



# **Special Event, Parade, and Park Use Permits**

Bylaw 1410

January, 2024

**CASTLEGAR**

# Special Event, Parade, and Park Use Permits

## Bylaw 1410

**A Bylaw pursuant to Sections 8 and 64 of the *Community Charter*, to regulate, prohibit and impose requirements in relation to public places and the protection and enhancement of the well-being of its community.**

**WHEREAS** the *Community Charter* provides that Council may, by bylaw, regulate, prohibit and impose requirements in relation to public places and the protection and enhancement of the well-being of its community,

**AND WHEREAS** Council deems it to be in the public interest to establish a bylaw governing the granting and regulation of permits for Special Events, Parades and Park Use in the City of Castlegar,

**NOW THEREFORE** the Council of the City of Castlegar, in open meeting assembled, enacts as follows:

1. **This Bylaw may be cited as the "Special Event, Parade, and Park Use Permits Bylaw 1410".**

### 2. **Definitions**

**"Applicant"** – means the person submitting the Application for a permit and the holder of the issued permit.

**"City"** – means all parts of the City of Castlegar contained within the boundaries of the City.

**"City owned property"** – means any real property or property subject to a right of occupation by the City for the purpose of pleasure, recreation, or community uses of the public, including but not limited to parks, playgrounds, sport courts, natural and landscaped areas, sports fields, trails, walkways, parking lots, and other public places.

**"Council"** – means the Council of the City of Castlegar.

**"Fee"** means any consideration paid, transferred, exchanged, assigned, or acknowledged, or to be paid, transferred, exchanged assigned, or acknowledged.

**"Fire Safety Plan"** – means a document or diagram that covers all aspects of fire safety for a specific event location.

**"Insurance"** – means insurance coverage/policy that provides liability coverage for but not limited to bodily injury and third-party property damage for the purpose of a special event or parade and includes the City of Castlegar as an additional insured for the special event or parade.

**"Park"** means any real property or property subject to a right of occupation by the City for the purpose of pleasure, recreation, or community uses of the public, including parks, playgrounds, sport courts, natural and landscaped areas, sports fields, trails, walkways, green space, and other public places.

**"Parade"** – means a public procession on City owned roads that may cause traffic disruptions, require redirecting of traffic, or road closures.

**"Permit"** – means a special event or parade permit issued under this Bylaw.

**"Person"** – means an individual, partnership, association, corporation, organization, business, cooperative, trustee, executor, administrator, or legal representative.

**"RCMP"** – means the Royal Canadian Mounted Police.

"Site" – means the land/location described in a permit, on which a special event or parade is to be held.

"Site Plan" – A drawing or diagram that shows the area that the event is being held on, and includes locations of temporary equipment that is being used to operate an event, including stage, vendors, and activity placement.

"Special Event" – means any special event or gathering, show, exhibition, fair, concert, market, sporting special event and/or performance of a temporary nature.

"Traffic Control Plan" means a plan created by a certified traffic safety company to clearly direct and control vehicular traffic disruptions and may call for coordinated actions from several services responsible for road and traffic management on roads.

### 3. Locations that Require a Permit

All City-owned property including parks, green space, playgrounds, sport courts, natural and landscaped areas, sports fields, trails, walkways, parking lots, roads, sidewalks, rights-of-ways, and other public places.

### 4. Application for Permits

- a. Written applications for permits to host Special events, Parades, or use of a specified location(s) within the City boundaries must be submitted at least one month in advance of the special event, to the Corporate Services Department.
- b. The Applicant must obtain liability insurance in the minimum amount in accordance with Schedule A of this Bylaw, and name the City as an additional insured on the policy, prior to approval and issuance of the permit.
- c. Parades or special events that require the closure of a portion of any City road, requires that the Applicant must provide, at their cost, a Traffic Control Plan, and certified traffic control at every intersection for any Parade or Special Event that takes place on City roads and that could potentially disrupt traffic.
- d. The Applicant will ensure certified traffic control are located at every intersection prior to the beginning of the Parade or Special Event or the Parade or Special Event will be immediately cancelled.
- e. The Applicant must provide a site plan to the City for any and all temporary structures (tents, booths, staging, etc.) and activities located on any City-owned green space that could cause damage to the turf or buried infrastructure will require pre-approval of the City.
- f. The Applicant must provide a fire safety plan to the City showing location of exits, hydrants, fire extinguishers, and evacuation routes.
- g. Mobile food vendor(s) will be subject to following the Castlegar Fire Department Mobile Food Vendor Guideline/Checklist, as is applicable.
- h. The City may impose specific terms and conditions with respect to a Permit in relation to:
  - i) Duration of the Special Event;
  - ii) Maximum attendance;
  - iii) Waste management and clean-up;
  - iv) Damage deposits and fees;

- v) Damage to property;
- vi) Public health and safety;
- vii) Vehicular and traffic control, parking control and crowd control;
- viii) The protection of public or private property;
- ix) The presence of security, police or other emergency services;
- x) The presence of medical services and / or first aid;
- xi) Arrangements for public transit and emergency vehicle access;
- xii) The consumption and use of liquor and cannabis products;
- xiii) The sale, service and consumption of liquor or cannabis products;
- xiv) Notification of neighbours or other persons who may be impacted by the Special Event or Parade.

## 5. Exemptions

- a. This Bylaw does not apply to the following:
  - i) Special events held on private property that nonetheless are required to follow relevant Municipal Bylaws.
  - ii) The City of Castlegar.
  - iii) The Provincial Government and Federal Government, and its Ministries.

## 6. General Permit Conditions

- a. No person shall hold or prepare public property for holding a Special Event or Parade unless the Applicant or person holding the Special Event has a valid City approved Permit.
- b. The Applicant must follow all rules and regulations as defined in the City approved Permit.
- c. Public places such as parks or City-owned roads will always be accessible to the public and a Permit will not limit or restrict the public from use of those public places.
- d. A Permit issued under this Bylaw is non-transferrable.
- e. A Permit issued under this Bylaw is issued on the understanding and condition that it is not automatically renewable, that it implies no expectation of renewal and that it ceases absolutely at the end of the period outlined on the Permit.
- f. A Permit issued under this Bylaw provides no suggestion or warranty as to the suitability of the location for the successful operation of the Special Event or Parade.
- g. The costs of damage caused to City property, including but not limited to roads, sidewalks, park structures, landscaping, infrastructure, or facilities shall be at the Applicant's expense. A detailed billing will be provided by the City.
- h. The Applicant must comply with all applicable laws, bylaws, orders, directions, ordinances, and regulations of any governmental authority having jurisdiction in any way with respect to the site, Special event, and Parade, including, but not limited to, the Province of British Columbia and all its Ministries, BC Wildfire Service, RCMP, the Castlegar Fire Department, WorkSafe BC, Interior Health Authority, and British Columbia Liquor and Cannabis Regulation Branch (LCRB), unless an authorized exemption is obtained by the Applicant, in writing from the applicable authority having jurisdiction.

- i. The City reserves the right to not accept applications that promote or support a particular religious or political view or belief, or which promote or support discrimination, contempt, or hate speech.
- j. The City may refuse to issue or revoke a Permit to the Applicant where the Applicant has not complied with the requirements of this Bylaw, or in circumstances where there are outstanding invoices owed to the City as a result of damages or contravention of this Bylaw by the applicant group.
- k. Should weather conditions exist that severely undermines the health/ stability of the turf surface, the City may apply restrictions or revoke access to City property at short notice (ground saturation/ prolonged extreme temperatures).
- l. A request for supply of power will be assessed on a case-by-case basis taking into consideration local infrastructure at that location, and the nature of the request. The Applicant will be responsible for ensuring the system is used correctly and must provide a plan for controlling any potential hazards to the public.
- m. A request for the supply of water will be assessed on a case-by-case basis taking into consideration local infrastructure, nature of the request and the risk of freezing. Water supply infrastructure will be closed during the period of Oct 15 – April 15 each year. Activities pertaining to permits are subject to the City's water regulations in accordance with the Water Regulation and Rates Bylaw, and any amendments thereto, if applicable.
- n. A request for access to unheated washrooms will be assessed on a case-by-case basis taking into consideration local infrastructure, nature of the request and the risk of freezing. Washroom facilities will be closed during the period of Oct 15 – April 15 each year.
- o. The Applicant at all times, accepts full responsibility for any accident that may occur, or damage that may be done to any person or property whatsoever, caused directly or indirectly by the use and occupation of the temporary closure area and shall save harmless and keep indemnified the City of Castlegar from all claims and demands whatsoever in respect of such use and occupation outlined in the Special Event or Parade application.
- p. The Applicant shall have total responsibility for the layout of the Special Event or Parade and shall take all steps to ensure that the Special Event is properly supervised to prevent injury to participants, spectators and those in attendance.
- q. No signs, markers or any other materials shall be nailed or tacked to trees or other vegetation or structures.
- r. Vehicle access on green spaces is strictly prohibited.
- s. The Applicant must remove all evidence of the Special Event or Parade such as signs, markers, temporary structures, garbage and recycling, and ensure that the area in which the Special Event or Parade is held is left in a clean condition.
- t. The City does not supply dumpsters, garbage collection or hauling. Any site cleanup post Special Event or Parade is the responsibility of the Applicant.

## 7. Security Deposits

- a. The City reserves the right to charge a security deposit in the form of a standby irrevocable letter of credit, cash or another form of security in the amount reasonably determined by the City on the basis of size, duration, impact, nature, and history of the Special Event or Parade for:

- i) Any loss or damage to land or property due to the Special Event or Parade.
  - ii) Any fines or penalties owed by the Applicant as a result of a contravention to this Bylaw or any other relevant City Bylaws, if the fines or penalties are owed in relation to promoting or holding the Special Event or Parade, and which amounts may be deducted from the security deposit once the fine or penalty becomes due and payable to the City.
  - iii) Any costs incurred by the City arising from or related to the Special Event or Parade, including the cost to provide emergency services or any other services, including but not limited to any necessary civic works provided by the City.
  - iv) Any costs to restore the site of the Special Event or Parade to the condition that it was in prior to the Special Event or Parade.
  - v) Any costs and damages incurred by the City arising from specified terms in a written agreement with the City or in the terms and conditions of the permit.
- b. The City will hold the security deposit without interest for a maximum of 60 days following the conclusion of the Special Event or Parade, at which time the City will return the security deposit subject to section 7(a) of this Bylaw.
  - c. If the Applicant fails to comply with the terms and conditions of the Special Event or Parade Permit or, if the Special Event or Parade results in damage to the site, public property or infrastructure which the Applicant fails to remedy, then the City or its agents may enter onto the site and perform such work as is necessary to cleanup, repair, reconstruct or replace the site, public property or infrastructure and the City may draw upon and use all or a portion of the security deposit to cover the costs of such work. Damage includes, but is not limited to, damage caused by a participant or spectator at the special event.

**8. Severability**

Should any section, subsection, clause, paragraph or sentence of this Bylaw be declared invalid by a court of competent jurisdiction, no other part of this Bylaw shall be deemed to be invalid, and the balance of the Bylaw shall remain in force as a whole except for the part declared invalid.

**9. Repeal**

Special events Bylaw No. 655, 1993 and all amendments thereto are hereby repealed.

READ A FIRST TIME this 18<sup>th</sup> day of December, 2023.

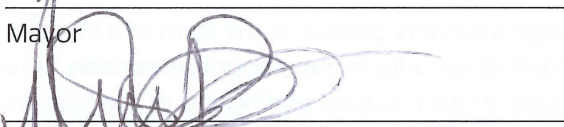
READ A SECOND TIME this 18<sup>th</sup> day of December, 2023.

READ A THIRD TIME this 18<sup>th</sup> day of December, 2023.

ADOPTED this 15<sup>th</sup> day of January, 2024.



Mayor



Director of Corporate Services

**Schedule A  
Special Events, Parade and Park Use Permits  
Bylaw 1410**

<b>Special Event/Park Use Type</b>			
<b>Risk Level and recommended liability insurance</b>			
<b>Minimal \$2 Million</b>	<b>Low \$2 Million</b>	<b>Medium \$2 Million</b>	<b>High \$5 Million</b>
<ul style="list-style-type: none"> <li>• Health and wellness special events.</li> <li>• Leisure and recreation classes and workshops.</li> <li>• Non-contact recreational sports.</li> <li>• Social activities.</li> <li>• Art, cultural, or general interest programs.</li> <li>• Community involvement activities (community meetings).</li> <li>• Artists and small outdoor performances in parks.</li> <li>• Block parties, picnics, and small group demonstrations and rallies.</li> <li>• Photography, videography, or filming – less than one day.</li> <li>• Walks and other non-competitive runs.</li> <li>• Small to medium size meetings in local government facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Farmers' markets.</li> <li>• Special event, community celebrations – NO alcohol consumption.</li> <li>• Occupancy of streets at one single location.</li> <li>• Photography, videography, or filming – less than one week.</li> <li>• Private or non-profit Special event functions – NO alcohol consumption.</li> <li>• Small theatrical, artistic, or cultural performances on local government streets or in parks.</li> <li>• Small-scale parades on local government side streets or in parks.</li> <li>• Special events involving rental of local government building facilities for less than one day.</li> <li>• Temporary use of streets.</li> <li>• Larger walks and other non-competitive runs.</li> </ul>	<ul style="list-style-type: none"> <li>• Competitive runs and cycling special events.</li> <li>• Corporate functions – with or without alcohol consumption.</li> <li>• Field sporting special events organized by community groups.</li> <li>• Special events or filming involving rental of local government facilities – six or more calendar days or recurring annually.</li> <li>• Large walk-a-thons and other non-competitive runs.</li> <li>• Sport tournaments.</li> <li>• Bike riding (not mountain biking).</li> <li>• Boating, canoeing, kayaking, sailing and skim boarding.</li> <li>• Programs for adults and youth involving use of inflatables, bouncy castles, or trampolines.</li> </ul>	<ul style="list-style-type: none"> <li>• Boxing and combative martial arts.</li> <li>• Rock climbing.</li> <li>• Snowboarding and ski lessons, and winter tubing/tobogganing.</li> <li>• Special events that require special set-up, modification to the premises.</li> <li>• Fireworks displays.</li> <li>• Large-scale special events, concerts, festivals, or parades, vehicle parades on local government streets or in parks.</li> <li>• Special events, festivals, community celebrations – involving alcohol consumption.</li> </ul>



	<ul style="list-style-type: none"> <li>• Large meetings in local government facilities.</li> <li>• No-contact, low-impact, self-defence martial arts.</li> <li>• Personal training sessions.</li> <li>• Small, limited attendance performances that do not require special set-up, modification to the premises, or specialized equipment; or that do not involve high risk activities.</li> </ul>		
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*\*\*This is a general list of activities/special events and is not limited to the above.*