

PROVINCE OF QUÉBEC
CITY OF BEACONSFIELD

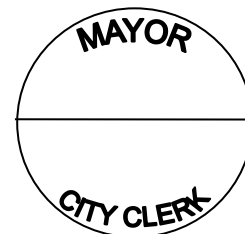
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**CONSOLIDATED
BY-LAW BEAC-109**

**BY-LAW REGARDING OUTDOOR EVENTS IN OUTDOOR PUBLIC SPACES IN THE
CITY OF BEACONSFIELD**

**(BEAC-109-1) 2017-06-19
(BEAC-109-2) 2018-09-24**

Adopted at the regular meeting of Council
held on Monday, October 24, 2016



PROVINCE OF QUÉBEC
CITY OF BEACONSFIELD

BY-LAW BEAC-109

**BY-LAW REGARDING EVENTS IN OUTDOOR PUBLIC SPACES IN THE CITY OF
BEACONSFIELD**

At the regular meeting of the Council of the City of Beaconsfield, held at City Hall, 303 Beaconsfield Boulevard, Beaconsfield, Québec, on Monday, October 24, 2016, at 8 p.m.

WERE PRESENT: His Honour the Mayor Georges Bourelle, Councillors David Pelletier, Karen Messier, Wade Staddon, Pierre Demers, Roger Moss and Peggy Alexopoulos

WHEREAS a notice of motion of the present by-law was given at a regular meeting held on Monday, September 26, 2016;

WHEREAS the City, must ensure, as the owner of outdoor public spaces on its territory, that these are used safely and in the best interest of citizens;

CONSIDERING sections 6, 10, 62 and 86 of the *Municipal Powers Act*;

On motion of Councillor W. Staddon, seconded by Councillor P. Demers and UNANIMOUSLY RESOLVED:

**THE MUNICIPAL COUNCIL OF THE CITY OF BEACONSFIELD ENACTS THE
FOLLOWING:**

SECTION 1 DEFINITIONS

All words and expressions used in this by-law retain their common meaning, except for the following words or phrases that have the meaning attributed to them in this section:

Authorization request (« *demande d'autorisation* »): request filed to hold an outdoor event made by completing a form provided by the Culture and Leisure department of the City;

Authorized representative (« *représentant autorisé* »): Division head, Director of Culture and Leisure or other authorized City employees;

City (« *Ville* »): City of Beaconsfield;

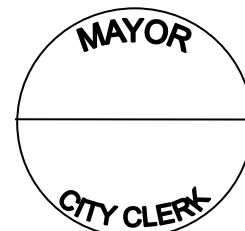
Outdoor event (« *événement extérieur* »): event which takes place occasionally and whose purpose is to gather, attract or mobilize a wider audience for a not-for-profit public event (i.e., show, parade, march, cultural or sporting event, community garage sale, etc.) which is held in a space that is not designed for this purpose, such as a park, a street, a sidewalk or another outdoor public space;

Outdoor public space (« *espace public extérieur* »): any outdoor space which is the property of the City of Beaconsfield or which is part of the public domain;

Promoter (« *promoteur* »): holder of the authorization issued by the City;

SIM: *Service incendie de Montréal*;

Site plan (« *plan du site* »): documents which must be provided by the outdoor event promoter. Such site plan must indicate the structures,



services, equipment, access routes, sites where alcohol will be sold and areas where it will be consumed, emergency evacuation areas, and in the case of a mobile event (March, race, etc.), an itinerary;

SPVM: *Service de police de la Ville de Montréal;*

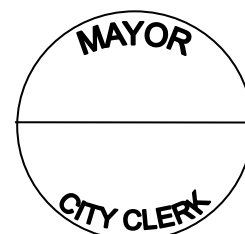
STM: *Société de transport de Montréal.*

SECTION 2 AUTHORIZATION REQUEST

- 2.1 The authorization request must be completed and received at least 60 days before the date of the planned outdoor event and must comply with this by-law.
- 2.2 The following groups are authorized to present a request to hold an outdoor event in an outdoor public space:
- a) Associations recognized by Council;
 - b) Not-for-profit organizations;
 - c) School boards having schools located in the City.
- 2.3 Subject to section 11.1, it is forbidden to hold, present or operate an outdoor event in an outdoor public space without first having obtained an authorization to this effect by the authorized representative.
- 2.4 An authorized representative receives, examines and processes the authorization request, on behalf of the City, in accordance with the provision of this by-law and the policies approved by Council. If the analysis of the request raises questions regarding any legal infraction caused by the outdoor event, or is contrary to public interest, the authorized representative may withhold his or her approval or approve the request subject to conditions which the representative considers as being in the best interest of the City.
- 2.5 Before making a decision regarding a specific request, the authorized representative can consult the chief of police of the SPVM, the chief of SIM, management at the STM, Urban Planning and Municipal Patrol Department or any other person who, in their opinion, could be affected by the outdoor event.
- 2.6 The following events are prohibited in outdoor public spaces:
- a) Any event prohibited by a law or by-law;
 - b) Any event which places the City or persons in undue risk;
 - c) Any event which is incompatible with an outdoor public space;
 - d) Any event which could cause important damage to a park or the environment;
 - e) Any event of a discriminatory nature or which incites hate or violence;
 - f) Any event which is incompatible with City policies.

SECTION 3 SAFETY

- 3.1 The promoter is responsible for maintaining order and safety on the premises during the outdoor event and must ensure that he has qualified personnel in order to do so. The promoter must also respect all conditions provided herein, as well as conditions provided in the authorization and take all appropriate measures to inform his employees, representatives and volunteers of such, as the case may be.
- 3.2 In order to maintain order and ensure safe travel of persons and vehicles, all participants in an outdoor event must respect orders given by the City representatives, police officers or firefighters.



- 3.3 By-law BEAC-033 on nuisances applies to all outdoor events, including with regard to the following elements:
- a) Exceeding the permitted hours in an outdoor public space, without authorization;
 - b) Using any type of cooking appliance in an outdoor public space, without authorization;
 - c) Lighting fire, fireworks or firecrackers in an outdoor public space, without the authorization of the SIM.

SECTION 4 STREET CLOSURE

- 4.1 Any request for partial or total street closure must be approved by the City, the SPVM and the SIM.

SECTION 5 PARKING AND TRAFFIC

- 5.1 All participants in an outdoor event must park their vehicles in the area provided on the site plan approved by the City and must not impede traffic.
- 5.2 Vehicles which are left unattended on the site are subject to a fine and to being towed, if they are not indicated on the site plan or if they are not authorized.
- 5.3 Any participant in an outdoor event must behave so as to not impede public circulation, create confusion or disorder.

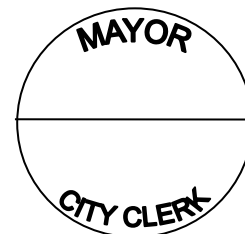
SECTION 6 NOISE AND MUSIC

- 6.1 By-law BEAC-033 on nuisances applies to any outdoor event, including with regard to noise.
- 6.2 The promoter must control and monitor the noise created by the outdoor event. He must designate an individual having the authority required to answer complaints.
- 6.3 Notwithstanding section 2.2 of By-law BEAC-033 on nuisances, a community pool association can submit up to two (2) authorization requests per year to hold an outdoor event, within the vicinity of their community pool, which must end at 11 p.m.

(BEAC-109-1, sec. 1)

SECTION 7 FOOD AND ALCOHOL

- 7.1 The promoter must obtain a temporary permit for food preparation from the MAPAQ, if applicable.
- 7.2 If alcohol is consumed, the promoter must meet all legal requirements as set out by the Régie des alcools, des courses et des jeux, including obtaining the required permit.
- 7.3 The promoter must obtain the City's approval before requesting an alcohol permit.
- 7.4 The promoter must provide the City with a list of all vendors associated with the outdoor event, if applicable, and ensure that said vendors have liability insurance which complies with all applicable provincial and federal laws and municipal by-laws.



SECTION 8 ANIMALS

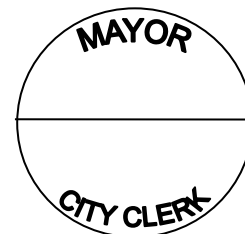
- 8.1 The promoter must comply with the provisions in By-law BEAC-099 on animal welfare, if applicable. The sale of animals is prohibited on City territory.

SECTION 9 SITE LAYOUT

- 9.1 Any tent, or group of tents must:
- a) Be identified on the site plan, if fixed or anchored to the ground;
 - b) Be approved by the City;
 - c) Be authorized and meet the requirements provided by the SIM, according to its size and intended use.
- 9.2 Any object which penetrates the ground, including fence posts, tent pegs and signs must:
- a) Be identified on the site plan;
 - b) Be approved by the City;
 - c) Be verified with info-excavation prior to installation.
- 9.3 The use of electricity must:
- a) Be approved by the City;
 - b) Be authorized and meet the requirements provided by the SIM.
- 9.4 Any inflatable structure, ride or other similar objects must:
- a) Be approved by the City;
 - b) Be authorized and meet the requirements provided by the SIM;
 - c) Be identified as belonging to the promoter or the rental company on the insurance certificate.
- 9.5 Promotional signage and directional signage for the outdoor event must be approved by the City. Signage cannot be affixed to trees, City structures or road signs. Signage is not permitted on the street.
- 9.6 The promoter is responsible for the site clean-up, during and after the outdoor event.
- 9.7 The promoter must restore the space to its original state, to the satisfaction of the City.

SECTION 10 INSURANCE

- 10.1 The promoter must detain or obtain liability insurance providing a minimum coverage amount which cannot, in any case, be inferior to two million dollars (\$2,000,000) per incident. A copy of the liability insurance policy must be provided to the authorized representative. Upon request of the authorized representative, the insurance policy must provide the designation of the City as an additional insured.
- (BEAC-109-2, sec. 1)
- 10.2 When the outdoor event calls for the use of fireworks, the minimum amount for the policy is increased to five million dollars (\$5,000,000) per incident;



SECTION 11 EXEMPTED OUTDOOR EVENTS

11.1 The following outdoor events are exempt from this by-law:

- a) Outdoor events organized by the City;
- b) Exceptional events authorized by Council resolution.

SECTION 12 PENAL PROVISIONS

12.1 Every person who contravenes any provision of this by-law may not be allowed to hold an event in the future and is liable to a fine of:

- c) In the case of a natural person: 500 \$;
- d) In the case of a moral person: 1000 \$.

12.2 The City may exercise, in addition to the penal action provided herein, any other civil action it deems appropriate before the competent courts, in order to enforce the present by-law and to cease any violation, if applicable.

SECTION 13 COMING INTO FORCE

The present by-law shall come into force according to the law.

MAYOR

CITY CLERK