



Town of Whitby Policy

Policy Title:	Special Events Policy
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Point of Contact:	Program Manager – Events, Tourism and Culture

Policy Statement

Each year, the Town of Whitby's facilities, parks and open spaces are home to hundreds of community events including many different festivals, parades, runs/walks, picnics and more. Special Events enrich the community spirit and engagement as well as provide economic benefits to the community. While the Town has various levels of involvement with the numerous community events which occur every year, the Town is directly involved in operating its own Town Events and continues to receive requests for new events.

The Corporation of the Town of Whitby is committed to ensuring a streamlined Special Event Application process is in place in order to manage the impact of events on Whitby's infrastructure, people, services and environment.

Purpose

The purpose of this policy is to:

- a) Identify clear definitions for Special Events that occur in Whitby;
- b) Establish efficient and effective procedures that simplify the permitting approval process for Staff and Event Organizers;
- c) Establish criteria and procedures that ensure consistent implementation of the policy;
- d) Establish relationships between internal departments and external stakeholders that are involved in the Special Event planning process and clarify their roles and responsibilities;

- e) Establish the role of the Town of Whitby in supporting Special Events; and,
- f) Ensure that events are carried out safely and effectively.

Scope

In accordance with this Policy, there are three categories of Special Events, with each category defined based on the Town's involvement and permitting role. The Special Event categories and corresponding attributes are as follows:

1) Town Events

- Approved by Town Council
- Organized, implemented and marketed by Town Staff
- Typically free to the public
- All costs associated with the event, and the event budget, are covered and managed by the Town

2) Town Supported Events

- Managed and primarily or partially funded by an external Event Organizer
- Support for the event, in kind and/or financial, has been approved by Town Council
- In-kind support could include hard services (e.g. waste management) or soft services (e.g. Staff resources for design and marketing)
- Normally held on Town Property

3) Third Party Events

- Managed and funded entirely by an external Event Organizer
- Held on Town Property or Private Property

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1 Definitions

- 1.1 CAO** means Chief Administrative Officer of The Corporation of the Town of Whitby, and the one employee who reports directly to the Council of The Corporation of the Town of Whitby **Council** means the Council of the Corporation of the Town of Whitby.
- 1.2 Corporate Communications (CCM)** means the division in the Office of the Chief Administrative Officer responsible for Brand, Communications, and Digital Media.
- 1.3 Event Organizer** means any person, organization or corporation who is responsible for the organization and operation of a Special Event but does not include Town of Whitby Staff.
- 1.4 Facility Permit** means a document issued by the Town of Whitby granting permission and/or authorization to use a specific municipal facility in accordance with the particulars as outline in the Permit.
- 1.5 Permit** means a document issued by the Town of Whitby granting permission and/or authorization to conduct a Special Event in accordance with the particulars outlined in the Permit.
- 1.6 Private Property** means an outdoor area, not owned by the Town of Whitby and that is open to the public for a special event.
- 1.7 Special Events Review Team (SERT)** means a team comprised of Town staff and outside agencies representing various municipal divisions and key stakeholders (Durham Regional Police Service etc.) who meet and review Special Event Applications to ensure all necessary requirements and provisions have been met prior to the approval or issuing of a Special Event Permit in the Town of Whitby.
- 1.8 Special Event** means a one time, annual or infrequently occurring event on Town Property or Private Property that is open to the public either free of charge or for a paid admission and either entirely or partially outdoors. The three categories of Special Events are Town Events, Town Supported Events and Third Party Events as detailed in the Scope section of this Policy. Types of events may include but is not limited to: festivals, concerts, parades, races, walks/runs and carnivals, or cultural celebrations. A Special Event will generally include one or more of the following components:
- A celebration of a specific theme;
 - Live entertainment;
 - Food either sold or provided free of charge to the general public;
 - Service and/or sale of alcohol;
 - Fireworks;
 - Sound amplification;
 - Use of electricity;

- Amusement rides; and/or
- Parking lot or road closures.

1.9 Special Events Application means the form prescribed by the Town which is required to be completed by any Event Organizer who is seeking a Permit for a Special Event in the Town of Whitby.

1.10 Strategic Initiatives means the division in the Office of the Chief Administrative Officer responsible for leading special corporate and community projects, to serve as an intergovernmental relations advisor and deliver programs and services related to sustainability, economic development, and Creative Communities (downtowns, culture, special events, events permitting and tourism), advertising & sponsorship and administering the Community Development Funds.

1.11 Town means The Corporation of the Town of Whitby.

1.12 Town Clerk means the Clerk of The Corporation of the Town of Whitby as appointed by Council or their designate.

1.13 Town Property means property including but not limited to roads/road allowance, parks and parkettes, parking lots, alleyways, (both assumed and unassumed), walkways, pathways and trails, beaches, open spaces, marina, waterfront, Town facilities and sport fields.

2 Responsibilities

2.1 Council to:

- Approve any new Town Events or Town Supported Events through Council Resolution; and,
- Approve in-kind services for Town Supported Events.

2.2 Town Clerk or Designate to:

- Issue Permits for Special Events in accordance with this Policy and any related Procedure(s).

2.3 Special Events Review Team to:

- Review Special Event Applications and site plans for all events;
- Ensure that all health and safety guidelines are met;
- Ensure that all necessary requirements, permissions, insurance and approvals and additional documentation e.g. waivers are secured and that Town services are not negatively impacted as a result of the event;

- Make recommendations to Council on new Town Events or Town Supported Events for their consideration;
- Review and recommend updates to this policy as needed.

2.4 Strategic Initiatives to:

- Act as the central intake for all Special Event Applications;
- Coordinate with Special Events Review Team and other departments as needed to assist the Event Organizer with fulfilling all requirements necessary to obtain a Permit;
- Be responsible in partnership with Corporate Communications for the marketing and communications of Town and Town Supported Events, at their discretion;
- Develop the levels of sponsorship and rights and benefits for Town Events;
- Provide recommendations on an annual basis for Town Events; and,
- Review and recommend updates to this policy as needed.

3 Guiding Principles

- 3.1** The Town is committed to creating a climate of understanding and mutual respect for the dignity and worth of individuals so that each person feels a part of the community and is able to contribute fully to the development and well-being of the community.
- 3.2** Subject to availability, all bookings are made on a first come, first served basis, contingent on occasions where returning organizations may receive the first opportunity to re-book, in addition to the user paying the associated fees, signing the Town's rental agreement, and adhering to all permitting requirements, unless otherwise noted within this Policy.
- 3.3** The Town reserves the right to terminate any event booking at its discretion, or for reason of non-compliance with any of the parameters contained within this Policy or any respective procedures without cause and without any liability, cost or penalty.

4 Special Events Application and Approval Process

4.1 Event Organizers shall:

- Submit a completed Special Events Application within the specified timeframes, along with the applicable fees as outlined in the Fees and Charges By-law for all Special Events;

- Ensure compliance with all requirements as outlined in this Policy and any and all associated Procedures or any requirements as determined by Special Events Review Team;
- Ensure adherence to all relevant Town By-laws, Regional By-laws and any Provincial and Federal Legislation as amended from time to time;
- Assume the responsibility for payment of any additional fees that may be required including but not limited to SOCAN and Re:Sound (music licencing), paid duty Durham Regional Police Service Officers, equipment rentals, or other charges imposed by organizations outside of the Town; and,
- Assume the responsibility and liability for the entire operation of the Special Event and ensure that they or a designated representative is on site for the entirety of the Special Event to address any concerns or issues that may arise.

4.2 Event Organizers must submit a completed Special Event Application to the Town of Whitby for review and approval of all types of Special Events:

- 30 days prior to the date of the event, if fewer than 100 people per day are expected;
- 60 days prior to the date of the event, if between 100 and 500 people per day are expected;
- 90 days prior to the date of the event, if between 500 and 5,000 people per day are expected; or,
- At least 120 days prior to the date of the event, if more than 5,000 people per day are expected.

4.3 Strategic Initiatives will coordinate the meetings with Special Events Review Team and appropriate departments and external agencies, including but not limited to Police, Fire, Building, Operations, Facilities, Corporate Communications, Licensing and By-law Enforcement for review of the Application and to provide feedback on any other requirements necessary to issue a Special Event Permit.

4.4 An Event Organizer shall submit the following documents at the time of application:

- Certificate of Insurance;
- COVID Prevention Plan; and
- Event Site Plan/Route Map

- 4.5** In addition to the documents required in Section 4.4, an Event Organizer shall be required to submit the following documents depending on the type of event:
- Emergency Action Plan/Emergency Response Plan
 - Security Plan/Traffic Plan/Event Parking Plan
 - Neighbourhood Notice(s)
 - Additional documentation as determined by Special Events Review Team or the Town Clerk
- 4.6** Once the Event Organizer has satisfied the application requirements and any requirements as may be imposed by Special Events Review Team or the Town Clerk, the Town Clerk or Designate shall issue a Permit to the Event Organizer.
- 4.7** The Town has the right to refuse incomplete Special Event Applications or Special Event Applications that are submitted outside of the timelines noted above if there is insufficient time to consider and review the necessary requirements to ensure the Special Event can be carried out safely and effectively.

5 Town Events

- 5.1** All Town Events, including the management and budgetary control are carried out under the leadership of Town Staff.
- 5.2** Strategic Initiatives will manage and lead Town Events; however, events affiliated with youth, seniors and some Advisory Committees of Council will continue to be facilitated by these respective groups.
- 5.3** No Permit fees shall be charged for use of facilities and other Town Property for Town Events.
- 5.4** Strategic Initiatives, working in partnership with Corporate Communications, will coordinate all marketing and promotions for Town Events.
- 5.5** One-time events, which are non-recurring and requested at the direction of Council, will first be reviewed by Strategic Initiatives before proceeding with an event plan and implementation to ensure the event will comply with the requirements of the Town and to ensure it is safe and appropriate for the community.
- 5.6** The Mayor's Fundraiser is coordinated through the Office of the Mayor with support from other departments as required.

- 5.7** The Mayor's Golf Tournament is coordinated by Strategic Initiatives with support from Corporate Communications, Community Services and other departments as required.
- 5.8** Large-scale and/or last minute one time special event requests, which are non-recurring that would not typically be provided, or is outside of the approved Town Events, shall be forwarded to the respective Department Head and/or the CAO for review and response before being considered and approved for organization and implementation.

6 Town Supported Events

- 6.1** Town resources, whether in-kind or financial, for Town Supported Events shall be provided in the form and amount as approved by Council.
- 6.2** Any requests to change the in-kind or financial Town resources provided to Town Supported Event shall be made in writing to the Town by the Event Organizer no later than September 1 so that it may be considered as part of the following year's annual budget process.
- 6.3** Event Organizers of Town Supported Events are responsible for applying for a Special Event Permit and providing any and all requirements, insurance, licenses, fees etc. as identified by the Special Events Review Team and in accordance with this Policy.

7 Third Party Events

- 7.1** Event Organizers for Third Party Events on Town Property shall at time of application notify the Town of any municipal services that will be required, subject to availability and, prior to issuance of a Special Event Permit, shall pay the associated cost for such municipal services.
- 7.2** Municipal services are not available for Special Events on Private Property.

8 Fees

- 8.1** Fees will be charged to the Event Organizer for any Third Party or Town Supported Events in accordance with the Fees and Charges By-law or any other fees as approved by Council.

9 Insurance

- 9.1** Insurance is mandatory for all Special Events.
- 9.2** The Town's minimum insurance requirements are:

- Two million dollars (\$2,000,000) Commercial General Liability with the Town added as additional insured; and,
 - Two million dollars (\$2,000,000) Automobile Liability.
- 9.3** Such insurance policy shall be in the name of the Event Organizer and shall name the Town of Whitby as additional insured. The Event Organizer's insurance broker/agent or insurer will complete the Town's certificate of insurance form included with the Special Event Application with no amendments.
- 9.4** The certificate of insurance is required to indicate the location and activity of the named insured for which the certificate is issued.
- 9.5** The insurer must be licensed and approved to operate in the province of Ontario
- 9.6** The Town reserves the right solely at its discretion to require additional types of insurance coverage or higher limits of insurance coverage depending on the nature of the event and types of activities planned during the event (i.e. fireworks, inflatables, amusement rides, sale of alcoholic beverages etc.) The Town may also require waivers and risk inspections at the discretion of Risk Management and the Town's insurer.
- 9.7** The Event Organizer agrees to indemnify and save harmless the Town with respect to any and all actions arising either directly or indirectly from the event which forms part of the special event application.

10 Hold Harmless

- 10.1** The Event Organizer will agree to indemnify, defend and save harmless the Town, its elected and appointed officials, employees and agents with respect to any and all actions arising, either directly or indirectly, from the Special Event which forms a part of the Special Event Application.

11 Restrictions

- 11.1** Special Events shall conclude no later than 11:00 pm. Any set-up or tear down of the Event shall comply with these provisions. If set up or tear down will take place after 11:00 pm, the Event Organizer must have prior approval from the Town and such approval will be defined in the Permit.
- 11.2** Event Organizers must comply with the provisions of any Procedures associated with this Policy.
- 11.3** By-law Enforcement Staff or the Durham Regional Police Service (DRPS) reserve the right to revoke a Special Event Permit if at any time the Event Organizer is non-compliant with the provisions of the Special Event Permit or conduct at the Special Event is unsafe or not in the best interest of the community or those in attendance at the Event.

12 Political Expression

- 12.1** In accordance with the Community Use of Town Facilities Policy MS 370, the Town recognizes the right of Political Expression to be made by groups, organizations, or individuals on public lands. The permitting of Town Facilities for Political Expression, whether for a Special Event or otherwise, shall be considered and managed in accordance with the Community Use of Town Facilities Policy.

13 Exemptions

- 13.1** Indoor and outdoor sporting events or tournaments at Town facilities or on Town Property are not required to submit a Special Event Application under the provisions of this Policy provided they have obtained the necessary permits associated with the use of the Town facility and do not require support from any other Town Departments other than Community and Marketing Services during the sporting event.

This Policy is hereby approved by Council Resolution #107-19 on this 15th day of April, 2019.