

**Subject: The Parks and Events By-law**

**Department: Community Services**

**Division: Facilities/Parks**

**Report #: CMS-2022-021**

**Meeting Date: 2023-01-09**

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## **Recommendations**

**That report CMS-2022-021 regarding the Parks and Events By-law be received; and**

**That a Public Meeting be held on February 13, 2023, at 7:00 p.m. to obtain input from the public on the proposed Parks and Events By-law.**

## **Background and Analysis**

The Regulatory By-law Work Plan adopted by Council at its meeting held on September 26, 2022, includes a review of the Town's Parks By-law.

The purpose of this report is to obtain Council's direction to set a public meeting to obtain feedback on the draft by-law.

Town staff have completed a comprehensive review of all current by-laws, policies and practices regarding the management, regulation and use of public parks, recreational facilities and requirements for conducting a special event and a film production.

The proposed consolidated Parks and Events By-law has been developed taking into consideration the following:

- establishing an administrative framework that creates general permitting provisions to be applied across similar permit types
- a review of relevant legislation such as the Municipal Act, Accessibility for Ontarians with Disabilities Act and the Repair and Storage Liens Act
- a review of other Town regulatory by-laws to ensure a consistent approach and application of regulations
- a review of other municipal parks by-laws
- establishing a hearing process regarding the refusal and revocation of a permit
- risk management and insurance recommendations from the Town's insurer
- alignment with federal requirements regarding the use of special effect pyrotechnics
- provincial requirements regarding the sale and serving of alcohol and technical safety standards certification for amusement devices such as inflatables

Outlined below is an overview of the key components of the proposed Parks and Events by-law which is attached as Schedule A to this report:

- establishes and regulates the use of and activities permitted in a Town park including the use of sports fields and trails
- prohibits activities such as disobeying the rules and regulations of a posted sign, scattering of remains from cremation, operation of a remotely piloted-aircraft (drones) and camping or lodging in a park
- regulates the use of barbeques in a defined area of a park as designated by the General Manager
- establishes the requirement to obtain a permit for the exclusive use of a Town facility which includes a sports field
- establishes the requirement to obtain a permit for the conduct of a special event on Town lands
- establishes the requirement to obtain a permit for a film production on Town lands and on private lands where special effects, special effect pyrotechnics or fireworks are to be used
- updates permit application requirements for the use of a facility and outlines the document, inspection and insurance submission requirements
- establishes permit application requirements for the conduct of a special event and a film production and outlines the document, inspection and insurance requirements
- establishes the terms and conditions for each permit type (see Schedules B, D and F of the proposed By-law)
- permits the use of special effect pyrotechnics, special effects and fireworks through the issuing of a special event or film production permit
- permits exotic animals through the issuing of a special event permit
- delegates authority to the General Manager of Community Services to manage, control, regulate, maintain and develop parks, post signs and issue permits
- incorporates provisions regarding the removal, storage and disposal of items that are not authorized to be on Town lands or that create an unsafe condition
- outlines the enforcement and penalty provisions for violations of the by-law

The chart below provides a summary of the application submission requirements for each permit type in addition to:

- completing an application form; and
- payment of the permit fee

Summary of Application Requirements*	
Permit Type: Special Event	By-law Schedule A
<ul style="list-style-type: none"> <li>• a certificate insurance evidencing applicable coverage in force naming the Town as an additional insured</li> <li>• a site plan detailing the design and layout of the special event</li> <li>• proof that special event staff or volunteers have current first aid certification</li> <li>• an emergency action plan</li> <li>• an extreme weather response protocol</li> <li>• a security plan</li> <li>• a traffic management plan</li> <li>• a waste management plan</li> </ul>	

- documentation that lavatory facilities have been retained that meets the threshold of one (1) washroom per one hundred (100) attendees
- written details regarding the serving of food and beverages including alcohol, advertising, promotional and marketing campaign plan, a list of amusement devices, use of generators, propane appliance or other specialized equipment including the type of fuel used to operate the equipment, exotic animals, sound equipment, vehicles that exceed the load and dimension limits of the Highway Traffic Act, and the use of special effects
- a security deposit
- Technical Standards and Safety Authority Certification for each amusement device
- Ontario Electrical Safety Authority permit
- liquor licenses or special occasion permit
- verification that the services of a paid duty police officer and/or fire division staff have been retained at the applicant's expense to supervise or assist with specific matters such as a temporary highway closure
- special effect pyrotechnics certificate and plan
- issuing of a special event permit is subject to input or approval as determined by the General Manager from the various Town's departments and other agencies
- the processing of a special event application that requires a temporary highway closure within the BIA and the BIA is not the applicant notice shall be provided to the BIA a minimum of thirty (30) days prior to the special event
- the processing of a special event application that requires a temporary highway closure and the special event has not occurred annually over the previous two (2) consecutive years notice shall be provided to the landowner(s) impacted by the special event and the temporary highway closure

#### Permit Type: Film Production

#### By-law Schedule C

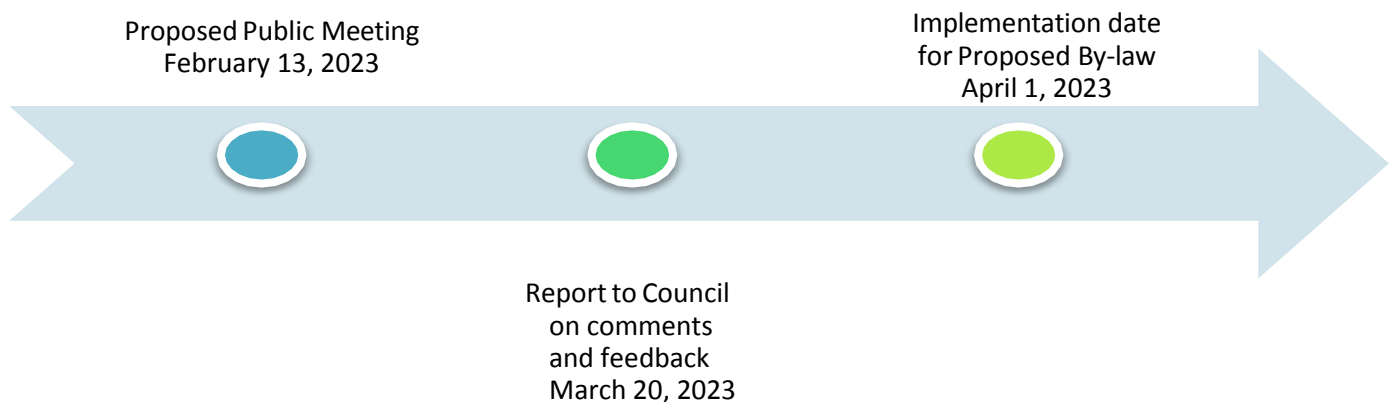
- a certificate insurance evidencing applicable coverage in force naming the Town as an additional insured
- Parks and Facility Use permit
- special effect pyrotechnics certificate and plan
- verification that the services of a paid duty police officer and/or fire division staff have been retained at the applicant's expense to supervise or assist with specific matters such as a temporary highway closure
- site plan showing locations, dates times and verbiage advising of the specific details related to the film production
- proof of notification to the landowners within a sixty-metre radius of the film production
  - issuing of a film production permit is subject to input or approval as determined by the General Manager from the various Town's departments and other agencies

Permit Type: Parks and Facilities Use	By-law Schedule E
<ul style="list-style-type: none"> <li>• a certificate insurance evidencing applicable coverage in force naming the Town as an additional insured</li> <li>• a security deposit</li> <li>• Technical Standards and Safety Authority certification for each amusement device</li> <li>• liquor licence or special occasion permit</li> <li>• special effect pyrotechnics certificate and plan</li> <li>• verification that the services of a paid duty police officer and/or fire division staff have been retained at the applicant's expense to supervise or assist with specific matters such as a temporary highway closure</li> <li>• payment of ENTANDEM fees (licensing fee for the playing of music)</li> <li>• issuing of a parks and facility use permit is subject to input or approval as determined by the General Manager from the various Town's departments and other agencies</li> </ul>	

\*the application requirements to be applied will be determined by staff taking into consideration the nature of the activities taking place

### Next Steps

A public meeting will be held on February 13, 2023, to obtain feedback regarding the proposed by-law, and staff will report back to Council on March 20, 2023, with recommendations regarding adoption of the by-law.



### Strategic Alignment

#### Orangeville Forward – Strategic Plan

Priority Area: Municipal Services & Strong Governance

Objective: Delivered with a focus on customer service and review and update governance policies

### **Sustainable Neighbourhood Action Plan**

Theme: Not applicable

Strategy: Not applicable

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### **Notice Provisions**

Although the Town's Notice Policy does not require the holding of a public meeting, it is considered a best practice to obtain public input on a regulatory by-law prior to its enactment.

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### **Financial Impact**

The proposed by-law provides that the fees for obtaining a permit are as outlined in the Town's Parks and Events Rates and Fees By-law.

Staff will be reporting to Council during the first quarter of 2023 regarding proposed amendments to the current rates and fees by-law including fees for obtaining a film production permit.

Respectfully submitted

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