

By-Law No. 799 of the Municipal District of Starland No. 47
In The Province of Alberta, Canada

A by-law for the regulation and
licensing of concerts in the
M.D. of Starland No. 47

WHEREAS Section 288 of the Municipal Government Act, being Chapter 246 of the Revised Statutes of Alberta, 1970, and amendments thereto provides that:

1. The Council may pass by-laws licensing and regulating all places of amusement, entertainment of athletic contests of every kind and description, or athletic contests of every kind and description and may by law prohibit amusements, entertainment or athletic contests as considered necessary in the public interest and may provide for penalties of breaches of any by-laws passed under this Section.
2. Without restricting the generality of sub-section (1), the Council may pass by-laws to control and regulate or may appoint a board or commission to control and regulate sparring exhibitions, boxing matches, and wrestling matches, and may prohibit such exhibitions or matches without the written authority of the Council or the Board or Commission.

NOW THEREFORE, The Council of the Municipal District of Starland No. 47 being duly assembled, HEREBY ENACTS AS FOLLOWS:

1. That the licensing and regulations of concerts in the Municipal District of Starland No. 47 in the Province of Alberta shall be governed by the provisions contained in the Schedule attached hereto.
2. That this by-law shall come into effect upon the passing of the Third Reading.
3. This by-law may be cited as the Municipal District of Starland No. 47 Amusement By-Law.

First reading on motion of Councillor Gogol on the 14th day of July, 1981.
Carried unanimously.

Second reading on motion of Councillor Smyth on the 14th day of July, 1981.
Carried unanimously.

Third reading on motion of Councillor Stanger on the 11th day of August 1981.
Carried unanimously.



REEVE


MUNICIPAL ADMINISTRATOR

SCHEDULE

1. In this By-Law:
 - (a) "concert" means any musical festival, dance festival, rock festival or musical activity or performance likely to attract 500 or more people in any one twenty-four hour period, whether indoors or out of doors, at which music is provided by paid or amateur performers or by pre-recorded means and which is held at any place within the Municipal District of Starland No. 47 and to which members of the public are invited or admitted for a charge or free of costs;
 - (b) "Council" means the Council of Municipal District of Starland No. 47;
 - (c) "municipal district" means the Municipal District of Starland No. 47.

2. No person shall operate, maintain, conduct, advertise an indoor-outdoor concert in the municipal district unless he has first obtained a license from the Council to operate or conduct such a concert.

3. Applications for a license to conduct an indoor-outdoor concert shall be made to the Council 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 a corporation, the application shall be signed by the president, vice-president, and secretary of such corporation and shall contain the addresses of such corporate officers and a certified copy of the Certificate of Incorporation shall be submitted with the application.
 - (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 the place 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 applicant shall provide 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 detailed written explanation of the applicant's plans to provide security and fire protection, water supplies and facilities, food supplies and facilities, sanitation facilities, medical 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 event has concluded. A plot plan showing the arrangement of the facilities, including those for parking, egress

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and ingress, shall be submitted with such application.

4. Every license to conduct an indoor or outdoor concert shall be subject to the following conditions and requirements:


(a) Police protection: Every applicant for a license shall employ at his own expense security protection. A minimum of one security officer for every 100 persons expected to be in attendance shall be required.

(b) Water facilities: Every applicant for a license shall provide an ample supply of potable water for drinking and sanitation purposes at the premises of the concert. The location of water facilities on the premises shall be approved by the health authority prior to the issuance of a license. The minimum supply of water to outdoor concerts shall be fifteen (15) gallons of water for each person in attendance per day. All water shall meet public health standards. Public and private flush-type water closets, lavatories and drinking facilities shall be required as determined by the health officer. Sewage and drainage systems relating to such facilities shall meet the requirements of the public health regulations.

(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 be required to demonstrate that food will be available at the premises for each day of operation to adequately feed the number of persons expected to be in attendance.

(d) Sanitation facilities: Every applicant for a license shall provide at least one enclosed flush-type water closet facility marked "Men" and one such facility marked "Women" on the premises of a concert on the basis of one flush-type water closet for each forty (40) males and one for each forty (40) females expected to be in attendance. Urinals may be substituted for the required 5 metre flush-type water closets for men on the ratio of one urinal and one flush-type water closet per sixty (60) males. Lavatories provided with cold water under pressure, soap and paper towels shall be provided on the basis of one lavatory for each seventy-five (75) persons expected to be in attendance. Where flush-type water closets cannot be made available for the persons in attendance, the Council may allow the use of portable chemical toilets. Such chemical toilets shall meet the approval of the health officer before any license may be issued. Chemical toilets shall be emptied and recharged at the expense of the applicant as necessary pursuant to procedures established by the health officer. The requirements for flush-type water closets for food concessions, food operators and for the use of employees of food service operations may not be waived.

(e) Every applicant for a license shall be required to furnish at least one trash can with thirty-six (36) gallon capacity with a tight-fitting lid for each twenty-five (25) persons expected to be in attendance, an adequate supply of plastic bag liners to fit the trash receptacles 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 and more often if required by the health officer. A signed contract with a licensed refuse collector shall be submitted to the health officer and a copy of such contract shall be filed with

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the health officer. The removal of all trash and refuse shall be at the applicant's expense.

(f) Medical facilities: Where a proposed concert is expected to attract a large number of persons for a site located a distance of five (5) kilometers from adequate existing treatment facilities, the applicant shall be required to provide emergency medical treatment facilities on the premises of the concert. Where the proposed concert is located close to adequate existing facilities, the applicant shall provide, as required by the health officer, emergency treatment facilities on the premises of the concert. Traffic lanes and other adequate space shall be designated and kept open for access and travel for ambulance, helicopter, and other emergency vehicles to transport patients or staff to appropriate on-site and off-site treatment facilities.

(g) Parking areas: Every applicant for a license shall provide adequate parking spaces for persons attending the concert by motor vehicle. Persons desiring to operate or conduct a concert 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 Council shall approve an applicant's "parking plan" before a license shall be issued.

(h) Access and parking control: Every applicant for a license 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 a 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 Council shall approve the applicant's plan for ingress and egress before a license shall be issued. Additionally, any applicant 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.

(i) Hours of operation: All concerts which are subject to license pursuant to the provisions of the By-Law shall close and cease operations continuously between the hours of 2:00 a.m. and 6:00 a.m. of each and every day, unless a variance is granted by the Council.

(j) Financial statements: Each applicant for a license shall be required to provide a financial statement to give assurance of the ability of the promoters and/or applicants to meet the conditions of the permit.

(k) Communications: The applicant shall be required to establish a communication system for public use where ordinary communications are not available.

(l) Miscellaneous: Any applicant may be required to meet any other condition prior to receiving a license to conduct a concert, which condition is reasonably calculated as necessary to protect the health, welfare, and property of local residents and persons attending concerts and of those people living in the general area.

5. The Council may grant relief from any of the above requirements where it appears that such an action is in the best public interest.

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6. Any person who:

(a) operates, maintains, conducts, advertises a concert in a municipal district without first having obtained the licenses required by this By-Law; or

(b) and having obtained the license, fails to comply with the conditions set out in this By-Law or attached to a license;

is guilty of an offense and is liable on conviction to a fine of not more than five hundred (\$500.00) dollars and not less than two hundred and fifty (\$250.00) dollars and in addition to a fine of not more than five hundred (\$500.00) dollars for every day the offense continues and in default of payment, to imprisonment for a term not exceeding thirty (30) days.

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