

**THE CORPORATION OF THE
TOWN OF WASAGA BEACH**

BY-LAW # 2006- 27

**A BY-LAW TO ESTABLISH POLICIES
WITH RESPECT TO THE ISSUANCE OF
SPECIAL EVENT PERMITS
IN THE TOWN OF WASAGA BEACH**

WHEREAS Section 8, 9 and 11 of the Ontario Municipal Act, 2001 confirm broad powers on municipal Councils to govern their affairs as they deem appropriate;

AND WHEREAS Section 107(1) of the Ontario Municipal Act, 2001 provides Council with the authority to make grants for any purpose that Council considers to be in the interest of the municipality;

AND WHEREAS the Council of the Corporation of the Town of Wasaga Beach wishes to encourage the holding of special events in the Town of Wasaga Beach and deems it necessary and expedient to establish a policy to govern the holding of special events on public property and guidelines with respect to the provision of grants to assist with the holding special events;

NOW THEREFORE this Council of the Corporation of the Town of Wasaga Beach hereby enacts as follows:

1. That Council hereby adopts the “Town of Wasaga Beach Special Event Policy and Guidelines” attached hereto as Schedule “A”.
2. That this policy shall govern decisions with respect to the facilitating, organizing, hosting and participating in special events in the Town of Wasaga Beach.
3. That this by-law shall come into effect on the date of passage.

THAT this By-Law read a first, second and third time and finally passed this day of March 2006.

MAYOR

CLERK

**Schedule “A”
to
By-Law #2006-**

Town of Wasaga Beach Special Event Policy and Guidelines

1. Introduction

Council is interested in supporting special events in the Town of Wasaga Beach. To that end, it will assist where it can in organizing, facilitating, hosting and participating in special events at Town facilities and other public facilities. This policy and guideline has been developed to provide staff, Council and special event organizers with information so that they can make decisions on hosting or organizing a special event.

2. Definitions

- a) **“Council”** means the Council of the Corporation of the Town of Wasaga Beach;
- b) **“Special Event”** means an exhibition, event, or function held within the Municipality of the Town of Wasaga Beach that is defined in Section 3 of this By-Law;
- c) **“Municipality”, “Municipality” or “Municipal Corporation”** means the Corporation of the Town of Wasaga Beach;
- d) **“Permit”** shall mean any permit issued in accordance with the provision of this By-Law;
- e) **“Person”** shall include a corporation, business entity or group;
- f) **“OPP” shall** mean Ontario Provincial Police;
- g) **“MNR”** means the Ministry of Natural Resources.
- h) **“Town or Public Facility”** means road allowances, parks, property or buildings controlled by the Town or other government agencies.

3. Events for Which Permit Required

No person or entity shall hold, organize or sponsor any of the following events or activities on Town property or other public facilities unless the Municipality has granted a permit for such event or activity. RecPlex, Oakview Woods, Wasaga Stars Arena and the Sportspark may not require event permits; this shall be at the discretion of the Manager of Parks and Facilities.

- a) Parades, processions, marathons, bicycle races and other events utilizing the sidewalks or vehicular travel portion of municipal streets, highways, parking lots or properties including facilities operated by the municipality or within the boundaries of the Wasaga Beach Provincial Park.
- b) Carnivals, bazaars and similar events which offer such activities as amusement rides or devices, games of skill, animal rides or exhibitions, food concessions or live entertainment.
- c) Outdoor festivals offering live or recorded music or entertainment for public or private audiences.
- d) Organized scheduled contests and exhibitions.
- e) Marine events, including any prescheduled organized concentration of watercraft, involving participants and/or spectators, of a competitive or non-competitive nature.
- f) Scheduled races, exhibitions or other events involving the operation of motorized vehicles of any type.
- g) Activities or events requiring a variance from the regulations of any municipal department.
- h) The showing of feature films, television commercials, documentaries, educational films, television films, television network programs, music videos and commercial still photography.

4. Application: Contents and Fee:

An application for any permit required by this section shall be made to the Special Event Coordinator or an individual designated by Council, accompanied by a non-refundable Fifty Dollar (\$50.00) processing fee. If a special event grant is being requested, the amount is to be included along with a detailed budget showing how the grant money will be spent and the benefit to the Town of Wasaga Beach.

The application for an event lasting more than one (1) day shall be filed not less than 90 days before the first date of the proposed event. The application

can be obtained from the Economic Development/Special Event Office. The Municipality reserves the right to waive the processing fee.

5. Application: Submission and Processing Requirements:

- a) A completed application shall be processed and either granted or denied within a reasonable time of receipt. The applicant may be required to attend a pre-scheduled meeting to discuss the event with the Community Services Committee. If the Committee recommends approving the event and the grant request, if required, it will proceed to Council for final approval. If an event is turned down, such decision will be in writing, setting forth the reasons for denial.
- b) If an application is submitted after the filing deadline set forth in Section 3 above, the Special Event Coordinator or the CAO, in his/her discretion, upon receipt of a written submission outlining the reasons why the said time limits could not be met, amend the time limits set out in Section 3 above.

6. Permit Approval Process.

- a) Approval for an event may be granted upon receipt and review of an application for a permit if in the opinion of the Community Services Committee and Council that the following conditions have been met:
 - (i) There is a demonstrated benefit to the businesses, residents and visitors of the Town of Wasaga by approving the event.
 - (ii) Any proposed use of public property, right of way, or facilities will not unreasonably interfere with the normal use of the property, right of way or facility by the municipality or general public.
 - (iii) The proposed activity does not present a safety or health risk to participants, spectators or the public.
 - (iv) The proposed activity is compatible with the surrounding area or neighbourhood: giving consideration to acceptable increases in noise, traffic, crowd and other municipal concerns.
 - (v) The applicant can provide proof of liability insurance, in the amount of Two Million Dollars (\$2,000,000.00), for

the event. If the event involves the use and or sale of alcohol, the amount of insurance required is Five Million Dollars (\$5,000,000.00). This insurance will name the Town of Wasaga Beach as additional insured. Please refer to the Town's Alcohol Policy for details about the use/sale/consumption of alcohol on Town property and within Town operated facilities. The applicant will also agree to indemnify the municipality against any damages, suits, claims or losses that may arise as a result of the proposed activity.

- (vi) Municipal resources necessary to support the proposed activity are available.
- (vii) All comments/recommendations from pertinent municipal operating departments, the MNR – Wasaga Beach Provincial Park, Huronia West OPP, Simcoe County Paramedic Service, Simcoe Muskoka District Health Unit, have been received and are in favour of the event or any concerns of the above have been met to the satisfaction of the Community Services Committee or Council.

7. Permit Requirements:

The Community Services Committee or Council may impose, as conditions to granting a permit, such further requirements and restrictions as will, in the sole discretion of the Community Services Committee, protect the public health, safety, and welfare. These decisions will be based on the recommendations of Town staff, Huronia West O.P.P, Simcoe County Paramedic Service, MNR - Wasaga Beach Provincial Park, Wasaga Beach Fire Department and Simcoe Muskoka District Health Unit. Such conditions may include, but are not limited to:

- a) The payment of a reasonable fee for the use or allocation of Town property and equipment not exceeding the actual costs incurred by the municipality in connection with the proposed activity; and the posting of a performance bond, a irrevocable letter of credit up to ninety (90) days after the conclusion of the event, or other surety securing payment of such fee.
- b) The provision of adequate crowd control and traffic control, security, fire protection, food handling, waste and refuse disposal, and noise restrictions.

- c) Permission to use land wholly or partly within the boundaries of the Wasaga Beach Provincial Park.
- d) Consenting to and/or supplying the Town with a Criminal record check.

8. Grant Requests

Council shall establish a Special Event Grant budget as part of the Annual Operating Budget. Applications for grant dollars will be evaluated by the Community Services Committee and a recommendation made to Council. Factors that the Committee will use to evaluate requests include:

- Need
- Amount of the grant requested
- Economic spin-off to the Town from the event
- Reason given for the grant request
- Profit versus not-for-profit event
- Review of proposed budget for event
- If returning event, past performance of event including review of previous year's financial statement
- Potential for the event to become partially or fully self-sufficient

9. Staff Support

The Special Event Coordinator will be the main contact for Special Events in Wasaga Beach. This position will provide support to Council sanctioned events to the degree authorized by Council and will coordinate the support of other Town Departments as approved by Council. Holders of permits involving property owned by the Ministry of Natural Resources will have to coordinate activities with Ministry staff, with the assistance of the Special Event Coordinator, if required.

10. Other Requirements:

The granting of any permit required by this section shall not eliminate any requirement for any business license, any other permit(s) which may be prescribed by any other Municipal By-laws, rules and regulations or other governmental agencies.

11. Compliance and Refusal:

- a) If an applicant fails to comply with any of the provisions of this By-law, and any provisions of the permit or any other by-laws of the municipality, the CAO, on the advice of the appropriate authority, may at any time revoke or suspend the special event permit without notice.
- b) If an application for a permit under this By-Law is denied, the application may be reconsidered at a subsequent occasion upon the applicant addressing, to the satisfaction of the Community Services Committee or Council, the reasons given for the initial denial of the application. Reconsideration may only be applied for once in a calendar year.