

Village of Pemberton
Special Event Bylaw No. 977, 2025

A bylaw to regulate special events.

The Council of the Village of Pemberton, in open meeting assembled, **ENACTS AS FOLLOWS:**

CITATION

1. This bylaw may be cited for all purposes as “Village of Pemberton Special Event Bylaw No. 977, 2025”.

INTERPRETATION

- 2 (1) The [Interpretation Act](#) applies to this bylaw.
- (2) In this bylaw, a reference to an Act refers to a statute of British Columbia and a reference to any statute, regulation or other enactment refers to that enactment as amended or replaced from time to time.
- (3) A reference to a person who holds an office includes a person appointed to act for that person from time to time.

Purpose

- (4) The purpose of this bylaw is to establish regulations and permitting requirements to promote the safe hosting of *special events* in the *Village*.

Definitions

- (5) In this bylaw:
 - a) *applicant* means an applicant for a *special event permit* and the holder of the permit once issued,
 - b) *application* means a special event permit application made in a form established by the *manager*,
 - c) *attendees* means all persons present at an event and includes all participants, staff, volunteers, and contractors,
 - d) *bylaw enforcement officer* means the person appointed to this position by the *chief administrative officer* of the *Village*,
 - e) *chief administrative officer* means the person appointed to this position by the *Village*,
 - f) *Community safety officer* means the person appointed to this position by the *chief administrative officer* of the *Village*.

- g) *Council* means the Council of the Village of Pemberton,
- h) *Fees and Charges Bylaw* means the Village of Pemberton Fees and Charges Bylaw,
- i) *highway* includes a street, road, lane, bridge, sidewalk, boulevard, road shoulder any other way open to public use, and any road shoulder, adjacent land or ditch on municipal or Crown land, but does not include a private right of way on private land;
- j) *manager* means the chief administrative officer for the *Village*;
- k) *permit* means a special event permit issued under this bylaw in a form prescribed by the *manager*;
- l) *police* means the Royal Canadian Mounted Police (RCMP) or any other police agency that is responsible for policing the Village of Pemberton;
- m) *site* means the land described in a *permit*, on which a *special event* is to be held;
- n) *special event* means any festival, concert, exhibition, show, performance, competition, involving music, sports or athletics, or of a theatrical, community or cultural nature, where any part of the event is held outdoors, and that:
 - (i) is likely to be attended by 600 or more individuals,
 - (ii) is complex because of security requirements or anticipated media attendance, or
 - (iii) is determined to be a *special event* by the manager.
- o) *Village* means the Village of Pemberton, and
- p) *Special event guidelines* means a set of guidelines approved by the *manager* for special events within parks or on land owned by or under the control of the *Village*.

Severability

- (6) If any definition, section, subsection, paragraph, subparagraph, clause or phrase in this bylaw is held invalid by a court of competent jurisdiction, the invalid definition, section, subsection, paragraph, subparagraph, clause or phrase must be severed, and the remainder of this bylaw is deemed to have been adopted without the severed definition, section, subsection, paragraph, subparagraph, clause or phrase.

PERMIT REQUIREMENTS

- 3 (1) Prior to holding a *special event*, the person responsible for the event must obtain a *permit*.
- (2) A person must not publicize or hold a *special event*, or permit, suffer or allow the publication or holding of a *special event* in the *Village* except in accordance with this bylaw.
- (3) Prior to publicizing a *special event*, or permitting, suffering, or allowing the publicizing of a *special event*, the organizer of the *special event* must submit to the *manager* a request for provisional approval the proposed dates of the event and the expected number of attendees and must receive authorization in writing from the *manager* to proceed with publicizing the *special event*.
- (4) Such provisional approval of dates referred to in 3 (3) does not constitute a *permit*.
- (5) Notwithstanding 3 (1), a *permit* is not required for a *special event* hosted by the *Village*, School District No. 48, or School District No. 93.

APPLICATION REQUIREMENTS

- 4 (1) An *applicant* must hold a valid Village of Pemberton business licence.
- (2) An *application* is due no later than ninety (90) days prior to the *special event*.
- (3) The *manager* may refuse to accept an *application* submitted after the *application* deadline.
- (4) An *application* received between one (1) and thirteen (13) days after the *application* deadline will be subject to a surcharge of 10% of the application fee.
- (5) An *application* received between fourteen (14) and twenty (20) days after the *application* deadline will be subject to a surcharge of 20% of the application fee.
- (6) An *application* received between twenty-one (21) and thirty (30) days after the *application* deadline will be subject to a surcharge of 30% of the application fee.
- (7) An *application* received thirty-one (31) days or more after the *application* deadline will be subject to a surcharge of 40% of the application fee.
- (8) An *application* for a *permit* must be made in a form approved by the *manager* and must include the written approvals and relevant supporting documentation required by the *manager*, including, if applicable, approvals and documentation from the following parties:
 - a) the registered owner and occupier of the land upon which the *special event* is to be held,
 - b) Vancouver Coastal Health - Office of the Medical Health Officer,

- c) Royal Canadian Mounted Police,
 - d) Office of the Fire Commissioner, BC Forest Service Protection Branch and Pemberton Fire Rescue (as applicable),
 - e) British Columbia Liquor Inspector (if liquor is to be sold during the event),
 - f) British Columbia Ministry of Transportation & Transit (if accessing on or near an arterial Highway),
 - g) British Columbia Ministry of Forests, Lands, and Natural Resource Operations and Rural Development, if access will be from a forest service road or if located adjacent to or within a wildfire hazard assessment area,
 - h) Agricultural Land Commission (proof of compliance with applicable requirements and approvals),
 - i) Other jurisdictions that could be affected by the special event,
 - j) Village of Pemberton emergency program coordinator, and
 - k) *manager* (for land use and service agreements).
- (9) Unless otherwise authorized by the *manager* in writing, approvals and documents from the following parties, if applicable, must be submitted to the *manager* at least ten (10) days prior to the commencement of the *special event*:
- a) Technical Safety BC,
 - b) Structural engineer,
 - c) Village of Pemberton Development Services Department,
 - d) Village of Pemberton Operations Department, and
 - e) Village of Pemberton Building Official.
- (10) The application must include the following information and documents, prepared in accordance with the *special event guidelines* and to the satisfaction of the parties listed in sections 6 (4) and (5), if applicable:
- a) public safety and security plan,
 - b) emergency preparedness plan,
 - c) emergency communications plan including relevant contact information,
 - d) noise management plan,
 - e) set-up and tear down timelines,

f) off-site traffic management and parking plan (delivery/set-up vehicles), and

g) site plan of special event site and neighbouring properties which includes:

- (i) site access information;
- (ii) parking and on-site traffic management plans;
- (iii) event layout and locations that include, as required, public and vendor sanitary facilities
- (iv) solid and liquid waste management plans;
- (v) location of staging, camping, attractions and vendors
- (vi) fire safety plan;
- (vii) first aid care and facilities;
- (viii) on-site security program;
- (ix) on-site and off-site signage plans; and
- (x) location of hazards, and
- (xi) any such other information and documents that the manager deems necessary or advisable in the circumstances.

(11) An *application* for a *permit* must include a written agreement in a form acceptable to the *manager*, to release, indemnify and save harmless the *Village*, its officers, elected officials, employees, agents and volunteers from and against any and all suits, claims, demands, complaints, or claims of any kind whatsoever that do or may arise as a result of publicizing, holding or carrying out the *special event* and all related activities, including, without limitation, for compensation for loss, injury or death to persons, loss of, injury or damage to property, and for reasonable legal expenses, unless directly caused by an intentional wrongdoing of the *Village* or its officers, officials, employees, agents or volunteers.

(12) The *manager* may exempt an *applicant* from providing some or all the information and materials described in this section.

COSTS, FEES, SECURITY DEPOSIT AND EXPENSES

- 5
- (1) All costs and expenses incurred in meeting the requirements of this bylaw shall be borne by the *applicant* or the owner or occupier of land where the *special event* is held.
 - (2) The *applicant* must pay the application fee, and, if applicable, the late application surcharge, at the time of submitting the application.
 - (3) Fees and charges associated with this bylaw are set out in the *Fees and Charges Bylaw*.
 - (4) An *application* must be accompanied by a refundable security deposit in the form of a standby irrevocable letter of credit or cash as set out in the *Fees and Charges Bylaw*.
 - (5) The *applicant* and any owner or occupier of land where the *special event* is held shall be responsible for all costs incurred by the *Village* arising from or related to the *special event*, including but not limited to, the cost to provide policing, public works,

planning or building review, fire services and all costs to restore the site after the special event.

- (6) The *Village* will hold any security deposit for up to one hundred and twenty (120) days following the conclusion of the *special event*, at which time the *Village* shall return the security or such portion of the security not applied to the recovery of costs set out in section 4 (5).
- (7) Despite paragraph (6), if, in the opinion of *Village*, the *special event* causes damage or results in the *Village* incurring financial costs and expenses for the cleanup, repair, reconstruction or replacement of any public place or *Village* property which is not remedied immediately upon demand, the *Village* may from time to time draw down on the security posted to the extent of any cost incurred or expected to be incurred by the *Village* in connection with the cleanup, repair, reconstruction, or replacement.
- (8) Either one or both the *applicant* and the owner or occupier of land where the *special event* is held shall, within one hundred and twenty-seven (127) days of the special event, pay any costs incurred by the *Village* because of the *special event* that exceed the security provided under 5 (4).
- (9) For the purposes of section 4 (7), damage caused by the *special event* includes damage caused by a participant or spectator, contractor or employee at the special event or present during set up prior to the *special event* or clean up activities following the *special event*.
- (10) Any and all costs and expenses incurred by the *Village* in providing services to the land or improvements on which a *special event* is held shall be a debt owed to the *Village* by the land owners and if not paid in full by December 31st of the year in which the debt is incurred, may be collected as if for property taxes from the owner of property for which the *Village* service was provided or work carried out.

APPROVAL OF A PERMIT

- 6 (1) *A permit for a special event* may be withheld if:
 - a) the *application* is incomplete or inaccurate,
 - b) in the opinion of the *manager*, there are insufficient police or safety services available, or
 - c) the necessary approvals or permits from external agencies have not been obtained.
- (2) Council delegates to the *manager* the authority to approve, exempt, and revoke on behalf of the *Village*, an *application for a permit* under this bylaw.
- (3) The manager may revoke a *permit* if:
 - a) any element of the *special event* does not adhere to or comply with the information, plans, or approvals provided with the application, any conditions

attached to the *permit*, and applicable Acts, regulations, decisions, orders, bylaws or legislation of any other person or body having jurisdiction over the subject lands, or

b) if the manager determines that continuing with the event poses a hazard to the community, the environment, or the participants of the event.

(4) The *applicant* and any owner or occupier of land where the *special event* is held is responsible to ensure that the *special event* adheres to and is held in compliance with the information, plans, and approvals provided in the *application*, any conditions attached to the *permit*, and all applicable Acts, regulations, decisions, orders, bylaws or legislation of any other person or body having jurisdiction over the subject lands.

OFFENSE

6 (1) Any person who:

- a) contravenes a provision of this bylaw,
- b) causes or allows any act or thing to be done in contravention of any provision of this bylaw; or
- c) fails or neglects to do anything required to be done by any provision of this Bylaw,

commits an offense.

(2) A person who commits an offense under this bylaw is liable if:

- a) proceedings are brought under the Offense Act (B.C.), to pay a fine to a maximum of \$50,000 plus the costs of prosecution, and any other order imposed;
- b) a ticket is issued under the Village of Pemberton Municipal Ticket Information Utilization Bylaw No. 845, 2018, to pay a fine to a maximum authorized under that Act; or
- c) a bylaw notice is issued under a bylaw made under the Local Government Bylaw Notice Enforcement Act, to pay a penalty to a maximum authorized under that Act.

(3) Each day that an offence against this bylaw continues or exists shall be deemed to be a separate and distinct offence.

ENFORCEMENT

6. This bylaw may be enforced by the *manager*, the *police*, the *community safety officer*, or the *bylaw enforcement officer*.

REPEAL

7. This bylaw repeals Village of Pemberton Special Event Bylaw No. 940, 2023.

READ A FIRST TIME this 21st day of January, 2025.

READ A SECOND TIME this 21st day of January, 2025.

READ A THIRD TIME this 21st day of January, 2025.

ADOPTED this 11th day of February, 2025.

Mike Richman
Mayor

Gwendolyn Kennedy
Corporate Officer