

**CITY OF GRANDE PRAIRIE**

**BYLAW C-1057**

**A Bylaw of the City of Grande Prairie to  
Regulate Late Night Club/Events in the City.**

**WHEREAS** Council has the authority to pass bylaws for municipal purposes respecting:

- a) the safety, health and welfare of people and the protection of people and property;
- b) people, activities and things in, on or near a public place or place that is open to the public; and
- c) the licensing of businesses.

**AND WHEREAS** Council deems it advisable to enact a bylaw to provide for the licensing and regulation of late night clubs and events so as to ensure that their possible adverse impacts upon the community are minimized;

**AND WHEREAS** it is desirable that these gatherings be conducted in a safe and responsible manner and take place in facilities with adequate fire, health and safety protection;

**COUNCIL ENACTS AS FOLLOWS:**

**TITLE**

- 1. This bylaw may be referred to as the “Late Night Club/Event Bylaw”.

**DEFINITIONS**

- 2. In this bylaw:
  - (a) “City” means the City of Grande Prairie.
  - (b) “Late Night Club” or “Club” means a facility, the primary purpose of which is to host regular dances, entertainment performances or other events where, in the case of any such event:
    - (i) no alcohol or alcoholic beverages are lawfully available on the premises for consumption or sale;
    - (ii) 20 or more patrons are assembled for any period between 2:00 a.m. and 6:00 a.m.;
    - (iii) the event is held for the purpose of gain or profit;
    - (iv) tickets are sold or an entrance or attendance fee is charged for persons to attend; and
    - (v) music, noise or sound of any kind from any source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played.

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- (c) “Late Night Club Manager” means the person responsible for the day to day management of the Late Night Club.
  - (d) “Late Night Event” or “Event” means a one-time dance or other event where, in the case of such Event:
    - (i) no alcohol or alcoholic beverages are lawfully available on the premises for consumption or sale;
    - (ii) 20 or more patrons are assembled for any period between 2:00 a.m. and 6:00 a.m.;
    - (iii) the Event is held for the purpose of gain or profit;
    - (iv) tickets are sold or an entrance or attendance fee is charged for persons to attend; and
    - (v) music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played.
  - (e) “Late Night Event Manager” means the person who will be in attendance at the Event and will oversee the overall operation of the Event, and includes a person employed as a licensed security consultant.
  - (f) “License” means a license issued pursuant to section 4 of this Bylaw.
  - (g) “License Inspector” means a License Inspector appointed by the City of Grande Prairie and shall be deemed to include a Peace Officer.
  - (h) “Noise Bylaw” means the Noise Bylaw of the City of Grande Prairie.
  - (i) “Peace Officer” means any member of the R.C.M.P., Special Constable or Bylaw Enforcement Officer.
  - (j) “Person” means an individual and includes, a firm, partnership, joint venture, proprietorship, corporation, association and society.
  - (k) “R.C.M.P.” means the Royal Canadian Mounted Police.
  - (l) “Venue” means the place where a late night event is held.

### **LICENSE**

3. No Person shall operate a Late Night Club or Late Night Event without a License.

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4. A Person wishing to obtain a License may apply to the City License Inspector by paying the annual non-refundable License fee of \$450.00 for a Late Night Club license or \$250.00 for a Late Night Event License and by completing an application in the form established by the License Inspector which shall include but not be limited to the following information:
- (a) the full names, addresses and dates of birth of the following Persons:
    - (i) the applicant;
    - (ii) where the applicant is a corporate entity, the directors and shareholders of the applicant;
    - (iii) the Club or Event manager.
  - (b) the consent of all the parties referred to in section 4(a) of this Bylaw to the Grande Prairie R.C.M.P. conducting a security check on them;
  - (c) the name and address of the owner of the premises in which the Club or Venue will be located or, if the owner is not the operator or occupier of the premises, the name and address of the operator or occupier;
  - (d) a description of the types of events that will be held at the Club or Venue, including the hours of operation and the method by which admission will be charged or other fees or charges paid; and
  - (e) a description satisfactory to the License Inspector of the sound system to be used at the Club or Venue and any steps that will be taken by the applicant to ensure that no offence under the Noise Bylaw will occur and that noise disturbance outside the Club or Venue is minimized.
5. A Late Night Event License is not required for wedding dances, holiday parties, school dances, or similar events.
6. A Late Night Event License is valid for only one Late Night Event and only for the Venue and date identified in the application for the License.
7. Each application for a Late Night Event License must be made no later than forty-five (45) days before the proposed date of the Event.
8. No person shall advertise or offer, distribute or sell tickets for a Late Night Event without first obtaining a License.
9. The License Inspector may not issue a License if:
- (a) the Grande Prairie R.C.M.P. recommend against issuing the License because of the criminal record of any Person referred to in Section 4(a); or

- (b) there are reasonable grounds to believe that it would not be appropriate to issue a License to an applicant because anticipated noise from the Club or Event would have the potential to create a nuisance in the part of the community in the vicinity of the proposed Club or Event.

10. The License Inspector may include in a License, specific conditions respecting:

- (a) the number and qualifications of security personnel who must be available at the Club or Venue;
- (b) the procedures required to be in place to address emergency medical and security concerns;
- (c) the number of people who may attend the Club or Venue and parking arrangements for those patrons;
- (d) providing to the City evidence that the applicant has obtained and will maintain public liability insurance in a form acceptable to the City providing coverage against death, personal injury and damage to property in such amount as the City may require from time to time;
- (e) such additional conditions as are, in the opinion of the License Inspector, reasonably necessary to protect the safety, health, welfare, and property of attendees at the Club or Event, persons working there and persons working or residing in the vicinity of the Club or Event.

11. A Club or Event must establish and maintain an adequate security plan which includes provisions for:

- (a) first aid;
- (b) entrance control to ensure that alcohol or illicit drugs are not brought into the premises;
- (c) outside inspection and clean up of streets, roads and other property in the vicinity of the Club or Venue during and after the hours of operation; and
- (d) line control including ensuring that patrons are not permitted to re-enter the Club or Venue after they have left;
- (e) refusing entry to persons who appear intoxicated or under the influence of drugs;
- (f) removing persons whose behaviour becomes quarrelsome, riotous or disorderly;

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- (g) removing persons who are involved in illegal activities such as drug possession or trafficking;
  - (h) refusing entry to persons who have been removed from the premises repeatedly;
  - (i) reporting illegal activities such as drug possession or trafficking to the R.C.M.P.
12. A Club or Venue shall not remain open later than 6:00 a.m. and all attendees must vacate the premises where it is conducted by that time.
13. No person under the age of 16 years shall be permitted on the premises of a Club or Venue whilst a Club or Event is in progress.
14. The holder of a License shall ensure that at all times the operation of a Club or Event is not in breach of any Municipal, Provincial or Federal legislation, order or directive.
15. A License Inspector may revoke or suspend any License granted under this bylaw where:
- (a) the licensee has provided false or misleading information in the application for the License;
  - (b) the licensee acquires a criminal record that would, in the reasonable opinion of the License Inspector, make the applicant unsuitable to be the operator of a Club or Event;
  - (c) the licensee breaches any condition of the License;
  - (d) the licensee fails to meet any of the standards required of a licensee or of an applicant for a License;
  - (e) the licensee or any officer, agent or employee of the licensee denies entry to the premises of a Club or Venue to a Peace Officer exercising powers of inspection under Section 18 of this bylaw; or
  - (f) the licensee contravenes any provision of this Bylaw or any other Municipal, Provincial or Federal legislation, order or directive.
16. The suspension of a License for non-compliance with this bylaw or a condition of a License, shall continue until, in the reasonable opinion of the License Inspector, the requirements of this bylaw or of the License have been met.
17. Any Person whose License has been refused, revoked or suspended by a License Inspector may appeal that determination to the Protective Services Committee of the City by a written notice delivered to the City within fourteen (14) days of the date that notice of the refusal, revocation or suspension is delivered or sent to such person.

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**INSPECTION OF PREMISES AND FACILITIES**

18. A Peace Officer may enter and inspect the premises of any intended or licensed Club or Venue at any time during its hour of operation or otherwise:
- (a) to determine if the facilities meet the requirements of this bylaw;
  - (b) to ensure that the licensee is complying with the requirements of this bylaw or of a License;
  - (c) in the case of a facility whose Club or Event License has been suspended, to examine the premises to determine whether the circumstances leading to the suspension of the License have been corrected.

**DUTY TO ASSIST INSPECTOR**

19. All Licenses are subject to the condition that the Club or Event Manager must, on the request of a Peace Officer:
- (a) assist the Peace Officer in carrying out an inspection under Section 18 of this bylaw; and
  - (b) produce the License to the Peace Officer.
20. No person may hinder, obstruct or impede a Peace Officer in the performance of his or her duties or in the exercise of the powers of inspection under Section 16 of this bylaw.

**OFFENCES AND PENALTIES**

21. A person who breaches any of the provisions of this bylaw shall be guilty of an offence and shall be liable upon conviction to a fine of not more than \$10,000.00 and not less than \$500.00, and in default of payment, to imprisonment for a period not exceeding six months.
22. Any Person who provides false or misleading information in an application for a License is guilty of an offence.
23. Any Peace Officer, who has reasonable grounds to believe that any Person has contravened any provision of this bylaw may:
- (a) serve upon such Person a summons for the offence; and
  - (b) seize and take possession of any License where the same is revoked or suspended, or otherwise required to be returned to the City.

24. This bylaw shall come into effect on the date of final reading.

**READ** a first time this  5th  of  November , 2001.

**READ** a second time this  5th  of  November , 2001.

**READ** a third time and finally passed this  5th  of  November , 2001.

“W. Ayling” (signed)  
MAYOR

“J. Ferguson” (signed)  
CITY CLERK