

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events" in all electoral areas of the Fraser Valley Regional District

WHEREAS the Fraser Valley Regional District was established by Letters Patent on December 12, 1995;

AND WHEREAS the Fraser Valley Regional District Letters Patent provide in relevant part that each bylaw, regulation, contract, restriction, right, resolution, order, license and permit of whatsoever kind and description passed, made, enacted, entered into and granted and in effect or in force in or issued to or by the Former Regional District of Fraser-Cheam, Dewdney-Alouette Regional District and Central Fraser Valley Regional District having application to the area described by these Letters Patent, in so far as they are within the powers of the regional district, shall remain in full force and effect in and for the regional district until each may be amended or repealed by the board of the regional district in the same manners as if they were passed, made, enacted, entered into or granted by the regional district.

AND WHEREAS by Order-in-Council 1961/70 Supplementary Letters Patent were issued to the former Regional District of Fraser-Cheam, Dewdney-Alouette and Central Fraser Valley Regional District whereby the power to regulate a function, gathering or entertainment was granted;

NOW THEREFORE BE IT RESOLVED THAT the Board of Directors of the Fraser Valley Regional District in open meeting assembled, **ENACTS AS FOLLOWS:**

OFFICIAL CITATION

1. This bylaw may be cited for all purposes as the "Fraser Valley Regional District Special Events Bylaw No. 0111, 1997".

ENACTMENTS

Effective Date

2. This bylaw shall be effective upon the date of adoption.

Area of Application

3. This bylaw shall apply to all Electoral Areas of the Fraser Valley Regional District, except for those lands located in Electoral Area "E" at Cultus Lake Park that are separately administered by the Cultus Lake Park Board under the Cultus Lake Park Act S.B.C. 1932, c 63.

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events" in all electoral areas of the Fraser Valley Regional District

4. Notwithstanding any other provision of this bylaw, this bylaw shall not apply to:
- i) any annual celebration, fair, fund raising event or public assembly organized by, or sponsored by a duly constituted and recognized ratepayers organization, a duly constituted and recognized community association or fire department duly constituted and operating within the Regional District, or
 - ii) any congregation, gathering or event that is to take place in any permanent building or permanent structure or permanent facility lawfully existing on the date of adoption of this bylaw and affixed to land lawfully zoned by the authorities having jurisdiction for the holding of such congregation, gathering or event.

REPEAL OF SPECIAL EVENTS BYLAWS

5. Upon adoption of this bylaw:
- i) Dewdney-Alouette Regional District "Special Events By-law No. 12-1970" is hereby rescinded; and
 - ii) Central Fraser Valley Regional District "Control of Special Events bylaw No. 17-1970" is hereby rescinded; and
 - iii) Regional District of Fraser-Cheam "Special Events Bylaw No. 795, 1989" is hereby rescinded.

DEFINITIONS

6. In this bylaw:

"agent" means a person, authorized in writing by the owner, to represent the owner and includes a person, firm, corporation or other similar body.

"Class I Special Event" means a Special Event having an attendance of two hundred (200) or more people and less than five hundred (500) people or any Special Event the Regional District expects will have an attendance of two hundred (200) or more people and less than five hundred (500) people

"Class II Special Event" means a Special Event having an attendance of five hundred (500) or more people and less than one thousand (1000) people or any Special Event the Regional District expects will have an attendance of five hundred (500) or more people and less than one thousand (1000) people

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events" in all electoral areas of the Fraser Valley Regional District

"Class III Special Event" means a Special Event having an attendance of one thousand (1000) or more people or any Special Event the Regional District expects will have an attendance of one thousand (1000) or more people.

"occupier" means a person

- i) who is legally entitled to maintain an action for trespass; or
- ii) in possession of Crown land under a homestead entry or preemption record; or
- iii) in possession of Crown land or land owned by a municipality under a lease, license, agreement for sale, accepted application to purchase, easement, or other record from the Crown or municipality, or who simply occupies the land.

"owner" in respect of real property means an "owner" as defined in the Municipal Act, R.S.B.C. Chap. 323, and amendments thereto.

"real property" means land, with or without improvements so affixed to the land as to make them in fact and law a part of it.

"Regional Board" means the Board of Directors of the Regional District.

"Regional District" means the Fraser Valley Regional District.

"Special Event" means any public show, exhibition, carnival or performance or gathering of any kind having an attendance of two hundred (200) or more people or any public show, exhibition, carnival or performance that the Regional District expects will have an attendance of two hundred (200) or more people.

"Special Event License" means a permit granted by the Regional Board pursuant to the provisions of this bylaw and valid for one calendar day, the form of which is attached hereto as Schedule "B".

PENALTIES

7. Every person who commits an offense contrary to the provisions of this bylaw is liable upon summary conviction to a penalty of not more than twenty thousand dollars (\$20,000.00) in addition to the costs of prosecution.
8. Each day a violation is caused or allowed to continue constitutes a separate offense under this bylaw.

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events" in all electoral areas of the Fraser Valley Regional District

PROHIBITIONS

9. Every person commits an offense contrary to the provisions of this bylaw who:
- a) organizes, sponsors, or holds a Special Event, unless the Regional Board has issued a valid Special Event License for such event;
 - b) permits the organization, sponsorship, or holding of a Special Event, unless the Regional Board has issued a valid Special Event License for such event;
 - c) advertises or permits the advertisement of a Special Event, unless the Regional Board has issued preliminary approval for such event;
 - d) obstructs the entry of any person or persons charged with the administration or enforcement of this bylaw;
 - e) in relation to an application for any License under this bylaw, submits false or misleading information;
 - f) allows a congregation or gathering of persons or a Special Event to take place contrary to the terms of any Special Event License or other written approval issued pursuant to this bylaw.

PRELIMINARY APPLICATION

10. The application for a Special Event License shall be made at least sixty (60) days prior to the Special Event and shall:

Class I, Class II and Class III Special Event License

- a) be made in the form of Schedule "A" which is attached to and forms part of this bylaw;
- b) be signed by the owner or occupier, or his agent, as the case may be, of the property's) upon which the Special Event is to be held;
- c) state the legal description of the property's) at which the Special Event is to occur;

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

**A bylaw to provide for the regulation of "special events"
in all electoral areas of the Fraser Valley Regional District**

- d) state the name, address and telephone number of the promoter of the Special Event where it is other than the owner or occupier of the property's at which the Special Event is to take place;
- e) state the date(s) and hours upon which the Special Event is to occur;
- f) include as an exhibit a sketch plan of the property showing the following:
 - i) the location and use of existing structures
 - ii) the location and use of any temporary structures proposed for the Special Event including any temporary seating arrangements which may be proposed
 - iii) the location and size of parking areas
 - iv) the location, number and arrangement for washrooms and other sanitation facilities
 - v) the location, size and nature of garbage disposal containers
 - vi) the location, size and nature of domestic water dispensing facilities
 - vii) the location of cooking facilities and other food and drink preparation, if such are proposed
 - viii) the location of any water body within five hundred (500) feet of the proposed site

where a Special Event is to occur on more than one property, a sketch plan showing i) to viii) above is required for each property.

- g) be accompanied by a fee of:
 - i) \$100 for a Class I Special Event License;
 - ii) \$250 for a Class II Special Event License;
 - iii) \$250 plus \$100 for every one thousand (1,000) participants or any part thereof over two thousand (2,000) participants for a Class III Special Event License;

for each Special Event License required to permit the event.

- h) be accompanied by a statement describing the proposed arrangement for the following:
 - i) access and egress to and from the site(s)
 - ii) security and crowd control
 - iii) fire protection

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events" in all electoral areas of the Fraser Valley Regional District

- iv) first aid
 - v) garbage disposal
 - vi) garbage clean up following the event
 - viii) sanitation
 - ix) power
 - x) source of heat for cooking facilities (if any)
- i) be accompanied by all other necessary information to enable the Regional District to assess the application and to establish compliance with this and any other bylaw, regulation, covenant or statute as the case may be

PRELIMINARY APPROVAL

11. The Regional District may give preliminary approval for the holding of a Class I or Class II Special Event if it is satisfied that Section 9 of this bylaw is being complied with.

FINAL APPLICATION AND APPROVAL

12. Not less than thirty (30) days prior to the commencement of the Special Event the applicant for a Class II and Class III Special Event, shall submit to the Regional District the following:
- a) Written certification from the Medical Health Officer for the Electoral Area in which the Special Event is to be held certifying that adequate arrangements have been made for:
 - i) toilet facilities
 - ii) garbage collection and removal
 - iii) domestic water
 - iv) food and drink preparation, serving and storage
 - v) any other matter pertinent to the Health Officers' jurisdiction
 - b) Written certification of the Officer in Charge (Royal Canadian Mounted Police) for the area in which the Special Event is to be held certifying that adequate arrangements have been made for:
 - i) internal security at the site(s) of the Special Event
 - ii) the parking of vehicles

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events" in all electoral areas of the Fraser Valley Regional District

- iii) traffic control
 - iv) location of a police command station at or near the site of the Special Event (if deemed necessary by the Officer in Charge)
 - v) the prevention of excessive or disturbing noises, nuisances.
- c) Written certification of the local assistant to the Fire Commissioner, Fire Chief or Forest Fire Ranger, as the case may be, certifying that adequate arrangements for fire protection have been made.
- d) Where the Special Event involves the location and use of temporary structures, a written statement from a professional engineer registered in the Province of British Columbia and competent in the field of structural engineering indicating that:
- i) s/he will be responsible for the design of all structures, and
 - ii) s/he will supervise the construction and inspect all structures, and
 - iii) s/he will ensure that all structures comply with the B.C. Building Code or good engineering practice, or both, as the case may be, and
 - iv) s/he will notify the Regional District, if at any time s/he ceases to be responsible for any or all of the matters identified in subsections i), ii) and iii) above.
- e) A certificate of insurance from an agency, and in a form, acceptable to the Regional District with limits and forms of coverage as required by this bylaw.
- f) A copy of a valid permit, issued by the authority having jurisdiction, where the Special Event is to involve the consumption or sale, or both, of liquor.
- g) Any security pursuant to Sections 12 and 13 of this bylaw, which is a condition of issuing a Special Event License.
- h) Such other permits and information as may be required by the Regional District to establish compliance with this and any other bylaw, regulation, covenant or statute, as the case may be.

All or part of Section 11 of this bylaw may be required of applicants for a Class I Special Event License.

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

**A bylaw to provide for the regulation of "special events"
in all electoral areas of the Fraser Valley Regional District**

SECURITY

13. The Regional District **may** require as a condition of granting a Class I Special Event License, and **shall** require as a condition of granting a Class II and Class III Special Event License, the posting of a security by the owner or occupier of the premises or by the person or persons promoting the Special Event.
14. A security required under Section 12 shall be in the form of one of the following:
- a) cash, or
 - b) certified cheque, or
 - c) a security bond issued by a registered Canadian surety company.

15. The security shall be in the sum of:

	Where the Special Event is to be held on private land	Where the Special Event is to be held on Crown Land
Class I Special Event	\$ 5,000	\$ 7,500
Class II Special Event	\$15,000	\$20,000
Class III Special Event	\$40,000	\$60,000

16. The Regional Board shall be entitled to draw on the bond, cash or cheque as the case may be for reimbursement of any costs incurred by the Regional District because of, and as a consequence of, the Special Event.
17. The Regional District **may** require proof of insurance for a Class I Special Event, and **shall** require proof of insurance for a Class II and Class III Special Event, as a condition of granting a Special Event License, as follows:
- a) The owner, occupier or promoter shall buy and keep in force at his own expense until completion of the Special Event, Personal Injury and Property Damage Liability Insurance.
 - b) Such insurance shall be for a minimum of \$2,000,000 coverage.

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events" in all electoral areas of the Fraser Valley Regional District

- c) Such insurance shall be in the name of the owner, occupier, promoter, and the Regional District, and shall include a Cross Liability or Severability of Interests clause.
- d) Such insurance shall be on a form and with an Insurer acceptable to the Regional District. Both Personal Injury and Property Damage sections are to provide coverage on an "Occurrence Basis".
- e) The term Personal Injury shall include:
 - i) bodily injury, sickness, disease or death resulting therefrom
 - ii) libel, slander or defamation of character
 - iii) false arrest, detention or imprisonment, or malicious prosecution
 - iv) invasion of privacy, wrongful eviction or wrongful entry.
- f) Such insurance shall include coverage for the following operations:
 - i) excavation
 - ii) underpinning, shoring or removal or rebuilding or support
 - iii) demolition
 - iv) operations that could cause the accidental pollution or contamination of any property, land, air or water
 - v) use of an industrial machine such as a forklift, crane, front-end loader, grader, earth remover, prime mover, or road building machine that is licensed, specially licensed (x-plate) or operating under permit
 - vi) use of any machinery or equipment such as hydraulic cranes, compressors, lift gates or winches that may be attached to or mounted on a licensed motor vehicle when such use is not insured by any form of automobile insurance specified in this article.
- g) If applicable to the organization of the Special Event such insurance shall include employer's liability insurance and by endorsement contingent employer's liability insurance in the name of the employer for the limits specified in this section.

POWERS OF THE REGIONAL BOARD

18. The Regional Board upon being satisfied that the provisions of this bylaw are being complied with may issue a Special Event License for the holding of a Special Event.

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events" in all electoral areas of the Fraser Valley Regional District

19. The Regional District may refuse to issue a Special Event License where:
- i) the provisions of this bylaw have not been fully complied with;
 - ii) the information submitted is inadequate to determine compliance with, or is contrary to the provisions of this bylaw;
 - iii) the information submitted is incorrect;
 - iv) issuance is prohibited by or contrary to another bylaw, act or regulation.
20. The Regional Board may revoke a Special Event License which has been issued and advertise the cancellation of the Special Event License and the authority to hold the Special Event, if there is reason to believe that the provisions of this bylaw are not being complied with.
21. The Regional District shall require the owner or occupier of any premises at which a Special Event is to be held to remove therefrom any accumulation of filth, discarded materials or rubbish of any kind.
22. In default of any removal required under the provisions of Section 20, the Regional District may enter such premises and effect such removal at the expense of the person so defaulting.
23. Where:
- i) no security has been posted pursuant to Section 12 of this bylaw, and
 - ii) the charges of any such removal by the Regional District are unpaid on the thirty-first day of December in any year

the charges shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

24. The charges of any removal by the Regional District, if unpaid on the thirty-first day of December in any year, shall be added to and form a part of the taxes payable in respect of that real property as taxes in arrears.

SEVERABILITY

25. If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw.

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

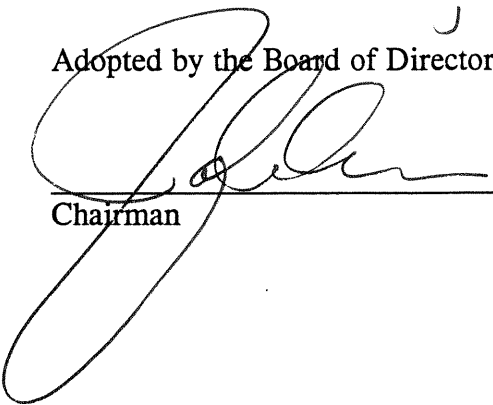
A bylaw to provide for the regulation of "special events"
in all electoral areas of the Fraser Valley Regional District

SCHEDULE

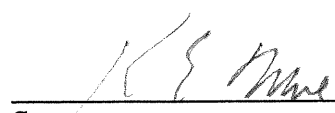
26. Schedules "A" and "B" attached hereto are integral parts of this bylaw.

Read a first time on July 11, 1997
Read a second time on July 11, 1997
Read a third time July 11, 1997

Adopted by the Board of Directors on: July 11, 1997.



Chairman



Secretary

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997
A bylaw to provide for the regulation of "special events"
in all electoral areas of the Fraser Valley Regional District

Schedule "A"

Application for Special Event License

Application No.: _____

Date of Application: _____

Owner: _____ Business Phone: _____

Mailing Address: _____ Residence Phone: _____

Promoter (if different from owner): _____

Promoter's Mailing Address: _____

Business Phone: _____ Residence Phone: _____

Legal Description of Land to be used for Special Event: _____

Street Address of Land(s): _____

Date of Special Event: _____ Anticipated Number of Participants Per Day: _____

Hours of Operation: _____ Is Liquor to be Available: _____

Brief Description of Special Event: _____

Are Special Structures to be Installed: _____ If so, Briefly Describe: _____

I/We hereby certify I/we have knowledge of the particulars contained in the foregoing statement and I/we solemnly declare that they are fully and truly stated to the best of my/our knowledge and belief.

Owner

Agent

For Office Use Only

Class I, II or III Special Event: _____

Written statement submitted: _____

Application fee paid: _____

Insurance certificate received: _____

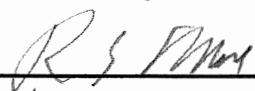
Bonding/Security required: _____

Sketch plan of site submitted: _____

This is Schedule "A" attached to and forming part of Special Events Bylaw No. 0111, 1997.



Chairman



Secretary

FRASER VALLEY REGIONAL DISTRICT

Special Events Bylaw No. 0111, 1997

A bylaw to provide for the regulation of "special events"
in all electoral areas of the Fraser Valley Regional District

Schedule "B"

License Number: _____

Date Issued: _____

Owner: _____

Promoter (if different from Owner): _____

Legal Description of Property on
which Special Event is to be held: _____

Street Address: _____

Nature of Special Event: _____

Date of Special Event: _____

Hours of Operation: _____

Maximum Number of Persons Permitted: _____

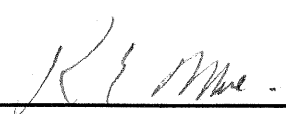
Chairman

Secretary

This is Schedule "B" attached to and forming part of Special Events Bylaw No. 0111, 1997.



Chairman



Secretary