

THE CORPORATION OF THE
TOWNSHIP OF BLANDFORD-BLENHEIM

BY-LAW NUMBER 1686-2011

Being a by-law to regulate outdoor recreational events within the Township of Blandford-Blenheim.

WHEREAS Section 126 of the Municipal Act, S.O. 2001 c. 25 provides that a municipality may regulate cultural, recreational, and educational events and may prohibit such events unless a permit is obtained from the municipality. Such a permit may address issues dealing with health, safety and nuisance to the public.

AND WHEREAS Section 129 of the Municipal Act, S.O. 2001 c. 25 provides that a municipality may prohibit and regulate noise, vibration, odour, dust and outdoor illumination, unless a permit is obtained from the municipality for those matters and may impose conditions for obtaining the permit, including the submission of plans.

AND WHEREAS Section 150(1) of the Municipal Act, S.O. 2001 c. 25 empowers the council of a municipality to regulate any business as described in the Act to be carried on within the municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BLANDFORD-BLENHEIM ENACTS AS FOLLOWS:

1. Definitions

- 1.1 "Event Permit" means a permit issued by the municipality to regulate issues which may arise from the holding of an Outdoor Recreational Event.
- 1.2 "Event Plan" means a plan that may be required by the municipality to address issues including but not limited to the following:
- Traffic control and parking
 - Crowd control and policing
 - Emergency services response
 - Noise and dust control
 - Hours of operation
 - Exterior lighting
 - Waste management
 - Public health approval confirmation
- 1.3 "Outdoor Recreational Event" means any outdoor exhibition, concert, festival, motor vehicle race, relay, rally or demonstration not held on municipally owned property.

2. Permits and Administration

- 2.1 A person or organization holding an Outdoor Recreational Event or a person who permits an Outdoor Recreational Event to be held on his property shall make application to the municipality for an Event Permit no less than thirty (30) days prior to the proposed Outdoor Recreational Event.
- 2.2 The municipality may require an Event Plan to be submitted as part of the application. Issues outlined in the Event Plan will address public safety and nuisance issues that may arise as a result of the Outdoor Recreational Event.
- 2.3 The municipality may charge a fee to issue an Event Permit. This fee shall cover the cost of administration and processing of the permit application.
- 2.4 The municipality may require that an Event Permit applicant provide a deposit to the municipality (the "Deposit") to cover anticipated costs of the municipality in excess of the Event Permit fee, resulting from the Outdoor Recreational Event, including, but not limited to, policing, before, during and after the holding of the Outdoor Recreational Event and clean-up of the Outdoor Recreational Event area. If the actual costs of the municipality resulting from the Outdoor Recreational Event exceed the Event Permit Fee, the municipality may charge a fee to the Event Permit holder for the additional costs of the municipality resulting from the Outdoor Recreational Event and the municipality may collect the additional fee directly from the Deposit. If the Deposit is insufficient to cover the actual costs incurred by the municipality, then the Event Permit holder and the owner of the property upon which the Outdoor Recreational Event was held shall be jointly and severally responsible to the municipality for the shortfall. If the Deposit exceeds the actual costs incurred by the municipality, then the municipality shall return the remaining balance of the Deposit to the Event Permit applicant.

3. Enforcement

- 3.1 No person shall hold an Outdoor Recreational Event or permit an Outdoor Recreational Event to be held on their property without a Event Permit issued by the municipality.
- 3.2 Every Event Permit holder shall ensure that the Outdoor Recreational Event is operated within the guidelines of the approved Event Permit and Event Plan.
- 3.3 Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to the penalties specified in accordance with the *Provincial Offences Act*.

4. Title

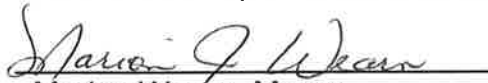
This By-Law may be referred to as the Outdoor Recreational Events By-Law.

5. That this by-law comes into full force and effect as of September 1, 2011.

By-law **READ** a **FIRST** and **SECOND** time this 6th day of July, 2011.

By-Law **READ** a **THIRD** time and **ENACTED** in Open Council this 6th day of July, 2011.

(SEAL)



Marion Wearn, Mayor



Fran Bell, CAO/Clerk