

VILLAGE OF PEMBERTON

Special Events Amendment (Application and Fine Structure) Bylaw No. 810, 2017

A Bylaw to amend Village of Pemberton Special Events Bylaw No. 750, 2014

WHEREAS the Village of Pemberton Council recognizes the importance of Special Events in enhancing the quality of life, tourism, culture, recreation and education and in providing economic benefits to the local economy;

AND WHEREAS Council deems advisable the provision of adequate health, safety, sanitation and protective measures of persons attending special events where large numbers of people are in attendance, or may be anticipated to be in attendance;

AND WHEREAS planning for and accommodating a special event which is expected to involve extraordinary costs to the Village for policing, highway and traffic control, water and other services, and dealing with potential adverse impacts such as nuisance;

NOW THEREFORE, the Council of the Village of Pemberton, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw is cited as the "Village of Pemberton Special Events Amendment (Application and Fine Structure) Bylaw 810, 2017".

2. APPLICATION

Village of Pemberton Special Events Bylaw No. 750, 2014 is amended as follows:

Section 4: PROHIBITION:

- a) Subsection (2) is deleted and replaced with the following:

Prior to publicizing a Special Event, described in Section 3 (1), the organizer of the event must submit for the Village' approval the proposed dates of the event and the expected number of attendees.

- b) Subsection (3) is deleted and replaced with the following:

Prior to holding a Special Event, the person responsible for the Special Event must submit a complete Application to the CAO, together with full payment of the Application fee as required under Section 5 and all applicable supporting documentation as required under Section 6.

- c) Section 4 is amended by adding subsection (4):

Prior to holding a Special Event, the person responsible for the Special Event must obtain a Permit for that Special Event.

Section 5: APPLICATION FEE AND ADDITIONAL COSTS

Section 5 is amended by adding subsection (3) (a), (b), and (c) as follows:

- (a) Late submission of Special Event Application for a Major Event, as required under Section 6 of this Bylaw, constitutes an offence subject to the following fine structure and will be implemented on a cumulative basis:
 - i. Application submitted over seven (7) days of the submission deadline will be subject to a ten percent (10%) fine of original application fee.
 - ii. Application submitted over fourteen (14) days of the submission deadline will be subject to a twenty percent (20%) fine of original application fee
 - iii. Application submitted over twenty one (21) days of the submission deadline will be subject to a thirty percent (30%) fine of original application fee.
 - iv. Applications submitted over thirty (30) days of the submission deadline will be subject to a forty percent (40%) fine of the original application fee plus forfeiture of the entire security deposit.
- (b) The CAO may set a higher or lower amount for the fine structure as required in Section 5 (a) if the CAO believes that the scope, scale, and nature of the proposed Special Event creates an increased or decreased risk of damage to land and property.
- (c) The Village will withhold any amounts owing resulting from fines from the security deposit as outlined in Section 8. In the event that the amount remaining in the security deposit does not satisfy amounts owing, the Village will submit an invoice for this amount to the person responsible for the Special Event which must be paid within thirty (30) business days. Late payment of invoice may result in an additional fine of fifty percent (50%) of the invoiced amount.

Section 6: OBTAINING A PERMIT:

- a) Subsection (1) **Type of Event** is deleted and replaced as follows:

A fully complete Application for a Permit must be submitted to the CAO as follows:

 - (a) for Minor Events: at least forty-five (45) days prior to any Site preparations for the Special Event;
 - (b) for Major Events: at least sixty days (60) days prior to any Site preparations for the Special Event.
- b) Subsection (2) **Required Information** is deleted and replaced as follows:
 - (a) An Application for a Permit shall be made in the form as approved by the CAO.
 - (b) The Application upon submission must include the written approvals and any relevant supporting documentation by any or all of the following stakeholders as determined by the CAO.
 - (i) The registered owner and occupier of the land upon which the special event is to be held;
 - (ii) Vancouver Coastal Health - Office of the Medical Health Officer;

- (iii) Royal Canadian Mounted Police;
- (iv) Office of the Fire Commissioner, BC Forest Service Protection Branch and Pemberton Fire Rescue (as applicable);
- (v) British Columbia Liquor Inspector (if liquor is to be sold during the event);
- (vi) British Columbia Ministry of Transportation & Infrastructure (if accessing on or near an arterial Highway);
- (vii) British Columbia Ministry of Forests, Lands, and Natural Resource Operations (if access will be from a forest service road or if located adjacent to or within a wildfire hazard assessment area);
- (viii) Agricultural Land Commission (proof of compliance with any requirements and any approvals as applicable);
- (ix) Other jurisdictions that could be affected by the Special Event;
- (x) Village of Pemberton Emergency Program Coordinator;
- (xi) Village of Pemberton CAO (for Land use and Service Agreements)

Requirements may vary based on the scope and nature of the event and will be communicated to the organizer by the CAO or his/her designate. Further approvals and documents under Subsection (c) are required prior to commencement of the event.

- (c) The following stakeholder approvals and/or documents are to be submitted to the Village a minimum of ten (10) days prior to the commencement of event activities unless otherwise authorized by the CAO :

- (xii) British Columbia Safety Authority;
- (xiii) Approval of Structural Engineer;
- (xiv) Village of Pemberton Development Services Department;
- (xv) Village of Pemberton Public Works Department.
- (xvi) Village of Pemberton Building Inspector and/or Compliance Officer.

- (d) The Application must include proof that owners and occupiers of property within one (1) kilometre of the site of the Special Event who may be affected have been notified in writing prior to submission of the application for the Special Event;

- (e) The Application must include a Communications Plan, which will outline the procedure, timelines and type of communication to be shared with the community and media for the purpose of the event;

- (f) The Application must include a document which provides details on the following items and any other information as deemed necessary by the CAO:

- i. Public Safety, Security Plan and Emergency Preparedness Plan
- ii. Emergency Communications Plan including relevant contact information
- iii. Noise management plan as applicable
- iv. Set-up and tear down timelines
- v. Off-site traffic management/parking plan (delivery/set-up vehicles)
- vi. Site Plan of Special Event Site and neighbouring properties which includes:

1. Site access information;
2. Parking, on-site traffic management plans;
3. Event layout and locations that include, as required, public and vendor sanitary facilities
4. Solid and liquid waste management plans;
5. Location of staging, camping and attractions and vendor locations
6. Fire safety plan;
7. First aid care and facilities;
8. On-site Security program;
9. On-site and off-site signage plan; and
10. Location of any hazards for the Special Event

made in accordance with the Special Event Guidelines and to the satisfaction of the stakeholders listed in Section 6 (b) and (c), and such other information the CAO deems necessary or advisable in the circumstances of the Special Event.

- (g) An application for a Special Event Permit must include a written agreement in a form acceptable to the CAO, 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,
- (h) The CAO may exempt an applicant from providing some or all of the information and materials described in this section.

READ A FIRST TIME this 21st day of February, 2017.

READ A SECOND TIME this 21st day of February, 2017.

READ A THIRD TIME this 21st day of February, 2017.

ADOPTED this 7th day of March, 2017.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer