



BYLAW NO 1847

SPECIAL EVENTS BYLAW

A BYLAW OF KNEEHILL COUNTY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION AND CONTROL OF PUBLIC EVENTS WITHIN KNEEHILL COUNTY

WHEREAS, pursuant to the Municipal Government Act, R.S.A. 2000 Chapter M-26 as amended, Section 7, provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; people, activities and things in, on or near a Public Place or place that is open to the public; and, provide for a system of licenses, permits or approvals.

NOW THEREFORE, the Council of the municipality of Kneehill County, in the Province of Alberta, duly assembled hereby enacts as follows

1. TITLE

This Bylaw shall be cited as the "Special Event(s) Bylaw".

2. DEFINITIONS

2.1 In this Bylaw:

- a) "Applicant" means the person who applies for a Special Event Permit pursuant to this Bylaw;
- b) "Approving Authority" means the Chief Administrative Officer or designate .
- c) Charitable Organization means an organization, public foundation, or private foundations that are created and resident in Canada whose resources are used for one of the following: relief of poverty, the advancement of education, the advancement of religion, or other purposes that benefit the community.
- d) "Enforcement Officer" means any Enforcement Officer, Bylaw Enforcement Officer, RCMP Officer, or person authorized by Council to enforce the provisions of this Bylaw.
- e) Major Event means an event held for 151 people or more which will include one or more of the following:

- i. block or restrict the use of a public place (as defined in this bylaw)
 - ii. impact adjacent landowners
 - iii. require the set-up of structures and
 - iv. require the approvals of Alberta Health,
 - v. require road closures or traffic control,
 - vi. require signage, parking, or security
- f) Minor Event means an event held for 0 to 150 people with little or no impact to neighbouring properties or restriction to a public place. Minor set-up of temporary structures may be considered.
- g) "Municipality" means Kneehill County.
- h) Non-Profit Organization means an association, club or society that are not charities and are organized and operated exclusively for social welfare, civic improvement, pleasure, recreation, or any other purpose except profit.
- i) "Public Place" means any place to which the public has access as a right or by invitation, express or implied, and without restricting the foregoing to constitute a Public Place it is not necessary that all segments of the public have a right of access thereto, this includes public land and may include private land;
- j) "Responsible Party" means every person who is an Applicant (if a corporation, all directors), Special Event promoter, Special Event manager, or provides entertainment or concessions for the Special Event;
- k) "Special Event" means a one-time or infrequently occurring event outside normal programs or activities of the sponsoring or organizing body which is held at a public place in the County and to which members of the general public are invited or admitted for a fee or free of charge.

3. GENERAL PROHIBITION

- 3.1 No person(s) shall hold, conduct, manage, or allow to be held or organize a Special Event on public land within the County unless that person(s) has first obtained a Special Event Permit from the Approving Authority.
- 3.2 No person shall hold, conduct, manage or allow to be held or organized a Public Event except in compliance with the terms of a Special Event Permit.
- 3.3 A Special Event Permit must not be issued to circumvent the need for a Development Permit or to exceed limitations contained within an existing Development Permit.

- 3.4 Special events approved under this bylaw are exempt from the requirement to obtain a development permit under the *Land Use Bylaw*.
- 3.5 There may be specific circumstances where the requirement to obtain a Special Event Permit is specified as a condition of an approved Development Permit. In such cases it is appropriate to consider issuing a Special Event Permit based on the merits of the application.

4 SPECIAL EVENT EXCEPTIONS

- 4.1 The following organizations, clubs, groups or societies do not require a Special Event Permit to hold a Special Event unless, in the opinion of Approving Authority, the nature and scale of the event is such that a permit is required:
 - a) Community Associations for events such as picnics, spring/fall suppers, Christmas concerts, pie socials, ball games, community dances, and other events which are held in or on the Community Association property;
 - b) An agricultural society registered pursuant to the *Agricultural Societies Act*;
 - c) Religious or church organizations;
 - d) 4-H Clubs;
 - e) Scouts, cubs, brownies or guides, cadets and other similar organizations;
 - f) Schools or school boards;
 - g) Families holding Special Events commonly referred to and recognized as "family reunions" or "weddings" on private land;
 - h) Service groups that are active in the community, examples may include, but are not limited to Elks, Kiwanis, Rotary Club and Lions;
 - i) Farm auctions;
 - j) Any other club(s) or organization(s) determined by the Approving Authority to be similar in nature.
- 4.2 Events held on Kneehill County property that are not hosted by Kneehill County are not exempt from obtaining a permit under this bylaw.

5 FEE EXEMPTIONS

- 5.1 Charitable or non-profit organizations and schools are exempt from all required permit fees under this bylaw.

6 PERMIT REQUIREMENTS

- 6.1 A permit for a Special Event is valid for one occurrence only at one location for the date(s) specified on the Special Event Permit. A Special Event Permit will only be valid for a maximum of 24 hours, unless explicitly extended by the approval issued by the Development Authority.
- 6.2 A complete application for a Special Event Permit pursuant to this Bylaw must be made no later than Thirty (30) days before the proposed date of the Special Event. The Approving Authority may accept a complete application within 20 days of the proposed date of the Special Event if the Approving Authority is satisfied that the application can be properly evaluated within that time.
- 6.3 A complete application for a Special Event must include the following:
- a) Full name and address of the Applicant (if the Applicant is a corporation the names and addresses of all corporate directors);
 - b) Full name and addresses of all responsible parties;
 - c) The legal description of the location of the proposed Special Event and a current copy of the Certificate of Title for the proposed location;
 - d) A letter of authorization from the registered landowner;
 - e) A letter from the registered landowner authorizing Enforcement or Development Officers to visit proposed site prior to the Special Event and if required during the Special Event to ensure that this or any other Bylaw, permit conditions or other legislation are being complied with;
 - f) A non-refundable permit fee as determined by Council in the Master Fees Bylaw;
- 6.4 The permit may be approved with or without conditions. Although not limited to, the following conditions may be imposed on any permit:
- a) The maximum number of persons that may attend the Special Event;
 - b) Specific requirements for access to and from the proposed location and parking;
 - c) Specific requirements for noise attenuation;
 - d) Specific requirements or procedures for any emergency medical personnel or equipment;

- e) Specific requirements to confirm security personnel or policing has been retained;
- f) Specific requirements for coverage for insurance liability;
- g) Specific requirements as established in an Emergency Response Plan including but not limited to a map describing access points, emergency contacts, safety and notification plan for attendees;
- h) Alberta Health Services or Alberta Liquor and Gaming approved permit, should liquor or food service be offered, or as described through these governing bodies.
- i) *Nuisance and General Sanitation Regulation* shall apply to the number of washrooms supplied and suitable garbage disposal.
- j) *A signed Site Agreement and damage deposit as per the Master Rates Bylaw will be required for events held on Kneehill County property.*
- k) Any other requirements that are deemed to be reasonably necessary by the Approving Authority to protect the safety, health, welfare, and property of the attendees of the Special Event or the adjacent landowners.

6.5 In addition to the above requirements, the following additional conditions may be imposed:

- a) That the Applicant obtain a Development Permit from the County if they wish to repeat similar Special Events on the same Property in the future;
- b) That the Applicant provide the County with an irrevocable letter of credit, credit card authorization, or a cash deposit, in an amount specified by the Approving Authority, to be disposed of by the Approving Authority in amounts deemed appropriate to provide adequate financial security for compliance with the conditions of the Special Events Permit, on the basis of legitimate claims.
- c) All costs and expenses incurred in meeting the requirements of this Bylaw or any conditions attached to the Special Events Permit or by reason of breach of this Bylaw shall be borne by the Applicant or the Person(s) in breach and are a debt owed to the County. This may include, but is not limited to all costs incurred by the County in regard to policing, emergency fire or medical expenses. The County may utilize and draw upon any security held by the County to pay any or all of the costs incurred by the County.

- d) Where a damage deposit is required, as a condition of a Public Event Permit, failure to provide the damage deposit within a time period stipulated by the Approving Authority shall render the permit to hold the Special Event as null and void.
- e) The Approving Authority may, when evaluating an application for a Special Event Permit, consult with other municipal departments, any appropriate agency or authority such as the local health authority, fire department, the Royal Canadian Mounted Police and any provincial or federal agency.
- f) Any permit approved pursuant to this Bylaw does not relieve the Applicant of complying with any other municipal, provincial or federal legislation.
- g) Failure to submit proof that all statutory obligations or requirements of the Special Event Permit application have been satisfied by the Applicant or evidence of previous mismanagement of similar Public Events shall be good and ample reason for the Approving Authority to refuse to issue a permit for the Special Event.

7.0 PERMIT REFUSAL

7.1 The Approving Authority may refuse to issue a Special Event Permit if:

- a) The Applicant or other Responsible Party have previously held a Special Event and breached any of the conditions of the permit for that Special Event.
- b) In the opinion of the Approving Authority the potential noise impact of the Special Event would create a nuisance for the community.
- c) In the opinion of the Approving Authority, the proposed Special Event cannot be conducted in a safe matter due to the proposed location or the proposals for security, access and egress for vehicle traffic, or emergency response; or
- d) In the opinion of the Approving Authority, the proposed Special Event is not an appropriate Special Event for the proposed location.

7.2 An Enforcement Officer, believing upon reasonable and probable grounds that a Special Event has become disorderly, may stop the Special Event by any reasonable means.

7.3 Failure by the Applicant or Responsible Parties to stop the Special Event when requested to do so by an Enforcement Officer is a breach of this bylaw.

8 PERMIT REQUIREMENTS

8.1 Any person who contravenes Sections 3(1), or 3(2) of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of One Thousand (\$1,000) DOLLARS and in default of payment is liable to imprisonment for a term not exceeding six (6) months.

8.2 Any person who contravenes any other provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than Ten Thousand (\$10,000) DOLLARS and no less than One Thousand (\$1,000) DOLLARS and in default of payment is liable to imprisonment for a term not exceeding six (6) months.

9 SEVERABILITY

9.1 Each provision of this bylaw is independent of all other provisions. If any such provision is declared invalid by a Court of competent jurisdiction, all other provisions of this bylaw will remain and enforceable.

10 EFFECTIVE DATE

10.1 This bylaw comes into effect upon third reading of this bylaw.

11 RESCINDED BYLAWS

11.1 Bylaw No. 1822 is hereby rescinded.

11.2 Bylaw No. 945 is hereby rescinded.

Read a first time on this 8TH day of March, 2022.

Read a second time on this 8TH day of March, 2022.

UNANIMOUS permission for third reading given in Council on the 8th day of March, 2022.

Read a third and final time on this 8TH day of March, 2022.



Reeve
Jerry Wittstock



Chief Administrative Officer
Mike Haugen



Date Bylaw Signed