

# Cultus Lake Park Board

## SPECIAL EVENT BYLAW

### Bylaw No. 1089, 2017

The purposes of this bylaw are to:

- a) Regulate special events within the Cultus Lake Park;
- b) Protect safety of event organizers, attendees and volunteers; and
- c) Strengthen the Park's regulatory and enforcement powers.

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WHEREAS Section 12 of the *Cultus Lake Park Act* (1932 and Amendments) enables the Cultus Lake Park Board to adopt bylaws, provides for the imposition of fees for services and provides for the enforcement of bylaws and payment of fines;

AND WHEREAS, every person who offends against any of the provisions of this Bylaw or who suffers or permits any act to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw, shall be in breach of this Bylaw, and shall be liable to the fines as outlined in Schedule A of this Bylaw.

NOW THEREFORE the Cultus Lake Park Board in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

#### 1. TITLE

- 1.1 This Bylaw may be cited as "Cultus Lake Park Special Event Bylaw No. 1089, 2017".

#### 2. INTERPRETATION

- 2.1 Words or phrases defined in the *British Columbia Interpretation Act*, *Motor Vehicle Act*, *Local Government Act*, *Community Charter*, or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

## 2.2 DEFINITIONS OF TERMS

“**applicant**” means an applicant for a permit and the holder of the issued permit.

“**beverage garden**” means the area within an event site where liquor may be sold, served and consumed.

“**Board**” means the elected Board for the Park.

“**CAO**” means the Chief Administrative Officer; a position appointed by the Board.

“**food vendor**” means a food stand, cart or truck that sells food to event attendees for immediate consumption. Cultus Lake Park Commercial leaseholders are not considered to be “food vendors” under this definition.

“**foreshore**” means the area under the Lease Agreement from the Ministry of Forests, Lands and Natural Resource Operations within Cultus Lake Park along the lakeshore, and 100 meters or 328 feet into the lake from the high water mark.

“**grassed area**” means the grassed area between the foreshore and lakeside residences and other such structures.

“**the Park**” means the area within the Park boundaries and the foreshore assigned to the Park by the Province of British Columbia.

“**Park Staff**” means any person employed by The Park.

“**permit holder**” means a person holding a permit issued by the Park.

“**person**” means a natural person, a company, corporation, partnership, firm, association, society, or party and the heirs, executors, administrators, occupier or tenant of leased land, personal or other legal representatives of a person to whom the context can apply according to law; however does not apply to Park Staff fulfilling or carrying out duties and responsibilities.

“**public area**” means any street, laneway, avenue, way, drive, boulevard, sidewalk, driveway, beach, wharf, school ground, grassed area, or such premises as the Board may from time to time designate.

“**special event**” means an infrequently occurring or one-time event outside of regular programs or activities of the sponsoring body, offering an opportunity for leisure, social or cultural experience outside of everyday choices. Special events include, but are not limited to, parades, races, walks, performances, concerts, festivals, group celebrations, receptions, weddings, filming activities and entertainment.

“**special event application**” means an application provided by the Park office for special events organizers to apply for special events.

“**special event permit**” means a permit issued by the BC Liquor Control and Distribution Branch to serve or sell alcohol at a special event.

“**swim line**” means a floating partition that separates different areas within the Cultus Lake Park foreshore.

“**wedding**” means a ceremony where two people are united in marriage.

- 2.3 In this Bylaw, unless the context otherwise requires, the singular shall include the plural and the masculine includes the feminine gender.
- 2.4 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

### **3. RULES AND REGULATIONS**

- 3.1 Every person operating a Special Event within the Park is subject to the rules and regulations as outlined below.
- 3.2 Every person operating a Special Event within the Park must hold a valid Special Event Permit issued by the Park office upon completion of the Special Event application process.
- 3.3 Applications will not be accepted for long weekends without approval from the CAO.

### **4. SPECIAL EVENT APPLICATION REQUIREMENTS**

- 4.1 Special Events shall not be permitted in facilities and on lands in Cultus Lake Park without prior written approval from the CAO or designate.
- 4.2 Organizations or persons proposing a special event must submit the completed Special Event Application and the required application fee paid in accordance with Schedule A of the Bylaw.
- 4.3 Applications that meet all requirements may be approved by the CAO or designate, or the Cultus Lake Park Board as necessary.
- 4.4 Special Event Applications, Special Event Application Fees and any special requests for Board approval, must be received by the Park office at least 60 days prior to the event date.
- 4.5 Once a Special Event application is approved by a person noted in section 4.3 of this Bylaw, the following is required no later than five (5) business days prior to the event date, otherwise the event may be cancelled:
  - a) copy of approval from Fraser Health, if serving food (food vendors require Board approval)
  - b) copy of Special Event Permit and beverage garden set up plans, if serving alcohol (beverage gardens require Board approval)
  - c) copy of Ministry of Transportation approval for any road closures or disruptions
  - d) copy of the comprehensive general liability insurance naming Cultus Lake Park as additional insured in the amount of five million (\$5,000,000) dollars, and if serving alcohol, a Host Liquor Endorsement.
  - e) signed Rental Agreement(s), if renting the Community Hall and/or gazebo(s)
  - f) any fees associated with renting the Community Hall, swim line removal, porta potties, garbage bins or other special requests

- g) \$1,000 security deposit
- h) Copy of event map, including any tents, booths, stands, vendors, beverage gardens, race routes or any other items.
- i) Confirmation of First Aid services.

4.6 Cultus Lake Park reserves the right to refuse any Special Event even though it may have received approval in previous years.

## 5. CANCELLATION OF SPECIAL EVENTS

- 5.1 Special Events cancelled within thirty (30) days of the event date will forfeit all application fees. Special Events cancelled within sixty (60) days of the event date will be issued a full refund, less a \$50 administration fee.
- 5.2 If all requirements, as outlined in 4.5, are not received by the deadline and the CAO cancels the event, all event fees paid will be forfeited.

## 6. SPECIAL EVENT REQUIREMENTS:

### Special Requests

- 6.1 Special requests for waivers or other issues considered by the Board, must be received by the Park office, in writing, upon application. Special requests must be received at the Park Board office at least three weeks prior to the next regular Park Board Meeting.

### Security Deposit

- 6.2 Applicants shall provide Cultus Lake Park with a refundable security deposit of One Thousand Dollars (\$1,000.00), to cover any loss or damage resulting from the event, a minimum of five (5) working days prior to the event date. Such amount may be increased or decreased for any event if deemed necessary by the Board. Nonpayment of the security deposit will result in the event being cancelled.

### Insurance

- 6.3 Applicants of approved Special Events held are required to obtain and maintain, during the term of the event, a comprehensive general liability insurance policy providing coverage of not less than five million (\$5,000,000.00) dollars naming Cultus Lake Park as an additional insured. A copy of the policy shall be delivered to the Cultus Lake Park Office a minimum of five (5) business days prior to the event date. Failure to provide proof of insurance will result in the event being cancelled.

### Garbage/Clean Up/Maintenance

- 6.4 Applicants must provide a site cleanup plan with their application. Applicants are responsible for the clean-up and maintenance of the facilities and lands during and following the event. If the applicant does not wish to be responsible for garbage removal, a commercial bin can be made available for a fee, as charged by the waste management service provider. Some events will be required to have

additional garbage bins, depending on the type of event. This will be determined by the CAO or designate.

- 6.5 Applicants are required to return Cultus Lake property and infrastructure to an equal or better condition than that which existed prior to the event, all within 48 hours of the event, to the satisfaction of Cultus Lake Park.

### **Facility Rentals**

- 6.6 If the Cultus Lake Community Hall is rented for a special event, a completed Rental Agreement form must be submitted to the Park office along with the required fees upon application.

### **Generators:**

- 6.7 Any use of generators must be approved by the CAO or designate prior to the event taking place.

### **Parking/Traffic Control/Security/Volunteers**

- 6.8 Cultus Lake Park is not responsible for providing security, volunteers, signage, barricades, fencing, parking or traffic control for any event.
- 6.9 Event vehicles may not park on Main Beach or any non-designated parking area, unless authorized to do so by the CAO or designate. Overnight parking is not permitted within the Park unless in a designated camping site or as a guest of Cultus Lake Cabins.

### **Event Map**

- 6.10 Applicants must provide a map to the Park office with their application outlining set up of any tents, booths, stands, vendors, beverage gardens, race routes or any other items being set up.

### **First Aid**

- 6.11 Should the event be any type of physical sporting event or require the use of boats, First Aid services must be on site. The applicant must confirm First Aid services to the Park office at least five (5) business days prior to the event along with a copy of the First Aid contract.

### **Roads/Emergency Access**

- 6.12 The applicant will ensure appropriate public access is maintained to all roads, park and adjacent facilities to the satisfaction of the Park and will provide emergency access acceptable to the RCMP, the Fire Department and the Ambulance Service.
- 6.13 Should the event take place on Columbia Valley Highway, the applicant must provide a copy of the approval from the Ministry of Transportation to the Park office at least five (5) business days prior to the event. Should a road closure be required within the Park, the applicant must provide a copy of the transportation plan.

## **Swim Lines**

- 6.14** Should the event require removal of any or all swim lines, a removal and replacement fee of \$500 will be charged. Requests for swim line removal must be received at the Park office upon application. The swim line removal and replacement fee is due no later than five (5) business days prior to the event date.

## **Beverage Gardens**

- 6.15** Should an event, approved by the CAO or designate, include a beverage garden a fee must be paid in accordance with Schedule A of the Bylaw. A detailed written request must be provided with the application and will be forwarded to the Board for approval. The request must include the following details: security, fencing, set up/location and hours. Upon approval by the Board, a copy of the Special Event Permit, Special Event Server Certificate or Serving it Right Certificate must be provided to the Park office no later than five (5) business days prior to the event. If copies of the permit and certificate are not received by the required deadline, the beverage garden will be cancelled.

## **Food/Food Vendors**

- 6.16** Should an event, approved by the CAO or designate, include a food vendor a fee must be paid in accordance with Schedule A of the Bylaw. A detailed written request must be provided with the application to be forwarded to the Board for approval. The request must include: company name, types of food being served and hours. If approved, a copy of the food permit from Fraser Health must be forwarded to the Park office no later than five (5) business days prior to the event. If the permit is not received, the food vendor will be cancelled. If the food vendor is solely for private use, written confirmation that the food vendor will not be serving the public must be provided from the event organizer.
- 6.17** Food vendors must not discharge any waste or water on Cultus Lake Park property.
- 6.18** Should the applicant be serving food, a copy of a Fraser Health Temporary Food Premises Permit must be forwarded to the Park office no later than five (5) business days prior to the event date.

## **Weddings**

- 6.19** Wedding ceremonies are permitted within the Park upon approval from the CAO or designate. As the ceremony will be in a public place, it must not interfere with the public using the area at the same time. Requests for weddings must include: number of attendees, set up/take down details, location and any other pertinent details. Wedding receptions are only permitted at the Cultus Lake Community Hall.

## **Washroom Facilities**

- 6.20** The applicant is to provide additional portable toilets, at their own cost, if required.

## **Filming:**

- 6.21** Filming within Cultus Lake Park is permitted upon approval of the CAO or designate. A detailed plan regarding the filming project is to be submitted with the application.
- 6.22** Filming application fees are to be determined by the CAO or designate.

## **Other/Additional Requests or Services**

- 6.23** Any use of bouncy castles, sound systems or DJs must be approved by the CAO or designate. Any requests must be received in writing with the application.
- 6.24** The applicant must keep in contact with Park staff in regards to any planned or unforeseen changes to the event. It is preferred that the applicant set up a pre-event meeting on site with Park staff at least one week before the event.
- 6.25** All requirements must be completed by the required due dates or the event or special request may be cancelled.
- 6.26** A Special Event Permit will be issued to the applicant upon completion of the Special Event requirements. The applicant must keep the Special Event Permit on site at all times during the event.
- 6.27** Applicants requiring additional services from Park staff will be billed at the hourly rate plus 25% overhead which will be deducted from the security deposit and if the cost is greater, the balance will be billed directly to the event organizer(s).
- 6.28** Cultus Lake Park Staff will inspect the site following an approved event. The security deposit will be refunded, providing no clean-up is required and that no damage to Cultus Lake Park property and infrastructure has occurred.

## **7. SPECIAL EVENT CONDITIONS WITHIN THE PARK**

- 7.1** The applicant shall be responsible for participant conduct.
- 7.2** The applicant shall be liable for any damage done to the Park, streets, facilities or property during the event.
- 7.3** Nothing can be fastened to, hung from or placed in trees, planters or other Cultus Lake Park property without specific permission from the CAO or designate. If Staff is required to remove anything from Park property, the cost of removal will be billed at the hourly rate plus 25% overhead which will be deducted from the deposit and if the cost is greater, the balance will be billed directly to the event applicant(s).
- 7.4** No person may erect, construct or build or cause to be erected, constructed or built in Cultus Lake Park or boulevard any tent, building, shelter, pavilion or other construction without the prior written approval of the CAO or designate.

- 7.5 No person may paint or post any advertisements for the special event on any public property, lamp posts, power line posts, park benches, building wall in Cultus Lake Park, unless approved by the CAO or designate. Event advertisements can be posted on the Cultus Lake Park website by Park staff if requested.
- 7.6 Distribution of any pamphlet, handbill, circular, flyer or other printed, typed or written matter is prohibited at the special event or at any time prior to the special event except as required for neighborhood notification and/or as approved by the CAO or designate.
- 7.7 No person may sell, advertise or display for sale or gift any refreshments, food or any article or thing or conduct any business in the Park except with the permission of the Board.
- 7.8 Vehicles, including media vehicles and those belonging to applicants are only permitted in designated parking areas unless they are a functional part of the event and have been approved in advance. Vehicles found in violation of this requirement will be towed and impounded at the owners' expense.
- 7.9 No person shall consume alcohol within the Park, except in a designated licensed beverage garden or the Community Hall with a Special Event License.
- 7.10 All persons must abide by the No Smoking Bylaw within Cultus Lake Park. Anyone smoking outside a designated smoking area will be fined as per the Cultus Lake No Smoking Bylaw 1077, 2016.
- 7.11 Approval for use of privately leased property is the sole responsibility of the applicant.

## **8. FEES**

- 8.1 All persons are subject to the fees in accordance with Schedule A of the Bylaw.
- 8.2 Once a Special Event application is approved by a person noted in section 4.3 of this Bylaw, any fees associated with your event, in accordance with Schedule A of this Bylaw, must be paid no later than five (5) business days prior to the event date, otherwise the event may be cancelled.
- 8.3 If the event is cancelled by the applicant, any cost that have been incurred by the Park, will be the responsibility of the applicant.

## **9. SEVERABILITY**

- 9.1 If any part of this bylaw is for any reason held invalid by a court or competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

## **10. REPEAL**

- 10.1 Any Special Event policies and all amendments thereto are hereby repealed upon adoption of The Cultus Lake Park Special Event Bylaw No. 1089, 2017.



# Schedule A

## Fees

### SPECIAL EVENT FEES

Application fee (non-refundable).....	\$100.00
Early Set Up Fee (day of event).....	\$75.00
Late Take Down Fee (day of event).....	\$75.00
Filming Fee.....	TBD upon application
Swim Line Removal and Replacement Fee.....	\$500.00
Garbage Bin (TBD if needed) .....	current rental rate +\$50 admin fee
Beverage Garden Fee (if approved).....	\$300 per day
Food Vendor Fee (if approved).....	\$100 per vendor per day
Rental Fee 0-100 people.....	\$100 per day*
Rental Fee 101-200 people.....	\$250 per day*
Rental Fee 200+ people.....	\$500 per day*
Refundable Security Deposit.....	\$1000.00
Other Areas within the Park.....	TBD upon application

\* Rental fees include washroom facilities and electricity at Gazebo(s).

0-100 people – includes use of Gazebo A

101-200 people – includes use of Gazebos A & B or A & C

200+ people – includes use of Gazebos A, B & C

- 10.2** Schedule 1 – Administrative Fees – Part 3 Leisure Services, 3.1 Special Event Fees, of the Cultus Lake Fees and Fines Bylaw 1076-2016 is hereby deleted. The rest of the bylaw 1076-2016 remains valid and in force.

**11. EFFECTIVE DATE**

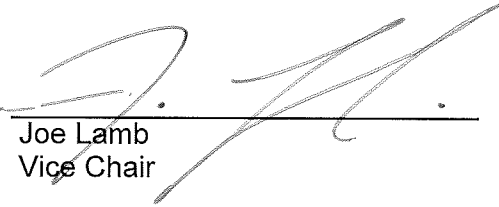
- 11.1** This bylaw shall come into force and effect upon its adoption.


READ A FIRST TIME THIS 15<sup>th</sup> DAY OF MARCH, 2017

READ A SECOND TIME THIS 15<sup>th</sup> DAY OF MARCH, 2017

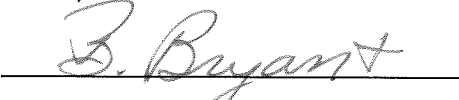
READ A THIRD TIME THIS 15<sup>th</sup> DAY OF MARCH, 2017

ADOPTED THIS 19<sup>th</sup> DAY OF APRIL, 2017

  
\_\_\_\_\_  
Joe Lamb  
Vice Chair

  
\_\_\_\_\_  
Bonny Bryant  
Director of Park Operations | Chief  
Administrative Officer

I HEREBY CERTIFY the foregoing to be a true and correct copy of "Cultus Lake Park Special Event Bylaw No. 1089, 2017".

  
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Bonny Bryant  
Director of Park Operations | Chief Administrative Officer