


POLICY

	Policy:	PUBLIC EVENTS POLICY		
	Department:	Park, Facilities, Recreation and Culture		
	Division:	Recreation	By-Law No.:	2015-116
	Prepared By:	Public Events Committee	Approval Date:	October 5, 2015
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APPENDIX A – CLASSIFICATION OF TOWN FACILITIES

1. POLICY STATEMENT

- 1.1. The Town of Amherstburg is committed to providing recreation and cultural events for all citizens of Amherstburg, while protecting and enhancing Amherstburg's heritage and unique identity and creating a safe and enjoyable experience for residents and tourists.

2. PURPOSE

- 2.1. This policy provides guidelines that highlight all requirements for major festivals, fairs, and other public events that take place at municipal facilities.
- 2.2. This policy facilitates appropriate and reasonable procedures and education for event organizers wishing to hold events at municipal facilities.
- 2.3. This policy shall serve as a tool for the Public Events Committee to encourage and enforce appropriate event organization and adherence to legislation, including but not limited to, a variety of Town By-laws, Building Code regulations, AGCO regulations, and the Municipal Alcohol Management Policy.

3. SCOPE

- 3.1. This policy applies to any and all events to be held at municipal facilities as coordinated by the Town and any third-party event organizers.
- 3.2. This policy does not apply to:

- 3.2.1. Sporting events for regular league play and exhibition games (excluding special tournaments) occurring at:
 - 3.2.1.1. Libro Centre located at 3295 Meloche Road
 - 3.2.1.2. Centennial Park located at Victoria Street
 - 3.2.1.3. Wible Park located at 84 North Street
 - 3.2.1.4. Malden Centre Park located at 5460 County Road 20
- 3.2.2. Regularly occurring farmers' market events
- 3.3. This policy shall be reviewed every two years from the date it becomes effective, and/or sooner at the discretion of the CAO.
 - 3.3.1. This policy will be reviewed and adjusted if changes are necessary due to amendments to Provincial legislation, addition of new Town properties, and changing community needs.
- 3.4. The Public Events Manual for Event Organizers works in conjunction with this policy and will allow for easy planning and communication with Town Staff for events taking place at municipal facilities. The Manual is reviewed on an annual basis to ensure standards and requirements outlined in the document are up to date.

4. DEFINITIONS

- 4.1. **AGCO** means the Alcohol Gaming Commission of Ontario.
- 4.2. **Annual Event** means any event, for reporting purposes, that is held at municipal facilities for two consecutive years. An event is deemed annual after receipt of the public event application for the second consecutive year. See Appendix B for the list of Annual Events.
- 4.3. **Barrier Free** refers to a structural or facility design that does not impede use by individuals with special physical needs.
- 4.4. **Chief Administrative Officer (CAO)** is the Chief Administrative Officer for the Corporation of the Town of Amherstburg, which includes the roles and responsibilities as laid out in Section 229 of the *Municipal Act, 2001*.
- 4.5. **Council** refers to the current elected Council for the Corporation of the Town of Amherstburg. This includes, in its entirety, the Mayor, Deputy Mayor and five (5) Councillors.
- 4.6. **Director** is the person responsible for direction and operational control of a division as defined on the Town's organizational structure.
- 4.7. **ESA** is the Electrical Safety Authority.

- 4.8. **Event Organizer** is the individual seeking to hold an event located at municipal facilities. Event Organizers must be 19 years of age or older.
- 4.9. **Municipal Facilities** means all property owned and operated by the Town of Amherstburg. May also be referenced as "*Town Facilities*".
- 4.10. **Public Event** in this policy it includes, but is not limited to, an event that:
- a. Is held at Municipal Facilities (including parks, buildings, roadways, etc.)
 - b. Is open to the general public with or without an admission fee
 - c. Has the potential for involvement of a number of attendees that could not be managed without special measures being put in place
 - d. Involves a Special Occasion Permit
 - e. Involves a Building Permit for tents, stages, or other structures
 - f. Involves Police patrols.
- 4.11. **Public Events Committee (PEC)** refers to the committee for the Town of Amherstburg charged with assisting organizations in planning their public events.
- 4.12. **Public Events Manual** refers to a resource guide provided to every Event Organizer that provides easy reference to typical items relating to event organization with the Town of Amherstburg.
- 4.13. **Special Occasion Permit (SOP)** is the required permit from the AGCO if planning to sell or serve liquor at an event.
- 4.14. **Senior Management Team (SMT)** is comprised of the Chief Administrative Officer and the Directors. If a Director is unavailable, a delegate may be assigned.
- 4.15. **Smart Serve** is an organization dedicated to developing and delivering a responsible service training program to all individuals who serve alcoholic beverages or work where alcoholic beverages are served.
- 4.16. **Staff** is any person (or group thereof) who supplies services to the Corporation for wages including any union or non-union, regular or temporary, full-time, part-time, seasonal or casual staff member, including but not limited to permanent staff, temporary staff, committee members, students, recreation staff, contract employees, paid work placements, and adult crossing guards.
- 4.17. **Town** is the Corporation of the Town of Amherstburg.
- 4.18. **WECHU** is the Windsor Essex County Health Unit.

5. INTERPRETATIONS

- 5.1. Any reference in this Policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a By-law or Town policy shall be deemed to be a reference to the most recent passed policy or By-law and any replacements thereto.

6. GENERAL CONDITIONS

6.1. Public Events Committee (PEC)

- 6.1.1. The PEC is comprised of representatives from various administrative departments. Representatives act on behalf of their respective divisions to conduct thorough and comprehensive reviews of Public Events Applications for approval/denial of said events.
- 6.1.2. Directors shall ensure that assigned PEC members can responsibly and comprehensively represent the functions and directives of their associated departments.
- 6.1.3. The PEC shall be comprised of representatives from the following divisions:
 - 6.1.3.1. Clerk's Office
 - 6.1.3.2. Business Development and Programs
 - 6.1.3.3. Tourism and Culture
 - 6.1.3.4. Facilities / Operations
 - 6.1.3.5. Economic and Community Development
 - 6.1.3.6. Engineering and Public Works
 - 6.1.3.7. Fire Department
 - 6.1.3.8. Police Services
- 6.1.4. The PEC shall provide guidance to Event Organizers during the application process to ensure that all requirements are met and approvals are provided in order to hold events.
- 6.1.5. The PEC shall provide each Event Organizer with the Public Events Manual and Forms. The Manual expands on the principles of the policy and gives comprehensive instructions to Event Organizers when preparing to apply for an event permit.

- 6.1.6. The PEC will direct Event Organizers to contact pertinent outside agencies, if necessary (such as the WECHU and the ESA), dependent upon specific event requirements.
- 6.1.7. The PEC will review the planned operation of the public event by conducting pre-event site inspection to ensure that all requirements have been satisfied prior to the beginning of the event.

6.2. **Event Organizers**

- 6.2.1. Events may be organized by groups or associations, however, one member is to be designated as the “Event Organizer” who will be the primary point of contact between the event and the Town.
- 6.2.2. Event Organizers shall be a minimum of 19 years of age or older.
- 6.2.3. Event Organizers shall be available and willing to meet with the PEC, or members thereof, upon request.

6.3. **Volunteers**

- 6.3.1. All event volunteers must sign waivers acknowledging that they are performing a service at their own risk and do not have access to the Town’s Worker’s Compensation or Accident Benefit Program.

6.4. **Facilities Designated for Use**

- 6.4.1. Municipal Facilities that are designated as suitable for Public Events and related functions are listed in Appendix A of this document.
- 6.4.2. Certain facilities require approval from Council for use as a venue for public events. Facilities requiring prior Council approval are noted in Appendix A.

6.5. **Public Events Applications**

- 6.5.1. The Event Organizer shall submit a Public Events Application to the PEC.
 - 6.5.1.1. The Public Events Application must be accompanied by the mandatory event deposit at the time of submission.
 - 6.5.1.2. The Public Events Application must be accompanied by all necessary forms as provided in the Public Events Forms booklet at the time of submission.
 - 6.5.1.3. The PEC reserves the right to reject any application that is not accompanied by the required deposit or necessary forms.

- 6.5.2. Applications will be reviewed no later than eight (8) weeks prior to the scheduled event date.
- 6.5.3. The application process shall be conducted in its entirety in compliance with the standards outlined in the Public Events Manual.

6.6. **Scheduling Conflicts**

- 6.6.1. The PEC shall make every effort to ensure that Public Events do not conflict with other public events. Should a conflict arise, PEC will meet with the Event Organizers to determine a mutually beneficial solution.
- 6.6.2. If an arrangement cannot be reached between conflicting event holders, preference will be given to the longest standing event (seniority) and shall be given right of first refusal for the specific calendar date over any new events.
 - 6.6.2.1. Annual Events that change dates shall be considered new events only for the purpose of date selection priority.

6.7. **Municipal By-laws**

- 6.7.1. Municipal By-laws remain in effect at all Public Events held in Town unless an exception has been granted.
- 6.7.2. Requests for exemption from any Municipal By-law in relation to Public Events shall be granted in accordance with the Town's Delegation of Powers and Duties By-law.
- 6.7.3. All requests for By-law exemption must be requested in due time to allow the PEC to acquire approvals of same, through the appropriate approval authority defined in the Delegation of Powers and Duties By-law.
 - 6.7.3.1. Requests for By-law exemption may be required from Council. In this instance, requests for By-law exemption will be presented to Council at Municipal Council meetings.
 - 6.7.3.2. Requests for By-law exemptions requiring Council approval shall be provided by Event Organizers to the PEC in due time to allow Staff to conduct related activities in accordance with established Council reporting timelines.

6.8. **Public Event Approval**

- 6.8.1. When all requirements identified by PEC are met, a Public Event Committee Review Form will be forwarded to the Event Organizer. This form shall act as the Town permit for the event.

6.9. **Appeal Of PEC's Decision**

- 6.9.1. An Event Organizer may appeal the decision of the PEC to deny an application by submitting a delegation request with the Clerk's Office.
- 6.9.2. Delegations will be approved and coordinated with the Clerk's Office.
- 6.9.3. Approved delegations will be heard at the next available public meeting of Council.

6.10. **Event Cancellation**

- 6.10.1. The Town reserves the right to cancel an event should the Event Organizer fail to comply with all requirements as required by the PEC.
- 6.10.2. The Town reserves the right to suspend operations of an event until such time that the Event Organizer can make alternative arrangements to satisfy any site conditions or safety concerns identified by the PEC.

6.11. **Notifications**

- 6.11.1. The PEC shall publicize all road closures, By-law exemptions, and new events in accordance with the Town's Provision of Notice to the Public Policy.
- 6.11.2. The Event Organizer shall be responsible for all media costs related to notice requirements as per the Town's Provision of Notice to the Public Policy.

6.12. **PEC Meetings and Reporting to Council**

- 6.12.1. The PEC will meet quarterly to review submitted Public Events Applications and provide reports to Council recommending approval of public event applications.
- 6.12.2. Quarterly meetings will be held at the following intervals to review applications and obtain data for quarterly reports to Council:
 - 6.12.2.1. January (for April – June events) – February report to Council
 - 6.12.2.2. April (for July – September events) – May report to Council
 - 6.12.2.3. July (for October – December events) – August report to Council
 - 6.12.2.4. October (for January – March events) – November report to Council
- 6.12.3. Quarterly reports to Council from the PEC shall outline the following:
 - 6.12.3.1. Approval/denial of all applications received in the reporting time period.

6.12.3.2. Copies of the Public Events Committee Review Form which details each event's approval by the PEC.

6.12.3.3. Other pertinent activities of the PEC.

7. **RESPONSIBILITIES**

7.1. **Event Organizers** have the responsibility to:

- 7.1.1. Submit thorough and comprehensive Public Events Applications, complete with all associated and required forms, permits, deposits and fees.
- 7.1.2. Comply with all requirements for their event as identified by the PEC.
- 7.1.3. Ensure that all necessary third-party approvals and permits are obtained (at their own cost), and remain valid for the duration of the event.
- 7.1.4. Adhere to all Ontario laws, Municipal By-laws, Municipal Policies, Ontario Building and Fire Codes, and other relevant regulations.
- 7.1.5. Remediate any damage to Town assets as a result of the event, at their own cost.
- 7.1.6. Provide proof of insurance, with coverage deemed sufficient by the Town.
- 7.1.7. Ensure that the SOP holder is in attendance at the event at all times and assume responsibility for any incident and/or violation of this policy (if applicable).
- 7.1.8. Return all Town-owned property/equipment in its original state or pay for/replace any equipment damaged as a result of the event.
- 7.1.9. Be responsible for all media costs related to notice requirements as per the Town's Provision of Notice By-law.
- 7.1.10. Meet with PEC for a post-event meeting to review the successes and areas for improvement that will need to be addressed in order to successfully apply for next public event permit.

7.2. The **PEC** has the authority and responsibility to:

- 7.2.1. Provide guidance to Event Organizers during the application stages to ensure that applications are provided with all relevant and required information.
- 7.2.2. Thoroughly review Public Events Applications and determine any additional requirements that may be necessary to ensure that the event is conducted in a lawful and safe manner.

- 7.2.3. Specifically, individual PEC members representing individual departments shall review applications and make recommendations regarding the following items:
 - 7.2.3.1. Clerk's Office: Insurance Requirements, Risk Management
 - 7.2.3.2. Business Development and Programs: Event Logistics
 - 7.2.3.3. Economic and Community Development: Application Process, Licenses, Permits, Food and Beverage Service, Building Permits, Requests for By-law Exemption
 - 7.2.3.4. Tourism and Culture: Event Liaison
 - 7.2.3.5. Engineering and Public Works: Road Closures, Water Services, Parks, Loan of Town Equipment.
 - 7.2.3.6. Fire Department: Fire Evacuation Plan, Fireworks.
 - 7.2.3.7. Police Services – Public Safety and Patrol
- 7.2.4. Provide an official decision to the Event Organizer as to the success or denial of the Public Events Application in writing.
- 7.2.5. Direct Event Organizers to contact appropriate outside agencies based on the individual characteristics of Public Events.
- 7.2.6. Conduct any pre- and post-event inspections as required.
- 7.2.7. Identify a committee liaison to the event organizer during the day(s) of the event. This liaison will ensure that all details outlined in the permit are adhered to.
- 7.2.8. Ensure that Public Events do not conflict with other public events.
- 7.2.9. Ensure that Public Events are conducted exactly as coordinated through the application and approval process.
- 7.2.10. Request Municipal By-law exemptions to Council on behalf of Event Organizers.
- 7.2.11. Ensure that the Public Events Manual and Public Events Forms are kept current and up-to-date with appropriate instructions and contact information.
- 7.2.12. Meet with Event Organizer for a post-event meeting to review the successes and areas for improvement that will need to be addressed in order to approve the following year's public event permit.
- 7.2.13. Provide quarterly reports to Council regarding the activities of the PEC.
- 7.2.14. Publicize road closures and By-law Exemptions for Public Events per the Town's Provision of Notice By-law.

- 7.2.15. Ensure that appropriate insurance has been obtained for events.
- 7.2.16. Ensure that any damage to Town assets as a result of a Public Event is remediated at the Event Organizer's expense.
- 7.2.17. Provide a report to Council regarding all events to be considered for approval.

7.3. **Council** has the authority and responsibility to:

- 7.3.1. Consider any exemptions to Municipal By-laws for Public Events.
- 7.3.2. Consider and approve any new events presented by the PEC.
- 7.3.3. Consider and approve all recurring events presented by the PEC.

8. REFERENCES AND RELATED DOCUMENTS

- 8.1. Town of Amherstburg Public Events Manual and Public Events Forms
- 8.2. Town of Amherstburg Municipal Alcohol Management Policy
- 8.3. Town of Amherstburg Provision of Notice to the Public Policy
- 8.4. Town of Amherstburg Delegation of Powers and Duties Policy
- 8.5. Town of Amherstburg Noise By-law 2001-43
- 8.6. Town of Amherstburg Business License By-law 2009-44
- 8.7. Ontario Building Code
- 8.8. Ontario Fire Code
- 8.9. Alcohol and Gaming Commission of Ontario www.agco.on.ca
- 8.10. Electrical Safety Authority www.esasafe.com
- 8.11. Smart Serve Ontario www.smartserve.ca/smart-serve-ontario
- 8.12. Windsor Essex County Health Unit www.wechu.org

APPENDIX A – CLASSIFICATION OF TOWN FACILITIES

1. Pre-Authorized Town Facilities

1.1. The following municipal facilities and areas are designated as suitable for public events subject to the Event Organizer agreeing to conditions as set out by the Town of Amherstburg:

- 1.1.1. Centennial Park
- 1.1.2. Toddy Jones Park
- 1.1.3. WFCU Field House (Libro Credit Union Centre)
- 1.1.4. Community Room (Libro Credit Union Centre)
- 1.1.5. Multi-Purpose Room (Libro Credit Union Centre)
- 1.1.6. Dry Floor Rink (Libro Credit Union Centre)
- 1.1.7. Outdoor Turf Field (Libro Credit Union Centre)
- 1.1.8. Indoor Soccer Field (Libro Credit Union Centre)
- 1.1.9. Centre Lobby (Libro Credit Union Centre)
- 1.1.10. Malden Park Pavilion
- 1.1.11. Lions Pool
- 1.1.12. Ranta Park
- 1.1.13. Larry Bauer Soccer Fields

2. Facilities Requiring Special Approval From Council

2.1. Event Organizers require approval from Council to use the following facilities and areas as a venue for Public Events:

- 2.1.1. Kings Navy Yard Park