

CITY OF GRANDE PRAIRIE

BYLAW C-1487

A Bylaw to Regulate Outdoor Events

WHEREAS the provisions of the *Municipal Government Act*, RSA 2000, c M-26, enable the council of a municipality to pass bylaws respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the provisions of the *Traffic Safety Act*, RSA 2000, c T-6, enable the council of a municipality to pass bylaws respecting parades and processions, and the closing or restricting the use of a highway;

AND WHEREAS Council deems it advisable to regulate Outdoor Events to promote adequate planning, safety, mitigation of impacts, and coordination of Municipal Services;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. SHORT TITLE

1.1 This Bylaw shall be called the "Outdoor Event Permit Bylaw".

2. DEFINITIONS

2.1 In this Bylaw:

"Applicant" means a Person who has submitted an Application for an Outdoor Event Permit.

"Application" means an application for an Outdoor Event Permit.

"Application Fee" means the non-refundable application fee for an Outdoor Event Permit as set out in Schedule "A" of Bylaw C-1395, the Fees, Rates and Charges Bylaw.

"City" means the City of Grande Prairie, having authority under the *Municipal Government Act*, RSA 2000 c M-26 and other applicable legislation.

"City-Hosted Outdoor Event" means an Outdoor Event organized, planned and held by the City, or an Outdoor Event for which the City is the Permit Holder.

"City Manager" means the Chief Administrative Officer of the City or their delegate.

"Council" means the Municipal Council of the City of Grande Prairie.

"Funeral Procession" means an organized procession of vehicles travelling on a Highway accompanying the remains of a deceased person from a place of worship, funeral home, or similar place of gathering to a cemetery, crematorium, or other place of final disposition.

"Highway" means a 'highway' as defined in the *Traffic Safety Act*, RSA 2000, c T-6.

"Municipal Services" means services provided directly or indirectly by the City, including but not limited to, police services, fire protection, traffic control, set-up and removal of barricades, waste management, site remediation, or any other expenses incurred by the City in connection with an Outdoor Event.

"Municipal Services Fee" means a fee required to be paid by the Permit Holder to the City as a condition of an Outdoor Event Permit.

"Municipal Tag" means a tag whereby the person alleged to have committed a breach of a provision of this Bylaw is given the opportunity to pay a voluntary penalty to the City in lieu of prosecution for an offence.

"Non-Profit Organization" has the meaning as in Section 241(f) of the *Municipal Government Act*, RSA 2000, c M-26.

"Outdoor Event" means any outdoor music, dance, sport, food or performance arts festival, gathering, assembly, competition, parade, procession, race, or similar activity taking place, in whole or in part, on City-owned property and which impacts or is likely to impact two (2) or more Municipal Services, but does not include:

- a) activities which have already been fully authorized under a lease, license agreement, park use permit, or similar written agreement with the City, and which are occurring in compliance with the terms and conditions of same;
- b) regular league or club games, matches, or practices held at City facilities designated for such activities; or
- c) a Funeral Procession.

"Outdoor Event Permit" means a valid and subsisting City-issued permit authorizing an Outdoor Event.

"Participation Application" means an application submitted pursuant to Section 7 of this Bylaw seeking authorization from the City to undertake an activity at a City-Hosted Outdoor Event.

"Peace Officer" means a sworn member of the Grande Prairie Police Service, a sworn member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer of the City, or a Community Peace Officer of the City.

"Person" means an individual, a group of individuals, a corporation, firm, partnership, proprietorship, association, society or co-operative organization.

"Permit Holder" means the Person to whom an Outdoor Event Permit has been issued.

"Violation Ticket" has the same meaning as in the *Provincial Offences Procedure Act*, RSA 2000, c P-34.

3. INTERPRETATION

- 3.1 In this Bylaw, words importing the singular include the plural and vice versa, and words importing gender include all genders.
- 3.2 A reference to another enactment is a reference to the enactment as amended or replaced from time to time.
- 3.3 Headings are for convenience only and do not limit the scope or intent of the provisions.
- 3.4 Nothing in this Bylaw relieves any Person from complying with any other applicable bylaw of the City or any federal or provincial law or regulation, or from obtaining any license, permission, permit, consent, authority or approval required thereunder.

4. OUTDOOR EVENT PERMIT

- 4.1 No Person shall operate, maintain, conduct, or participate in an Outdoor Event unless an Outdoor Event Permit has been issued by the City authorizing the Outdoor Event.
- 4.2 A Person who wishes to apply for an Outdoor Event Permit shall submit a completed and signed Application in the form prescribed by the City.
- 4.3 An Application shall be submitted together with the applicable non-refundable Application Fee, unless the Applicant is a Non-Profit Organization, in which case the Application Fee is waived.
- 4.4 Except as otherwise authorized by the City in writing, an Application shall be submitted:
 - a) Ninety (90) days before the proposed date of any Outdoor Event involving a road closure;
 - b) Sixty (60) days before the proposed date of all other Outdoor Events.
- 4.5 The City may refuse to consider an Application which is unsigned, incomplete, not submitted together with the applicable Application Fee, or submitted after the applicable deadline specified in Subsection 4.4.
- 4.6 The City may request an Applicant provide the City with further information about an Application within a specified period.
- 4.7 The City may notify, or may request the Applicant notify, adjacent property owners or residents of a proposed Outdoor Event and provide an opportunity for comment to the City.

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- 4.8 In evaluating an Application, the City may circulate the Application, or any information related thereto, to any City departments, the RCMP, Alberta Health Services, AGLC, or other relevant agencies for comment, and may consider, where applicable:
- a) the completeness and adequacy of the information provided by the Applicant, including required plans (safety, traffic, site);
 - b) the compatibility of the proposed Outdoor Event and its proposed site, including surrounding land uses and potential impacts;
 - c) the availability of adequate parking and/or transit services;
 - d) emergency planning, preparedness, and access;
 - e) traffic impacts and the feasibility of any proposed traffic accommodation plan;
 - f) mitigation plans for any health and safety risks;
 - g) potential nuisances (noise, pollution, litter, etc.) and mitigation plans, including waste management;
 - h) the proposed duration and hours of operation;
 - i) the availability of required Municipal Services and other necessary resources; and
 - j) such other factors as the City deems necessary or appropriate to evaluate the Application.
- 4.9 The City may refuse to issue an Outdoor Event Permit if, in the opinion of the City:
- a) the Application or any required supporting information is incomplete, inaccurate, false, or misleading;
 - b) the proposed Outdoor Event, site, or associated plans (including for safety, security, traffic, site management, or nuisance mitigation) are inadequate, unsuitable, or would likely pose an unreasonable risk to public health, safety, welfare, order, or property;
 - c) the Applicant's history in respect of Outdoor Events, including previous non-compliance with relevant bylaws or Outdoor Event Permits; or
 - d) other circumstances exist which reasonably warrant the refusal.
- 4.10 Upon review of an Application, the City may:
- a) refuse the Application pursuant to Subsection 4.9; or
 - b) issue an Outdoor Event Permit, with conditions.
- 4.11 The City may attach such conditions to an Outdoor Event Permit as the City deems necessary or appropriate including, but not limited to, conditions governing: hours of operation; noise control; site layout; traffic management; route plan; security levels; insurance; waste management; environmental protection measures; Municipal Services Fee; or required indemnities.

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- 4.12 If the conditions of an Outdoor Event Permit require the Permit Holder to provide a Municipal Services Fee:
- a) The amount of the Municipal Services Fee to be provided by the Permit Holder shall be equal to the estimated total cost, as determined by the City, of all Municipal Services required in respect of the Outdoor Event, including, but not limited to costs associated with traffic control, site clean-up, waste removal, site remediation, repairs to City property, policing, fire protection, and barricades; and
 - b) The Municipal Services Fee shall be provided to the City by not later than thirty (30) days prior to the Outdoor Event, unless otherwise specified in the conditions of the Outdoor Event Permit.
- 4.13 If the costs incurred by the City for Municipal Services associated with an Outdoor Event exceed the amount of the Municipal Services Fee, the Permit Holder shall pay the excess amount to the City upon demand.
- 4.14 If the conditions of an Outdoor Event Permit require the Permit Holder to provide an indemnity, the Permit Holder shall, by not later than thirty (30) days prior to the Outdoor Event, or such other date as the City may specify in the conditions of the Outdoor Event Permit, enter into a written indemnity agreement with the City, containing terms and conditions satisfactory to the City, in respect of any claims, demands or other liabilities which may arise in connection with the Outdoor Event.
- 4.15 If the conditions of an Outdoor Event Permit require the Permit Holder to provide insurance:
- a) the Permit Holder shall obtain and maintain Commercial General Liability insurance acceptable to the City, with limits of not less than two million dollars (\$2,000,000) per occurrence, or such greater amount as the City may specify in the conditions of the Outdoor Event Permit;
 - b) such insurance shall name the City of Grande Prairie as an additional insured, and shall comply with such additional requirements as the City may specify in the conditions of the Outdoor Event Permit; and
 - c) the Permit Holder shall provide the City with a certificate of insurance evidencing such insurance by not later than thirty (30) days prior to the Outdoor Event, or such other date as the City may specify in the conditions of the Outdoor Event Permit.
- 4.16 A Permit Holder shall comply with:
- a) the conditions of the Outdoor Event Permit; and
 - b) all applicable federal, provincial, and municipal laws, bylaws, orders, permits, licenses, approvals, directions, and regulations in respect of the Outdoor Event.

- 4.17 The Permit Holder shall maintain a copy of the Outdoor Event Permit at the Outdoor Event and shall immediately provide a copy of it to a Peace Officer upon request.

5. REVOCATION OR SUSPENSION OF AN OUTDOOR EVENT PERMIT

- 5.1 The City may suspend or revoke an Outdoor Event Permit at any time if the City determines that:
- a) the Permit Holder has provided false, misleading, or incomplete information in the Application or during the permitting process;
 - b) the Permit Holder has failed to comply with any condition of the Outdoor Event Permit;
 - c) the Permit Holder has failed to comply with any applicable federal, provincial, or municipal law, bylaw, permit, license, approval, direction, or regulation in relation to the Outdoor Event;
 - d) there are other just and reasonable grounds for doing so, including but not limited to unforeseen circumstances or conditions, such as power outage or inclement weather, that compromise public safety, health, welfare, public order, or the protection of property.
- 5.2 Upon an Outdoor Event Permit being suspended or revoked, the Permit Holder shall be notified:
- a) by personal service on the Permit Holder, which notice shall be effective on the date of service;
 - b) by registered mail to the Permit Holder's address provided in the Application, which notice shall be effective five (5) days following the date of mailing; or
 - c) by electronic mail to the Permit Holder's email address provided in the Application, which notice shall be effective on the date sent, unless a delivery failure notification is received.
- 5.3 Except as otherwise directed by the City in writing, upon receiving notice of suspension or revocation of an Outdoor Event Permit, the Person to whom the Outdoor Event Permit was issued shall immediately:
- a) cease all activities associated with the Outdoor Event, including operating, maintaining, conducting, advertising, or distributing or selling tickets in relation to, the Outdoor Event; and
 - b) take reasonable steps to inform potential attendees of the cancellation.

6. PARTICIPATION IN OUTDOOR EVENTS, INCLUDING CITY-HOSTED OUTDOOR EVENTS

- 6.1 No Person shall do any of the following at an Outdoor Event, including a City-Hosted Outdoor Event, without the prior approval of the Permit Holder:
- a) enter into or remain within any area at the Outdoor Event which has been restricted to authorized personnel only, such as performers, vendors, contractors or employees of the Permit Holder;
 - b) enter into the formation of any organized parade, procession, or race;
 - c) conduct any commercial activity, including vending, soliciting, or advertising;
or
 - d) otherwise interfere with the orderly conduct of the Outdoor Event.
- 6.2 A Person who engages in any activity described in Subsection 6.1 and claims to have the prior approval of the Permit Holder shall:
- a) bear the onus of establishing such approval; and
 - b) provide evidence of such approval upon the request of a Peace Officer.
- 6.3 Every person participating in or attending an Outdoor Event, including a City-Hosted Outdoor Event, shall:
- a) obey the lawful directions of any Peace Officer, including a direction to exit the vicinity of the Outdoor Event; and
 - b) refrain from behaviour that unreasonably interferes with the planned activities, movement, or safe operation of the Outdoor Event.

7. PARTICIPATION APPLICATIONS

- 7.1 A Person who wishes to carry out any of the activities described in Subsection 6.1 at a City-Hosted Outdoor Event shall submit a Participation Application in the form prescribed by the City.
- 7.2 A Participation Application shall be submitted not less than sixty (60) days prior to the date of the City-Hosted Outdoor Event, except as otherwise authorized by the City in writing.
- 7.3 The City may refuse to consider a Participation Application which is unsigned, incomplete, or submitted less than sixty (60) days prior to the intended date of the City-Hosted Outdoor Event.
- 7.4 The City may contact a Person who submitted a Participation Application requesting further information within a specified period.

- 7.5 In determining whether to approve or refuse a Participation Application, with or without conditions, the City may consider such criteria as the City deems necessary or appropriate including, but not limited to:
- a) whether the Participation Application or any required supporting information is incomplete, inaccurate, false, or misleading;
 - b) the availability of physical space and logistical capacity for the proposed participation of the applicant at the City-Hosted Outdoor Event;
 - c) potential impacts of the proposed participation of the applicant on public safety, traffic flow, crowd management, and operations at the City-Hosted Outdoor Event;
 - d) whether, in the opinion of the City, the proposed participation, including any associated materials, message, or expression:
 - i) is primarily personal, private, political, or commercial in nature; or
 - ii) detracts from, is inconsistent with, or carries a significant risk of polarizing the community in a manner contrary to, the specific stated purpose, overall theme, or intended expression of the City-Hosted Outdoor Event;
 - e) the applicant's history in respect of Outdoor Events, including previous non-compliance with relevant bylaws, Outdoor Event Permits, or Participation Application approvals; and
 - f) in the case of a Person wishing to enter a float or other motor vehicle in the City-Hosted Outdoor Event known as the Canada Day Parade, whether at least 75% of the front, back and sides of the float or other motor vehicle is decorated in Canada Day-themed decorations, with appropriate exceptions for vehicles carrying City-approved dignitaries.
- 7.6 The City may approve a Participation Application with or without conditions. The City may attach such conditions as the City deems necessary or appropriate including, but not limited to, conditions governing: hours of operation; noise control; site layout; route plan; insurance; waste management; environmental protection measures; security deposits; or required indemnities.
- 7.7 A Person whose Participation Application is approved shall comply with all conditions imposed by the City under Subsection 7.6, and the City may suspend or revoke the approval of any Person who fails to comply with any such condition.
- 7.8 For the purpose of Subsection 7.5(d), Council may, by resolution, establish the purpose, overall theme, and intended expression of a City-Hosted Outdoor Event. Where Council has not, by resolution, established the purpose, overall theme, and intended expression of a City-Hosted Outdoor Event, then the City may do so by City policy.

7.9 For the City-Hosted Outdoor Event known as the Canada Day Parade, Council may by resolution appoint a volunteer to act as the City's honorary Parade Marshall. The Parade Marshall shall set the pace for the Canada Day Parade and may carry out such other honorary duties as Council assigns by resolution to the Parade Marshall. Subsections 6.1 and 7.1 shall not apply to the Parade Marshall of the Canada Day Parade.

8. ADMINISTRATIVE REVIEW PROCESS

8.1 A Person to whom a decision is issued by the City under this Bylaw may make a written request to the City Manager, within seven (7) days of the date of the decision, to have the decision reviewed.

8.2 The City Manager may uphold, vary, or reverse the decision, with or without conditions.

8.3 The decision of the City Manager is final.

9. ENTRY AND INSPECTION

9.1 An authorized employee or agent of the City, including a Peace Officer, may, at any reasonable time, enter onto any property that is the site of an Outdoor Event or proposed Outdoor Event to conduct inspections for the purpose of determining compliance with an Outdoor Event Permit, or any applicable law.

9.2 No Person shall obstruct, hinder, or interfere with an authorized employee or agent of the City, or a Peace Officer, in the exercise of their powers or performance of their duties under this Bylaw.

10. EXEMPTION

10.1 Subsections 4.1, 6.1, 6.2, 6.3(b), and 7.1 of this Bylaw shall not apply to the following persons while acting in the lawful performance of their official duties and responsibilities:

- a) a Peace Officer;
- b) an employee of the City, including a member of the Grande Prairie Fire Department;
- c) a contractor of the City carrying out City-assigned duties;
- d) an emergency medical responder or paramedic providing emergency medical services;
- e) an employee or contractor of Aquatera carrying out Aquatera-assigned duties;
or
- f) an inspector or official authorized by federal or provincial statute to enter an Outdoor Event for inspection, enforcement, or public safety purposes.

11. SEVERANCE

- 11.1 If any section or part of this Bylaw is found by a court of competent jurisdiction to be illegal or beyond the power of Council to enact, such section or part shall be deemed to be severable, and all other sections or parts of this Bylaw shall be deemed to be separate and independent therefrom and to be enacted as such.

12. OFFENCES AND PENALTIES

- 12.1 The onus of proving that a Person has a valid and subsisting Outdoor Event Permit or is exempt from the provisions of this Bylaw rests with the Person alleging such permit or exemption.
- 12.2 Where a Peace Officer has reasonable grounds to believe that a Person has contravened any provision of this Bylaw, the Peace Officer may initiate proceedings by issuing a Municipal Tag or a Violation Ticket to the Person. A Peace Officer is not required to issue a Municipal Tag prior to issuing a Violation Ticket.
- 12.3 In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence in respect of each day, or part of a day, on which the offence continues.
- 12.4 Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to:
- a) for a first offence, a fine of \$250.00; or
 - b) for a second or subsequent offence relating to the same provision within one calendar year, a fine of not less than \$500.00 and not more than \$10,000.00.
- 12.5 For the purposes of this Bylaw, an act or omission by an employee, contractor, agent, or volunteer of a Permit Holder acting within the scope of their engagement is deemed to be an act or omission of the Permit Holder.
- 12.6 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs from which that Person is liable under the provisions of this Bylaw.

13. REPEAL AND EFFECTIVE DATE

13.1 Bylaw C-1405 and its amending bylaws C-1405A and C-1405B are hereby repealed upon this Bylaw coming into full force and effect.

13.2 This Bylaw shall take effect on the date it is finally passed.

READ a first time this 5th day of May, 2025.

READ a second time this 5th day of May, 2025.

READ a third time and finally passed this 5th day of May, 2025.

"J. Clayton" (signed)

Mayor

"A. Van Beekveld" (signed)

Acting City Clerk