

A by-law to provide for the health and other protection of persons attending special events.

NOW THEREFORE, the Council of the Village of Salmo in open meeting assembled, enacts a by-law to regulate and govern persons attending special events within the boundaries of the Village of Salmo.

I. INTERPRETATION

In this by-law unless the context otherwise requires, the following words shall have the following meaning:

"Licence" shall mean a licence issued by the Village Clerk, authorizing the holding of a Special Event;

"Occupier and Owner" shall have the meanings respectively set forth in Section 1 of the Municipal Act, Chapter 290 of the Revised Statutes of British Columbia, 1979 and amendments thereto;

"Person" shall have the meaning set forth in Section 29 of the Interpretation Act, Chapter 206 of the Revised Statutes of British Columbia, 1979 and amendments thereto;

"Special Event" shall mean any public show, exhibition, carnival, fair, concert or commercial performance attended by more than one thousand (1,000) people or any public show, exhibition, carnival, fair, concert or commercial performance which might reasonably be expected to be attended by more than one thousand (1,000) people.

II. APPLICATION

1. This by-law shall not apply to any congregation, gathering or event that is to take place:
  - a) in any licenced theatre or other place of assembly licenced or zoned by the authority having jurisdiction for the holding of such congregation, gathering or event;
  - b) any school, gymnasium or auditorium.
2. No owner or occupier of property shall allow the said property to be used for a Special Event, the location of which has not been approved by the Village Council.
3. No owner or occupier of property shall allow the said property to be used for a Special Event which may develop the making or causing of noises or sounds which disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity.
4. No owner or occupier of property shall conduct, sponsor, or allow to be held upon their property any event or allow to congregate on their property any gathering of people pursuant to the provisions of this by-law without first obtaining a licence pursuant to the terms and conditions of this by-law.
5. No owner or occupier of property shall allow a congregation or gathering of persons or an event to take place contrary to the terms of any written approval issued pursuant to this by-law if they have obtained a licence for the holding of such congregation, gathering or event pursuant to the terms of this by-law.
6. Application for a licence to hold a Special Event shall be made in writing to the Village Council not less than ninety (90) days prior to the commencement of the "Special Event".

II. APPLICATION (cont'd)

7. For the protection of public health and safety and for the protection of property, an application for a licence shall be accompanied by the following:
  - (a) the written consent of the registered owner and the occupier of the land upon which the event, congregation or gathering of people is to be held;
  - (b) a written description of the arrangements to be made by the applicant to meet the provisions of this by-law;
  - (c) written approval from the Village of Salmo's Building Inspector of preliminary plans of any temporary construction proposed for the event;
  - (d) payment of a licence fee of Two Hundred (\$200.00) Dollars.
  
8. The Council may give preliminary approval for the holding of the "Special Event" if they are satisfied that the provisions of articles 2 and 7 of this by-law are being complied with.
  
9. The applicant shall submit to the Village Council, not less than sixty (60) days prior to the commencement of the "Special Event", the following:
  - (a) Proof that the applicant shall indemnify and save harmless the Village Council and Village of Salmo from any and all actions arising from or because of the "Special Event". And without limiting the generality of the foregoing, the applicant shall obtain insurance in a form and amount acceptable to the Village Council to cover risks of injury to personnel or property damage to equipment of the Village of Salmo and to provide insurance coverage to cover expenses and costs or charges other than itemized above.
  - (b) Written certification of the Medical Health Officer for the Village of Salmo certifying that adequate arrangements have been made for:
    - i) toilet facilities
    - ii) garbage collection and removal
    - iii) domestic water
    - iv) food and drink preparation, serving and storage
  - (c) Written certification of the Officer in Charge (Royal Canadian Mounted Police) for the Village of Salmo certifying that adequate arrangements have been made for:
    - i) internal security at the site of the Special Event.
    - ii) the parking of vehicles
    - iii) traffic control (including access routes for emergency vehicles)
    - iv) location of a Police Command Station at or near the site of the Special Event (if deemed necessary by the Officer in Charge)
    - v) the prevention of excessive or disturbing noises, nuisances
    - vi) any other requirements deemed advisable by the Officer in Charge.
  - (d) Written certification of the local Fire Marshal or Forest Ranger certifying that adequate arrangements for fire protection have been made.
  - (e) Proof of a permit, issued by the Village of Salmo Building Inspector for all temporary construction to be undertaken for the event.
  - (f) The owner or occupier or the person or persons promoting the Special Event shall post such deposit as may be stipulated by the Village Council for the reimbursement of any costs which may be incurred by the Village of Salmo because of and as a consequence of the Special Event. The said deposit shall be an amount equal to the applicant's realistic pre-estimated costs of providing the arrangements, services, and facilities contained in this by-law.

II. APPLICATION (cont'd)

10. The Medical Health Officer, the Officer in Charge (R.C.M.P.) and the Fire Marshal or Forest Ranger may require a copy of signed contracts for the provision of the facilities, services or arrangements as contained above in articles 9 (b), 9(c), and 9(d) as a condition of providing the written certification that arrangements have been made.

11. The Village Council, upon being satisfied that the provisions of this by-law are being complied with, may issue a licence for the holding of a "Special Event".

12. The period for a licence granted pursuant to the provisions of this by-law shall be for one calendar day.

13. No "Special Event" shall be publicized in any manner before a licence for it has been issued by the Village Council.

14. Final approval by the Village of Salmo Building Inspector for all temporary construction must be obtained a minimum of four (4) days before the event is to take place.

15. The Village Council may revoke a licence which has been issued and advertise the cancellation of the licence and authority to hold the "Special Event" if there is reason to believe that the provisions of this by-law may not be complied with.

16. The Village Council will hold the deposit required by this by-law to the credit of the applicant until the Village has determined all costs to the Village by its normal accounting procedures. The said deposit will be applied to such costs or charges occurring with respect to the matters contained in this by-law and any surplus will be refunded to the applicant.

17. Any person who violates any of the provisions of this by-law is guilty of an offence and is liable upon summary conviction to a fine not exceeding Two Thousand (\$2,000.00) Dollars and costs, and in default of payment, to imprisonment for a term not exceeding six months, or to both fine and imprisonment. Every day on which an offence under this by-law shall occur shall constitute and be a separate offence and each such offence shall be punishable as herein provided.

18. All applications will be submitted to the Village and the Village Council reserves the right to refuse any application or to place restrictions on permits granted.

19. This by-law shall be cited for all purposes as the "Village of Salmo Control of Special Events By-law No. 271, 1983".

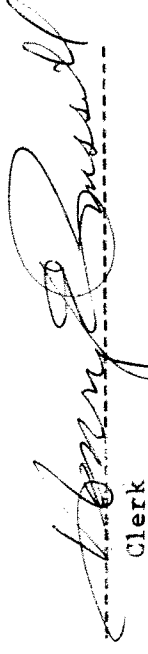
READ a first time this 14th day of June, 1983.

READ a second time this 14th day of June, 1983.

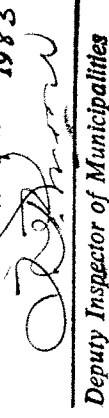
READ a third time this 14th day of June, 1983.

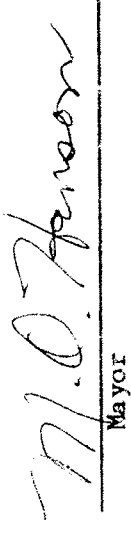
RECONSIDERED and ADOPTED this 28th day of June, 1983.

I hereby certify that this is a true and correct copy of the "Village of Salmo Control of Special Events By-law No. 271, 1983".

  
Clerk

A true copy of By-Law No. 271 registered in the office of the Inspector of Municipalities this 9th day of August 1983.

  
Deputy Inspector of Municipalities

  
Mayor

  
Clerk



H.M. Richards  
Provincial Health Officer