

BY-LAW NO. 98

A By-law for the Licensing and Regulation of Concerts

Pursuant to section 228 of The Municipal Government Act, R.S.A. 1970, Chapter 246, The Council of the

SUMMER VILLAGES of ITASKA BEACH
In the Province of Alberta, duly assembled, hereby enacts as follows:

1. Purpose:
The purpose of this By-law is to license and regulate concerts in the Summer Village of Itaska Beach.
2. Definitions:
In this By-law:
 - (i) "Concert" shall mean any music festival, dance festival, "rock" festival, or similar musical activity, whether indoor or outdoor, likely to attract 500 or more people in any one twenty-four (24) hour period, at which music is provided by paid or amateur performers or by pre-recorded means, and which is held at any place within the municipality, and to which members of the public are invited or admitted for a charge or free of cost;
 - (ii) "Council" means the Council of the Summer Village of Itaska Beach;
 - (iii) "Health officer" means the Medical Officer of Health appointed by the Local Board of Health or by the board of a health unit as the case may be, or a person designated by the Medical Officer of Health, or where no Medical Officer of Health has been appointed the Local Board of Health or the board of a health unit as the case may be or such person as is designated by the Local Board of Health or the board of a health unit;
 - (iv) "Licensee" means a person who has applied for and obtained a license to operate a concert pursuant to this by-law;
 - (v) "Licensing officer" means the council or such person as council may designate;
 - (vi) "Municipality" means the County of Leduc.
3. No person shall operate, maintain, conduct or advertise a concert in the municipality unless he has first obtained a license from the licensing officer to operate or conduct such a concert.
4. Applications for a license to conduct an indoor-outdoor concert shall be made to the licensing officer in writing at least sixty days prior to the proposed date of the concert and shall be accompanied by a non-refundable application fee of \$100.00 and shall contain the following information:

- (a) The name, age, residence, and mailing address and telephone number or numbers of the person making such application. If the application is made by a partnership, the names and addresses of the partners shall appear. Where the applicant is an incorporated company, the application shall be signed by at least two directors of the incorporated company and shall contain the addresses of such corporate directors and shall have attached a certified copy of the Certificate of Incorporation.
 - (b) A written statement of the kind, character, or type of concert which the applicant proposes to conduct, operate or carry on.
 - (c) The address or legal description of property where the proposed concert is to be conducted, operated, or carried on. Additionally, the applicant shall submit proof of ownership of the place where the concert is to be conducted or a statement signed by the owner of the premises indicating his consent that the site be used for the proposed concert.
 - (d) The date or dates and the hours during which the concert is to be conducted.
 - (e) An estimate of the number of customers, spectators, participants, and other persons expected to attend the concert for each day it is conducted.
 - (f) The names and addresses of anyone contributing, investing, or having a financial interest greater than five hundred (\$500.00) dollars in producing the concert.
 - (g) A financial statement to give assurance of the ability of the applicant to meet the conditions of the license being applied for.
 - (h) A detailed written explanation of the applicant's plans to provide security and fire protection, water supplies and facilities, sewage and drainage facilities, food supplies and facilities, sanitation facilities, first aid facilities and services, vehicle parking spaces, vehicle access policing and on-site traffic control and, if it is proposed or expected that spectators or participants will remain at night or overnight, the arrangements for illuminating the premises and for camping or similar facilities. The applicant's plans shall include what provisions shall be made for numbers of spectators in excess of the estimate, provisions for the clean-up of the premises and provisions for the removal of rubbish after the concert has concluded. A plot plan showing the arrangement of the facilities, including those for parking, egress, and ingress, shall be submitted with such application.
5. Every person applying for a license pursuant to this by-law shall satisfy the licensing officer and health officer that he is able to meet the conditions and requirements set out in this by-law.
6. Every licensee to conduct an indoor-outdoor concert shall be subject to the following conditions and requirements:
- (a) Security protection: Every licensee shall provide at his own expense security protection. This shall include the provision of a minimum of one security officer for every 100 persons expected to be in attendance.

- (b) Water and sanitation facilities: Every licensee shall provide an ample supply of potable water for drinking and sanitation purposes at the site of the concert. The minimum supply of water to outdoor concerts shall be 68 litres of water for each person in attendance per day. All water shall meet Canadian Drinking Water Standards. Public and private flush-type water closets, lavatories and drinking facilities and sewage and drainage systems and items incidental to the operation of the foregoing shall be required as determined by the health officer. This condition shall only be deemed to have been met where the health officer has accepted such arrangements as satisfactory.
- (c) Food concessions: Where the proposed concert is to be held a distance of 200 metres from public eating places, food handling places or like establishments, the applicant shall provide such food facilities as may be required by the health officer to adequately provide food services to those persons attending the concert.
- (d) Every licensee shall be required to furnish such trash cans and garbage receptacles as may be required by the health officer. An adequate supply of plastic bag liners to fit the trash cans shall be provided and each container shall at all times have a plastic bag liner inserted and, when full, it shall be tied and removed and a new plastic bag liner inserted. The pickup and removal of trash, refuse, garbage and rubbish shall be at least once a day or often if required by the health officer. A signed contract with a licensed refuse collector shall be submitted and filed with the health officer. The removal of all trash and refuse shall be at the licensee's expense.
- (e) First aid facilities: Every licensee shall provide such first aid facilities at the site of the concert as may be required by the health officer. The licensee shall provide ambulance services to transport persons attending the concert from the site of the concert to the nearest hospital where need arises. The type of ambulance service shall be as required by the health officer. Where a proposed concert is expected to attract a large number of persons to a site located a distance of five (5) kilometres from adequate existing treatment facilities, the licensee may be required to provide emergency medical treatment facilities on the premises of the concert.
- (f) Parking areas: Every licensee shall provide adequate parking spaces for persons attending the concert by motor vehicle. The licensee may be called upon to provide a separate parking space for every two (2) persons expected to attend the concert by motor vehicle. Such parking areas shall be clearly marked. The licensing officer shall approve an applicant's "parking plan" before a license shall be issued.
- (g) Access and parking control: The licensee shall provide adequate ingress and egress to the concert premises and parking areas, therefore necessary roads, driveways and entrance ways shall exist to insure the orderly flow of traffic into the premises from a highway or road which is part of the highway system or which is a highway maintained by the municipality. A special access way for fire equipment, ambulances and other emergency vehicles may be required. The licensing officer shall approve the licensee's plan for ingress and egress before a license shall be issued. Additionally, any licensee may be required to show that traffic guards are under his employ to insure orderly traffic movement and relieve traffic congestion in the vicinity of the concert area.
- (h) Hours of operation: All concerts which are subject to a license pursuant to the provisions of the Order shall close and cease operations continuously between the hours of 2:00 a.m. and 6:30 a.m. of each and every day.

- (i) Communications: The applicant shall be required to establish a communication system for public use where ordinary communications are not available. The licensing officer may require a provision of a mobile phone at the site of the concert.
 - (j) Miscellaneous: The licensing officer may impose such additional conditions as are reasonably calculated as necessary to protect the health, welfare and property of local residents and persons attending concerts.
7. A licensee shall comply with all relevant Federal, Provincial or Municipal laws in existence.
8. The licensing officer may grant relief from any of the above requirements where it appears that such an action is in the best public interest. This ability to grant relief shall be limited to those items within the control of the licensing officer under this by-law and does not relieve the licensee from any conditions or requirements imposed by law, contract or otherwise.
9. Any person who:
- (a) Operates, maintains, conducts, advertises a concert in the Summer Village of Itaska Beach without first having obtained the licenses required by this Order: or
 - (b) and having obtained the license, fails to comply with the conditions set out in this Order or attached to a license;
- is guilty of an offence and is liable on conviction to a fine of not more than TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) and not less than ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$1,250.00) and in addition to a fine of not more than TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) for every day the offense continues and in default of payment, to imprisonment for a term not exceeding thirty (30) days.

READ the first time the 8th day of October , 19 81 .

READ the second time the 8th day of October , 19 81 .

READ the third time the 8th day of October , 19 81 .

AND FINALLY PASSED.

MAYOR/REEVE

DAMMANN
MUNICIPAL SECRETARY

Signed