



SMITHS FALLS

RISE AT THE FALLS



Festivals & Events Policy

December 2021

FESTIVALS AND EVENTS POLICY

SECTION 1 – PURPOSE AND ADMINISTRATION

1.1 PURPOSE

The purpose of this Policy is to assist the public in organizing community events, through the consolidation of processes, applications and approvals, for public and private events taking place on municipal property, and those events that impact municipal services.

1.2 USE

This Policy shall apply to all outdoor events within the Town of Smiths Falls and shall take effect the day it is enacted.

No Events shall take place within the Town of Smiths Falls in whole or in part that is not in conformity with the provisions of this Policy, unless said event is exempt from this policy.

Nothing in this Policy shall be construed to exempt any person from complying with the requirement of any by-law of the Town of Smiths Falls or from any law of the Province of Ontario or Canada, or from obtaining any license, permission, permit, authority, or approval required by this or any other by-law of the Corporation unless hereinafter explicitly stated.

This Policy shall not apply to municipal facility rentals unless the scope of the intended Festival or Event is not covered in the Municipal Facility Agreement.

1.3 GENERAL

This Policy shall be administered by the Town of Smiths Falls.

All legislation, by-laws and regulations must be adhered to by the Event Organizer and/or Licence Holder. Event organizers are required to adhere to all festival and event policies and procedures. In the interest of public safety, a zero tolerance policy is enforced for all events. Failure to comply will result in ticketing and/or closure of the event.

Festival and Event applications submitted to the Town for approval to be eligible for a Licence will cross reference all sections with municipal requirements to ensure certain criteria, including compatibility with the provisions of municipal, provincial and federal laws as well as in accordance with rules and regulations outlined in the Festival and Events Policy.

All rental fees, equipment and service fees are subject to the provisions of the Town of Smiths Falls approved Fees By-law as amended. Payment shall be made when the application is approved by the Town, including permit fees, inspection or rental or any other applicable fees related to the application.

1.4 APPLICATION FOR FESTIVALS AND EVENTS

The Event Organizer shall cooperate with members of Town staff and any other groups and/or general public using the park and area. Town staff will outline concerns for environmental or cultural sensitivity and provide guidance to the Event Organizer and/or Permit Holder if activities will impact such areas.

Applications for events must be made in advance by Event Organizers. Sixty (60) days prior to a Major Events and thirty (30) days prior for General Event.

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Within fifteen (15) days upon receipt of a complete Event Application, the Town of Smiths Falls will review, determine and advise applicable requirements to obtain final approval.

In addition to the requirements of the Town of Smiths Falls, the Ontario Building Code, the Ontario Fire Code, and the [Municipality's Building By-Law](#) or any other by-law of the Municipality, every application for Event approval shall be accompanied by a site plan (which are dependent upon the nature and location of the Event) and liability waiver or other documentation that sets out responsibilities for participants and/or the must be submitted with the application.

The Economic Development and Tourism Department will assist with promotion and marketing of festival and events where possible, including social media, municipal website, information boards, etc. It is recommended for event organizers to contact department staff to assist with marketing efforts.

1.5 ISSUANCE OF APPROVAL

Final Approvals must be granted prior to the execution of any Event. Where there exists a proposal to hold a festival or Event within the Town of Smiths Falls that would be in contravention to this Policy, no approval, permit or license shall be granted by the Town of Smiths Falls.

No approvals shall be granted without confirmation of adequate liability insurance coverage and execution of indemnification and hold harmless agreement.

The Town reserves the right to make recommendations regarding the Event.

The Town has the right to cancel any scheduled event, at its discretion, if the event is deemed unsafe or found in contravention of this policy at any time before or during the event.

1.6 EXEMPTIONS

This Policy does not apply to:

- A. Events on Private Property (accept when funded by the Town). It is the property owner's responsibility and obligation to adhere to legislative requirement and obtain require approvals. A Public event supported or funded by the Town of Smiths Falls and hosted on private property however shall require an Event Permit.
- B. Small community gatherings with 50 or less attendees, where no alcohol is being severed or consumed on site.
- C. Street Toll activities. These funding raising events are managed and approved through the Deputy Clerks office.
- D. Sporting event for regular league play and exhibition games, excluding special tournaments or sporting events where the public is permitted where alcohol is being served and consumed.
- E. Outdoor event occurring under the authority of the Federal or Provincial Government on land owned by such entities, including but not limited to Parks Canada.
- F. Event occurring outdoors on property owned by a School Board and under the authority of a School Board;
- G. Outdoor conference, corporate event, social or entertainment event, or similar gathering, that is occurring on property owned and operated by an event venue provider where the property is purpose-built for hosting such events, and meets all legislative requirements including but limited to Building and Fire Code regulations and has obtained a municipal business licence.

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SECTION 2.0 – DEFINITIONS

For the purposes of this Policy, the definitions and interpretations in this Section shall govern unless the context indicates otherwise. Where a definition does not exist, a dictionary definition may prevail.

- 2.1 “**ACCESSIBILITY**” shall mean the ability to reach or enter a place or building.
- 2.2 “**AMUSEMENTS**” shall mean temporary structures or devices operated for the purpose of entertainment and can include but are not limited to fireworks, hot air balloons, inflatables, carnival or circus displays/performances, and/or midway rides or games.
- 2.3 “**APPLICATION**” shall mean a formal request to permit an Event.
- 2.4 “**APPROVAL**” shall mean permission to proceed with an Event as approved by the Town.
- 2.5 “**BEER GARDEN**” shall mean an outdoor area where beer and/or other alcoholic beverages are served.
- 2.6 “**CERTIFICATE OF INSURANCE**” shall mean a document issued by an insurance company/broker licensed to do business in Ontario that is used to verify the existence of insurance coverage under specific conditions granted to listed individuals.
- 2.7 “**COMPLETE APPLICATION**” shall mean an Events Application submitted with all applicable information, approvals, permits, securities, etc., based on the size and scope of the Event as outlined herein, to meet minimum requirements for consideration.
- 2.8 “**CYCLING EVENT**” shall mean any officially organized occurrence(s) where public participation is encouraged, involving one or more bicycles and operators in which an occurrence begins and reaches completion and/or repeats in a regular sequence. The occurrence can be competitive and/or non-competitive. For the purpose of a cycling event in Smiths Falls, the interpretation of such an event shall be left to the discretion of the Town of Smiths Falls.
- 2.9 “**DAMAGE(S)**” shall mean any loss or injury to a person or property.
- 2.10 “**EMERGENCY**” shall mean a situation that demands unusual or immediate action and that may allow people to circumvent usual procedures.
- 2.11 “**EMERGENCY PLAN**” shall mean a specific plan to the Event designed to maximize human survival and preservation of property, minimize danger, restore the normal operations of the Town of Smiths Falls, and assure responsive communications with the community, surrounding neighborhoods, and the Municipality. An emergency plan shall outline activities, including but not limited to; communications and responsibilities, coordination with authorities, contingency for weather conditions including high wind and lightning, personal and property damage.
- 2.12 “**EVENT, GENERAL**” shall mean an event where less than 250 people are estimated to be in attendance at one time and/or has a minimal impact on municipal services.
- 2.13 “**EVENT, MAJOR**” shall mean an event where more than 250 people are estimated to be in attendance at one time and/or has a major impact on municipal services such as road closures, municipal inspections, emergency services, etc.
- 2.14 “**EVENT ORGANIZER**” shall mean an individual person, organization or business responsible for all facets of the Event.
- 2.15 “**EVENT, SPECIAL**” shall mean a gathering of persons on Municipal property. Those events that impact Municipal services, generally lasting from a few hours to a few days, are designed to celebrate, honor, discuss, sell, teach about, entertain, encourage, observe, or influence human endeavors, which may include, but is not limited to; cycling event, dance, exhibit party, festival, parade, picnic, triathlon, walk-a-thon, general Event and/or a significant event.
- 2.16 “**EXEMPT**” shall mean those events in which a Festival and Events Permit is not required.
- 2.17 “**GREY WATER**” shall mean wastewater generated from washing activities.

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- 2.18** “**LETTER OF APPROVAL**” shall mean a document that acknowledges the safe use and/or, crossing of a particular activity, device, operation, service or property during an Event.
- 2.19** “**LOTTERY**” shall mean a method of raising revenues by selling tickets and giving prizes to those who hold tickets with winning numbers that are drawn at random and which are licensed by the Municipality and/or the Ontario Gaming and Lottery Corporation.
- 2.20** “**MARSHAL**” is a person(s) designated by the Event Organizer for specific control purposes (i.e., traffic control and direction, security, etc.) and who are at least 18 years of age.
- 2.21** “**MUNICIPALITY**” shall mean the Corporation of the Town of Smiths Falls and its representatives, which include but are not limited to, its officers, directors, employees, agents, licensors, and other representatives.
- 2.22** “**MUNICIPAL PROPERTY**” shall mean any municipally owned lands, which may include but is not limited to any park, building, road, structure, or sidewalk.
- 2.23** “**NOTICE**” shall mean communication given directly to or received personally by a party for the purpose of applying for or advising and shall be approved by the Town of Smiths Falls.
- 2.24** “**PARKING MANAGEMENT PLAN (PMP)**” shall mean a plan intended to assist Event participants in locating motorized and non-motorized vehicular parking on both public and privately owned lands.
- 2.25** “**PERMIT**” shall mean a certificate evidencing permission which may include, but is not limited to: a building permit, an open-air fire permit, a permit to dig, a permit for work.
- 2.26** “**ROAD CLOSURE**” shall mean an obstruction to the regular flow of traffic, involving one or more lanes being temporarily barricaded and which may include a route detour, to be signed, and will be directed to follow an alternative route.
- 2.27** “**SIGNAGE**” shall mean any identification, description, illustration, or device which directs attention to, or advertises any Event or activity and without limiting the generality of the for preceding, and includes but is not limited to Banners, Directional signage, Sandwich board signs, Incidental signage.
- 2.28** “**SITE**” shall mean a place or location set aside for a specific use.
- 2.29** “**SITE PLAN**” shall mean an illustrated proposal, to scale, for the development or use of a particular Site, to be approved by the Town of Smiths Falls.
- 2.30** “**SOCAN**” shall mean Society of Composers, Authors, and Music Publishers of Canada.
- 2.31** “**SOUND MANAGEMENT PLAN (SMP)**” shall mean a plan intended to minimize the disruption to neighboring properties due to excessive or loud noise being generated by the Event.
- 2.32** “**STREET TOLL**” shall mean a fundraising activity or event where an approved organization solicits donations on a local roadway raising charitable funds.
- 2.33** “**TRAFFIC MANAGEMENT PLAN (TMP)**” shall mean a plan intended to promote the orderly and safe flow of traffic and/or pedestrians, which may include, but is not limited to, detour routes, etc.
- 2.34** “**WASTE**” shall mean all garbage including recyclable material, as per the Municipal Recycling and [Waste By-Law](#).
- 2.35** “**WASTE RECEPTICAL**” shall mean appropriate containers to collect and dispose of garbage and recyclable materials, as per the [Municipal Recycling and Waste By-Law](#).
- 2.36** “**WASTE MANAGEMENT PLAN (WMP)**” shall mean a plan intended to coordinate the collection, transport, processing or disposal, managing and, monitoring of waste materials.

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SECTION 3.0 – PROVISIONS AND PROCEDURES

3.1 ACCESSIBILITY

The Event Organizer shall ensure an accessible environment for visitors, organizers, participants, and volunteers. This shall include but is not limited to the following:

- A. Compliance with Section 6 of Ontario Regulation 429/07 (Accessible Standard for Customer Service) made under the Accessibility for Ontarians with Disabilities Act, 2005 to ensure that every provider of goods or services receives training about the provision of its goods and services to persons with disabilities;
- B. Well placed and clearly signed accessible parking spaces as per SECTION 3.25.2 (PMP);
- C. Accessible entertainment viewing areas;
- D. Accessible washrooms located on paved pathways as per SECTION 3.2 (Amusements)
- E. Use of directional signage as per SECTION 3.24 (Signage) prominently displayed throughout the event venue to indicate:
 - I. Barrier-free path of travel;
 - II. Location of the accessible washrooms;
 - III. Accessible seating areas and other amenities;
 - IV. Goods and services are available at the Event.
- F. Signage consisting of high contrasting colors; use the International Symbol of Accessibility where applicable as per SECTION 3.24 (Signage); and,
- G. The Event Organizer shall provide sufficient information to the Town of Smiths Falls to demonstrate that an accessible environment for visitors, organizers, participants, and volunteers exists.

3.2 AMUSEMENTS

The Event Organizer shall ensure only an authorized and licensed vendor of amusements are used to set up/take down, install or otherwise operate an amusement devices or conducts activities at an event, and will provide sufficient information to the Town of Smiths Falls that can include, but is not limited to:

- A. An applicable and valid operating licenses, approvals or permits
- B. A technical dossier;
- C. Liability insurance naming the Town of Smiths Falls as additionally insured, in an amount to be determined by the Town of Smiths Falls, but not less than an amount of five million dollars (\$5,000,000.00).

3.3 ALCOHOL

The sale or consumption of alcohol may be permitted at an Event in compliance with requirements as set by the Alcohol and Gaming Commissions of Ontario (AGCO). The Event organizer shall:

- A. demonstrate that the Event complies and has obtained approval from AGCO
- B. Obtain liability insurance naming the Town of Smiths Falls as additionally insured, in an amount to be determined by the Town of Smiths Falls, but not less than an amount of five million dollars (\$5,000,000.00).

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3.4 ANIMALS

The Event Organizer shall ensure that participants who bring their pets to Events must have their pet on a leash at all times unless otherwise agreed to in writing by the Town of Smiths Falls. Persons with disabilities are permitted to be accompanied by their service animal, which shall be kept with them in areas/premises open to the public, provided that they comply with all applicable by-laws and legislation.

3.5 ANIMALS EXHIBITS

The Event Organizer shall ensure that:

- A. Signs are posted at each animal exhibit as per SECTION 3.24 (Signage)
- B. Manure is quickly and thoroughly cleaned up and appropriately discarded;
- C. The public does not drink unpasteurized milk;
- D. Barriers are adequate to impede the touching of animals that should not be handled by the public (e.g., newborns);
- E. Animals that are ill, sick, or contain any infectious disease are not displayed;
- F. Rails and floors are disinfected daily;
- G. Animals are not set up in close proximity to food premises, in accordance with SECTION 3.15 (Food And Refreshments);
- H. Handwashing stations and/or hand sanitizing stations are provided within close proximity of the animal display as per SECTION 3.2 (Amusements).

3.6 APPROVALS (OTHER)

The Event Organizer shall provide to the Town of Smiths Falls as part of their Application (as required) all applicable documentation to demonstrate required endorsements have been obtained which meet legislative requirements from governments and/or organizations outside of the Town of Smiths Falls. This can include but are not limited to documents from:

- A. CP Rail;
- B. Parks Canada
- C. Privately owned lands
- D. Alcohol and Gaming Commissions of Ontario (AGCO);
- E. Leeds, Grenville and Lanark District Health
- F. Inflatables follow the procedure set out by the TSSA
- G. Lanark County

3.7 COSTS

The Municipality shall bear zero costs for any Event whatsoever, unless otherwise agreed to, in writing, by the Town of Smiths Falls. The Event Organizer shall be responsible for all costs related to the Event, with the exception of mandatory inspections.

The Event Organizer shall be solely and entirely responsible for all damages resulting from the Event, including but not limited to failure to comply with provisions set out in SECTION 3.20 (Municipal Properties). Damages will be assessed and communicated to the Event Organizer by the Town of Smiths Falls after the Event. The cost to clean, remove, rehabilitate or repair any damages will be the responsibility of the Event Organizer. The Town of Smiths Falls may request a damage deposit in an amount to be determined at their discretion SECTION 1.4 (Applications for Festivals and Events).

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3.8 CYCLING EVENTS

Prior to the consideration of any cycling event by the Town of Smiths Falls, the Event Organizer must submit a completed Application form in accordance with SECTION 1.4 (Applications for Festivals and Events) to the Town of Smiths Falls.

- A. All Cycling Events must demonstrate compliance with the Ontario Highway Traffic Act;
- B. Require that all riders wear approved helmets; and,
- C. Comply with the terms and conditions as set out by the Town of Smiths Falls

3.9 FACILITIES

The Event Organizer shall ensure that the Town of Smiths Falls Facility Rental Terms and Conditions are adhered to during the Event.

3.10 FIRES

The Event Organizer shall ensure that:

- A. All open-air fires at their Event have obtained an Open Air Fire Permit as per SECTION 3.17.2 (Fire Safety), and that the [Open Air Fire By-Law](#) is adhered to;
- B. Fuel-fired cooking, heating appliances, candles, and/or other open flames are not used in tents as per SECTION 3.17 (Safety and Inspections).

3.11 FIREWORKS

If fireworks are to be displayed at an Event, The Event Organizer shall ensure that:

- A. The fireworks are in compliance with the [Canada Explosives Act](#)
- B. Sufficient information is provided to the Town of Smiths Falls, confirming that the Town of Smiths Falls Fire Services is aware of and supports the use of fireworks at the Event.
- C. A qualified fireworks supervisor, holding a valid card issued by the Explosives Division, Natural Resources of Canada taking responsibility for the fireworks;
- D. Written approval from the Town of Smiths Falls Fire Service, permitting fireworks at the Event;
- E. A Site Plan, in accordance with SECTION 3.25 (Site and Safety Plans) is in compliance with all specifications as outlined in the Display Fireworks Manual published by the Explosives Regulatory Division of Natural Resources Canada.

3.12 FIRST AID

Although not mandatory, it is recommended that a certified first-aid/CPR provider should be in attendance/available at major events or events that may lead to injury to participants or those attending the Event. Note that St. John Ambulance can provide first aid coverage, which requires advanced notice for events (allow 2-8 weeks for processing). They operate on a first-come, first-serve basis, and submitting a form does NOT guarantee first aid coverage. A St. John Ambulance representative will contact you for further details about your Event and your requirements. Although no fee is charged for first aid coverage by St. John Ambulance, they make welcome donations. Donations assist in the cost-recovery of first aid supplies, transportation, volunteer training requirements, and the general operation of our volunteer divisions.

3.13 FOOD AND REFRESHMENT

The Event Organizer shall ensure that wherever food is prepared, sold, or distributed to the public at their Event that sufficient information is provided to the Town of Smiths Falls demonstrating that:

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- A. Approvals for each individual food vendor has been obtained by the Lanark, Leeds and Grenville District Health Unit.
- B. A Refreshment Vehicle Licence is obtained for the Event, where one or more Refreshment Vehicles are operating, and all provision outline within the [Refreshment Vehicle By-law](#) are adhered to before and during the event.
- C. All necessary measures are taken to ensure that fats, oil and grease, and any other deleterious material are prevented from entering the sanitary sewer system in accordance with the [Sewer Use By-Law](#).
- D. Open flames are in compliance with SECTION 3.10 (Fires) and [Open Air Fire By-Law](#), and that any preventative measure or requests made by the Town of Smiths Falls Fire Service are complied with as per SECTION 3.17 (Safety and Inspections).

3.14 HEALTH AND SAFETY

The Event Organizer shall ensure that the Event site is maintained in a safe and sanitary condition at all times and that all health and safety incidents are reported to the Municipality immediately, should they happen (see Appendix "G"). The Event must be operated in such a manner that ensures that no health and/or safety hazards exist on the site in accordance with the Health Protection and Promotion Act and the Ontario Food Premises Regulation.

3.15 WASTE DISPOSAL

The Event Organizer shall ensure that sufficient information is provided to the Town of Smiths Falls demonstrating that:

- A. A plan is in place to control any and all garbage, litter, and recycling;
- B. All necessary measures are taken to ensure that fats, oil and grease, and any other deleterious material are prevented from entering the sanitary sewer system and that wherever grease is used, fully functioning grease traps are installed, as per [Sewer Use By-Law](#)
- C. An adequate quantity and size of waste receptacles is to be provided for use by the public and placed in locations convenient for use.
 - I. A Major Event is required to have an appropriately sized garbage dumpster(s) or other means to collect and remove the garbage accumulated during the festival or Event;
 - II. Each food vendor is responsible for providing garbage receptacles equipped with lids.
- D. Waste receptacles will be emptied as necessary, however not less than once daily and at the end of the Event;

3.16 SANITARY FACILITIES AND WASTE WATER

The Event Organizer shall ensure that sufficient information is provided to the Town of Smiths Falls demonstrating that:

- E. Washroom facilities and hand wash stations are available for public use and are kept in a clean and sanitary condition;
- F. Washroom facilities and hand wash stations are available for vendors and patrons as per SECTION 3.1 (Accessibility);
- G. Sufficient wheelchair-accessible washrooms are provided and located on paved pathways in accordance with SECTION 3.1 (Accessibility);
- H. All sewage waste, including sink waste, is disposed of in a clean and sanitary manner. That no wastewater is dumped onto the ground, that holding tanks are pumped out as often as is necessary and the waste disposed of at an approved dump station;

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- I. Arrangements are made for grease recycling containers to be provided for use by food vendors.
- J. Portable washrooms will have a minimal impact on local residences or businesses as per SECTION 3.21 (Notification);
- K. Water and/or wastewater are connected only to those areas as agreed by the Town of Smiths Falls;
- L. That the Lanark, Leeds & Grenville District Health Unit has been notified of the Event;
- M. All required inspections and permits have been obtained and carried out in a timely manner (minimum 48 hours) as outlined in SECTION 3.18 (Insurance and Risk Management).

3.17 SAFETY AND INSPECTIONS

The Event shall be operated in such a manner that ensures no safety hazards exist on-site as per SECTION 3.14 (Health and Safety) and ensure the site is safe before, during, and immediately after the event, and every effort is made, at all times, to observe and minimize dangers. The Event Organizer shall;

- A. Provide sufficient information to the Town of Smiths Falls and arrange for proscribed inspections or safety services to be carried out in a timely manner, which may include but not limited to:
 - I. Building inspections as per the Ontario Building Code;
 - II. Fire inspections as per the Town of Smiths Falls Fire Department; Gas inspection as per Section the Ontario Building Code;
 - III. Public Health Unit inspections as per the Health Protection and Promotion Act.
 - IV. Water / Sewer backflow preventer, and meter inspections as the [Sewer Use By-Law](#) and the Town of Smiths Falls [Water Use and Rate By-Law](#);
 - V. Hydro inspections as per Section the Electrical Safety Authority; Open Air Burning as per the [Open Air Fire By-Law](#);
 - VI. Technical Standards and Safety Association inspections as per the Ontario Building Code.

3.17.1 Buildings and Structures

All construction and demolition for an Event are subject to inspection and approval by a Municipal Building Official, per the [Ontario Building Code](#).

The Event Organizer shall ensure:

- A. All required building permits are obtained, these include, but are not limited to:
 - I. Structural safety standards
 - II. Bleacher inspections
 - III. Tents that exceed 60 sq.m.
 - IV. All tents and temporary structures are fully accessible to participants/visitors, including individuals with disabilities as per SECTION 3.1 (Accessibility);
 - V. Tents utilize pegs or stakes in Municipal parks to contact the Facilities Superintendent for approved locations as per SECTION 3.20 (Municipal Properties) and SECTION 3.27 (Underground Utilities).

3.17.2 Fire Safety

The Event Organizer shall ensure that all fire safety inspections are scheduled and carried out in a timely manner as per TSSA standards and as per the Town of Smiths Falls Fire Service. The Event Organizer shall ensure that:

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- A. A fire access route is maintained, without obstruction, at all times, as per SECTION 3.25 (Site and Safety Plans)
- B. That all tents meet the requirement for flame resistance and other criteria as set out in the
- C. [Ontario Building Code Regulation](#);
- D. No open flame, fuel-fired cooking, heating appliances, or candle is used in any tent as per SECTION 3.10 (Fires).
- E. That sufficient information is provided to the Town of Smiths Falls detailing information about:
- F. The level of fire protection for/at food concessions (i.e., fire extinguishers);
- G. Propane-fired cooking equipment as per SECTION 3.17 (Safety and Inspections – TSSA).

3.17.3 Electrical

The Event Organizer shall ensure that all electrical safety inspections are scheduled and carried out in a timely manner (minimum 48 hours). The Event Organizer shall ensure:

- A. All electrical permits are obtained prior to commencing any work;
- B. Compliance with the Electrical Safety Authority (ESA) and the Canadian Safety Association;
- C. Adequate electrical supply capacity is available to run the Event and confirmation with the supply authority what the electrical requirements will be for their Event.
- D. Electricity is connected only to those areas as agreed by the Town of Smiths Falls;
- E. That all equipment is CSA certified and installed and maintained in accordance with the Electrical Safety Authority (ESA) Regulation.

3.17.4 Police

The Event Organizer provide sufficient information to the Town of Smiths Falls related to police services and shall ensure;

- A. The Smiths Falls Police are contacted and informed of the Event not less than 60 days for a Major Event, and not less than thirty 30 days before a General Event.
- B. All requests made by the Town of Smiths Falls Police are complied with. This can include but is not limited to the hiring of additional paid duty officers or private security and full access to the event site as deemed necessary.

3.17.5 Technical Standards and Safety Association (TSSA)

The Event Organizer shall ensure that all TSSA inspections are scheduled and carried out in a timely manner. This shall include but is not limited to:

- A. All Amusements;
- B. Compressed gas cylinders (i.e., helium);
- C. Propane tanks / cylinders / equipment as per SECTION 3.10 (Fires).

3.18 INSURANCE AND RISK MANAGEMENT

The Event Organizer, at their expense, must obtain and keep in full force and effect commercial general liability insurance, bodily injury and property damage, tenant's legal liability, and contractual liability, including if applicable – Liquor License Act extension, covering all activities and occupancy for which the Event is permitted. The Policy shall be written on an occurrence basis with coverage for anyone occurrence as stated below, or another amount as determined by the Town of Smiths Falls, and to be endorsed by, and include the "Town of Smiths Falls" as an additional insured. The Event Organizer shall obtain;

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- A. Type of insurance:
 - I. Commercial general liability (claims made / occurrence).
 - II. Extended - personal injury, tenants' legal liability, automatic liability, and non-owned automobile.
- B. Is Commercial General Liability insurance for not less than:
 - I. Two million dollars (\$2,000,000.00) for General Events which do not include the sale and consumption of alcohol or amusements; or
 - II. Five million dollars (\$5,000,000.00), for all Major Events
- C. Contains a severability and cross liability clause.

The Event Organizer shall ensure that the insurance policy includes, but is limited to:

- A. "The Town of Smiths Falls" named as an additional insured
- B. Name, address, and telephone number of insured.
- C. Location;
- D. The activity of named insured for which a certificate is issued;
- E. description of coverage detailing the type of insurance;
- F. Effective date, expiry date, and limits; and
- G. Policy number.
- H. Name, address, and telephone number of an insurance company writing each Policy.
- I. Notice of cancellation or reduction in coverage as outlined on certificate within thirty (30) days, ten (10) days if cancellation is due to non-payment of premium; authorized signature and date.
- J. Is non-contributing with, applies only as primary, and does not access any other insurance or self-insurance available to the Town of Smiths Falls;
- K. Has deductible amounts that are to be borne by the Event Organizer; and,
- L. Covers the Event Organizer and volunteers for liability claims made by another person related to injury to that person and/or damage to their property.

The Event Organizer shall ensure that:

- A. Contractors that complete work on Municipal property has a valid Certificate of Insurance and Worker's Compensation coverage as per SECTION 3.18 (Insurance and Risk Management);
- B. Volunteer drivers are insured, including Third Party Liability Insurance to transport passengers and/or equipment;
- C. Volunteers have adequate insurance either through their employment or otherwise if self-employed;

The Event Organizer shall ensure that appropriate risk management practices are in place. This shall include, but is not limited to:

- A. Emergency plans as per SECTION 3.25.1 (Emergency Plan);
- B. Safe volunteer management practices;
- C. Guidelines and safe use practices for operating equipment, erecting temporary structures, etc.

The Event Organizer must present any proposed liability waiver or other documentation that sets out responsibilities for participants and/or the organizing body of the Event with the Event application form.

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3.19 LOTTERY

The Event Organizer shall ensure that the Event lottery is licensed through the Alcohol and Gaming Commission of Ontario (AGCO) and complies with all Provincial regulations.

3.20 MUNICIPAL PROPERTIES

The Event Organizer shall be fully responsible for all damages resulting from the Event as per SECTION 3.9 (Facilities). The Event Organizer shall ensure that:

- A. All Municipal property is restored to its original condition, immediately and without delay, after the Event occurs;
- B. Public access to municipal parks, walkways, thoroughfares, play structures, and parking lots are maintained at all times during the Event unless otherwise arranged with the Town of Smiths Falls;
- C. Alcohol is not consumed on Municipal property without the prior written approval by the Town of Smiths Falls and the attaining of all proper permits and documentation as per SECTION 3.3 (Alcohol) and SECTION 3.17.4 (Police);
- D. All vehicles and their operators on Municipal property must conduct themselves in a responsible manner, before, during, and after the Event;
- E. Should a vehicle operating on Municipal property be observed in an irresponsible fashion, that vehicle and/or the operator will be banned from the premises immediately;
- F. No markings of any kind are applied to Municipal property without the prior and written approval from the Town of Smiths Falls as per SECTION 3.7 (Costs);
- G. Tents utilizing pegs or stakes in Municipal parks obtain approval from the Town of Smiths Falls as per SECTION 3.17.1 (Building and Structures) and as per SECTION 3.25 (Site and Safety Plans);
- H. Existing light standards in Municipal parks are to remain in operation during evening hours unless otherwise approved by the Town of Smiths Falls as per SECTION 3.17.4 (Police);
- I. The installation of fencing is restricted to free-standing fences only as per SECTION 3.27 (Underground Utilities);
- J. Vehicles are not permitted on parklands, except for designated service vehicles such as golf carts as per SECTION 3.29 (PMP); and
- K. No person shall remain in a Municipal park overnight unless approved by the Town of Smiths Falls.

3.21 NOTIFICATION

The Event Organizer shall ensure that all residents and/or businesses affected by the Event are in receipt of written notification. The Event Organizer shall ensure that notification is carried out effectively and that residents and businesses affected by a:

- A. General Event
 - I. receive primary notification, not less than 14 days prior to the Event
- B. Major Event
 - I. receive primary notification, not less than 20 days prior to the Event
 - II. receive secondary notification, not less than five days prior to the Event

3.22 PEDESTRIAN CROSSING / ROUTE MARSHALS

The Event Organizer shall ensure that:

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- A. The Town of Smiths Falls identified intersections are equipped with police supervision to assist participants and motorists in the event area as per SECTION 3.17.4 (Police) and as per SECTION 3.25 (Site and Safety Plans – see also Appendix “B”);
- B. All volunteers assisting in the supervision of roadways wear High Visibility Safety Apparel as per SECTION 3.25 (Site and Safety Plans) and as per SECTION 3.17.4 (Police);
- C. All marshals on road allowance are equipped with safety vests.

The Event Organizer shall ensure that all required permits, associated inspections, and certificates are properly obtained and carried out in a timely manner as per SECTION 3.14 (Health and Safety), SECTION 3.17 (Safety and Inspections), SECTION 3.18 (Insurance and Risk Management), and as per SECTION 3.29.6 (Sound Management). This shall include but is not limited to:

- A. Backflow prevention
- B. Building (including tents and other temporary structures)
- C. Fire
- D. Gas
- E. Health and Safety
- F. Insurance
- G. Hydro
- H. Open Air Fire
- I. Road Closure
- J. SOCAN
- K. AGCO Special Occasion (SOP)
- L. TSSA
- M. Water/sewer

3.23 REVENUE GENERATION / SOLICITING OF FUNDS

The Event Organizer shall ensure that any intention to solicit funds on Municipal property is disclosed to the Town of Smiths Falls at the earliest opportunity. The Event Organizer shall provide sufficient information to the Town of Smiths Falls identifying any and all anticipated revenue generation and/or soliciting of funds (i.e., collecting donations).

3.24 SIGNAGE

The Event Organizer shall ensure to provide a signage plan for their Event and shall provide sufficient information to the Town of Smiths Falls demonstrating that:

- A. Signage must comply with the Town of Smiths Falls [Signs and Consolidation By-Law](#);
- B. Site triangles are not obstructed as per SECTION 3.25.3 (Road Closure Plan) and as per SECTION 3.25.5 (Traffic Management Plan);
- C. Temporary Event and directional signage shall be installed at the locations identified on the site plan as per SECTION 3.25.2 (PMP);
- D. Posters and handbills are not affixed in a manner that prohibits easy removal and removed immediately after the closing of the Event; and
- E. All signs and posters shall be removed immediately after the closing of the Event.

3.25 SITE AND SAFETY PLANS

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No Event shall take place in the Town of Smiths Falls without first having an approved Site and Safety Plans (as applicable), including but not limited to:

- A. A Fireworks and/or Pyrotechnics Plan as per SECTION 3.12 (Fireworks);
- B. An Emergency Plan (SECTION 3.25.1)
- C. A Parking Management Plan (SECTION 3.25.2)
- D. A Road Closure (SECTION 3.25.3)
- E. A Sound Management Plan (SECTION 3.25.4)
- F. A Traffic Management Plan (SECTION 3.25.5)
- G. A Waste Management Plan (SECTION 3.25.6)
- H. A Signage Management Plan (SECTION 3.25.7)

The Event Organizer shall ensure that the Site Plan is adhered to throughout the event and shall ensure that sufficient information is provided to the Town of Smiths Falls, not less than thirty (60) days prior to a Major Event and not less than thirty (30) days prior to a General Event, which includes but is not limited to the following:

- A. Controlled entry sites
- B. Emergency access and egress Routes
- C. Entertainment/Activity location (stage, Licensed liquor consumption areas)
- D. Event / Incident Coordination Centre
- E. Firefighting equipment
- F. First-Aid posts
- G. Food / vendor / stalls
- H. Main power, water, and gas control
- I. Number/Size of all Garbage/Recycling receptacles
- J. On-site vehicles
- K. Restricted areas
- L. Security locations
- M. Set up / take down the area
- N. Vehicle Access
- O. Potable water locations
- P. Sanitary/washroom facilities

The Event Organizer, in addition to the site plan proposal, shall provide the following when applicable;

3.25.1 Emergency Plan

The Event Organizer shall ensure:

- A. Emergency services are contacted for their review and determination as to the level of emergency services involvement as per SECTION 3.17.4 (Police);
- B. The safe egress from tents and fenced enclosure as per SECTION 3.10 (Fires) and as per the [Ontario Building Code](#);
- C. Provisions related to Crowd Control including measures to facilitate the movement of attendees in the event of an emergency or disorderly conduct.
- D. That Event participants at all times are in compliance with the Town of Smiths Falls approved Emergency Plan;

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- I. Clear, unobstructed, and immediate access for emergency vehicles as per SECTION 3.10 (Fires) and as per SECTION 3.17.4 (Police);
- II. Tents or other similar structures are not installed or erected, or located on the traveling portion of any public or private roadway/laneway that is designed and posted as a fire access route as per SECTION 3.10 (Fires – refer to [Parking Consolidation By-Law](#)) and SECTION 3.25 (Site and Safety Plans).

3.25.2 Parking Management Plan (PMP)

The Event Organizer shall ensure that a PMP includes, but is not limited to:

- A. That the exclusive use of public parking lots has approval from the Town of Smiths Falls;
- B. Compliance with the Town of Smiths Falls [Parking By-Law](#) unless otherwise approved by the Town of Smiths Falls;
- C. Minimal disruption to the public, surrounding properties, and property owners per SECTION 3.17.4 (Police) and as per the Town of Smiths Falls [Noise By-Law](#).
- D. Smiths Falls Police are contacted for their review and determination as to the level of Police involvement as per SECTION 3.17.4 (Police);
- E. That Marshals and volunteers do not direct traffic off-site
- F. Anticipated number of vehicles expected at the Event
- G. The number of parking spaces available and where those spaces are located
- H. Availability of surrounding streets and lots where parking is permitted
- I. Management of overflow parking requirements which may include a shuttle bus service
- J. The provision of organization volunteers on-site (in parking and non-parking areas) to provide participants with appropriate parking information/direction related to the Event
- K. SIGNAGE includes but is not limited to information and directional signs
- L. Well placed and clearly signed accessible parking spaces
- M. Fire access routes and accessible parking spaces

3.25.3 Road Closure Plan

The Event Organizer shall ensure the safe and orderly flow of traffic before, during, and after the Event and provide sufficient information to the Town of Smiths Falls demonstrating the safe and orderly flow of traffic. All road closures will be subject to inspection. A Road Closure application can include, but is not limited to the following:

- A. Submission to the Town of Smiths Falls not less than sixty (60) days in advance of a Major Event and not less than thirty (30) days in advance of a General Event as per SECTION 1.4 (Application for Festivals and Events)
- B. Comprehensive detour and signage plan, as per Ontario Traffic Manual Book 7 – Temporary Conditions;
- C. Letter of Approval from outside stakeholders for the use of their infrastructure such as MTO;
- D. An application is completed and
- E. Alcohol is not consumed on a Municipal or County road as per SECTION 3.3;
- F. Compliance with all municipal by-laws, and that all main arterial roads stay open;
- G. Barricades are removed at the completion of the road closure, and normal access is restored without delay, as per SECTION 3.17.4 (Police);
- H. Smiths Falls Police are contacted for their review and determination as to the level of Police involvement as per SECTION 3.17.4 (Police);

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- I. Marshals wear traffic safety vests, do not direct traffic of the site, and SECTION 3.17.4 (Police).
- J. Any other information as determined by the Town of Smiths Falls.

3.25.4 Sound Management Plan

The Event Organizer shall ensure that:

- A. The Event is not in contravention with Municipal [Noise By-Law](#);
- B. Amplified sound is restricted to between the hours of 9:00 a.m. and 11:00 p.m.;
- C. Sound levels remain at an acceptable level with consideration given to the type and location of the Event as per SECTION 3.17.4 (Police);
- D. High impact activities are located to minimize noise impact on surrounding residents and businesses, as per SECTION 3.17.4 (Police) and Municipal [Noise By-Law](#);
- E. Entertainment and productions are suitable for the audience demographic as per SECTION 3.2 (Amusements);
- F. SOCAN fees have been paid if applicable.

3.25.5 Traffic Management Plan (TMP)

The Event Organizer shall ensure that:

- A. The guidelines as set out in the Ontario Traffic Manual Book 7 - Temporary Conditions are used in determining an appropriate traffic control plan;
- B. All mandated traffic control devices and the provision are adhered to;
- C. The Town of Smiths Falls Police are contacted for their review and determination as to the level of Police involvement as per SECTION 3.17.4 (Police);

3.25.6 Waste Management Plan (WMP)

The Event Organizer shall ensure that the Event's WMP has been approved by the Town of Smiths Falls and shall be responsible for the carrying out of all applicable provisions WMP as per SECTION 3.16 (Waste Disposal) and SECTION 3.20 (Sanitary Facilities and Waste Water).

3.25.7 Signage Management Plan

The Event Organizer shall ensure that a detailed signage plan including the number of signs, sign construction, sign dimensions, and proposed installation locations provided to the Town of Smiths Falls. All signage must adhere to SECTION 3.24 (Signage).

3.26 TRANSIENT TRADERS

Notwithstanding the provisions of the [Business Licencing By-Law](#) at Events hosted by and/or sponsored by a non-profit organization recognized by Council, shall be exempt from licensing provisions of the By-Law.

3.27 UNDERGROUND UTILITIES

The Event Organizer shall provide confirmation before any digging, staking, fencing, or the like that:

- A. Any/all underground utilities have been located as per SECTION 3.17 (Safety and Inspections);
- B. Ontario One Call (Hydro, Bell, Cable, and Natural Gas) has been contacted as per SECTION 3.17 (Safety and Inspections);
- C. All required inspections have been completed as per SECTION 3.17 (Safety and

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Inspections).

- D. Tent poles/pegs are installed no less than 1 meter from either side of the utility locates as per SECTION 3.17 (Safety and Inspections);
- E. All water lines are marked within the permitted 1-meter safety zone as per SECTION 3.1 (Accessibility)