

Title

1. This Bylaw shall be known as the Special Events Bylaw.

Purpose

2. Special events enrich the cultural life of the community and contribute to the business community of Mahone Bay by encouraging visitors. The purpose of this Special Events Bylaw is to ensure consistency and providing guidelines for the safety of Event Organizers and participants.

Definitions

3. For the purposes of this bylaw, the following definitions shall apply:
 - a. "Letter of Event Approval" means a letter issued by Town Staff to Event Organizers pending receipt of any outstanding documents.
 - b. "Mass Gathering" means a special event, typically 250 or more, at an event or activity where there is potential to place exceptional demands on, or have impact on, the community and its services and resources. Such events can be one-time or recurring annual activities attracting a relatively large number of people in a confined area (either indoor or outdoor). For clarity, all Mass Gatherings shall be considered Special Events as defined under this Bylaw.
 - c. "Organizer" means the person/organization who has the financial and operational responsibility for the special event or mass gathering including contracting with entertainers, facility booking, advertising the special event, and any and all other arrangements for the event.
 - d. "Special Event" or "Event" means a sporting, cultural, business or other type of activity that may be one-time or annual but occurs for a limited or fixed duration and has an impact on the Town by involving the use of Town lands, including streets and sidewalks, or requiring Town services such as additional policing, or traffic/operational support.
 - e. "Town" means the Town of Mahone Bay.

Use of Public Facilities

4. Public facilities can be booked through the Town for special events. For regulations see the *Facilities Booking Policy*.

Event Permit Application Procedure

5. A promoter wishing to organize or hold a Special Event in the Town of Mahone Bay must obtain a Special Event Permit from the Town. It shall be considered an offence under this bylaw to organize or hold a Special Event without an approved Special Event Permit.
6. A Special Event Permit will not be issued unless an application is received at least 45 calendar days prior to the event.
7. It shall be considered an offence under this bylaw to publicize or cause to be publicized a Special Event as defined under this bylaw without an approved Special Event permit or Letter of Event Approval from the Town.
8. The Special Event permit application must:
 - a. include the completed Town of Mahone Bay Special Event permit application form (form must be signed by the Organizer);
 - b. be presented to the Town of Mahone Bay at least forty-five (45) calendar days prior to the event; and
 - c. be accompanied by Schedule of Events in the manner requested
 - d. be accompanied by Site and Route Map in the manner requested (as required)
 - e. be accompanied by any fees as required
 - f. be accompanied by insurance documents as required
9. The Town will only issue a Special Events Permit for events where:
 - a. there is adequate traffic and parking control to ensure that streets are clear for the passage of emergency vehicles;
 - b. adequate provisions have been made for first aid;
 - c. it is reasonably expected that Town resources will not be over-extended by the events and/or the parking and traffic associated with the event
10. The Town will not approve applications from organizers/organizations that support social or racial intolerance, violence or hatred.

Temporary Street/Sidewalk Closure

11. For regulations on Temporary Street/Sidewalk Closures, see the *Streets and Sidewalks Bylaw*.

Noise

12. For regulations on noise restrictions, see the *Noise Bylaw*.

Vending

13. For regulations on temporary vending, see the *Temporary Vending Bylaw*.

Responsibilities of Organizer

14. The Organizer (or their declared designate) must:
 - a. be available to be contacted by the Town or emergency personnel for the duration of the event

- b. ensure that Town land/facilities are cleared of all debris and waste after the Special Event is over.
- c. ensure compliance with all Provincial guidelines and regulations pertaining to the Special Event.
- d. ensure that appropriate solid waste receptacles are provided for the activities and attendees of the Special Event. The facilities shall be emptied on a regular basis to prevent overflow and spillage.
- e. dispose of solid waste contrary to methods prescribed in the Town of Mahone Bay *Solid Waste Management Bylaw*.
- f. not leave any Special Event location without first picking up, removing and properly disposing of all recyclables, litter, and trash associated in any way with the vending activity, including emptying the litter and recycling receptacles.
- g. not dump any products in Town sewers or storm sewers.

Mass Gathering

- 15. When a Special Event can reasonably be expected to attract 250 or more people the organizer must include with their Special Event application, a Mass Gathering Planning Form.
- 16. The Mass Gathering Planning Form application must be submitted to the Town of Mahone Bay no later than 45 calendar days prior to the scheduled Event.
- 17. Mass Gathering organizers must show with their completed Mass Gathering Planning Form that they have ensured:
 - a. coordination with REMO and Emergency Services to ensure that all reasonable precautions have been taken to address public safety risks, including during response to an emergency
 - b. an appropriate plan for traffic and parking which will ensure safe passage for regular traffic and emergency services vehicles
 - c. a communication plan to disseminate information on the planned event to residents and businesses in the Town of Mahone Bay
 - d. Medical and lost person procedure
- 18. Mass Gathering organizers are responsible to:
 - a. ensure that Emergency Services (RCMP, Ambulance/EHS, and Fire Department) are advised of the specific dates, times, and locations of activities at least fourteen (14) calendar days in advance of the Mass Gathering.
 - b. provide proof to the Town no less than fourteen (14) calendar days before the Mass Gathering that that the notification to the Emergency Services has been circulated.

Signage

19. Signage for the Special Event or Mass Gathering may only be posted in locations approved by the Traffic Authority and are subject to being removed if not approved.
20. Any signs which are found to be an impediment to the visibility of vehicle operators will be removed immediately.
21. Any signs which are an impediment to the safe passage of pedestrians will be removed immediately.
22. Event signage shall not be posted on private property without the permission of the property owner.
23. Signs for Special Events are not to be posted more than 30 calendar days prior to the scheduled event.

Insurance

24. The organizer shall provide and maintain General Liability insurance subject to limits of not less than Five Million (\$5,000,000) dollars inclusive per occurrence for incident, bodily injury, death and damage to property. The policy will be held with an insurer acceptable to the Town and the policy shall contain a cross liability clause, waiver of subrogation.
25. The organizer shall provide a Certificate of Insurance within 21 calendar days of the event date, evidencing proof of required insurance with the Town named on the policy as Additional Insured.
26. Dependent on the scope and nature of the special event – such as whether the event includes the consumption of alcohol – and as determined by the Town insurer, the organizer may be required to provide additional insurance coverage in excess of Five Million (\$5,000,000) dollars.

Cancellation of Permit

27. Where it is found that a Special Event permit holder is in violation of this Bylaw, the Town may cancel the permit or suspend the permit until conditions are met.
28. Where it appears to Council that it is in the public interest to do so, Council may, by motion, instruct Town staff to cancel any permit issued under this Bylaw.
29. Where a permit issued under this bylaw is cancelled due to failure of an organizer to adhere to the bylaw and/or remediation instruction from the Town, the Town may withhold future permits for the organizer(s) of the Special Event or Mass Gathering.
30. Town of Mahone Bay staff will notify the holder of the Special Event Permit of any cancellation or revocation via letter (mail or email) to the address provided on the application.

Penalty

31. Applicants who are found to be guilty of an offense against this bylaw may be held liable, and, on the discretion of Town staff, may:
 - a. have their license(s) revoked by the Town of Mahone Bay;

- b. be served with a Summary Offense Ticket;
 - c. not be refunded their application fee;
 - d. not be issued subsequent permits within the Town of Mahone Bay;
 - e. be barred from applying for a permits within the Town of Mahone Bay for a fixed period of time;
 - f. be interrupted in their activity and be required to vacate Town property; and
 - g. be reported to the RCMP for activities which are in violation of the Criminal Code of Canada
32. Any person who is guilty of an offense under this Bylaw is punishable on summary conviction by a fine of not less than \$200 and not more than \$1,000.

Canadian Charter of Rights and Freedoms

33. Section 2 of the Canadian Charter of Rights and Freedoms sets out the fundamental freedoms of all Canadians, including freedom of peaceful assembly. The Charter is the highest law in Canada. As such, all federal and provincial statutes, as well as municipal bylaws, must be compliant with the Charter.

Nothing in this Bylaw should be construed as limiting the freedoms afforded by the Charter, however the Town requires permits for Special Events as defined herein to maintain public safety (particularly for events on public property, where street closure is required for example). If a Special Event Organizer is unable to meet the requirements of this Bylaw due to the spontaneous nature of the event, they are encouraged to contact the Town immediately. Town staff will work with the Organizer to ensure the Special Event complies with the Bylaw to the greatest extent possible.

Severability

34. A decision by a court that any part of this Bylaw is illegal, void, or unenforceable severs that part, and does not affect the enforceability of the remainder of the Bylaw.

Repeal

35. On the effective date of this bylaw, the *Special Events Bylaw* dated September, 2020 is hereby repealed.

Clerk's Annotation for Official Policy Book

Date of notice to Council Members of Intent to Consider
[minimum 7 days notice] _____

Date of Passage of Policy _____

Town Clerk

Date

CLERK'S NOTATION

First Reading:	
"Notice of Intent" Publication:	
Second Reading:	
Ministerial Approval:	
Date of Publishing:	
Forwarded to the Minister:	
Forwarded to Town Website:	