

Foothills County



BYLAW XXXX

BEING A BYLAW OF FOOTHILLS COUNTY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION OF SPECIAL EVENTS HELD IN FOOTHILLS COUNTY.

WHEREAS the *Municipal Government Act* allows municipalities to pass bylaws respecting the safety, health, and welfare of people, and the protection of people and property.

AND WHEREAS the *Municipal Government Act* allows municipalities to pass bylaws respecting people, activities, and things in, on, or near a public place, or a place that is open to the public.

AND WHEREAS the Council of Foothills County recognizes that Special Events are essential in our communities as they provide opportunities for social connection, which contributes to a sense of identity, place, and community vibrancy.

NOW THEREFORE the Council of Foothills County, in the Province of Alberta, enacts as follows:

1.0 SHORT TITLE

1.1 This bylaw may be cited as the "Special Events Bylaw".

2.0 PURPOSE

2.1 The purpose of this bylaw is to provide for permitting and regulation of Special Events held within the boundaries of the Foothills County.

3.0 DEFINITIONS

3.1 In this Bylaw, the following definitions shall apply:

"Approving Authority" means the authority authorized to exercise approving powers and duties on behalf of the County in accordance with the Municipal government Act and Land Use Bylaw.

"Applicant" means a person, who applies for a Special Event Licence or Development Permit pursuant to this Bylaw and shall also mean a Person who is appealing the refusal, revocation or suspension of a license or Development Permit.

"Application" means an application for a Special Event Licence.

"Bylaw Enforcement Officer" means a person who has been appointed by the County for the purposes of enforcing County Bylaws. A Bylaw Enforcement Officer is, in the execution of their enforcement duties, a person responsible for the maintenance and preservation of the public peace and as such, is deemed to be a Peace Officer.

Chief Administrative Officer (CAO) means the Person appointed by Council to the position of Chief Administrative Officer which is established by bylaw under Section 205 of the Municipal Government Act.

"Council" means the duly elected Council of Foothills County.

"County" means Foothills County.

"Development Permit" means a document issued under the Land Use Bylaw that approves a development.

“Event, Private” – means an event or gathering, intended for guests by invitation only such as, but not limited to birthday parties, family reunions, family weddings, barbeques, or holiday celebrations and may include private corporate functions.

“Event, Public” means an event or gathering open to the general public, including but not limited to, exhibitions, expositions, fairs, markets, temporary sales venues, festivals, entertainment, cause-related awareness, fundraising, and leisure events.

“Expected Attendance” means the number of people reasonably expected to attend the Special Event including the event promoters, staff, personnel, and entertainers.

“Fee Bylaw” means Foothills County’s current Fee Bylaw, as amended, or replaced from time to time.

“Land Use Bylaw” means Foothills County Bylaw 60/2014, being the *Land Use Bylaw*, as amended or replaced from time to time.

“Landowner” means the person or persons who own title to the land.

“Licensee” means a Person or entity that holds a current Special Event Licence issued pursuant to the provisions of this Bylaw.

“Licensing Officer” means the person or persons appointed by the Chief Administration Officer to issue licences and assist in the administration and enforcement of this bylaw.

“Non-Profit Organization” means:

- a. a society, credit union, or cooperative established under federal or provincial legislation.
- b. a corporation that is prohibited from paying dividends to its members and distributing the assets to its members on a winding up; or
- c. any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.

“Primary Contact Person” means the one primary point of contact for the special event and associate application and permitting/licensing process.

“Municipal Government Act” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.

“Peace Officer” means

- a. a Bylaw Enforcement Officer as appointed by the Foothills County Council to enforce the County Bylaws,
- b. a Community Peace Officer as appointed by the Solicitor General of Alberta,
- c. a member of the Royal Canadian Mounted Police, or
- d. person authorized as a Designated Officer by Council or the CAO to enforce the provisions of this Bylaw.

“Person” means a natural person, firm, corporation, association, partnership, society or legal entity.

“Private Corporate Function” means a event, held by a corporation or business for their staff, clients, or stakeholders, by invitation only, for the purposes of holiday parties, team building, etc.

“Remedial Order” means an order written pursuant to Section 545 of the Municipal Government Act.

“Site” means the property, properties, or portion of a property designated on a site plan included with the application form, showing the designated area utilized for the Special Event.

“Special Event” an event, which depending on the event type, location, and size, is subcategorized either a minor or major special event as follows:

“Major Special Event” a private or public event expected to have an attendance of 500 or more people. Due to the size and/or nature of the event, it may have a potential for higher degree of impact on neighboring properties by way of noise, traffic, and/or light pollution.

“Minor Special Event” an event which meets the following parameters:

- a. a public event expected to have an attendance of less than 500 people,
- b. a private event expected to have an attendance of more than 150 people but less than 500 people.
- c. private events, expected to have an attendance of more than 50 but less than 150 people, held on a site more than twice annually.

Due to the size and the nature of these events, they are expected to cause minimal nuisance or impact on neighboring properties by way of noise, traffic, and/or light pollution. An otherwise minor special event may be “upgraded” to a major special event if the nature of the event may cause additional impact or nuisance (i.e. a high intensity of animals or dogs are included as part of the event, noise, light pollution, or other potential impact on neighboring properties).

“Special Event Licence” shall mean a licence for a special event in accordance with this bylaw.

“Special Event Reference Guide” means Foothills County’s Special Event Reference Guide, as amended, or replaced from time to time, which is supplemental to this bylaw.

“Subsequent Offence” means any offence under this Bylaw committed by a Person after that Person has already been convicted of an offence under this Bylaw or has voluntarily paid a fine for such an offence.

“Violation Ticket” means a notice or ticket in a form approved by the Council issued by the County allowing voluntary payment of a fine established under this bylaw.

4.0 GENERAL PROHIBITION

- 4.1 No person shall operate, maintain, hold, conduct, promote, advertise, or sell tickets for a special event within the County without first having obtained a Development Permit or Special Event License for the event unless exempt under this Bylaw or the Land Use Bylaw.

5.0 SPECIAL EVENT PERMITS & LICENCES

- 5.1 Persons wishing to hold, conduct, organize, manage, promote, or sell tickets for a Special Event in Foothills County must first obtain a Special Event Licence or have an approved Development Permit from Foothills County in respect of such activity in accordance with this Bylaw and Land Use Bylaw 60/2014 prior to holding the event, except where exempt under Section 4.2.1 of the Land Use Bylaw or Section 5.6 of this bylaw..
- 5.2 A Development Permit is required for all Special Events held in Foothills County not exempt under Section 4.2.1 of the Land Use Bylaw.
- 5.3 Development Permits shall be applied for and processed in accordance with the Foothills County Land Use Bylaw 60/2014.
- 5.4 A Special Event Licence is required for all Special Events not requiring a Development Permit except for events which are listed as exempt from a Special Event Licence under Section 5.6 of this Special Events Bylaw.

- 5.5 Notwithstanding Section 5.2 - 5.4, the County may require a Special Event Licence or Development Permit, where it is determined by the Licensing Officer that any special event, due to the size and nature of the event, may have significant impact on neighboring properties. (for example where animals or dogs involved with the event are brought to the site, or the event involves nuisance outside of what is expected under the defined level of special event).

Special Event Licence Exemptions

- 5.6 The following special events are exempt from the requirement of a Special Event Licence in Foothills County:
- a. A public or private event that is held at a site that has been specifically designed, built, and approved under an existing valid Development Permit for hosting such events and the said event is in compliance with the permitting conditions (For example Event Venue, Agricultural Society, Community Halls).
 - b. A public or private event that has been issued a Development Permit for such Special Event in accordance with the Land Use Bylaw.
 - c. Any number of Private Events held on a site annually with an expected attendance of 50 or less
 - d. Up to a maximum of two (2) Private Events on a site annually with an expected attendance of more than 50 but less than 150 people.
 - e. A public or private event hosted by the County or authorized by the County pursuant to the terms of a lease, licence, or facility rental agreement, on lands owned or controlled by the County.
 - f. A public or private event hosted by school officials or affiliated group, held on lands owned or controlled by a local school board.
- 5.7 Charitable or non-profit organizations and schools may be exempt from all required licence fees under this bylaw at the discretion of Council.

6.0 SPECIAL EVENT APPLICATION

- 6.1 Application for a Special Event must be made to the Approving Authority/Licensing Officer on the form prescribed, with the information required by the County, in writing in the following timelines:
- a. A complete Special Event Licence application for a Minor Special Event shall be submitted to the County a minimum of forty-five (45) days prior to the proposed date of the event.
 - b. A complete Development Permit application for a Major Special Event shall be submitted to the County a minimum of ninety (90) days prior to the proposed date of the Event.
- 6.2 The applicant shall submit a signed Declaration of Understanding concurrent with the application in which they declare their understanding that in making the application:
- a. they grant permission to Foothills County to enter the site for inspection, and
 - b. they indemnify Foothills County from any claims arising or any liability for damage to persons or property caused by way of issuance of the Special Event Licence or from the Special Event itself.
- 6.3 Applications shall be accompanied by a filing fee and application fee in the amount established in the Foothills County Fee Bylaw at the time of the application. The filing fee shall be non-refundable. The application fee may be refunded if the Special Event permit is not issued but is otherwise non-refundable.

- 6.4 In addition to the non-refundable filing fee and application fee required under Section 6.3 of this bylaw, the applicants or event organizers may be required to provide payment for the following:
- a. any fees associated with, but not limited to, policing, and other expenses the County may incur as a result of damage to its infrastructure, and
 - b. any fees associated with additional requirements specified in Schedule A of the Special Event Bylaw xx/23, which are required to be paid at least fourteen (14) days prior to the event.
- 6.5 The Approving Authority, may in their discretion, require a refundable security deposit, in a form acceptable to the County, in an amount deemed appropriate for the nature of the proposed event. The security deposit may be used to rectify damage to a road or property, to pay for maintenance, clean up, fire response or other charges related to the event, and/or to compensate the County for unpaid accounts accrued by the applicant or event organizer. Security deposits required shall be paid at least fourteen (14) days prior to the event. Such surety will be refunded further to the completion of the event, once it has been confirmed that all responsibilities of the applicant have been fulfilled.

7.0 APPLICATION CIRCULATION

- 7.1 Upon receipt of a complete application, the Licensing Officer may provide the complete application to any or all of the following individuals and agencies for their review and comments:
- a. Area Councillor
 - b. Manager of Foothills Patrol
 - c. Foothills County Fire Chief
 - d. Foothills County Director of Emergency Management
 - e. Foothills County Director of Corporate Services
 - f. Foothills County Manager of Parks and Recreation
 - g. Director of Public Works – Transportation & Servicing
 - h. Manager of Safety Codes
 - i. Other municipalities (where application may impact other municipalities)
 - j. Alberta Transportation – If involving Highways
 - k. Alberta Health Services – food vendors and personal services.
 - l. Alberta Gaming, Liquor & Cannabis Commission –if serving or selling liquor/cannabis is proposed.
 - m. Government of Alberta, Policing Standards Branch – if enhanced policing is likely to be required.
 - n. Medical Services – ambulance/first aid
 - o. Any other agency or person which in the opinion of the Licensing officer may assist in determining whether or not issuing the Special Event Licence is appropriate under the circumstance.

8.0 DECISIONS ON SPECIAL EVENT APPLICATIONS

Special Event Permit

- 8.1 Upon receipt of a Development Permit application for a Special Event, the application shall be processed in accordance with Section 5 of the Land Use Bylaw.

Special Event Licence

- 8.2 Upon receipt of a Licence application for a Special Event and in consideration of the application information and comments received by individuals and agencies for review and comment, the Licensing Officer shall within twenty (20) days after receipt of a complete application:
- a. Issue the licence either without conditions or with the conditions that the County considers appropriate; or
 - b. Have the applicant apply for a Development Permit where the event meets the criteria for a Special Event requiring a Development Permit. or
 - c. Refuse to issue the licence if:
 - i. the applicant or event organizer has previously operated a special event in breach of a condition of a licence, permit, or County bylaw.
 - ii. any of the individuals or agencies consulted recommends against the licence.
 - iii. in the opinion of the Licensing Officer, the noise or nuisance created by the special event could cause an unreasonable nuisance for persons in the area of the special event.
 - iv. in the opinion of the Licensing Officer, issuing the Special Event License may harm the health, safety, welfare and property of the special event attendees, County residents and/or members of the public; and/or
 - v. the complete application was not submitted to the satisfaction of the Licensing Officer
- 8.3 In accordance with Section 8.2, the Licensing Officer must make a decision on the Special Event Licence within twenty (20) days after receipt of a complete Special Event application unless a time extension agreement has been entered into with the applicant.
- 8.4 The Licensing Officer shall not issue a Licence, if:
- a. the application is not complete and/or the application fee has not been paid;
 - b. the proposed safety or security procedures are inadequate; and/or
 - c. the proposed site is inadequate for the Special Event.
- 8.5 The Licensing Officer may impose such conditions on the Special Event Licence that they, in their discretion, reasonably determine as being necessary to protect the health, safety, welfare and property of the Special Event attendees, County residents and members of the public. Schedule A includes a list of conditions that may be required on a special event depending on the size and nature of the event.
- 8.6 The ability of the Licensing Officer to grant relief from the requirements of this Bylaw shall be limited to those items within the authority of the Licensing Officer under this Bylaw. Being granted relief from requirements under this bylaw does not relieve the applicant or event organizer from any conditions or requirements imposed by other Federal, Provincial or Municipal, regulations, bylaws, contracts etc.
- 8.7 The Licensing Officer may grant a time extension to the timelines required for compliance of said conditions imposed on approval of an application where a time extension agreement has been entered into with the applicant.
- 8.8 All costs and expenses incurred in meeting the requirements of this Bylaw and any conditions of the Special Event Licence shall be borne solely by the applicant.
- 8.9 The Licensing Officer may revoke or suspend a Special Event Licence where the applicant:
- a. Fails, neglects, or otherwise refuses to pay to the County the fee prescribed by a provision of this Bylaw.
 - b. Fails, neglects, or otherwise refuses to fulfill any or all of the Development Permit conditions, or Special Event Licence conditions imposed pursuant to the provisions of this Bylaw or the Land Use Bylaw.
 - c. Allows the Special Event to be conducted in a manner contrary to the terms of this Bylaw or contrary to the terms and conditions of the Development Permit or Special Event Licence.

- 8.10 Where the application is denied, suspended, or revoked, the Licensing Officer shall mail and/or email a written notice to the applicant or event organizer. The notice shall include a statement of the reasons the application was denied, suspended, or revoked. After service of the notice, the event shall not be carried on until such time as a new Special Event Licence is issued, or the revoked or suspended licence is reinstated.
- 8.11 A notice of denial or revocation of a Special Event Licence shall be deemed to be served on the date of service unless it is sent by mail in which case it shall be deemed to be served seven (7) working days after the date it is mailed.

9.0 RIGHT OF APPEAL

- 9.1 Appeals on Development Permits for Special Events shall be done in accordance with Land use Bylaw 60/2014.

Special Event Licence

- 9.2 An applicant who has had an application for a Special Event Licence refused or a licence holder who has had a Special Event Licence revoked or suspended may appeal the Licencing Officer's decision to the Subdivision and Development Appeal Board.
- 9.3 To be considered valid, an appeal shall be made in writing on the appropriate form and be received by the County's Legislative Services Department within fourteen (14) days after service of notice under Section 8.2.
- 9.4 Upon hearing an appeal under Section 8.2, the Subdivision and Development Appeal Board may:
- confirm the refusal, revocation or suspension,
 - direct that the Special Event Licence be issued with or without conditions,
 - reinstate the revoked licence, or
 - remove or vary the suspension.

Decisions of the Subdivision and Development Appeal shall be final, and binding. No further appeal is available.

10.0 INSPECTIONS

- 10.1 Where an applicant has made an application for a Special Event Licence or is licensed or permitted under a Development Permit for a special event, the site may be inspected by the Licensing Officer and/or a Peace Officer.
- 10.2 Where a Licensing Officer and/or Peace Officer reasonably believes a Special Event requiring a Special Event Licence or a Development Permit is taking place, being organized, or tickets are being sold for such without the appropriate approvals, the applicant shall:
- Permit and assist in all inspections requested by the Licensing Officer and/or Peace Officer.
 - Furnish upon demand to the Licensing Officer and/or Peace Officer, all information or documentation related to the inspection or the County's licensing requirements.
- 10.3 When undertaking inspections under Section 10.2, the County shall provide notice pursuant to the provisions of Section 542 of the Municipal Government Act as may be amended or replaced from time to time.
- 10.4 During an inspection the Licensing Officer and/or Peace Officer may examine any records or documents for the purpose of enforcing this Bylaw and remove any relevant record or document from the site for the purpose of copying it. A receipt will be provided for any document or record so removed.

11.0- RESPONSIBILITIES

11.1 Responsibility of Foothills County

- a. Provide a one point of contact for the County, preferably the Licensing Officer, through the application and permit approval process, so the applicant is only needing to contact one County staff person for all information and questions.
- b. Respond to an applicant within seven (7) days of receiving a complete application for a Special Event Licence.
- c. Work with the applicant to ensure they understand the legislative and safety requirements to assist the applicant in completing and submitting required information.
- d. Attend pre- and post-event meetings as requested by the applicant and as deemed reasonable by the Licensing Officer.
- e. Provide a decision within twenty (20) days of receipt of a complete application.
- f. Liaise with internal technical experts to assist the applicant in meeting all required municipal legislative and safety requirements prior to the scheduled event.
- g. Issue a Special Event Licence when all requirements under the bylaw have been met.

11.2 Responsibilities of Applicant:

- a. The Applicant must ensure that a Development Permit or Special Event Licence has been obtained and all conditions met before the special event is to take place at that site. Advertising, promotion of, and ticket sales for an event shall not occur prior to the special event permit or license being issued. Any advertising, promotion or ticket sales conducted prior to all conditions of approval being met, will be at risk of the event not going ahead due to terms or conditions of the license, permit or this bylaw not being met.
- b. Complete the *Special Event Application* form and *Declaration of Understanding* fully and accurately.
- c. Pay all appropriate fees as required by the County's Fee Bylaw.
- d. Provide the County with one point of contact through the application and licence approval process, preferably the applicant.
- e. Ensure the parcel address (Foothills County Blue Sign) is posted during the event to allow for emergency response to the property.
- f. Notify the County within a minimum of seven (7) days of any changes or additions to the event once the application has been submitted to the County.
- g. Attend required pre- and post-event meetings, as requested by the County.
- h. Meet all requirements of a conditional approval of the licence and submit proof of such to the Licensing Officer in a timely manner in accordance with the decision.
- i. Comply with all relevant Federal, Provincial or Municipal laws in existence at the time of the Special Event.
- j. Ensure that all costs and expenses incurred in meeting the requirements of the *County's Special Events Bylaw xx/23* or any conditions attached to the Special Event Licence are paid, as these are the responsibility of the applicant.

12.0. OBSTRUCTION

- 12.1 No Person shall interfere with or obstruct the Licensing Officer or Peace Officer conducting an investigation or taking any action under the authority of this Bylaw or the Municipal Government Act.
- 12.2 The Municipality may, in addition to issuing violation ticket(s), make application to the Court of King's Bench to seek an Order pursuant to Section 543 of the Municipal Government Act, should a Person obstruct a Peace Officer lawfully exercising their authorities pursuant to the Municipal Government Act, the Land Use Bylaw, or this Bylaw.

13.0 GENERAL OFFENCES AND PENALTY PROVISIONS

- 13.1 No person shall operate, maintain, hold, conduct, promote, advertise, or sell tickets for a special event within the County without first having obtained a Development Permit or Special Event License for the event unless exempt under this Bylaw or the Land Use Bylaw.
- 13.2 No person shall operate, hold, conduct, promote, advertise or sell tickets for a special event within the County after a Special Event License or Development Permit has been revoked under Section 8.8 of the Bylaw.
- 13.3 Any Person who provides false or misleading information in an application is guilty of an offence and is liable on conviction to imposition of a penalty as prescribed by this bylaw.
- 13.4 Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a penalty as prescribed by the Bylaw.
- 13.5 Any person who :
- a. operates, maintains, holds, conducts, promotes, advertises or sells tickets for a Special Event in the County without having first obtained a valid Development Permit or Special Event Licence, unless the event is exempt under this Bylaw or the Land Use Bylaw; or
 - b. having obtained a Development Permit or Special Event Licence, fails to comply with any term or condition set out in this Bylaw or specified on the Development Permit or Special Event Licence; or
 - c. contravenes any provision of this Bylaw by doing any act or thing which the applicant is required to do or fails to do any act or thing the applicant is required to do; or
 - d. who obstructs or hinders any other person in the exercise or performance of that person's powers or duties pursuant to this Bylaw.
- is guilty of an offence.
- 13.6 No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of the bylaw.
- 13.7 Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000.00) and in default of payment of any fine imposed, to imprisonment for not more than one (1) year.
- 13.8 Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation other bylaw, or any requirement of any lawful permit, order or licence.

14.0 VIOLATION TICKETS AND PENALTIES

- 14.1 Where a Peace Officer has reasonable and probable grounds to believe that any person has contravened any provision of this Bylaw, they may commence proceedings by issuing a violation ticket in accordance with the Provincial Offences Procedure Act.
- 14.2 The **specified penalty** payable in respect of a contravention of any provision of this Bylaw is the amount shown in Schedule 'B' of this Bylaw in respect of that provision.
- 14.3 Notwithstanding Section 14.2:
- a. where any Person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period the specified penalty payable in respect of the second offence is double the amount shown in Schedule 'B' of this Bylaw in respect of that provision; and

- b. where any Person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the specified penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule 'B' of this Bylaw in respect of that provision.

14.4 The **minimum penalty** payable in respect of a contravention of any provision of this Bylaw is the amount shown in Schedule 'B' of this Bylaw in respect of that provision.

14.5 Notwithstanding Section 14.4:

- a. where any Person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the minimum penalty payable in respect of the second offence is double the amount shown in Schedule 'B' of this Bylaw in respect of that provision; and
- b. where any Person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the minimum penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule 'B' of this Bylaw in respect of that provision.

15.0 CONTINUING OFFENCES

15.1 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues.

16.0 MANDATORY COURT OR INFORMATION

16.1 No provision of this Bylaw shall prevent any Peace Officer from issuing a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedure Act, or from laying an information instead of issuing a violation ticket.

17.0 LIABILITY FOR COSTS

17.1 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw or the Municipal Government Act.

18.0 CERTIFIED COPY OF RECORDS

18.1 A copy of a record of the County, certified by the Person duly appointed as the Licensing Officer for the same as a true copy of the original, shall be admitted evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the Person signing it.

19.0 VALIDITY OF SPECIAL EVENT LICENCE OR PERMIT

19.1 A Special Event Licence or Development Permit for an event is only valid for the special event held on the date(s) specified on the decision. Any alternative dates should be noted in the application and acknowledged in the Special Event Licence or Development Permit decision.

CONDITIONS AND REQUIREMENTS:

Applications for Development Permit or Special Event Licence for any Special Event in Foothills County shall be subject to the following requirements and conditions at the Approving Authority's/Licensing Officer's discretion dependent on the size, complexity, and nature of the event:

1) Information to be submitted with applications for Special Events:

(a) Applicant /Landowner

The name, mailing address and telephone number(s) of the applicant and the landowner. If the applicant is a corporation or society, the application must have a certified copy of the Certificate of Incorporation attached and the application form must be signed by a least two directors of the corporation or society and the application shall contain the addresses of both directors.

The applicant shall include a copy of the current land title(s), proof of ownership of the property(s), and a written statement signed by the owner of the property indicating consent to use the property for the purposes of the Special Event.

(b) Special Event Location:

The legal description of the property(s) and 911 addresses (Foothills County blue sign) of the property where the event is to be held.

(c) Details of Special Event

Include a detailed description of the event(s) and associated activities and supporting functions of the event to be held on the property. Details must include items such as:

- Type of event (for example concert, rodeo, seasonal market, etc).
- Method of water and sanitation on site.
- Food supplied/food vendors or sale vendors on site.
- Proposed liquor consumption/sales on site.
- Proposed camping on site.
- Temporary structures or use of structures on site for the event.
- Illumination proposed on site.
- Temporary signage required.
- Fireworks or pyrotechnics proposed.
- Anticipated sound equipment/amplification/noise as a result of the event

(d) Date & Hours of Operation:

Include the date(s) the event is to occur on the property and the proposed hours of operation for the event.

All events and associated activities and supporting functions of the event, including setup and takedown, shall be subject to defined dated and restricted hours based on the nature of the event at the discretion of the Approving Authority/Licensing Officer.

(e) Special Event Attendees:

The maximum number of attendees on site during the event and/or any associated activities and supporting functions of the event. including spectators, customers, participants, and other persons expected to attend the site.

(f) Contingency Plan:

A contingency plan identifying alternate plans in the case of weather or unforeseen impediments that may preclude the event from occurring on the approved date, where applicable.

(g) Parking Plan:

A parking plan identifying adequate parking spaces for persons attending the event by motor vehicle. Such parking areas shall be clearly marked, and the parking plan shall include restrictions to off-site parking and how they will be enforced.

(h) Emergency Response Plan

An Emergency Response Plan shall be submitted for review and approval by the Director of Emergency Management and Foothills Fire Department. The Emergency Response Plan may vary based on the size and scope of the event.

This plan will help to identify risk or potential risks, identify what measures need to be put in place for the protection and well-being of the public and participants attending the event, and identify roles and responsibilities. The plan shall be adhered to at all times.

(i) Traffic Management Plan:

A Traffic Management Plan submitted to the Approving Authority/Licensing Officer for review and approval identifying adequate ingress and egress to the event site and parking areas.

All necessary roads, driveways and entrance ways shall be provided to ensure the orderly flow of traffic into the site from a highway or road which is part of the provincial or municipal road system.

An emergency access way for fire equipment, ambulance and other emergency vehicles may be required in accordance with the Emergency Response Plan approved for the site. Any traffic control personnel required to manage traffic flow for the event will be at the expense of the applicant.

See Events held on County or Provincial Roads for events held on roadways.

(j) Fire Safety Plan:

A fire safety plan may be required for review and approval by Foothills Fire Department, depending on the nature of the event, to ensure that access for fire apparatus is maintained, and fire extinguishers are installed, and fire codes are met where applicable. The Applicant shall submit the Fire Safety Plan to the Approving Authority/Licensing Officer upon requests or the application may be deemed incomplete.

(k) Waste Management Plan:

A waste management plan, outlining the proposed plan for waste management, disposal and recycling on the property shall be submitted to the Approving Authority/Licensing Officer for review and approval.

All waste materials are to be handled and disposed of under guidelines provided by governing Provincial regulatory bodies, at an approved waste disposal and/or recycling site at the applicant's expense. There shall be no long-term storage of waste material on the property, nor burning of waste materials on the property.

(l) Water and Sanitation Facilities:

Information outlining details pertaining to the water and sanitation facilities proposed for the site, including a site plan showing the location, shall be submitted to the Approving Authority or Licensing Officer for review and approval.

Every applicant shall provide at their own expense, an ample supply of potable water for drinking and adequate sanitation facilities at the site of the event.

All water and sanitation facilities shall comply with the requirements of the Public Health Act pertaining to potable water and sanitation facilities for events of this nature.

(m) Camping:

Any camping in conjunction with an event requires approval by the Approving Authority/Licensing Officer. Details on the location of camping on the site, provisions for egress, and ingress to the site for emergency vehicles or quick evacuation, provisions for washrooms and washing stations shall be submitted as part of the complete application.

(n) Signage:

Temporary signage, whether directional or for advertising purposes, required for the event, must be submitted for review and must comply with the County's Land Use Bylaw and any regulations through Alberta Infrastructure and Transportation for signage on Provincial Highways if applicable.

Approvals from the Approving Authority/Licensing Officer and/or Alberta Transportation in accordance with the Land Use Bylaw are required and proof of such submitted prior to the event. No signage is permitted beyond the boundary of the lot without applicable approvals.

(o) Noise Control:

Applicants shall specifically identify if sound equipment and/or amplification are to be used as part of the special event. A detailed plan is required to be submitted for approval by the Approving Authority/Licensing Office, outlining the times it will be used including any testing of such equipment and detailing steps to be taken to ensure noise disturbance outside the site is minimized and noise is controlled within the site of the event.

The final approval will outline specific parameters for noise control as it relates to the permit on a case-by-case basis.

The Foothills County Community Standards Bylaw 45/2013 should be reviewed and acknowledged by the applicant.

(p) Illumination:

Applicants shall specifically identify the placement and type of lighting proposed for the special event.

The final approval will outline specific parameters for lighting and the placement of lighting as it relates to the permit on a case-by-case basis.

Every applicant planning to conduct a Special Event after dark or planning to allow persons who attend the Special Event to remain at the site after dark, shall provide electrical illumination to ensure that those areas which are occupied are appropriately lighted.

Consideration should be given to the type of lighting and placement of lighting to minimize any impact to adjoining lands or roadways.

(q) Temporary Structures/Use of Structures

Any temporary structures that are to be used in conjunction with the event shall be identified in the application and are subject to the appropriate permits and inspections prior to occupancy, at the discretion of the *County Safety Codes Officer* and *Foothills Fire Department*.

Requirements may include, but are not limited to, provision of specifications for the involved structures, plans for anchorage, and accessibility. All temporary structures shall be removed from the parcel within a prescribed time following completion of the event.

Temporary Structures/Use of Structures will require a fire inspection from the *Foothills Fire Department* prior to the date of the Special Event. It is the applicant's responsibility to ensure that the use, occupancy, supply of any buildings used in support of the event meets with the requirements of the Alberta Building, Safety Codes, and Fire Codes at all times.

(r) Food Concessions:

Information pertaining to any proposed food services on site shall be submitted as part of the application.

The applicant shall comply with the requirement of the **Public Health Act** pertaining to food regulations for event organizers and shall ensure any business or community group operating food service establishments by invitation and/or contract of the applicant comply with the requirements of the **Public Health Act** pertaining to food regulations for temporary food establishment operators, at their own expense.

Food trucks used on site do require a current (yearly) Fire Inspection Report from one of the Foothills Regional partners. The Foothills Fire Department will require an inspection of any concessions situated on the site prior to the Special Event.

Proof of the completed inspection by the Foothills Regional Food Truck Inspection Group, Alberta Health Services inspection, and a copy of the current annual Fire Inspection Report from one of the Foothills Regional partners for food trucks used on site shall all be submitted prior to the event.

(s) Alcoholic Beverages/Liquor Licences:

Details on any proposed service or sales of alcohol on site shall be included with the application.

All events involving Alcohol require an approved licence from the **Alberta Gaming Liquor & Cannabis Commission (AGLC)**. Applicants/event organizers wishing to sell or serve alcohol at an event will need to adhere to both provincial and municipal requirements and are responsible for applying and obtaining the appropriate liquor licence from AGLC.

A copy of such licences shall be provided to the County at least seven (7) days prior to the date of the event. The applicant will be required to provide the occupancy load to the Foothills Fire Department prior to the date of the Special Event. Where liquor is part of an event, Special Event Liability Insurance with host liquor liability rider will be required and shall be provided to the County at least fourteen (14) days prior to the date of the event.

(t) Consumption of Cannabis

This consumption of Cannabis is restricted in Foothills County in public places including on privately or publicly owned property which the public reasonably has or is permitted to have access to. Bylaw 43/2018 To Restrict the Consumption of Cannabis in Public Places within Foothills County (as amended from time to time) adopted in 2018 also pertains to Special Events requiring County approval.

(u) Fireworks/Pyrotechnics:

Details with respect to any proposed fireworks/pyrotechnics shall be submitted with the Special Event application.

Any proposal for fireworks/pyrotechnics in conjunction with an event will require a *Fireworks Permit from Foothills Fire Department*. An on-line Fireworks Permit, approved by a Fire Safety Code Officer is required and proof of such permit shall be submitted to the Approving Authority/Licensing Officer a minimum of 24 hours prior to the event.

(v) Inflatable and Amusement Devices

Applicants must indicate if they propose to have any inflatable amusement devices on site during the Special Event.

The applicants are required to ensure such devices meet or exceed applicable legislated requirements including, but not limited to, Alberta Elevating Devices & Amusement Ride requirements and are responsible for the safe setup, operation, supervision, and take-down of any/all inflatable and amusement devices.

(w) Drones

Any applicants wishing to fly drones as part of their Special event, either for entertainment or to take aerial photos during the event must include details with the application. Drone use is solely managed through **Transport Canada**. Transport Canada requires you to register your drone and apply for a Special Flight Operations Certificate prior to flying your drone. Proof of such approvals for the Special Event shall be submitted prior to the event.

(x) Events Held on Municipal Roads or Highways

A separate application and approval process is required for holding an event on County roads or highways. A completed "Application to Hold an Event on Highways and/or Municipal Roads in Foothills County" including maps and details of the event, rules and regulation provided to participants, spectators, and volunteers (if applicable), a traffic control plan and an emergency response plan for the event, must be submitted to the Foothills County Legislative Services department for review and approval at least 90 days prior to an event being held.

If your event takes place on provincial roads, approval from **Alberta Transportation** is also required prior to you receiving your special events permit from the County. Approval from Alberta Transportation takes 30 to 45 days. Alberta Transportation requires applicants to submit a separate "Special Events on Highways" application form.

(y) Neighborhood Consultation Report

Applicants are encouraged to communicate details of any special event with adjacent neighbors (at a minimum) when holding a special event. Where there may be a wider spread impact, such as impact to a portion of roadway by increased traffic/interruption of use of a roadway, or a greater area impacted by noise/nuisance, a larger area of notice/consultation may be requested by the Approving Authority/Licensing Officer. This consultation is intended to resolve any concerns that the community may have prior to the event taking place.

A report outlining details of the landowner consultation that includes, but is not limited to, a list of residents/landowners, and interested parties that were notified, an outline of the impacts and benefits relayed by interested parties, and how the proponent intends on addressing the matters, shall be provided to the County as part of the Development Permit Application or Special Event Licence application.

- 1) The following are required standards for notification/consultation with neighboring property owners/residents for Special Events:
 - (a) For special events with an expected attendance of 250 people or more, the County requires the applicant to inform and review the proposal with residents and landowners of parcels adjacent to the property(s) where the Special Event is held, and at the discretion of the Approving Authority /Licensing Officer, to those landowners who are situated along any County or Provincial roadways they feel are impacted by increased traffic or restricted use of the roadway caused by the event.
 - (b) For Special events with an expected attendance of 500 people or more, a larger area of notification/consultation may be required at the discretion of the Approving Authority/Licensing Officer.
 - (c) For any Special events where, in the opinion of the Approving Authority or Licensing Officer it is anticipated by the nature of the Special Event, that there may be a wider spread impact than adjacent lands by way of noise, traffic generation, or other nuisance, the County may require the applicant undertake notification/consultation with a larger area of landowners/residents.

Applicants may use their discretion on the method of consultation/notification used to consult with neighboring residents (for example but not limited to face-to-face discussions, organized meetings, mailouts). Please ensure that a method allowing feedback is made available to ensure that the consultation is deemed adequate by the County. A request may be made to have the County do a mail out to required area landowners, in which case pre-stuffed envelopes, sealed, and affixed with the applicable postage amount and a copy of the circulation letter and any attachments can be sent to the County for mailout for a fee in accordance with the Planning Services Fees.

The Licensing officer may require, at their discretion, the applicant to hold a public meeting to address the concerns of the adjacent landowners.

The Approving Authority/Licensing Officer may waive the above notification/consultation requirements if, in their discretion, they feel that notification/consultation is not required in a particular case due to the size, nature, or location of the Special Event.

2) Additional Requirements:

(a) Liability Insurance:

The applicant shall maintain acceptable Special Event Liability Insurance from the date of commencement of set up or assembly for the event until the date of completion of all related activities including event take down. The applicable Certificate of insurance must be provided to the Approving Authority/Licensing Officer at least fourteen (14) days prior to the start of the event.

Liability Insurance coverage shall include protection for the County against claims for all damages or injury, including death to any persons and provide coverage for damage to any property of the County or any other public or private property resulting from any act or omission on the part of the applicant or any of his or her servants or agents. Such insurance shall name the County as an additional insured. Special Event Liability Insurance shall be a minimum of:

- \$2 million Special Event Liability Insurance or
- \$5 million Special Event Liability Insurance in instances where there is higher degree of risk.

(b) Security Deposit:

The Approving Authority, may in their discretion, require the applicant pay a refundable security deposit, in a form acceptable to the County, in an amount deemed given the nature of the proposed event.

The security deposit may be used to rectify damage to a road or property, pay for maintenance, clean up, fire response or other charges related to the event, and/or to compensate the County for unpaid accounts accrued by the applicant or event organizer.

Security deposits required shall be paid at least fourteen (14) days prior to the event. Such surety will be refunded further to the completion of the event, once it has been confirmed that all responsibilities of the applicant have been fulfilled.

(c) Enhanced Policing:

The Approving Authority/Licensing Officer, Foothills Patrol, Foothills Emergency Management, or the Fire Chief may require the presence of enhanced police as a condition of the approval of a license or development permit should a need for additional policing be identified.

Should the event require policing resources to ensure order, protection of properties, traffic and/or crowd control or any other need that a police presence may be most appropriate to deal with, the applicant will be advised of the number of policing resources required.

A minimum of 90 days is required to process a request for enhanced policing for an event.

The applicant shall cover all expenses associated with enhanced policing at rates approved by Government of Alberta. The approved rates shall be deposited to the County a minimum fourteen (14) days prior to the specified date the Special Event is to occur.

(d) Peace Officers

The Approving Authority/Licensing Officer, Manager of Foothills Patrol, Foothills County Director of Emergency Management, or the Foothills County Fire Chief may require the presence of Peace Officers as part of the approvals process, should an identified need for additional policing be identified.

Should the event require Peace Officer resources to ensure order, protection of properties, traffic control or any other need that a Peace Officer presence may be most appropriate to deal with, the applicant will be advised of the number of Peace Officer resources required.

A minimum of 45 days is required to process a request for Peace Officers for an event. The cost associated for enhanced Community Peace Officer services is found in the Foothills County Rates and Fees Bylaw, as amended from time to time.

This applicant shall cover all expenses associated with the use of Community Peace Officers. The funds required as per approved rates shall be deposited to the County a minimum fourteen (14) days prior to the specified date the Special Event is to occur.

(e) Consultation/Addressing Concerns

Further to a review of the consultation report by the Approving Authority/Licensing Officer, additional consultation may be required, or conditions imposed to alleviate any concerns brought forward in the consultation, at the discretion of the Approving Authority/Licensing Officer.

(f) Communications:

The applicant may be required to establish a communication system for public use where ordinary communications are not available. The Approving Authority/Licensing Officer may require provision of proof of reliable mobile communications at the site of the event.

(g) Miscellaneous

The Approving Authority/Licensing Officer may impose such additional conditions as are reasonably required in order to protect the health, welfare and property of local residents and persons attending any event.

An applicant is responsible for complying with all relevant federal, provincial, and municipal legislation, policies, bylaws, regulations, safety requirements, and approvals applicable to any aspect of a Special Event.

The Licensing 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 gain relief shall be limited to those items within the control of the Licensing Officer under the Special Events Bylaw xxxx and does not relieve the Applicant or Event Organizer from any conditions or requirements imposed by law, contract, or otherwise.

OFFENCE PENALTIES

Section	OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
13.1	Carrying-on a Special Event without a Special Event Licence or Development Permit when said event is required to obtain a licence or development permit approval.	\$300.00	\$500.00
13.1	Carrying-on an additional Special Event without obtaining an additional Special Event Licence or Development Permit when said event is required to obtain a licence or development permit approval.	\$300.00	\$500.00
13.2	Carrying-on a Special Event for which a Special Event Licence is required when the Licence has been revoked or suspended and has not been reinstated and for which an appeal has not been received by the County.	\$500.00	\$1000.00
13.3	Provide false or misleading information on an application	\$300.00	\$500.00
13.4 (b)	Carrying-on a Special Event without meeting all requirements and conditions of the approval on the Special Event Licence or Development Permit.	\$300.00	\$500;00
13.4 (d)	Failing to allow or obstructing a Licencing Officer or Peace Officer's inspection of a Special Event site where a Special Event that is Licenced or is the subject of an application for a Special Event is being Carried on.	\$300.00	\$500.00
13.8	Interfering or obstructing the Licensing Officer or a Peace Officer while they are conducting an investigation or taking any action under the authority of this Bylaw or the Municipal Government Act	\$500.00	\$1000.00