

THE CORPORATION
OF THE CITY OF CAMBRIDGE

SPECIAL EVENT PERMIT POLICY

1. **INTRODUCTION**

1.1 **Purpose**

The purpose of the Special Event Policy is to ensure that the responsibilities of all parties are agreed to and understood. That all special events occurring on roads or City parking lots within the City of Cambridge (either under Regional or City jurisdiction) are processed in a uniform fashion and that guidelines are followed in order to ensure that all special events operate in a safe and orderly fashion.

1.2 **Goals**

The goals of the Special Event Policy are as follows:

1. to ensure that every special event is reviewed by all effected agencies to enable co-ordination with other activities on the road and to minimize disruption to the normal users of the roads;
2. to confirm that the applicant has sufficient property damage and public liability insurance coverage thereby ensuring that, in the event of an accident, all persons including participants are protected from any possible claim or suit arising from the special event;
3. to ensure that all costs incurred by the City as a result of the special event are recovered from the applicant;
4. to establish a desirable length of time that an application for a Special Event Permit shall be submitted in advance of the special event taking place. This will provide an opportunity for the applicant to discuss the special event with City staff and the police in order to establish the conditions and arrangements under which the special event will be permitted, including but not limited to police protection, traffic control, legal requirements and insurance requirements; and
5. to establish an administrative process that is effective, efficient and adaptable.

2. **ADMINISTRATION**

2.1 **Definitions**

1. **Applicant** - a person proposing to stage a special event on a road within the City.
2. **Area municipality** - any of The Corporation of the City of Kitchener, The Corporation of the City of Waterloo, The Corporation of the Township of North Dumfries, The Corporation of the Township of Wellesley, The Corporation of the Township of Wilmot, or The Corporation of the Township of Woolwich.
3. **City** - The Corporation of the City of Cambridge.
4. **City road** – a road under the jurisdiction of the City.
5. **Commissioner** - the Commissioner of Transportation and Public Works Department of the City or any successor position or his or her designate.
6. **Committee** - the Planning and Works Committee of the Region or any successor committee thereto.
7. **General Committee** - the General Committee of the City or any successor committee thereto.
8. **Competent person** - the Special Event supervisor or his or her designate.
9. **Filming** - includes forms of filming such as videotaping and any other forms of visual recording.
10. **Highway Occupancy Permit** – a permit issued by the City granting permission for a person to conduct any excavation, cut or trench or other project to install, construct, place, move, remove, relocate, adjust, alter, clean, maintain, test, repair, replace, improve, or restore infrastructure in, on, over, under, across or along a City road including any work that extends from a City road to private property or on an unopened City road or any occupation of a City road for work adjacent to a City road, but does not include very short duration work undertaken by City staff.
11. **Lane** - that part of a roadway that accommodates a single line of moving or parked vehicles.
12. **Municipal fees and charges** - fees and charges prescribed by the City, Region or area municipality.
13. **Municipal law enforcement officer** - a by-law enforcement officer appointed by the City, Region or area municipality.
14. **City parking lot** – parking lot under the ownership of the City.
15. **Person** - includes, but is not limited to, an individual, a number of individuals, sole proprietorship, partnership, association or corporation.
16. **Police** - the Waterloo Regional Police Service.
17. **Region** - The Regional Municipality of Waterloo.
18. **Lane closure** - a closure of one or more lanes such that the traffic flow in all directions existing before the closure is maintained and no diversion of traffic to another road is required.
19. **Regional road** - a road under the jurisdiction of the Region.

20. **Road closure** - a closure of one or more lanes such that a diversion of traffic to another road is required.
21. **Road** - includes, but is not limited to, a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles or pedestrians and includes the area between the lateral property lines thereof.
22. **Special Event** - includes, but is not limited to a parade, procession, ceremony, street dance, street party, beer garden, solicitation of donations from the driver or any other person in a motor vehicle, sidewalk or street sale, festival, carnival, bicycle or foot race, walkathon, demonstration or any similar event that occupies all or part of the road or City parking lot, but does not include:
 - (1) a wedding or funeral procession
 - (2) picketing
 - (3) loading or unloading necessary for business purposes
 - (4) an activity for which a Filming Event Permit, Highway Occupancy Permit or Work Permit has been granted
23. **Special Event Permit** - a Special Event Permit as issued under this Policy.
24. **Special Event Supervisor** - the person designated in accordance with section 3.1 sub-section 3b of this policy.
25. **Work Permit** - a permit issued by the City or Region granting permission for a person to conduct any excavation, cut or trench or other project to install, construct, place, move, remove, relocate, adjust, alter, clean, maintain, test, repair, replace, improve, or restore infrastructure in, on, over, under, across or along a Regional road including any work that extends from a Regional road to private property or on an unopened Regional road or any occupation of a Regional road for work adjacent to a Regional road, but does not include very short duration work undertaken by City staff or maintenance work undertaken by Regional staff.

2.2 **Authority/Prohibitions**

1. No person shall stage a Special Event on a road or City parking lot within the City of Cambridge without first having obtained a Special Event Permit in accordance with this policy.
2. No person shall participate in a Special Event on a road or City parking lot within the City of Cambridge unless a Special Event Permit has been granted in accordance with this policy.
3. The need to obtain a Special Event Permit is established under Section 208, Subsection 44 of the Municipal Act.
4. Any Special Event staged on a Regional road within the City of Cambridge is subject to the Region of Waterloo Special Event Permit By-law.
5. Where a Special Event is being held partly on roadways under the jurisdiction of the Region and/or another area municipality, approval from the Region and/or area municipality is required and any additional conditions set forth in writing shall be adhered to.
6. All Special Events must be approved by the police and any additional conditions set forth in writing shall be adhered to.

3. **APPLICATION AND PERMIT PROCESS**

3.1 **Application**

1. Every person who intends to hold a Special Event on the road or City parking lot within the City boundaries shall apply to the Commissioner for a Special Event Permit.
2. Applications to conduct a Special Event, which occurs within the City as well as within one or more area municipalities, should be submitted to the municipality in which the special event commences (i.e. If a walk-a-thon commences in the City of Kitchener and continues into the City of Cambridge, City of Kitchener staff will co-ordinate the application and permit process.). If the event commences within any of the Townships of Wilmot, Wellesley, Woolwich or North Dumfries, Regional staff will co-ordinate the application and permit process.
3. Every person who applies for a Special Event Permit shall provide the Commissioner with:
 - a) the person's name, signature, position, organization, street address, telephone number, fax number and e-mail address;
 - b) the name, position, organization, street address, telephone number before and during the Special Event, fax number and e-mail address of the Special Event supervisor who will carry out the responsibilities listed in section 4.1 sub-sections 3 and 4;
 - c) the legal name, street address, telephone number, fax number and e-mail address of the organization sponsoring the Special Event;
 - d) the type and purpose of the Special Event;
 - e) the date(s) and day(s) of the week when the Special Event is to be held and, if applicable, the date(s) and day(s) of the week the Special Event was last held;
 - f) the number and type of participants in the Special Event, including, but not limited to, individuals, bands, horses, bicycles, cars and floats;
 - g) for each date of the Special Event, the time that set-up or assembly will commence, the time that the Special Event will commence, and the time that the Special Event will finish including clean-up time;
 - h) a description of the assembly and disassembly areas for the Special Event;
 - i) the road(s), sidewalk(s), and or municipal parking lot(s) to be used for the Special Event;

- j) a Certificate of Insurance, satisfactory to the Commissioner, showing a comprehensive policy of public liability and property damage insurance for the Special Event in respect to any one accident, against loss or damage resulting from bodily injury to or death of one or more persons and loss of or damage to property in a minimum amount of:
 - (1) \$7,000,000 for a solicitation of donations from the driver or any other person in a motor vehicle, a street party or any event that includes the consumption of alcohol on a City, Region or area municipality road; or
 - (2) \$2,000,000 for any other Special Event;
 - k) every person identified under Schedule A found in Appendix A of this policy is exempt from the insurance requirements noted in section 3.1 sub-section 3J of this policy.
 - l) a signed indemnity, satisfactory to the Commissioner, indemnifying and saving harmless the City, Region and any affected area municipality from any and all claims, demands, suits, actions and judgments made, brought or recovered against the City, Region or any affected area municipality and from all loss, costs, damages, charges or expenses that may be incurred, sustained or paid by the City, Region or any affected area municipality by reason of the granting of the Special Event Permit; and
 - m) any additional information or documentation for the purposes of administering this application as requested by the Commissioner.
- 4. No person applying for a Special Event Permit shall knowingly provide false information to the Commissioner.
 - 5. The Commissioner may require the person applying for a Special Event Permit to prepare and deliver personally or by registered mail a survey setting out the type, purpose, location, date and time of the Special Event and asking whether the recipient supports or opposes the Special Event to all affected homes, businesses and institutions, as determined by the Commissioner. Each survey shall include a stamped envelope addressed to the City's Manager of Traffic Engineering.
 - 6. Every person who applies for a Special Event Permit shall make their application at least 30 days in advance of the Special Event.
 - 7. Notwithstanding section 3.1 sub-section 6 of this policy, every person who applies for a Special Event Permit requiring approval of the Committee and/or General Committee shall make their application at least 120 days in advance of the Special Event. Special Events requiring approval of the Committee and/or General Committee are Special Events that have not received a Special Event Permit within the 2 previous calendar years, for a similar location, day(s) and time, and that:
 - a) include the consumption of alcohol on the road or City parking lot; or
 - b) involve the solicitation of donations from the driver or any other person in a motor vehicle.
 - 8. A copy of the Special Event Permit application can be found in Appendix B.

3.2 Grant, Refusal or Revocation of Special Event Permit

- 1. The Commissioner may grant a Special Event Permit, refuse to grant a Special Event Permit or may grant a Special Event Permit imposing conditions as a requirement of obtaining and continuing to hold it, including, but not limited to, the condition that a notice setting out the type, purpose, location, date, time and other information as required be delivered not less than 7 days or as required by the Commissioner in advance of the Special Event to all affected homes, businesses and institutions, as determined by the Commissioner.
- 2. In considering the grant, refusal or grant with conditions of a Special Event Permit, the Commissioner may have regard to:
 - a) whether or not, considering past Special Events, the Special Event is likely to be carried out in compliance with the Special Event Permit;
 - b) a conflict with a previously scheduled activity for which a permit has been granted;
 - c) disruption to traffic and/or public transit;
 - d) comments to the application received by the police;
 - e) responses received from those surveyed under section 3.1 sub-section 5; and
 - f) whether or not the Special Event may result in a threat to public safety or conflict with municipal by-laws, resolutions or policies.
- 3. At any time after a Special Event Permit has been granted by the Commissioner, the Commissioner may revoke the Special Event Permit or impose a condition re-routing the Special Event upon giving verbal notice, in person or over the telephone, or written notice, by regular mail, fax or e-mail to the person who applied for the Special Event Permit or the Special Event supervisor.
- 4. Any conditions of approval or a decision to refuse to grant a special event permit by the Commissioner can be appealed through the appropriate Committee and/or General Committee.

4. CONDITIONS

4.1 General Conditions

For the protection of the applicant, City, Region and affected area municipalities all requests to hold a Special Event on a road or City parking lot within the City shall be subject to the following conditions:

- 1. The Commissioner may modify the time periods prescribed for submitting an application for a Special Event Permit set out in section 3.1 sub-sections 6 and 7 of this policy.
- 2. The person applying for a Special Event Permit shall:
 - a) comply with any conditions imposed under section 3.2 sub-section 1 of this policy;

- b) ensure that the Special Event supervisor complies with section 4.1 sub-sections 3 and 4 of this policy; and
- c) pay all municipal fees and charges for the Special Event.
3. While a Special Event is being held, the Special Event supervisor shall:
 - a) be present at the Special Event;
 - b) produce the Special Event Permit to the Commissioner or a municipal law enforcement officer or any police officer on his or her demand; and
 - c) ensure compliance with any conditions imposed under section 3.2 sub-section 1 of this policy that are required to be carried out while the Special Event is being held.
4. The Special Event supervisor shall clean up and restore the road immediately following the completion of the Special Event.
5. When a lane or a road is closed by the Commissioner for a Special Event, the City, Region (if applicable) and/or any utility may enter at any time to carry out their services.
6. The person applying for a Special Event Permit and the participants in the Special Event shall comply with all municipal by-laws and provincial and federal laws including, but not limited to, those pertaining to special events, filming, fees, charges, work within a road, signs, traffic, parking, noise, pyrotechnics, alcohol, firearms, building, and smoking, and including, but not limited to, compliance with the Special Event Permit By-laws of Region and area municipalities and the *Safe Streets Act*, S.O. 1999, c. 8.
7. No person shall install, maintain, move or remove signing and barricades on roads without the permission of the Commissioner except a competent person who may, at an appropriate location, move and then immediately restore a barricade to its original position to allow ingress/egress to the Special Event site without changing the intent of the barricade set up.
8. A permit granted under this policy:
 - a) shall not be transferable from one person to another, from one Special Event to another, from one date and time to another nor from one location to another without the written permission of the Commissioner; and
 - b) shall expire when the Special Event finishes as indicated on the Special Event Permit.

4.2 Conditions for Specific Special Events

In addition to the conditions outlined in section 4.1 the following types of special events will only be considered providing that:

1. Bicycle Races, Biathlons and Triathlons
 - a) The roadways comprising the route of the bicycle race can be closed to vehicular traffic and that adequate detours for traffic can be established.
 - b) The police can provide the necessary staffing to safely control the event.
 - c) The applicant informs all businesses and residents that adjoin the proposed route of the date and time of the event and any additional conditions set forth in writing shall be adhered to.
 - d) Cyclists adhere to the rules of the road contained within the Highway Traffic Act of Ontario unless otherwise directed by the police.
2. Toll Lanes
 - a) The event be approved annually by the Committee and/or General Committee.
 - b) The use of the roadway shall not be a full closure and be consistent with the legal requirements of the appropriate legislation and insurance coverage.
 - c) The applicant provides the City with a letter indicating that the City and Region will not be held liable for any accident or loss nor for any and all claims or damages which may arise as a result of or by reason of such accident or loss.

5. COSTS

5.1 Administration Fee

1. every application is subject to an administration fee as identified under the annual City of Cambridge rate review.
2. every person identified under Schedule A found in Appendix A of this policy is exempt from the administration fee noted in section 5.1 sub-section 2 of this policy.

5.2 Signing and Barricade Service

1. The installation and maintenance of all signing and barricade activity on roads within the City shall be the responsibility of the City.
2. The City, at their discretion, may use alternative sources to install and maintain all signs and barricades required as a result of the special event.
3. The applicant shall incur all City costs for the purchase, installation and maintenance of any temporary traffic control devices, including but not limited to traffic signs and barricades that City staff determine to be required for the special event to operate in a safe and orderly manner.
4. Upon completion of the special event the City will invoice the applicant for the actual costs that the City incurred to provide the signing and barricade service.

5.3 **Damage and Repair Costs**

1. The applicant shall assume the cost of repair for any damage incurred as a result of the Special Event, to property owned by the City or Region and any cost of clean up performed by the City.

6. **PROCESS**

- 6.1 Upon receipt of a Special Event application, City staff will work with the applicant to obtain all the necessary approvals and co-ordinate with the affected agencies to ensure that the special event will be safe, well planned and successful.
- 6.2 The applicant must be aware that all applications are on a first come first served basis. City staff will not reserve any road or City parking lot for a special event unless the application has been received and a permit issued.