members of the public are invited or admitted for a charge, or free of cost, and:

(i) For events held indoors in an approved assembly facility (as referred to in the *Safety Codes Act*, RSA 2000, C-S-1 and regulations thereunder as amended from time to time) with an expected attendance of 1,000 people or more;

(ii) For events held outdoors with an expected attendance of 500 people or more:

In any one consecutive twenty-four (24) hour period.

"Council" means the Council of Brazeau County;

"Designated Officer" means the Director of Planning and Development or the County Chief Administrative Officer;

"Executive Officer" means the Medical Officer of Health and persons appointed by a regional health authority for the purposes of carrying out the *Public Health Act* and the regulations;

"Municipality" means Brazeau County;

"NCO i/c" means Non-commissioned Officer in charge of the police service of jurisdiction;

"Peace Officer" means a member of the Royal Canadian Mounted Police;

"Permittee" means a person who has applied for and obtained a permit to operate a concert or a special event pursuant to this bylaw;

"Potable Water" means water that is safe for human consumption;

"Special Events" means any entertainment event other than a concert, to which members of the public are invited or admitted for a charge or free of cost or an event that the public may not be invited to, which is likely to attract 500 people or more in any twenty-four (24) hour period.

3) This Bylaw does not apply to any family gathering on properties owned by a participant or a family member of such a gathering.

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- 4) No person shall operate, maintain, conduct or advertise a concert or special event in the County unless he has first obtained a permit from the designated officer to operate or conduct such a concert or special event.
- 5) Prior to a making an application for a concert or special event, the Permittee shall attend a pre-application meeting with the Designated Officer, NCO i/c or designate, Fire Chief, and Executive Officer.
- 6) Applications for a permit to conduct a concert or special event, shall be made to the designated officer in writing no less than one hundred and fifty *(150) days prior to the proposed date of the concert and shall contain the following information:
 - 6.1 The name, age, residence , mailing address and telephone number or numbers of the person(s) making such application shall be provided. If the application is made by a partnership, the names and addresses of the partners shall appear. Where the applicant is an incorporated company or a registered society, the application shall be signed by at least two directors and shall contain the addresses of such directors and shall have attached a certified copy of the Certificate of Incorporation.
 - 6.2 The name, address, and telephone number of the agent for the applicant who will be responsible for compliance of this bylaw, if the applicant is an incorporated company or a registered society.
 - 6.3 A written statement of the kind, character, or type of concert or special event, which the applicant proposes to conduct, operate or carry on.
 - 6.4 The address or legal description of the property where the proposed concert or special event is to be conducted, operated or carried on. Additionally, the applicant shall submit proof of ownership of the place where the concert or special event is to be conducted, or a statement signed by the owner of the premises indicating his/her consent that the site be used for the purposed concert or special event.
 - 6.5 The date or dates and the hours during which the concert or special event is to be conducted.
 - 6.6 An estimate of the number of customers, spectators, participants, and other persons expected to attend the concert. The maximum numbers of attendees whom shall be allowed into the grounds or premise at any given time.
 - 6.7 A detailed written explanation of the applicant's plans to provide security (including names of the Security Management Team), fire protection, policing, ambulance, water supplies and facilities, sanitation facilities, food supplies and facilities, first aid facilities and services, vehicle parking spaces, vehicle access, and on-site traffic control, and if it is proposed or expected that spectators or participants will remain at night or overnight, the arrangements for illuminating the premises and for camping or similar facilities including animal control. The applicant's plans shall include what provisions shall be made for numbers of spectators in excess of the estimate, provisions for the clean-up of the premises and provisions for the removal of rubbish after the concert or special event has concluded. A plot plan showing the arrangement of the facilities, including those for parking, egress and ingress, shall be submitted with such application.

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- 7) Completed applications that have met the conditions in this bylaw for the concert or special event will be circulated to all adjacent landowners within two miles of the subject land. Applications will also be circulated to affected government agencies as well as those instrument holders listed on the Certificate of Title. Notification will be advertised once a week for two consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed concert or special event is to be held. Such notice will inform the public of a public meeting regarding the application, which is to be held before Brazeau County Council, who are the approving authority for such applications. If the permit is approved by Brazeau County Council, the Designated Officer, NCO i/c or designate, Fire Chief, and Executive Officer will conduct a site inspection prior to the opening of the event to ensure compliance of the approved conditions. If the site inspection indicates that conditions have not been met, the permit will be suspended until such time as the deficiencies are met.
- 8) Every permit for a concert or special event, as defined above, shall satisfy the Designated Officer, NCO i/c or designate, Fire Chief, and Executive Officer that the following conditions and requirements will be met by supplying to the necessary parties a complete detailed plan for those items not less than one hundred and fifty *(150) days prior to the proposed concert or special event.
- 8.1. Security Protection:
Every Permittee shall provide, at his own expense, security protection. Security companies hired shall be in compliance with governing Provincial legislation. This shall include the provisions of a minimum of one security officer for every 50 persons expected to be in attendance. The Peace Officer may require an alteration of the 1:50 ratio based on a consideration of the type of event and expected attendance. A list of names of the Security personnel is required. A letter of confirmation of the security plan from the NCO i/c of the police service of jurisdiction is required.
- 8.2. First Aid Facilities:
Every permittee shall provide such first aid facilities and ambulance service at the site of the concert or special event to satisfy in writing, the requirements of the Executive Officer and Designated Officer.
- 8.3. Parking Areas:
Every permittee shall provide adequate parking spaces for persons attending the concert or special event by motor vehicle. The Permittee may be called upon to provide a separate parking space for every three (3) persons expected to attend the concert or special event by motor vehicle. Such parking areas shall be clearly marked. The Designated Officer shall approve an applicant's "parking plan" before a permit shall be issued. No parking is allowed on County road allowances, ditches or rights-of-way. A letter of confirmation of the parking plan from the NCO i/c or designate is required.
- 8.4. Access and Parking Control:
The Permittee shall provide adequate ingress and egress to the concert or special event premises and parking areas, therefore necessary roads, driveways and entrance ways shall exist to ensure the orderly flow of traffic into the premises from a highway or road, which is part of the road system or which is a road maintained by the County. An identified all weather access/exit route for fire equipment, ambulances, other emergency vehicles and personnel shall be required. The Designated Officer shall approve the Permittees plan for ingress and egress before a permit shall be issued. Additionally, any Permittee shall be required to have traffic attendants under his employ and to ensure orderly on-site traffic movement and relieve traffic congestion in the vicinity of the concert or special event area. A letter of confirmation from the NCO i/c or designate of the access and parking control is required.

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8.5 Road Use

The Permittee must enter into a Road Use Agreement with Brazeau County Public Works and Infrastructure to ensure the proper maintenance and safety of the road service suitable for emergency vehicle access and provide the necessary signage to ensure smooth vehicular traffic flow. If required, the Permittee must also obtain a Roadside Development Permit from Alberta Transportation.

8.6 Hours of Operation:

All concerts or special events, which are subject to a permit pursuant to the provisions of this Bylaw shall close and cease operations continuously between the hours of 2:00 am and 6:30 am of each and every day. The sound system or public address system must be turned off by 1:00 am.

8.7 Communications:

The applicant shall be required to establish a communication system for public use where ordinary communication is not available. The Designated Officer may require a provision of a mobile phone station at the site of the concert or special event.

8.8 Fire Protection

Every Permittee shall be required to provide for adequate fire protection services and provide a letter of confirmation from the Brazeau County Fire Services indicating their satisfaction with all required fire permits and protection.

8.9 Food Concessions

The applicant shall provide such food facilities as may be required by the Executive Officer to adequately provide good services to those persons attending the concert. All temporary concessions or booths that dispense or handle food must be inspected and approved by the Executive Officer prior to commencement of business.

8.10 Water and Sanitation Facilities

8.10.1 Every Permittee shall provide an ample supply of potable water for drinking and sanitation purposes at the site of the concert or special event.

8.10.2 All water shall be safe to drink and meet Canadian Drinking Water Standards.


8.10.3 If the concert or special event is scheduled to run more than three days, the water supply must be connected to an approved drinking water supply or a totally enclosed drinking water tank that will hold enough water to meet the required needs.

8.10.4 The water lines must be made of food grade CSA approved material.

8.10.5 The local Public Health Inspector may require the applicants to send samples of the water to the Provincial Laboratory of Public Health to ensure it is safe to drink.

8.10.6 The Executive Officer shall determine the number of portable toilets and drinking facilities required.

8.10.7 Wastewater must either be discharged directly to an approved sanitary sewer or stored in a totally enclosed wastewater holding tank that can hold 10% more water than the clean water supplied, eg., if there are 100 litres of clean water, the wastewater tank must be at least 110 litres. No liquid waste is allowed to be dumped on the ground or in storm sewers.

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8.11 Solid Waste

Every Permittee shall be required to furnish the area with trash cans and garbage receptacles as may be required by the Executive Officer. An adequate supply of plastic bag liners are to be inserted, and when full, it shall be tied and removed and a new plastic bag liner is to be inserted. The pick up and removal of trash, refuse, garbage and rubbish, shall be at least once a day or more often if required by the Executive Officer. A signed contract with a licensed refuse collector shall be submitted and filed with the Executive Officer. The removal of all trash and refuse shall be at the Permittee's expense.

8.12 Liquor Sales

Every Permittee that intends on the sale of liquor during the event must obtain a special events liquor permit from Alberta Gaming and Liquor Commission.

8.13 Overnight Accomodation

Where there are camping provisions, the applicant shall provide a map detailing the camping areas, the number of camping stalls in each area and identify the roadways throughout the camping areas. The plan shall contain provisions for the orderly processing and parking of camping units. Each camping area must allow for vehicle access, including sufficient space for emergency vehicle access and passage. Copies of any lease agreements shall be attached to the application. Camping is not permitted within the general parking areas or access roads.

8.14 Public Liability Insurance

The applicant shall be required to provide Public Liability Insurance for the event, in the minimum amount of two million dollars (\$2,000,000.00) or an additional amount as specified by the Designated Officer, naming Brazeau County as co-insured. Proof of the insurance policy shall be provided to the Designated Officer prior to the event.

8.15 Miscellaneous:

The Designated Officer may impose such additional conditions as are reasonably determined by the County as necessary to protect the health, welfare and property of local residents and persons attending the concerts or special events.

- 9) A Performance Bond, or other form of security, in such form and amount as satisfactory to the Designated Officer shall be required.
- 10) The Permittee shall provide a deposit equal to the projected costs of the enhanced policing agreement placed into effect between the County and the Government of Alberta.
- 11) The Permittee may be required to pay the County for reasonable costs of services, which are required to ensure the safety, health and welfare of the public and protection of property.
- 12) If the Permittee contravenes any of the stipulated conditions for the event, the Designated Officer can immediately terminate the event. The financial costs of any such termination shall be the responsibility of the Permittee.
- 13) A Permittee shall comply with all relevant Federal, Provincial and Municipal laws in existence.
- 14) The Designated Officer may grant relief from any of the above requirements where it appears that such an action is in the best public interest. This ability to grant relief shall be limited to those items within the control of the Designated Officer under this bylaw and does not relieve the Permittee from any conditions or requirements imposed by law, contract or otherwise.

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15) Any Peace Officer who, on becoming aware that a concert or special event is taking place or is about to take place in contravention of this bylaw or any permit issued under this bylaw, shall be at liberty to use such reasonable means as may be available to stop such a concert or special event from taking place or continuing to take place.

16) Any person who:

16.1. operates, maintains, conducts, advertises a concert or special event in Brazeau County without first having obtained the permit required by this order; or

16.2. having obtained the permit, fails to comply with the conditions; or

16.3. attends a concert or special event, which requires a permit under this bylaw and one or more of the terms of the permit have not been complied with and who on being asked by a Peace Officer to leave such concert or special event and does not leave;

is guilty of an offence and is liable on conviction to a fine of not more than TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) and not less than ONE THOUSAND DOLLARS (\$1,000) and, in addition, to a fine of not more than TWO THOUSAND FIVE HUNDRED (\$2500) for every day the offence continues and, in default of payment, to imprisonment for a term not exceeding thirty (30) days.

17) The Permittee shall indemnify and hold harmless the municipality from any and all liabilities, damages, costs, claim, suit or action arising from or in any way related to the issuance of the special event permit.

***Depending on the nature of event, the application period may be reduced upon review and approval by the NCO i/c of the police service of jurisdiction and the Designated Officer.**

READ a first time this 15th day of November, 2011

READ a second time this 15th day of November, 2011

READ a third time and finally passed this 15th day of November, 2011



Reeve



Chief Administrative Officer