

**CORPORATION OF THE TOWNSHIP OF KILLALOE, HAGARTY AND RICHARDS**

**BY-LAW NO. 19-2002**

Being a By-Law to regulate and license special events;

WHEREAS Section 102 of the Municipal Act, R.S.O., 1990 Chapter M.45 provides that by-laws may be passed for the health, safety, morality and welfare of the inhabitants of the municipality in manners not specifically provided for by the Act as may be deemed expedient and are not contrary to law;

AND WHEREAS it is desirable and in the best interest of the municipality and its inhabitants that a by-law is passed to regulate and license the conduct of Special Events as defined herein;

NOW THEREFORE the Council of the Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

**1. DEFINITIONS**

In this By-Law:

- (a) "Corporation" shall mean the Corporation of the Township of Killaloe, Hagarty and Richards;
- (b) "Council" shall mean the Council of the Corporation of the Township of Killaloe, Hagarty and Richards;
- (c) "Special Event" shall mean:  
any festival, concert or production held out-of-doors to which the general public is invited or admitted, and for which admission to or attendance at, is charged, whether by ticket sold in advance or at the point of entry or exit, or by collection during the course of the festival, concert or production;
- (d) "Applicant" shall mean a person who has signed an application for license submitted pursuant to this By-Law;
- (e) "Person" shall include an individual, any form of association of individuals and a corporation.

**2. REQUIREMENT FOR LICENSE**

No person shall hold a special event within the municipality and no person shall permit any lands within the municipality to be used for a special event unless a license for the special event has been issued by the CAO/Clerk-Treasurer of the Municipality pursuant to this By-Law at least (7) business days prior to the proposed date for commencement of the special event.

**3. APPLICATION FOR LICENSE**

- (a) To obtain a license pursuant to this By-Law a written application shall be submitted to the CAO/Clerk-Treasurer of the municipality at least (28) calendar days prior to the proposed date for commencement of the Special Event.
- (b) The application for license shall name and be signed by:
  - (i) each person who proposes to hold or put on or conduct the Special Event and each person who is an owner of the fee simple or any leasehold interest in the lands on which it is proposed to hold the Special Event: a current address and telephone number for each applicant shall be included.
- (c) The application for license shall include:
  - (i) the location and size of the area at which it is proposed to hold the Special Event, including both the municipal civic address and the description of the property.
  - (ii) the date(s) proposed for the Special Event;

- (iii) particulars of the facilities and arrangements to be implemented for: the handling of food, toilet and sanitary requirements and garbage disposal;
- (iv) a sketch of the lands and premises to be used for the Special Event, showing the location of the proposed entertainment areas and facilities for spectators, motor vehicle parking, areas and facilities for preparation, sale and consumption of food or refreshments and for the exhibition or sale of goods or services, areas of camping, tenting, toilets and other sanitary services, and any other uses and facilities incidental to the Special Event;
- (v) a statement as to the maximum number of persons expected to be in attendance at the Special Event at each day;
- (vi) the declaration of each applicant(s) attesting to the truth of the information contained in the application and confirming that they have read the By-Law;
- (vii) the application form attached hereto as Schedule "A" together with such application fee as per section 3 (c)(xv);
- (viii) a copy of a letter to the OPP (Killaloe Detachment), advising them of the Special Event, and outlining the arrangements that have been made to provide adequate security for the Special Event, including crowd control, traffic control and the protection of properties in the vicinity of the Special Event;
- (ix) a copy of a letter to the Medical Officer of Health having jurisdiction in the municipality in which the Special Event will be held, informing the Medical Officer of Health of the Special Event;
- (x) a copy of a letter to the Chief Fire Official of the municipality, informing him/her of the Special Event;
- (xi) a copy of a letter to the Chief Building Official of the municipality, informing him/her of the Special Event;
- (xii) a description of the means and methods proposed by the applicant(s) to keep noise from the Special Event to a level that will not disturb the inhabitants of lands and premises in the vicinity of the Special Event;
- (xiii) an agreement executed by the applicant(s) covenanting to indemnify and save harmless the Corporation of the Township of Killaloe, Hagarty and Richards its officials, agents and employees from all costs, expenses, damages, claims and actions, caused by or resulting from the Special Event or as a result of issuing a license to the applicant(s) for the Special Event;
- (xiv) a certified copy of a policy of comprehensive general liability insurance issued by an insurance company licensed to issue such policy in the Province of Ontario providing for coverage in the amount of at least Five Million Dollars (\$5,000,000.00) for injuries, damages, torts claims and actions caused by or resulting from the Special Event, and naming the applicant(s) and the Corporation of the Township of Killaloe, Hagarty and Richards as the insured parties, such coverage to be in effect for the period of the event;
- (xv) an application fee in the form of cash, certified cheque or money order payable to the Corporation of the Township of Killaloe, Hagarty and Richards in the amount of One Hundred Dollars (\$100.00).

#### **4. ISSUANCE OF LICENSE**

Upon verification that all the conditions of Section 3(a) to (c) inclusive of this By-Law have been met, the CAO/Clerk-Treasurer of the municipality shall issue the license.

- 5.** A license issued under this By-Law may not be transferred except with the consent of the Corporation expressed in the form of a resolution of the Council.

**6. REVOCATION OF LICENSE**

At any time prior to the completion of a Special Event for which a license has been issued pursuant to this By-Law, the license may be revoked by the CAO/Clerk-Treasurer of the municipality by written notice delivered to any applicant or to the address of any applicant as set out in the application for license;

- (a) If the CAO/Clerk-Treasurer has determined that incorrect or false information of a material nature was submitted in support of the application for license.

**7. TERMS OF LICENSE**

- (a) Any license issued pursuant to this By-Law shall be deemed to authorize only the Special Event for which application was made, in accordance with the information provided by the applicant(s).
- (b) Any license issued pursuant to this By-Law may contain such provisions for regulations of the Special Event as the Council of the municipality may consider to be necessary or advisable.

**8. OFFENCES**

A person who contravenes any provision or part of this By-Law is guilty of an offence and shall, upon conviction therefore, be liable to a fine as provided under the Provincial Offences Act. Such penalty shall be recoverable pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, cP.33.

**9. SEVERABILITY**

Should any section, clause, provision or part of this By-Law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole, nor any part thereof, other than the part declared invalid.

- 10. This By-Law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Township of Killaloe, Hagarty and Richards.

Read a first and second time this 31<sup>st</sup> day of July, 2002.

Read a third and final time and passed this            day of            , 2002.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO/Clerk-Treasurer

**SCHEDULE 'A'**  
**TO**  
**BY-LAW NUMBER 19-2002**

Being a By-Law to regulate and license special events

1) DATE \_\_\_\_\_

NAME OF APPLICANT(S) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

LOCATION OF EVENT AND SIZE OF AREA ON WHICH THE EVENT WILL  
BE HELD (Section 3 (c)(i))

\_\_\_\_\_

\_\_\_\_\_

DATE OF EVENT \_\_\_\_\_

(Section 3 (c)(ii))

2) FACILITIES / ARRANGEMENTS FOR THE FOLLOWING:

(Section 3) (c)

a) HANDLING OF FOOD

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

b) TOILET AND SANITARY REQUIREMENTS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c) GARBAGE DISPOSAL

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

d) SECURITY (Crowd and Traffic Control)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3) SKETCH OF LANDS TO BE INCLUDED \_\_\_\_\_

(Section 3 (c)(iv) Indicate location of entertainment, spectators, motor vehicle parking, food/refreshments, sale of goods/services, camping, sanitary services)

4) ESTIMATED NUMBER OF ATENDEES 3(v)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5) LETTERS OF COMPLIANCE (to be filed with the application)  
(Section 3 (c)(viii – xi)

ONTARIO PROVINCIAL POLICE \_\_\_\_\_  
(Killaloe Detachment)

MEDICAL OFFICER OF HEALTH \_\_\_\_\_  
(Renfrew County & District Health Unit)

CHIEF FIRE OFFICIAL \_\_\_\_\_  
(Township of Killaloe, Hagarty and Richards)

CHIEF BUILDING OFFICIAL \_\_\_\_\_  
(Township of Killaloe, Hagarty and Richards)

6) DESCRIPTION OF THE MEANS/METHODS TO KEEP NOISE TO A LEVEL  
THAT WILL NOT DISTURB INHABITANTS IN THE VICINITY (Section c)(xii)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7) AGREEMENT BY APPLICANT CONVENANTING TO INDEMNIFY AND  
SAVE HARMLESS THE CORPORATION \_\_\_\_\_  
(Section 3(c)(xiii)

8) CERTIFIED COPY OF COMPREHENSIVE GENERAL LIABILITY  
INSURANCE \_\_\_\_\_  
(Section 3(c)(xiv)

9) LICENCE FEE (Payment to be included with application) \_\_\_\_\_  
(Section 3(c)(xv)

10) DECLARATION  
(Section 3(c)(vi)

As the applicant/owner named above, I hereby make this application and confirm  
that I have read By-Law Number 19-2002 and agree to abide by its regulations.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Applicant(s)

\_\_\_\_\_  
Owner(s)

THIS LICENSE IS HEREBY  
GRANTED AND IS IN EFFECT  
FOR THE PERIOD

\_\_\_\_\_  
\_\_\_\_\_  
CAO/Clerk-Treasurer