



**VILLAGE OF
HARRISON HOT SPRINGS
POLICY**

COUNCIL	POLICY NO. 1.17
USE OF PUBLIC AND MUNICIPAL PROPERTY	DATE ADOPTED: July 9, 2012 AMENDMENTS: July 14, 2014

1. PURPOSE

The purpose of this policy is to provide regulations for the use of public and municipal property.

2. DEFINITIONS

“**Business**” means any commercial activity where the business/individual receives payment for the goods or services it offers.

“**Commercial Event**” means an event open to or restricted to public participation where the sole purpose is to generate a profit for the organizer/organization.

“**Community Event**” means an event that is open to the general public where the sole purpose is to encourage community participation or tourism.

Any proceeds generated from the event/activity must be:

- i. Retained by the organization to further enhance their goals;
- ii. Invested in a community project approved by Council; or
- iii. Donated to a recognized charity.

“**Private Event**” means any event or activity organized for or by private individuals or groups

3. POLICY

Unless provided for elsewhere in this policy;

- i. Any individual, group or organization wishing to use any public or municipal property for any event, function or activity shall first obtain a USE OF PUBLIC OR MUNICIPAL PROPERTY PERMIT.

- ii. All functions or events shall be protected by appropriate liability insurance naming the Village as an additional insured party. Appropriate levels of insurance shall be set by the Village based upon a description of the proposed event, function or activity but shall not exceed \$5,000,000.
- iii. Applications for a permit shall:
 - a. Preferably be made at least six weeks prior to the event;
 - b. Be accompanied by applicable non-refundable fee(s) as per the Miscellaneous Fee Bylaw;
 - c. Be accompanied by a map indicating all areas on which the function or event will occur;
 - d. Be accompanied by a full description of the function participation including approximate attendance draw anticipated, catering or food and beverages provided, if applicable, length of time of the function from beginning of preparation or set up to final clean up and if required and any requirements for change to parking or traffic patterns.
- iv. *No structures are to be erected other than shade tents or canopies, except in the case of an event that has obtained a special licence under the Liquor Control and Licensing Act, the event must be wholly secured by an enclosure that separates the event from the general public. All structures or enclosures must not impede or restrict general public access to the beach area.*
- v. Prior to approval of the permit:
 - a. A refundable damage deposit shall be submitted to the Village;
 - b. Proof of Liability insurance shall be submitted to the Village; and
 - c. Any other permits, licenses or requirements of outside agencies associated with the event or function shall be submitted to the Village.
- vi. Within 48 hours following the event, all areas used shall be thoroughly cleaned and returned to a condition equal to or better than before the event or the damage deposit shall be forfeited. If the damage deposit is not sufficient to cover all costs, the applicant may be billed for the additional costs. If outstanding costs are not paid, the Village will pursue the costs through a collection agency and the applicant will not be permitted to use Public Property in the future until the debt is paid.

4. COMMUNITY EVENTS

- i. The organizer will recognize the Villages' involvement in the event through its advertising/promotion programs.
- ii. Any goods offered for sale must be compatible with the event (ie.T-shirts, memorabilia, supplies used by participants).
- iii. The Village may request the organizers to submit a budget and distribution of the proceeds for the event.
- iv. No food other than pre-packaged specialty items will be permitted to be sold by vendors. (This does not preclude organizers from making arrangements with a local business for the provision of food at the event.)
- v. Organizers must provide proof that the Vendor carries liability insurance or cover the vendors with their insurance. They must also supply a list of vendors and products being supplied prior to commencement of the event.
- vi. All vendors must provide proof that they hold a valid and subsisting Business Licence from their community of origin.
- vii. The organizer must submit a map to the Village showing vendor location prior to approval of the event.

5. EXEMPTIONS

- i. On a case by case basis, the Village may exclude events from some or all of the normal requirements based on the following criteria;
 - a. During the event, the use of the land(s) is compatible with its normal activities, and will not be rendered unavailable for use by the general public;
 - b. No fees are being charged for entry or participation in the event;
 - c. No food/goods are being sold or advertised for sale by cash or donation;
 - d. The event is organized solely for the purpose of raising funds for a bonafide charity (a financial statement may be required upon completion of the event); and
 - e. No services are required to be provided by the Village.
 - f. Fees and security deposits will not be assessed if costs are not incurred by the Village.

- ii. No fee or deposit will be required for any Council Commission or Committee event and will be covered by the Villages' insurance policy.