



THE CORPORATION OF THE TOWN OF WHITBY

Special Events By-law # 7506-19

Consolidated Version

Being a By-law to provide for enforcement of the Town of Whitby's
Special Events Policy.

This document has been reproduced for convenience only and is a consolidation of the "Special Events By-law # 7506-19", adopted by the Council of the Town of Whitby on May 28, 2019.

As amended by By-laws:

By-law Number	Date Passed:
8305-26	May 25, 2026

Individual copies of any of the above by-laws are available from the Office of the Town Clerk of the Town of Whitby. For legal purposes, copies of the original by-laws should be obtained.

Special Events By-law

Being a By-law to provide for enforcement of the Town of Whitby's Special Events Policy.

Whereas the Council of The Corporation of the Town of Whitby approved the Special Events Policy (MS 200) through Resolution # 107-19 at the regular meeting of Council on April 15, 2019; and,

Whereas the Council of The Corporation of the Town of Whitby finds it necessary to enact a by-law to encourage compliance with the Special Events Policy.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. Definitions

- 1.1. "Council" means the Council of The Corporation of The Town of Whitby;
- 1.2. "Event Organizer" means any person, organization or corporation who is responsible for the organization and/or operation of a Special Event but does not include Town of Whitby Staff;
- 1.3. "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 outlined in the Permit;
- 1.4. "Officer" means a police officer or a municipal law enforcement officer appointed by the Town; and,
- 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 Event" 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 or charge or for a paid admission, and either entirely or partially outdoors. The three categories of Special Events are Town Event, Town-Supported Events and Third-Party Events, as detailed in the Special Events Policy. Types of events may include but are 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.

- 1.8. “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;
- 1.9. “Special Events Policy” means the Town of Whitby’s Special Events Policy (MS 200), as may be amended from time to time;
- 1.10. “Town” means The Corporation of The Town of Whitby.
- 1.11. “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 sports fields.

2. Interpretation

- 2.1. References in this by-law to items in the plural include the singular, and references to the singular include the plural, as applicable.
- 2.2. The words “include”, “includes” or “including” are not to be read or interpreted as limiting the words, phrases or descriptions that precede them.
- 2.3. The words or references in this by-law that are not defined herein shall be interpreted in accordance with their plain, ordinary, and common dictionary meaning.
- 2.4. If a court of competent jurisdiction declares any section, or any part of any section, of this by-law to be invalid, or to be of no force or effect, it is the intention of the Town that every other provision of this by-law be applied and enforced in accordance with its terms to the extent possible according to law.
- 2.5. This by-law and the provisions contained within are intended to be complementary to Provincial statutes and to other by-laws passed by Council, in the event that any other applicable law requires a higher standard than this by-law requires, the higher standard shall apply.

3. Regulation

- 3.1. Every event organizer who intends to operate or operates a Special Event shall complete a Special Events Application in accordance with the timelines indicated in the Special Events Policy.

- 3.2. Every event organizer who intends to operate or operates a Special Event using Town Property shall obtain a Facility Permit in accordance with the timelines indicated in the Special Events Policy.
- 3.3. Every event organizer who intends to operate or operates a Special Event shall pay the applicable Permit fee(s) identified in the Special Events Policy and the Town's Fees and Charges By-law.
- 3.4. Every event organizer who intends to operate or operates a Special Event shall provide the Town with proof of insurance, naming the Town as additional insured, in a format and amount acceptable to the Town in accordance with the provisions of the Special Events Policy.
- 3.5. Every event organizer who intends to operate or operates a Special Event shall provide the Town with all maps, plans, notices, or other documents required by the Town in accordance with the Special Events Policy.
- 3.6. Every event organizer who intends to operate or operates a Special Event shall comply with any and all conditions contained within their Permit and/or Facility Permit.
- 3.7. Every event organizer who seeks to operate or operates a Special Event shall comply with all relevant Town by-laws, Regional by-laws, Provincial legislation, and Federal legislation.

4. Exemptions

- 4.1. The provisions of this by-law do not apply to indoor or outdoor sporting events or tournaments at Town facilities or on Town Property provided the Event Organizer has obtained all necessary permits associated with the use of the Town facilities and provided that the event does not require support from any Town departments other than Community Services and Strategic Initiatives (events) during the event.

5. Enforcement and Penalties

- 5.1. An Officer may revoke or temporarily suspend a Permit and/or Facility Permit at any time if an event organizer fails to comply with the provisions or conditions of a Permit and/or Facility Permit or if conduct or conditions at a Special Event are unsafe or not in the best interest of the community or those in attendance at the Special Event.
- 5.2. Where an officer has grounds to believe that an offence has been committed by a person, the officer may require the name, address, and proof of identity of that person, and the person shall supply the required information.
- 5.3. No event organizer shall operate a Special Event without a Facility Permit for Special Events on Town Property.

- 5.4. No event organizer shall operate a Special Event without a Permit.
- 5.5. No person shall hinder, interfere with, or obstruct an officer during the administration or enforcement of this by-law.
- 5.6. Any person who contravenes a provision of this by-law is guilty of an offence, and upon conviction is liable to a fine in accordance with the Municipal Act, 2001, S.O. 2001, c.25, as amended.

6. Short Title

- 6.1. This by-law may be referred to as the “Special Events By-law”.

7. Effective Date

- 7.1. This by-law shall come into force and effect on the day it is passed.

By-law read and passed this 28th day of May, 2019.

Appendices

Appendix 1

[Town of Whitby Special Events Policy \(MS 200\)](#)

Original Approved and Signed.

Don Mitchell, Mayor

Original Approved and Signed.

Christopher Harris, Town Clerk