

A G E N D A
THE NINTH MEETING OF THE SPECIAL EVENTS COMMITTEE

MICROSOFT TEAMS

3:30 P.M.

NOVEMBER 2, 2022

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on October 5, 2022.

PETITIONS AND COMMUNICATIONS

IG Wealth Management Walk for Alzheimer's - May 27, 2023. **Pages 2-12**

Noise Levels at Events in Pinafore Park

The attached letter from Dawn Sutton, 3 Bell Avenue was referred to the Committee by Council at its October 17th meeting. **Pages 13-14**

Noise By-Law 160-2020. **Pages 15-23**

Special Events Manual Review

The members will discuss proposed revisions to the Special Events Manual. **Pages 24-38**

UNFINISHED BUSINESS

Upcoming Events

- St. Thomas Disc Sports Club Doubles – November 6, 2022
- Remembrance Day Ceremony and Parade – November 11, 2022
- Downtown Development Board Tree Lighting Celebration – November 18, 2022
- St. Thomas Optimist Club Santa Claus Parade – November 19, 2022

NEW BUSINESS

ADJOURNMENT

SECTION 1: EVENT AND ORGANIZER INFORMATION

Event Name: IG Wealth Management Walk for Alzheimer's

Date(s): May 27th, 2023

Start Time: 10am End Time: 1pm

Cleanup Start Time: 7am Cleanup End Time: _____

Location(s): Pinafore park, dance Pavilion

Organizing Group: Alzheimer Society Southwest partners

Contact Name #1: Cheriss Lansens #2: Christine Poier

Street Address: 450 Sunset Dr

Town/City: St Thomas Province: ON Postal Code: N5R 5V1

Phone Number #1: (519) 633-4396 #2: _____

Email Address: Cheriss.Lansens@alzswp.ca

Expected Attendance: 300 Number of Event Personnel/Volunteers: 25

Location and number of washrooms in place: 4 in front of dance pavilion

Location and Number of Parking Spaces: _____

Number of Accessible Washrooms: _____ Number of Accessible Parking Spots: _____

Please describe your specific event. Attach additional sheets as necessary. _____

Annual Walk for Alzheimer's

SECTION 2: FOOD AND BEVERAGE

Will food/beverage of any kind be available at this event? Yes ☒ No ☐

If Yes, you must notify Southwestern Public Health at 519-631-9900 at least 2 weeks prior to the event.

SECTION 3: PERSONAL SERVICES

Will there be personal services of any kind offered to the public at this event? Yes ☐ No ☒

If Yes, you must notify Southwestern Public Health at 519-631-9900 at least 2 weeks prior to the event.

Personal services include but are not limited to barbering, manicures, pedicures, esthetics, tattooing and piercing.

SECTION 4: TENTS

Will there be an indoor or tent covered area used for public assembly as part of the event? Yes ☐ No ☒

If Yes, please specify the number and size of tents. _____

If the tents are larger than 60m² cumulatively, a building permit is required through Planning & Building Services. Please attach a copy of the Permit and provide the Permit Number: _____

Please note that Indoor or Tent covered areas for public assembly must comply with Smoke Free Ontario Act requirements enforced by Southwestern Public Health.

Please note that there is a **no staking policy** in all of the City's Parks, Recreation and Property Management facilities.

SECTION 5: SERVING OF ALCOHOL

Will alcohol be consumed at the event? Yes ☐ No ☒

If Yes, you must review and meet the requirements of the City's Alcohol Policy available through the Parks, Rec and Property Management Department for Special Events taking place on municipal property.

You must also comply with the Alcohol and Gaming Commission of Ontario (AGCO). Event organizers are responsible to notify and provide any pertinent information required under the AGCO guidelines for obtaining a Special Occasion Permit. You must adhere to the Liquor Licence Act and its Regulations and ensure access is given to the Police and AGCO Inspectors for the purposes of inspections.

The area where alcohol is being served has to have a 36" (0.9m) high barrier/partition. Please note that there is a **no staking policy** in all of the City's Parks, Recreation and Property Management facilities.

SECTION 6: MUNICIPALLY SIGNIFICANT EVENT

Will you be requesting that City Council declare your event a "Municipally Significant Event"? Yes ☐ No ☒

If Yes and you wish to apply for a "Special Occasion Permit," through the Alcohol and Gaming Commission of Ontario (AGCO), you must obtain a letter of approval from City Council, declaring your event "municipally significant", by submitting a separate letter to the City Clerk's Department. Please note that such approval may take several weeks.

SECTION 7: MUSIC / NOISE

Will there be a concert or musical entertainment as part of the event? Yes ☒ No ☐

If Yes, please note that the use of sound reproduction devices is authorized between the hours of 8:00 a.m. and 11:00 p.m. so long as the Police are satisfied that said devices are being "used in a reasonable manner" and not intolerably high. It is the responsibility of the organizers to obtain any applicable musical licencing through SOCAN for events not taking place in a City facility.

Please note that if utilizing a temporary stage structure, regulations are found under the Occupational Health and Safety Act and enforced by the Ministry of Labour. A resource document for event organizers can be found on the Special Event Permits page on the City of St. Thomas website.

SECTION 8: ANIMALS

Will there be a Petting Zoo or Animals at the event?

Yes ☐No ☒

If Yes, Southwestern Public Health must be notified of the event details two weeks prior. If the animals are not permitted in the Animal Control By-Law 71-2011, an Application for Temporary Exemption to the By-Law must be approved by City Council and can be found on the City Animal Services page of the City website. Please attach a copy of the application to this permit application and submit payment. Please note that such approval may take several weeks.

SECTION 9: ROAD CLOSURES / TRAFFIC FLOW CHANGES

Are you anticipating any road closures or traffic flow changes?

Yes ☐No ☒

If Yes, please contact the Roads and Transportation Department at (519) 631-1680 ext. 5130.

If Yes, please describe the road closure requirement and attach a map or sketch showing the closure. A Right of Way Occupancy Permit and City Council approval is required for all road closures. Please note that there is a fee for the permit and approval may take several weeks. _____

Please attach a copy of the Right of Way Occupancy Permit and provide the permit #: _____

If the event is a Parade / Run / Walk / Pass through Sporting Event, please refer to the city roads map located under the Special Events page on the City website. Describe the event and attach a map or sketch.

Do you require traffic control?

Yes ☐No ☒

If Yes, please contact the St. Thomas Police Services at (519) 631-1224 ex 4276.

PLEASE NOTE: Marshalls, volunteers and special event staff are not allowed to direct traffic. Only the police can direct traffic pursuant to the Highway Traffic Act.

SECTION 10: MUNICIPAL FACILITIES

For events taking place in Pinafore Park, organizers will need to arrange an onsite meeting with Parks, Rec and Property Management staff once the Special Events Permit Application has been approved. Please note: If your special event expected attendance is 300 or more you must have at least one volunteer direct traffic into the overflow parking lot.

Have you contacted Parks and Recreation staff about your event?

Yes ☒No ☐N/A ☐

Have you rented a pavilion/facility and signed a permit?

Yes ☒No ☐N/A ☐

If yes, please provide the location of the rental and attach a copy of the permit. _____

Do you require picnic tables or garbage cans?

Yes ☒

No ☐

N/A ☐

If Yes, how many are you requesting? # of Picnic Tables: _____ # of Garbage Cans: 6

If Yes, please provide pick-up/return date and time. _____

Please note availability is at the discretion of the Parks, Rec and Property Management Department and that delivery/pick up is the responsibility of the event organizer. All picnic tables and garbage bins must be returned no later than 48 hours after your event. All applicants requesting picnic tables and garbage bins must obtain an equipment rental permit from the Parks, Recreation and Property Management Department prior to your event.

Have you made arrangements with Environmental Services staff for recycling containers and collection?

Yes ☐

No ☐

N/A ☐

Will you require municipal support for:

Water

Yes ☐

No ☐

N/A ☐

Hydro

Yes ☒

No ☐

N/A ☐

Please note that all equipment and extension cords must be in good condition and approved by an accredited certification body under the Ontario Electrical Safety Code or have been inspected by the Electrical Safety Authority. If required, please attach the Electrical Safety Authority documentation and provide the Permit Number: _____

SECTION 11: ACCESSIBILITY

As an event organizer, it is your responsibility to ensure that your organization is in compliance with the Accessibility for Ontarians with Disabilities Act (AODA). Organizations with at least one employee have requirements to meet for accessibility. Please note that directional signage needs to be prominently displayed throughout the event venue to indicate the barrier-free path of travel and location of accessible washrooms and parking. Although not required, the Special Events Committee recommends submitting a site plan to the Municipal Accessibility Advisory Committee for larger events for their review.

SECTION 12: OTHER SERVICES/RESOURCES

Security: Has a privately licensed security firm been contacted/retained?

Yes ☐

No ☒

If Yes, what company and how many security officers will be present? _____

First Aid: For events with an anticipated attendance of more than 200 people, First Aid services are required to be retained. Have you confirmed First Aid services?

Yes ☒

No ☐

N/A ☐

If Yes, please attach documentation providing proof that First Aid services have been retained.

Ambulance: Has Emergency Medical Services (Ambulance Service) been contacted regarding your event and planned emergency access to the site?

Yes ☐

No ☒

Fireworks: Will there be fireworks as part of your event?

Yes ☐

No ☒

If Yes, a permit for exhibition fireworks must be submitted to the Fire Department.

SECTION 13: SIGNATURE

That the information contained in this application and any documentation, including reports, and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, I hereby consent to the City of St. Thomas making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third parties upon their request.

Cheriss Nicole Marson

(Signature of Individual Completing this Application)

(Date completed)

Office Use Only: Application Received: _____ Committee Approval: _____

SECTION 14: INSURANCE

A Certificate of Insurance is required providing proof of \$5,000,000 in insurance coverage, including the naming of the City of St. Thomas as an Additional Insured under the corresponding policies. A copy of the required insurance MUST be submitted a minimum of two weeks prior to the start of the event. The Special Events Committee reserves the right to impose additional requirements and increased insurance coverage for large community events.

The provision of the completed and signed Statement of Indemnification below is also required.

Please note that an approved event may be cancelled should insurance coverage not be provided and may be altered or cancelled as a result of an emergency situation.

STATEMENT OF INDEMNIFICATION

IG Wealth Management Walk for Alzheimer's
 _____ organized by _____
 (Event Name) (Organizing Group)

shall indemnify and save harmless The Corporation of the City of St. Thomas and all persons for whom it is at law responsible from any and all liabilities, damages, costs, claims, suits or actions arising out of:

any damage to property including loss of use thereof, and any injury to any person or persons, including death resulting at any time there from, occasioned by any act or omissions of

_____ organized by _____
 (Event Name) (Organizing Group)

its officers, agents, servants, employees, contractors, customers, invitees or licensees, or occurring in or on the premises or any part thereof arising from or occasioned by any cause whatsoever, except where such damage or injury is due to the act, default or negligence of The Corporation of the City of St. Thomas, its officers, agents, servants, employees, contractors, customers, invitees or licensees.

Witness: _____

Signed: _____

Name (Print): _____

Name (Print): _____

Address: _____

Telephone: _____

Date: _____

Event Name: _____

Organizing Group: _____

Event Dates: _____

Pinafore Park

95 Elm St.

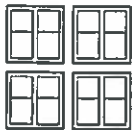
Elm St.

ST. THOMAS
THE RAILWAY CITY

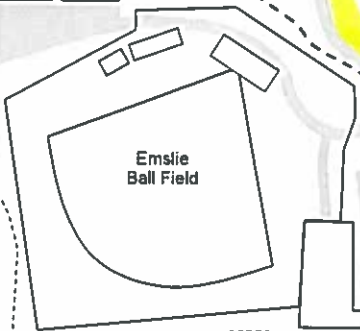
Pinafore Office
and Shop



Tennis/
Pickleball
Courts



Emslie
Ball Field



Woodlot
Pavilion

Pinafore
Woodlot

North
Pavilion

Lakeside
Pavilion

Bathrooms

Dance
Pavilion
opening
Ceremonies
Registration

Street
Railway
Pavilion

Playground and
Splash pad

Morris F. Jones
Bandshell



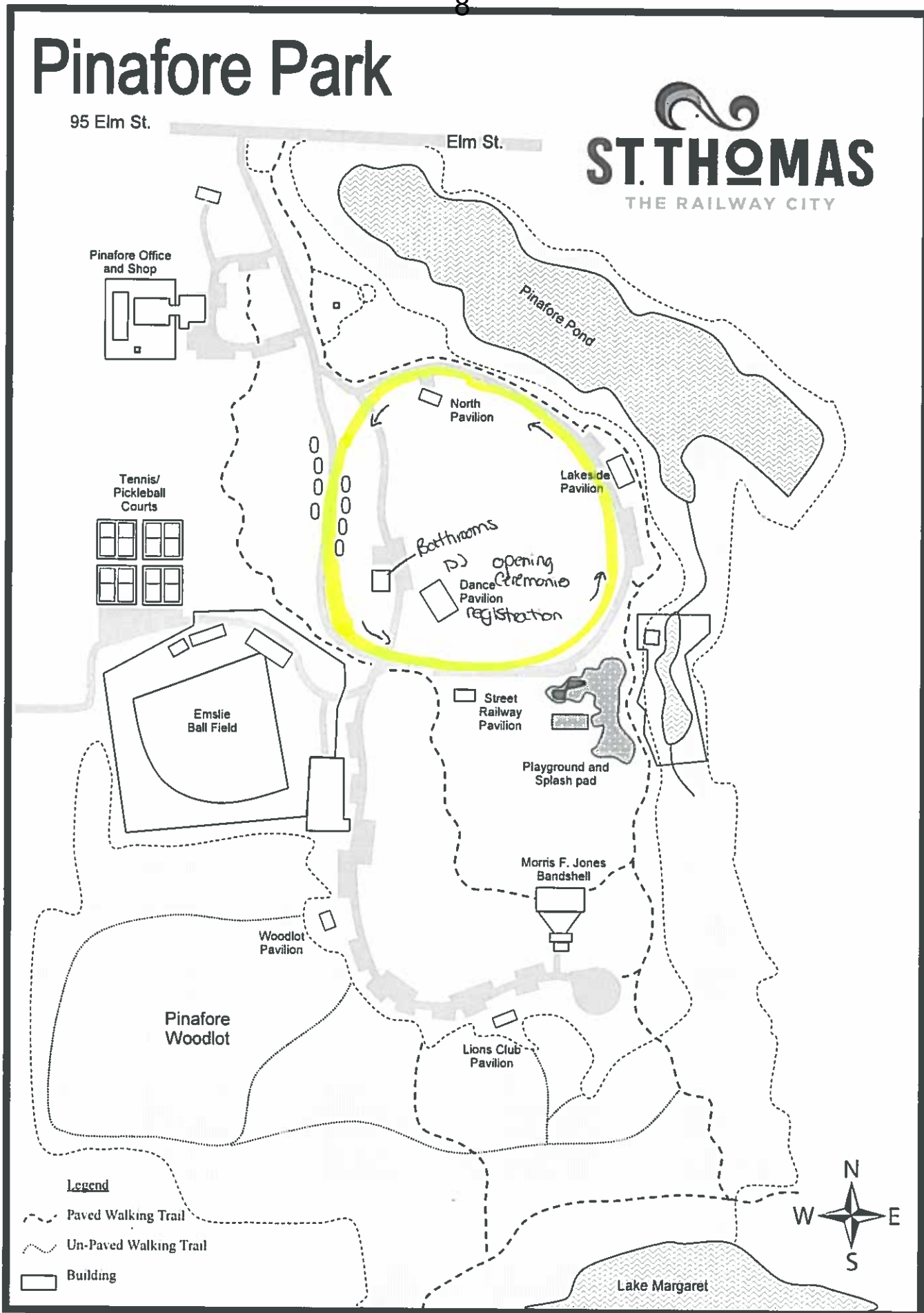
Lions Club
Pavilion

Legend

- Paved Walking Trail
- Un-Paved Walking Trail
- Building



Lake Margaret



Mailing Address:
Parks and Recreation
P.O. Box 520
545 Talbot Street
St. Thomas, Ontario
N5P 3V7



Office Location:
Joe Thornton
Community Centre
75 Caso Crossing
St. Thomas, Ontario
N5R 0G7

City of St. Thomas Parks, Recreation & Property Management Department
Outdoor Facility Permit

1. The undersigned agrees to leave the property and its contents in the same condition and location in which it was found, and agrees to pay the cost of any damage to the building and/or loss or damage to any equipment belonging to or being used with the consent of the Corporation of the City of St. Thomas
2. Wedding Receptions / Ceremonies booked in the park pavilions require a \$500.00 damage deposit at time of booking. Either a post dated chq (for date of event), cash, visa, MasterCard or debit will be refunded after the event provided there are no damages and that the property including picnic tables are in the same condition in which the property was found. The intent is to ensure that picnic tables will be returned where they were found by the user.
3. The undersigned covenants to save harmless and keep indemnified the Corporation of the City of St. Thomas and the Parks and Recreation Department, its servants and agents, against any legal liability for losses, damages, claims, action demands, suits and cost arising directly or indirectly by virtue of this rental agreement, except as a result of the City of St. Thomas negligence.
4. It is the responsibility of the applicant to acquire \$5,000,000 liability insurance (naming the City of St. Thomas as additional insured), the appropriate licenses and pay any applicable tariffs for their event. The individual that will obtain the Special Occasions Permit (if required) must review, sign and adhere to conditions set out in the Municipal Alcohol Policy. Parks and Recreation will assist with this process if needed.
5. No live coals permitted on any outdoor municipal property. CSA-approved propane barbecue ONLY.
6. Staking of any sorts (tents, signs, canopies,) is not permitted on outdoor municipal property.
7. All posted rules throughout the parks must be adhered to at all times.
8. PAVILION/BANDSHELL FEES ARE NON-REFUNDABLE.
9. Cancellation Policy for facilities other than pavilions/bandshell shall be 14 days notice. There will be no refund if cancelled within 14 days.
10. The Parks and Recreation Department reserves the right to cancel or alter the time or fees specified in this permit, due to change of policy or availability of facilities.
11. Unless otherwise noted, the invoice will be mailed to the person who has signed the facility permit. Please be sure to advise Parks and Recreation if the invoice is to be sent to another person.
12. The picnic pavilion permit fee shall include only the use of a pavilion, hydro, and water. Any additional use of facility space (e.g. hydro pedestals) must be requested and a separate fee will be associated on your facility permit.
13. The permit-holder acknowledges that the City has sole responsibility for booking any outdoor facilities. The permit-holder does not have the right to assign this permit or any related facilities associated with this permit to another group or individual.

14. Continued use of facilities named in this permit is dependent on all the permit-holder's accounts with the City of St. Thomas remaining in current and good standing.
15. The permit is subject to revocation at any time by the City for failure to comply with any of the above conditions.
16. The City of St. Thomas By-law 111-2008 prohibits the use of tobacco within thirty (30) metres/90 feet of playground equipment, splash pads and players benches.
17. **Consumption of alcoholic beverages is strictly prohibited outside of the designated/pre-approved licensed area in the facilities pertaining to this permit.**
18. The permit holder will be financially responsible for in addition to the damage deposit for any grounds restoration such as grass replacement as a result of foot traffic, incumbent weather or vehicles parking in unauthorized areas.

This permit covers the time period specified below:

I acknowledge and accept all the preceding terms and conditions. Signed and accepted by:

Carol Walters

Name (please print)

User Group



Signature

Alzheimer Society Southwest Partners

Group Name

Name (please print)

City of St. Thomas

Signature

Date

Invoice #(s) _____

Payment Terms: Due at the time of booking.

Certificate of Insurance

This is to confirm to: **The City of St. Thomas** (Also listed as additional insured on the policy)

95 Elm Street
St Thomas, Ontario, N5R 1H7

The insurance afforded under the policies listed below are subject to the terms, conditions and exclusion of the applicable policy. This certificate is issued as a matter of information only and confers no rights on the holder and imposes no liability on the Insurer. This certificate does not amend, extend or alter the coverage afforded by the policies listed below.

The Insurer will endeavour to mail to the additional insured specifically named on this certificate 30 days' written notice of any material change in or cancellation of these policies, but assumes no responsibility for failure to do so.

That policies of insurance as herein described have been issued to the Insured named below and are in force at this date.

The limits shown below may have been reduced by paid claims and are in Canadian dollars.

Policy Information	Policy Number 4001441947		Effective Date: July 01, 2021 Expiry Date: July 01, 2022		
	Primary Insured Name				
	ALZHEIMER SOCIETY SOUTHWEST PARTNERS				
	Address				
	450 SUNSET DR				
	City	Province	Postal Code		
	ST THOMAS	ON	N5R 5V1		
Policy Operations	Operations to which this certificate applies:				
	Description				
	Fund raising activities operated by charitable or religious bodies - Member Org.				
Liability Information	Liability Coverages to which this certificate applies:				
	Commercial General Liability Policy - Occurrence Basis		Co-Insurance	Deductible	Limit
	Bodily Injury And Property Damage Liability				
	Each Occurrence Limit		-	-	\$5,000,000
	Products-Completed Operations Aggregate Limit		-	-	\$5,000,000
	Each Occurrence Deductible - Property Damage		-	\$1,000	-
	Tenants' Legal Liability		-	\$1,000	\$5,000,000
	Personal And Advertising Injury Liability		-	-	\$5,000,000
	Medical Expense		-	-	\$25,000
	CGL Included Coverages	Liability Coverages to which this certificate applies:			
Commercial General Liability Policy - Occurrence Basis includes the following:					
Bodily Injury and Property Damage including					
<ul style="list-style-type: none">• Broad Form Products and Completed Operations• Broad Form Property Damage• Blanket Contractual Liability• Contingent Employers Liability• Additional Insured as required by contract• Other Insurance Clause - Primary and Non-contributory if agreed by a written contract for the additional insured• Owners and Contractors Protective• Severability of Interests, Cross Liability					
Non-Owned Automobile Liability	Liability Coverages to which this certificate applies:				
	Non-Owned Automobile Liability		Co-Insurance	Deductible	Limit
	Contractual Liability Endorsement		-	-	-
	Legal Liability For Damage To Hired Vehicle Endorsement		-	\$1,000	\$100,000
	Non-Owned Automobile Liability		-	-	\$5,000,000
	Excluding Long Term Leased Vehicle Endorsement		-	-	-
Endorsements	Liability Endorsements to which this certificate applies:				
	Endorsements		Co-Insurance	Deductible	Limit
	Employers' Bodily Injury Liability Endorsement		-	-	-

**Representative
of the Insurer**

Date: March 29, 2022

Authorized Representative of the Insurer: Erica Bessell - Associate Insurance Advisor

Agency Office: BRITTANY AGIUS INSURANCE & INVESTMENTS INC AO72738

**130 MACDONELL STREET
GUELPH ON N1H 6P8
PHONE (519) 824-4400
FAX (519) 826-0925
www.cooperators.ca**

City of St. Thomas

OCT 07 2022

Sept 30th, 2022

Mayor Preston and Members of Council, Attention Maria Konefal

City Clerks Dept.

I am a long time resident of St. Thomas. For years, Pinafore Park has been hosting events of different kinds which I have enjoyed and supported, however, the past couple of years there have been some major changes and now we are very concerned about what is going on there.

1. Covid - we are currently in the 7th wave of covid and there should be no large gatherings. They are not turning away people who do not wear masks and, therefore, putting people's health at risk, maybe even people's lives.
2. The City is allowing music festivals as long as 4 days straight featuring rock bands and extensive use of amplifiers. Not only is Pinafore Park right next to a hospital (designated QUIET ZONE) but all the residential areas surrounding the park are subject to the excessive noise.
3. The police and the City of St. Thomas are approving the violation of the city noise by-law as music at that volume is definitely disturbing the peace and is not supposed to be allowed any time of day or night.
4. There are other suitable venues such as Common Ground Farm 10 minutes outside St. Thomas that hosts music events without disturbing St. Thomas residents.
5. Citizens should have the implicit right to enjoy peace and quiet in their homes and when a music festival is on, this is not possible (i.e. not even being able to hear their own tv and/or having to wear ear plugs while in their home.)
6. Shift workers may be trying to sleep and some people may work from home (like myself) doing things like narrating audio books which cannot be recorded with music backgrounds.
7. It is well documented that loud music can damage one's hearing, however, loud music is also a form of torture which is recognized internationally. It is inflicting severe pain or suffering on someone, and that pain can be both mental and physical. It's a form of sensory overload and input that eventually overwhelms you by affecting every cell in the body and it elicits a reaction in the body equivalent to the response to the perception of pain.

The World Health Organization recognizes noise as a serious health problem as it contributes to hypertension, ischaemic heart disease and strokes. When one is forced to listen to something he or she does not want to listen to, it becomes a nuisance and annoyance, causing physiological effects demonstrated by stress indicators (hormone release, increased blood pressure and emotional disturbances such as PTSD which includes symptoms such as flashbacks (or intrusive thoughts), severe anxiety, insomnia, nightmares, depression and memory lapses.-)

Case in point - I am a senior with heart failure and the loud music gives me a headache and raises my blood pressure every time I have to listen to it. Even two days in a row seriously puts me at risk for having a heart attack or stroke. For the sake of entertainment?

8. The World Health Organization purports that anyone exposed to over 85 decibels should be wearing hearing protection as it is a danger to one's health. The average decibel level at a music festival is 90 – 120.
9. "All Songs Considered" polled their audience with this question "Are concerts too loud?" and while organizers and City Hall may think people enjoy the volume at music festivals, 71% of people that attend

music shows voted that the music is too loud with 52% who said they had to wear ear plugs.

<https://www.npr.org/sections/allsongs/2013/10/21/239143990/question-of-the-week-are-concerts-too-loud> So, what exactly is your purpose in playing the music excessively loud?

10. That kind of volume is simply not necessary. One can enjoy music in the park (without the use of amplifiers for voices and/or instruments or having rock bands) such as quartets, guitar playing, folk music, etc. Not all residents of St. Thomas are young and into excessive volume.

11. Previous attempts to address our concerns have been dismissed by the City and organizers of these music festivals.

12. It is unconscionable! It will never be okay, as a society, to value entertainment over our resident's peace of mind and health in their own homes, never mind those in the hospital trying to get well. If the City of St. Thomas continues to ignore our pleas to keep the volume down so that surrounding neighborhoods can't hear music in Pinafore Park, then we will consider pursuing a public nuisance class act suit against the City of St. Thomas. It is simply unacceptable that you do not care about the health and welfare of over 42,000 residents when so few in comparison attend such music events.

13. We are requesting that this matter is formally addressed as an agenda item at the next council meeting and request confirmation of such.

D. Sutton MSW

Dawn Sutton
3 Bell Ave.

CITY OF ST. THOMAS BY-LAW 160 - 2020

A by-law to control Noise within the City of St. Thomas.

WHEREAS Section 128 of The Municipal Act 2001, S.O. 2001, c. 25, as amended, provides authority for municipalities to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS Section 129 of The Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides authority for municipalities to prohibit and regulate noise;

AND WHEREAS Section 391 of The Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides authority for municipalities to pass by-laws imposing fees and charges on any class of persons for services or activities provided or done by or on behalf of it;

AND WHEREAS Subsection 10(1) and 10 (2) 5,6,7,8 and 9 of The Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides authority to single-tier municipalities to pass by-laws respecting these matters;

AND WHEREAS Section 447.8(1) of The Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides authority that by by-law municipalities may adopt by reference, in whole or in part, any standard or regulation as it stands at the time of adoption or as amended from time to time;

AND WHEREAS the people have a right to and should be assured an environment free from unusual, unnecessary, or excessive noise which may degrade the quality and tranquillity of their life or cause nuisance;

AND WHEREAS Council deems it necessary and expedient to regulate or prohibit noise within the municipality which is likely to disturb the inhabitants and become a public nuisance;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF ST. THOMAS ENACTS AS FOLLOWS:

PART 1 DEFINITIONS

1.1 In this By-law:

- .1 "Business Area" means those areas within the municipality which are not Residential Areas or Open Space Areas as defined in this By-law;
- .2 "City" means the Corporation of the City of St. Thomas;
- .3 "Clerk" means the City Clerk appointed by Council pursuant to Section 228 of the Municipal Act, 2001, S.O.2001, c.25, as amended;
- .4 "Construction" means erection, construction, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith;
- .5 "Construction Equipment" means any equipment or device designed and intended for use in construction or material handling, including but not limited to air compressors, pile drivers, pneumatics or hydraulic tools, power and hand tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and roller pumps, concrete mixers, graders, or other material handling equipment;
- .6 "Council" means the Council of the Corporation of the City of St. Thomas;
- .7 "Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;

- .8 "Inhabitants" means one or more Persons who reside in the Municipality and also includes a Person who is in the Municipality for any reason;
 - .9 "Motor Vehicle" includes an automobile, motorcycle, and any other vehicle or conveyance propelled or driven otherwise than by muscular power, but does not include trains, locomotives or the cars of electric railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine, all within the meaning described in the Highway Traffic Act;
 - .10 "Municipality" means any area within the geographic boundaries of the City;
 - .11 "Noise" means unwanted sound;
 - .12 "Noise Control Officer" means:
 - i) Any police officer having jurisdiction, or
 - ii) A Noise Control Officer appointed by by-law by Council;
 - .13 "Open Space Area" means those zones within the municipality specified as hazard land, natural heritage or open space in the City's Zoning By-law as amended;
 - .14 "Person" means an individual and also a corporation incorporated under the laws of Canada or of any province of Canada;
 - .15 "Point of Reception" means any point on the premises occupied by a person where sound originating from other than those premises is received;
 - .16 "Premise" means a house, a building or part thereof and a unit within same, with grounds and appurtenances where applicable;
 - .17 "Residential Area" means those zones within the Municipality specified as residential in the City's Zoning By-law as amended, including non-residential uses within a residential zone; and
 - .18 "Special Event" means any event authorized by Council upon recommendation of the Special Events Committee.
- 1.2 Publications referred to in this by-law with the preface "NPC" are specific numerically identified publications issued by the Ontario Ministry of the Environment, Conservation and Parks as amended by said Ministry from time to time.

PART 2 PROHIBITIONS

- 2.1 No Person shall emit Noise, or cause or permit the emission of Noise that is likely to disturb the inhabitants.
- 2.2 Without limiting the generality of Section 2.1, no Person shall emit or permit the emission of Noise, which is clearly audible at a Point of Reception, resulting from the following which shall be deemed to be unreasonable Noise, or Noise that is likely to disturb the Inhabitants:
- .1 the racing of any Motor Vehicle other than in a racing event regulated by rules set out by a regulatory organization and staged in compliance with applicable laws;
 - .2 the operation of a Motor Vehicle in such a way that the tires squeal;
 - .3 the operation of a Motor Vehicle, an engine, a motor or Construction Equipment without an effective exhaust or intake sound-muffling device, or other sound attenuation device, which is in good working order, in constant operation and of a type specified by the manufacturer;
 - .4 the operation of a Motor Vehicle or Motor Vehicle with a trailer resulting in banging, clanking, squealing, or other like sounds due to improperly secured load or equipment or inadequate maintenance;
 - .5 the operation of an engine or motor in, or on, any Motor Vehicle or item of auxiliary equipment attached to a Motor Vehicle for a continuous period exceeding five (5)

- minutes while such vehicle is stationary in a Residential Area except as permitted in Section 4.6;
- .6 the operation of a Motor Vehicle horn or other warning device except where required or authorized by law or in accordance with good safety practices; or
- .7 the operation of any item of Construction Equipment in a Residential Area without effective sound-muffling devices in good working order and in constant operation.

PART 3

QUANTITATIVE LIMITATIONS

- 3.1 No Person shall cause or permit the emission of Noise from a stationary source such that the level of sound from that source at a Point of Reception located in a Residential Area exceeds the applicable sound level limit prescribed in Publication NPC-300 "Environmental Noise Guideline," as amended.
- 3.2 No Person shall cause or permit the emission of Noise from the operation of a residential air-conditioning device of a type referred to in Publication NPC-216 "Residential Air Conditioning Devices," as amended, resulting in a sound level at a Point of Reception located in a Residential Area in excess of the applicable sound level limit set out in Publication NPC-216 unless the device is properly maintained and one of the following applies:
 - .1 the device was manufactured prior to January 1, 1979;
 - .2 the device bears a label affixed by the manufacturer or distributor which states the year of manufacture and that the device when new complied with the sound emission standard set out in Publication NPC-216 - "Residential Air Conditioning Devices," as applicable to that type of device and date of manufacture; or
 - .3 the owner, operator, manufacturer or distributor provides proof that the device when new complied with the sound emission standard set out in Publication NPC-216 - "Residential Air Conditioning Devices," as applicable to that type of air conditioner and date of manufacture.
- 3.3 No Person shall emit or permit the emission of Noise resulting from an act listed in Schedule "A" to this By-law if clearly audible at a Point of Reception located in any area of the Municipality within a time period when that Noise is prohibited in the area where the Point of Reception is located, as set out in Schedule "A" to this By-law.

PART 4

EXEMPTIONS

- 4.1 Notwithstanding any provisions of this By-law, it shall be lawful to emit Noise or cause or permit the emission of Noise in connection with emergency measures undertaken:
 - .1 for the immediate health, safety or welfare of the Inhabitants;
 - .2 for the preservation or restoration of property, unless such Noise is clearly of a longer duration or nature more disturbing than is reasonably necessary for the accomplishment of such emergency purpose;
 - .3 for the immediate health, safety or welfare of the Inhabitants under emergency circumstances; or
 - .4 for any emergency requiring immediate action for the Construction, preservation, restoration or demolition of any public highway.
- 4.2 Notwithstanding any provisions of this By-law, it shall be lawful to emit or cause or permit the emission of Noise in connection with;
 - .1 the operation of any agricultural equipment being operated as part of a normal farm practice and carried on as part of an agricultural operation;
 - .2 the operation of machinery or tools by or on behalf of a public utility where work needs to be done to minimize service interruptions;
 - .3 the operation of a facility, industry or other source developed, operated, maintained or permitted in accordance with a Certificate of Approval, permit or order issued under the Environmental Protections Act, R.S.O. c. E.19 that addresses the sound as a source of contamination;
 - .4 the operation of Construction Equipment for Construction, re-construction or repairs of a City infrastructure;
 - .5 activities that are integral to the operation of a railway operating within the legislative

authority of parliament.

- 4.3 Excepting those Noises specifically described in Section 2.2 of this By-law, any level of sound at a Point of Reception which is below the limit set out in a Technical Noise Control Publication published by the Ministry of the Environment, Conservation and Parks shall be deemed not to be noise for the purpose of this By-law.
- 4.4 Notwithstanding any provisions of this By-law, it shall be lawful to emit or cause or permit the emission of Noise in connection with the normal operation of educational institutions during regular business hours and/or during school authorized activities.
- 4.5 Notwithstanding any provisions of this By-law, it shall be lawful to emit or cause or permit the emission of Noise in connection with a Special Event.
- 4.6 Notwithstanding Subsection 2.2.5, such continuous operation of an engine or motor in, on or attached to a Motor Vehicle may be permitted for a period exceeding five (5) minutes where:
 - .1 the original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the Motor Vehicle in which case such recommended period shall not be exceeded;
 - .2 operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to operation of ready-mixed concrete trucks, lift platforms and refuse compactors;
 - .3 weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals, or the preservation of perishable cargo;
 - .4 prevailing low temperatures make a longer idling period necessary immediately after starting the motor or engine; or
 - .5 the idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburetor or the like when such work is performed other than for profit.
- 4.7 Notwithstanding any provisions of this By-law, any Person may make an application to Council to request an exemption from any of the provisions of this By-law with respect to any source of Noise for which they might be prosecuted.
 - .1 The application shall be made in writing to the City Clerk, at least ninety (90) days prior to the proposed date of the event or of the commencement of the proposed activity and shall include:
 - .1 a complete application form as set out by the Chief Building Official from time to time;
 - .2 any other information, drawing, specification, or document as the Chief Building Official deems necessary to ensure a complete application;
 - .3 if applicable, a complete authorized agent form as set out by the Chief Building Official from time to time; and
 - .4 such fees as are fixed by by-law from time to time as set out in the Fees By-law of the City.
 - .2 The applicant shall be invoiced, and shall pay for, for the cost of mailing and notices incurred as a result of an application under Subsection 4.7.1.
 - .3 Council, by resolution, may grant, modify or refuse to grant any exemption applied for under Subsection 4.7.1, or grant any exemption of lesser effect, having had regard for the report of the Noise Control Officer and any delegation represented at the public meeting. Any exemption granted:
 - .1 shall specify the time period during which it is effective; and
 - .2 may contain such terms and conditions as Council sees fit.
 - .4 No applicant who has been granted such an exemption shall fail to comply with any of the terms or conditions of the exemption. Breach by the applicant of any of the terms or conditions of the exemption granted under Section 4.7 shall also render the exemption null and void.
 - .5 Every exemption granted by Council shall be conditional upon continual compliance with the terms and conditions specified in the grant of exemption. Notwithstanding any other provision of this By-law the Council may revoke an exemption or suspend

an exemption granted under Section 4.7 where Council, in its discretion determines that specified terms of conditions of the exemption have not been complied with.

PART 5

ENFORCEMENT AND ADMINISTRATION


- 5.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended. A director or officer of a corporation who knowingly concurs in the contravention of this by-law is guilty of an offence.
- 5.2 Pursuant to the Provincial Offences Act, R.S.O.1990, c. P.33:
 - .1 any Person upon summary conviction shall be liable to set fines for offences listed in Schedule "B" to this By-law, or
 - .2 if otherwise convicted is liable:
 - .1 upon a first conviction, to a minimum fine of \$175.00 and a maximum fine of not more than \$5,000.00, and
 - .2 upon any subsequent conviction, to a minimum fine of \$500.00 and a maximum fine of not more than \$10,000.00.
- 5.3 Notwithstanding Section 5.2, where the Person convicted is a corporation, the corporation is liable:
 - .1 upon a first conviction, to a minimum fine of \$175.00 and a maximum fine of not more than \$10,000.00, and
 - .2 upon any subsequent conviction, to a minimum fine of \$1,000.00 and a maximum fine of not more than \$25,000.00.
- 5.4 If this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the Person convicted.
- 5.5 The provisions of this By-law shall be enforced by a Noise Control Officer. No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person who is exercising a power or performing a duty under this By-law, including carrying out an inspection.
- 5.6 In addition to issuing a notice of offence or any other applicable enforcement measures, if a Noise Control Officer is satisfied that this By-law has been contravened, the Noise Control Officer may make an Order to Discontinue Activity, requiring the Person who contravened the by-law, or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred, to discontinue the contravention.
 - .1 An Order to Discontinue Activity shall set out:
 - .1 the municipal address of the property on which the contravention occurred;
 - .2 the date of the contravention
 - .3 the reasonable particulars of the contravention of this By-law; and
 - .4 the date by which there must be compliance with the Order.
 - .2 The Order to Discontinue Activity may be served personally on the Person to whom it is directed or by regular mail to the last known address of that Person, in which case it shall be deemed to have been given on the third day after it is mailed. Service on a corporation can be effected by registered mail to the corporate mailing address.
 - .3 No Person shall contravene an Order to Discontinue Activity.
- 5.7 Each clause of this By-law is an independent clause and the holding of any clause or part of any clause to be void or ineffective for any cause shall not be deemed to affect the validity of any other clause or parts of any clause.
- 5.8 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared that the remainder of this By-law shall be valid and shall remain in force.


**PART 6
TRANSITION**

- 6.1 By-law 68-2003 and By-law 67-2003 of the Corporation of the City of St. Thomas and all of their amendments are hereby repealed upon the date this By-law comes into force.
- 6.2 This By-law may be cited as the "Noise By-law."
- 6.3 This By-law shall come into full force and effect on the day of passing of the enabling by-law, being the last date listed below.

Read a first and second time this 14th day of December, 2020.

Read a third time and finally passed this 14th day of December, 2020.



Joe Preston, Mayor

Maria Konefal, City Clerk

SCHEDULE A

Table for when listed activities are not permitted to produce noise

ITEM		RESIDENTIAL AREA	BUSINESS AREA	OPEN SPACE AREA
1	The operation of a combustion engine or a battery operated engine which: (i) is, (ii) is used, or (iii) is intended for use in a toy or model or replica and has no function other than amusement and which is not a conveyance.	At all times	At all times	9 pm – 9 am
2	The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electromechanical transducers and intended for the production, reproduction, or amplification of sound.	At all times	11 pm – 7 am	11 pm – 7 am
3	The operation of any motorized conveyance other than on a highway or other place intended for its operation.	At all times	At all times	N/A
4	The venting, release or pressure relief of air, steam or other gaseous material, product or compound from any autoclave, boiler pressure vessel, pipe, valve, machine, device or system.	At all times	9 pm – 7 am	9 pm – 7 am
5	Persistent barking, calling, or whining or other similar persistent noise making by any domestic pet or any other animal kept or used for any purpose other than agriculture.	At all times	At all times	At all times
6	The operation of a commercial car wash with or without air drying equipment.	At all times	N/A	N/A
7	Yelling, shouting, hooting, whistling, or singing.	At all times	11 pm – 7 am	11 pm – 7 am
8	Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, products, materials, or refuse, whatsoever, unless necessary for the maintenance of essential services.	11 pm – 7 am	N/A	N/A
9	The operation of any equipment in connection with construction.	Mon thru Fri	9 pm – 7 am	9 pm – 7 am
		9 pm – 7 am		
		Saturday		
		9 pm – 8 am		
		Sun & Stats		
10	The operation or use of any tool for purposes other than snow removal.	8 pm – 9 am	N/A	N/A
		Mon thru Fri		
		9 pm – 7 am		
		Saturday		
		9 pm – 8 am		
11	The operation of solid waste bulk lift or refuse compacting equipment.	Sun & Stats	N/A	N/A
		8 pm – 9 am		
		9 pm – 7 am		

SCHEDULE B

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court (Provincial Division), that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. ____-2020 as amended, of the Corporation of the City of St. Thomas, attached hereto is the set fine including costs, for those offences. This Order is to take effect

Dated at _____ this _____.

Judge

<u>ITEM</u>	<u>COLUMN 1</u> Description of Offence	<u>COLUMN 2</u> Provision Creating or Defining Offence	<u>COLUMN 3</u> Set Fine	<u>COLUMN 4</u> Total Fine*
1	Emitting unreasonable noise that is likely to disturb.	Section 2.1	\$ 150.00	\$ 180.00
2	Racing of a Motor Vehicle other than in a racing event.	Subsection 2.2.1	\$ 100.00	\$ 125.00
3	Operating a Motor Vehicle such that the tires squeal.	Subsection 2.2.2	\$ 100.00	\$ 125.00
4	Operating a Motor Vehicle without effective sound-muffling device.	Subsection 2.2.3	\$ 100.00	\$ 125.00
5	Operating a Motor Vehicle with a trailer emitting noise due to improperly secured load.	Subsection 2.2.4	\$ 100.00	\$ 125.00
6	Operating a stationary Motor Vehicle in a Residential Area.	Subsection 2.2.5	\$ 100.00	\$ 125.00
7	Operating a horn not in accordance with good safety practices.	Subsection 2.2.6	\$ 100.00	\$ 125.00
8	Operating Construction Equipment without effective sound-muffling device.	Subsection 2.2.7	\$ 100.00	\$ 125.00
9	Emitting a regulated noise during a restricted time period.	Section 3.3	\$ 200.00	\$ 240.00
* Total Fine includes the Set Fine, Victim Surcharge and Court Charge				

Festivals and Events Manual



A resource document for
Event Organizers

City of St. Thomas

September 2019

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I. INTRODUCTION

The City of St. Thomas Special Events Committee was formed in order to work with organizers to produce successful events. The Committee strives to help co-ordinate and maintain high standards, which are applicable and beneficial to all the parties involved in a special event. The Committee reports to Council with any changes to this manual. This manual correlates to the Special Events Permit Application.

This manual is designed to help you navigate through all requirements and essentially, present a safe and successful event in the City of St. Thomas. All organizers should review this manual and fulfill all requirements pertinent to each event prior to filing the application with the City Clerk's Department. This manual is designed to outline areas of responsibility for the festival or event organizer in St. Thomas so that all terms and conditions can be clearly understood and complied with. An application must be submitted to the Committee even if it is an annual event. All information and materials submitted for the application shall be made available to the public.

NOTE: Applications must be received in the City Clerk's Department at least 12 weeks prior to the event.

It is recommended that when multiple events have proposed the same location(s) and time, that the applications be treated on a first come-first serve basis.

The Corporation of the City of St. Thomas is at your service to help you in every way possible to make your event a success. If you have any immediate questions or comments about the process, please contact the City Clerk's Department at (519) 631-1680 ext 4100. Additional contact information for specific departments and areas can be found within the manual.

II. DEFINITION OF SPECIAL EVENTS

A special event is an event open to the public that takes place on City property. This can include events taking place primarily on private property, but that affect pedestrian or traffic flow, due to a higher volume of vehicles or people to a specific area. Information required from organizers could include zoning, road access and traffic flow management, public health regulations and contact with the Police Department.

A major event is more than eight hours and has projected attendance over 200, while other events are less than eight hours and have a projected attendance under 200.

The primary types of special events include the following, or a combination of both:

- 1) **Street/Sidewalk Events:** events that take place on City streets and/or sidewalks. Examples could include walkathons, running races, festivals, etc.
- 2) **Events that take place in City owned parks, facilities and properties.** Examples could include festivals, community picnics, concerts, exhibits, etc.

III. POLICIES AND PROCEDURES FOR ALL EVENTS

a) FOOD AND BEVERAGE

Contact: Southwestern Public Health - 519-631-9900 ext. 1297 ssaini@swpublichealth.ca

If food or beverages are being served, Southwestern Public Health must be notified of the event details two weeks prior to the event by completing a Special Events Notification Form or Special Events Notification Form – Fundraising BBQ (found on www.swpublichealth.ca). Vendors are responsible for ensuring each event has the necessary facilities, all food and drinks come from approved sources, and that it is safely delivered to the consumer. Appendix “A” of this manual contains information relating to Food Safety Requirements.

b) TENTS

Contact: Planning & Building Services – 519-631-1680 ext. 4160 Email: cpeck@stthomas.ca

Southwestern Public Health - 519-631-9900 ext. 1297 Email: ssaini@swpublichealth.ca

If you plan to set up a tent, as per the Ontario Building Code 1997, a tent or group of tents is exempt from the requirement to obtain a building permit under Section 8 of the Act and is exempt from compliance with the Code provided that the tent or group of tents are:

- a) Not more than 60m² (645 ft²) in aggregate ground area,
- b) Not enclosed with sidewalls,
- c) Not attached to a building, and
- d) Constructed at least 3m (10 ft) from other structures (measured from the stake line).

Please note that if the tent or group of tents is not exempt, a building permit will be required, which will include a prescribed fee from Planning and Building Services.

Planning and Building Services request details regarding the tent size, seating arrangement, location of exits, whether or not alcohol is being served, number of washroom facilities available (location of privies if required) and certificate of verification that the tent and all tarpaulins used have been flame proofed in accordance with CAN/ULC-S109 or NFPA 701.

NOTE: There is a no staking policy within City parks. No cooking is permitted in tents occupied by the public.

Indoor/tent covered areas for public assembly must comply with Smoke Free Ontario Act requirements enforced by Southwestern Public Health. There are also smoking restrictions and sign requirements expected at special events for outdoor patios that are operated in conjunction with an area where food and/or drink is served, sold or offered. There are also smoking restrictions at sporting areas and playgrounds under the Smoke Free Ontario Act that may apply to special events, depending on where they are situated. No smoking can take place within 20 meters of sporting areas or playgrounds. Examples of a playground are but not limited to: slides, swings, climbing apparatuses, splash pads, wading pools or sand boxes. Sporting areas are described as but are not limited to soccer, football, basketball, tennis, baseball, softball or cricket, skating, beach volleyball, running, swimming or skateboarding.

Organizers are encouraged to contact the Tobacco Enforcement Officer at Southwestern Public Health for details on how to meet these requirements.

c) SERVING OF ALCOHOL

Contacts: Parks, Rec and Property Management Dept - 519-633-7112 Email: mrun@stthomas.ca
Alcohol & Gaming Commission of Ontario - 416-326-8700 or www.agco.on.ca
Smart Serve Ontario 1-877-620-6082 or www.smartserve.org

Event organizers must abide by the City of St. Thomas Municipal Alcohol Policy which can be obtained from the Parks, Recreation and Property Management Department.

Organizers must also comply with the Alcohol and Gaming Commission of Ontario (AGCO) and are responsible for notifying and providing any pertinent information required under the AGCO guidelines for obtaining a Special Occasion permit. This can be obtained at any Liquor Board of Ontario outlet. Organizers must adhere to the Liquor Licence Act and its regulations for the event, as well as ensure access is given to Police and AGCO inspectors for the purposes of inspections. Tip sheets on Special Occasion Permits can be found on the AGCO website.

A copy of the liquor permit must be supplied to the Corporation of the City of St. Thomas, Parks, Recreation and Property Management Department or if utilizing the services of a caterer with all the required endorsements to provide off-premises beverage services, organizers shall supply a letter from the licensee confirming date/time/locations/services as well as a copy of the establishment's endorsement.

The area where alcohol is being served has to have a 36" (0.9m) high partition/barrier. Please note that there is a **no staking policy** in all of the City's Parks, Recreation and Property Management facilities.

Event organizers will be required to purchase party liability alcohol insurance and provide a copy to the Corporation of the City of St. Thomas, Parks, Recreation and Property Management Department.

No alcohol will be allowed on City streets, sidewalks, or in non-designated areas without the approval of St. Thomas City Council. Extensions to the hours of alcohol services for events may be considered by City Council for unique and/or special circumstances or celebrations.

d) MUNICIPALLY SIGNIFICANT EVENT

Contacts: Alcohol & Gaming Commission of Ontario - 416-326-8700 or www.agco.on.ca
City Clerk's Dept, City Hall - 519-631-1680 ext. 4100 customerservice@stthomas.ca

If you wish to apply for a "Special Occasion Permit," through the Alcohol and Gaming Commission of Ontario (AGCO), you must first obtain a letter of approval from City Council, declaring your event "municipally significant", by submitting the separate request to the City Clerk's Department. Please note that such approval may take several weeks.

e) MUSIC / NOISE

Contact: St. Thomas Police Services - 519-631-1224 ext. 4276 jcosby@stps.on.ca

SOCAN - 1-800-557-6226 or www.socan.ca

In accordance with the provisions of Noise By-law 68-2003, the use of sound reproduction devices during special events is authorized between the hours of 8:00 a.m. and 11:00 p.m. so long as the Police are satisfied that said devices are being “used in a reasonable manner” (i.e. the volume is not intolerably high so as to unreasonably disturb the peace and comfort of any person in any dwelling house, apartment, hotel or other type of residence).

For events not taking place in a City facility, it is the responsibility of the organizers to obtain any applicable musical licencing through SOCAN. If your event is taking place at a rented City facility, a SOCAN charge will be applied to your permit invoice. A SOCAN licence gives you the freedom and flexibility to use virtually any music you want for your business or public event – legally, ethically, and easily. Without SOCAN, you would have to get permission and negotiate a royalty with every songwriter, lyricist, and music publisher whose work you intend to play.

Please note that if utilizing a temporary stage structure, regulations are found under the Occupational Health and Safety Act and enforced by the Ministry of Labour. A resource document for event organizers can be found on the Special Events page on the City of St. Thomas website.

f) ANIMALS

Contacts: Roads and Transportation - 519-631-0368 ext 5130 mvriens@stthomas.ca
Southwestern Public Health - 519-631-9900 or www.swpublichealth.ca

Southwestern Public Health must be notified of the event details two (2) weeks prior to the event if there will be a Petting Zoo or animals available for public access. Petting Zoos or animal displays must comply with health requirements from Southwestern Public Health.

If event organizers wish to have animals at their event that are not permitted in the Animal Control By-Law 71-2011 (e.g. horses, ponies, etc...), an Application for Temporary Exemption to the By-law must be approved by City Council. This application is available from the Special Events Committee Secretary or from the Environmental Services Department - Roads and Transportation. There is a cash fee required with the application. Please note that such approval may take several weeks.

Pet owners will be prohibited from bringing their animals to a public park during events where signs are erected prohibiting animals. Persons with disabilities are permitted to be accompanied by their service animal but must keep that animal with them at all times in areas/premises which are open to the public, when accessing goods and services provided by the City of St. Thomas, unless suspended by other legislation.

g) ROAD CLOSURES / TRAFFIC FLOW CHANGES / PARKING

Contacts: Roads and Transportation - 519-631-0368 ext. 5130 mvriens@stthomas.ca
St. Thomas Police Services - 519-631-1224 ext. 4276 jcosby@stps.on.ca

Road Closures / Traffic Flow Changes

Road closures require a Right of Way Occupancy Permit and City Council approval. Please note that there is a fee for obtaining a Right of Way Occupancy Permit. Once your Special Events Application has been approved, the Manager, Roads and Transportation will prepare a report for Council approval and will contact you. Please note that preparing the report and obtaining Council approval may take several weeks.

Adequate provision for bus service is essential when planning an event route. A City street that is a public transit route shall not be closed for an event unless there is an acceptable parallel road that can be used as an alternate public transit route.

Marshals, volunteers and special event staff are not permitted to direct traffic. Pursuant to the Highway Traffic Act, only the Police can direct traffic.

If your event involves any major arterial or minor arterial classification of road than you must consider having the roadway closed, having the police present or changing the location of your event. Having the police present involves paying to have off-duty officers present for the duration of your event.

Temporary detour and/or advance warning signs may be required by City staff or Police to divert traffic away from the vicinity of the event. If required, they shall be erected, maintained and removed by City staff. It is the responsibility of the event organizers to ensure that all streets that intersect with the closed portion of the road are completely barricaded at both ends of the closure at all times. It is the responsibility of the event organizer to ensure that trained volunteers are positioned at both ends of the road closure at all times to assist emergency vehicles and those with legitimate business through the barricaded area and that a 6 meter passageway is kept clear of obstacles at all times within the road closure so that emergency vehicles can proceed through unimpeded.

It is the responsibility of the event organizer to provide details of the event to residences, businesses, churches and any other institution or organization that may be impacted by the event a minimum of 10 days in advance of the event where reasonably possible. Furthermore, the event organizer will work with business representatives, etc., to minimize any inconvenience the event may cause. Funeral homes shall be notified 48 hours prior to the event.

Parking

If an event is going to impact Municipal Parking Facilities (both on and off City streets) the organizer must contact the Environmental Services Department - Roads and Transportation to arrange a parking plan. All event parking will be arranged to ensure the safe flow of traffic before, during, and after the event. City staff and City Council must approve exclusive use of public parking lots.

Sidewalk Sales

It is the responsibility of the applicant to ensure that each business within the limits of the proposed sidewalk sale receives adequate prior notification and is given the opportunity to participate. It is the responsibility of the applicant to install, maintain and remove any barricades that may be required by City staff or the St. Thomas Emergency Services. No tables or barricades shall be permitted within

6.0m (20ft) of an intersection. There must be a minimum of 1.5m (5ft) of clear sidewalk space maintained at all times. Access must be maintained at bus stops for buses loading and discharging passengers. Merchants participating in the sidewalk sale shall be restricted to the sidewalk within the boundary lines of their establishment as extended across the sidewalk. Merchants wishing to use sidewalk space in front of an adjacent establishment as part of their display requires the written approval of that establishment's proprietor.

It is the responsibility of the applicant to ensure that any litter generated as a result of the sidewalk sale is picked up and disposed of properly.

Demonstrations

Demonstrations having less than 150 participants shall be restricted to the sidewalk. Demonstrations having more than 150 participants may use part of the roadway. City staff or a Police officer shall determine the extent of the road use. Demonstrations having less than 150 participants conducted outside a non-internationally protected property shall be restricted to the sidewalk on the opposite side of the street. Demonstrations having more than 150 participants conducted outside a non-internationally protected property may use part of the roadway adjacent to the sidewalk on the opposite side of the street. The St. Thomas Police shall determine the precise parameters of the demonstration and whether the use of the street is required. If no sidewalk exists, the demonstration shall not be permitted within 15m (49') of the establishment. The St. Thomas Police and or City staff may make exceptions for small demonstrations or when it is more practical for the participants to be in front of the establishment.

Signs or banners, other than plastic foam core signs, must be made of cardboard or cloth/nylon. Plastic foam core signs must be limited to 1.0cm (0.39") in thickness, 15.0cm (5.9") in width and 40.0cm (15.7") in length. All types of signs or banners must be supported by cardboard or softwood supports no larger than 2.5cm by 2.5cm (1" x 1"). These supports must not exceed 2.0m (6.6') in length. The ends of the supports must not be pointed or sharp.

h) MUNICIPAL FACILITIES

Contacts: Parks, Rec and Property Management Department: 519-633-7112 mrhun@stthomas.ca
(Office located at St. Thomas Timken Community Centre, 75 CASO Crossing)

Environmental Services – Waste Management: 519-631-1680 ext. 4258 mshannon@stthomas.ca

Parks and Recreation – Property Mgmt, Hydro: 519-631-1680 ext. 4180 tbridge@stthomas.ca

Electrical Safety Authority - 1-877-372-7233 or www.esasafe.com

The Parks, Recreation and Property Management Department must be contacted to discuss the event if the event is being held at a municipal facility, including arenas, parks and fields. For events taking place in Pinafore Park, organizers will need to arrange an onsite meeting with Parks, Rec and Property Management staff once the Special Events Permit Application has been approved. If your special event expected attendance is 300 or more you must have at least one volunteer direct traffic into the overflow parking lot. If renting a pavilion or facility, you must sign an Outdoor Facility Permit or Indoor Non-Ice Facility with the Parks, Recreation and Property Management Department and pay any required fees and deposits.

Garbage Receptacles and Picnic Tables

Garbage Receptacles are available at no-charge by obtaining an equipment rental permit through the Parks Recreation and Property Management Department. The pick-up/delivery is the responsibility of the event organizer. A damage deposit will apply:

of Garbage Receptacles Damage Deposit

0-10	\$50
10-20	\$60
20-30	\$75
30-50	\$150

Picnic Tables may be rented, pending availability, at a charge of \$5 per table. An equipment rental permit must be obtained through the Parks Recreation and Property Management Department. The pick-up/delivery is the responsibility of the event organizer. A damage deposit will apply:

of Picnic Tables Damage Deposit

0-10	\$75
10-20	\$100
20-30	\$200
30-50	\$300

Please Note: Tables and receptacles must be identified as a request on the permit application. Availability is at the discretion of the Parks Recreation and Property Management Department. All picnic tables and garbage bins must be returned no later than 48 hours after your event. It is the responsibility of the event organizers to clean up the site and remove all garbage immediately following the event.

Recycling Containers and Collection

Event organizers are encouraged to have recycling programs in place where Blue Box recyclables (consistent with City of St. Thomas program List 1-3 below) are being generated. Recycling containers and collection can be arranged through the Environmental Services Department.

The City will provide an appropriate number of recycling containers (95 gallon roll carts) for use during the event and will arrange for the removal of recyclable materials from a designated location (which may include curbside for smaller events) after the event. For those events who wish to collect organic material, the City will provide use of 35 or 63 gallon roll carts for the collection of the material. The City will be responsible for the collection of the organic material from the carts placed in the designated collection area. There is no charge associated with the collection of recyclables and compost materials for special events.

Event organizers need to inform the City of the range of waste materials being generated. City representatives will work with event organizers to ensure the recycling containers are on site and appropriately distributed around the event. Generally, this will require the special event organizers to place the recycling containers adjacent to the garbage containers where possible.

List #1 Commingled Containers	List #2 Commingled Paper Products	List #3 Organic Products (includes but not necessarily limited to)
<ul style="list-style-type: none"> • Metal Food & Beverage Cans • Glass Jars and Bottles • Plastic bottles and containrs • Aluminum Pie Plates and Foil • Tetra Pak (drink boxes) • Gable Top containers(Milk Cartons) • Spiral Wound Cardboard Cans(Pringle Cans) • Drink cups(coffee, pop) 	<ul style="list-style-type: none"> • Newspapers • Flyers • Boxboard (cracker, cereal, boxes) • Fine paper • Envelopes • Magazines • Telephone Books • Corrugated Cardboard(flattened in 2ft x 2ftx 1ft bundles) 	<ul style="list-style-type: none"> • Fruits & Vegetables • Grains (pasta, bread, cereal) • Dairy Products(cheese, yogurt) • Coffee Grounds & Filters • Tea Bags • Egg Shells • Meat (including bones) • Soiled Pizza Boxes • Paper drink trays • Used tissues and paper towels • Paper bags and cellulose lined paper bags (flour, sugar, popcorn) • Paper ice cream carton • Paper plate • Paper takeout food containers • Corn cobs and husks

Hydro and Electrical Requirements

The event organizer must ensure that adequate electrical supply capacity is available to run the event and must confirm with the supply authority what the electrical requirements will be for the event.

Please note that all equipment and extension cords must be in good condition and approved by an accredited certification body under the Ontario Electrical Safety Code or have been inspected by the Electrical Safety Authority (ESA). Please note that there are fees associated with ESA permits and can vary depending on the size of the event and the electrical requirements.

Hydro pedestals at Pinafore Park and a hydro panel are available for rent, if required from the Parks, Recreation and Property Management Department.

i) PINAFORE PARK

Contact: Parks, Rec and Property Management Department – 519-631-7112 mrnun@stthomas.ca

Pinafore Park hosts a large number of special events every year, including some of the highest attended. Special events in Pinafore Park require specific contact with the Parks, Rec and Property Management Department to discuss the event, layout and parts of the park being used. Events in Pinafore Park require an onsite meeting to be scheduled with the Parks, Rec and Property Management Department for an inspection and to help facilitate resources. There may be more information required including an event schedule, key contacts and emergency planning.

j) ACCESSIBILITY

Contact: City Clerk's Department - 519-631-1680 ext. 4100 customerservice@stthomas.ca
Municipal Accessibility Advisory Committee – 519-631-1680 ext. 4161 ttiersma@stthomas.ca

Organizations planning an event with one or more employees have legal requirements to meet on accessibility. This includes seasonal and part-time employees. Organizations with more than 20 employees must report to the government of Ontario on how they are meeting these requirements.

The government of Ontario has produced a Guide to Accessible Festivals and Outdoor Events, found on the City of St. Thomas Special Events Permit page. More information can also be found on the Accessibility page of the City's website. **Please note:** it is the responsibility of the event organizers to ensure that their organization is in compliance with the Accessibility for Ontarians with Disabilities Act.

k) OTHER SERVICES / RESOURCES

Police Service / Security

Contact: Police Service - 519-631-1224 ext. 4276 jcosby@stps.on.ca

Privately licensed security may be required for events, particularly with regards to serving alcohol and the Alcohol and Gaming Commission of Ontario (AGCO). The rules and regulations dealing with private security are outlined in the Private Security and Investigative Services Act of Ontario.

The St. Thomas Police Service will work with event organizers to ensure a safe and effective plan is in place for their event. Discussion will revolve around the responsible service of alcohol, security measures, traffic control, and/or paid duties in place, persons in charge, contact numbers, etc. The event organizer may be required to meet in person with a representative from the St. Thomas Police Service after the initial contact has been made. Paid duty information, application and cost can be found by visiting the St. Thomas Police Service website at <http://www.stps.on.ca>.

First Aid

Contact: St. John's Ambulance - 519-633-2290 st.thomas@on.sja.ca

It is required that event organizers provide certified first-aid services on site during the operating hours of the event through a qualified agency such as St. John Ambulance, when there is an expected attendance of more than 200 people. Documentation providing proof that First Aid services have been retained is required to be submitted to the Special Events Committee.

Well-trained and well-equipped, St. John Ambulance volunteers are at countless public events to give first aid care when emergencies occur. By being there, St. John volunteers are "first on the scene" in the critical minutes until medical assistance arrives.

Ambulance / Emergency Medical Services

Contact: Elgin-St. Thomas EMS - 519-637-3098 info@mremseo.com

Elgin-St. Thomas Emergency Medical Services are to be notified of the event details and appropriate measures are to be arranged in order to ensure a safe and well organized event.

Fire Department / Fireworks

Contact: Fire Department: 519-631-0210 kdestun@stthomas.ca

The Fire Department is to be notified of the event details and appropriate measures are to be arranged in order to ensure a safe and well run event. An inspection must be completed before the event. All events must meet the requirements of the Ontario Fire Code.

If there will be fireworks as part of the event, you must submit a permit for exhibition fireworks to the Fire Department.

St. Thomas & District Chamber of Commerce

Contact: 519-631-1981 Email: mail@stthomaschamber.ca

The St. Thomas & District Chamber of Commerce is interested in details on special events and activities that might impact local business and/or their employees and families in any way. The Chamber is a specialist in communication to the business community across the City, and throughout the surrounding area. If your activity could bring opportunities for local business or affect their operation in any way, keeping the Chamber informed can be beneficial to everyone involved. The St. Thomas & District Chamber of Commerce offices are in the Elgin Business Resource Centre at 300 South Edgeware Road. Office hours are Monday to Friday, 8:30 a.m. to 4:30 p.m. Additional contact information and a searchable database of over 600 local businesses and employers can be found on the Chamber website at www.stthomaschamber.on.ca.

Downtown Development Board (DDB)

Contact: 519-633-5248 Email: ddb@stthomas.ca

The Downtown Development Board (DDB) is interested in details on special events and activities, especially events held in the downtown. "Our goal is to promote and beautify Downtown St. Thomas." More information on the DDB can be found at www.downtownstthomas.com.

Tourism Services

Contact: Railway City Tourism, EDC – 519-631-1680 ext. 4132 tourism@stthomas.ca

Railway City Tourism can assist special events on a variety of fronts. The website www.railwaycitytourism.com is a dynamic site where events can be posted and a news feed can inform. Any content from event details to news releases to promo photos can go up on the website. Additionally, Facebook, Twitter, Flickr and Youtube can be used to present special events materials. Finally, the L & PS Station is home to the tourism office, and if there are posters, brochures, or any other physical media relating to the event, they can be housed in and distributed from the office.

Lotteries

Contact: Treasury Department - 519-631-1680 ext. 4105 or ashaw@stthomas.ca.

Any intent to operate a lottery in the City of St. Thomas must first comply with all Provincial, Regional and Municipal regulations in order to be considered for approval. Lottery licencing refers to lottery schemes permitted by a licence under the *Criminal Code of Canada*. Typically, these may include bingos, raffles, break open tickets and social gaming events held by charitable or religious organizations. More information on applying for lottery licencing with the City of St. Thomas can be found on the City's web site under Lottery Licencing.

Washroom Facilities

Contact: Planning & Building Services – 519-631-1680 ext. 4160 cpeck@stthomas.ca

Event organizers are responsible for providing sufficient number and type of water closets (toilets) and hand sinks to support the event. Washrooms in existing buildings may be utilized if they are open and accessible. Where existing washrooms do not meet the required water closet count, sanitary privies or chemical toilets may be provided to make up the shortfall.

The number of water closets required is specified in the Ontario Building Code (OBC) where applicable. Where the OBC is not applicable, the Special Events Committee shall determine the number of water closets required based on the event location, duration, whether or not food and/or alcohol is being provided and any other factor as the committee may deem just.

It is recommended that Building Services be consulted prior to completing the Special Event Permit Application.

I) INSURANCE

Contact: Treasury Department - 519-631-1680 ext. 4112 kenglish@stthomas.ca

A Certificate of Insurance is required providing proof of \$5,000,000 or more in insurance coverage, including the naming of the City of St. Thomas as an Additional Insured under the corresponding policies. A copy of the required insurance, as well as the completed Statement of Indemnification **MUST** be submitted a minimum of two weeks prior to the start of the event. The Special Events Committee reserves the right to impose additional requirements and increased insurance coverage for large community events. **Please note:** An approved event may be cancelled should insurance coverage not be provided and may be altered or cancelled as a result of an emergency situation.

APPENDIX "A"

This Appendix is being provided for information purposes only. The Southwestern Public Health must be contacted for specific requirements.

More details can be accessed at: www.swpublichealth.ca 519-631-9900 ext. 1297
ssaini@swpublichealth.ca

Standards for Outdoor Special Events

Pursuant to the Food Premises Regulation Ontario Regulations 562/90.

Hazardous food means any food that is capable of supporting the growth of pathogenic organisms or the production of the toxins of such organisms. Any food that consists, in whole or in part, of milk or milk products, eggs, meat, poultry, fish, shellfish (edible mollusca and crustacean), or any other ingredients, in a form capable of supporting growth of infectious and/or toxigenic microorganisms.

A *special event* is a temporary charitable or commercial function, at which food is prepared and offered to the public.

Requirements:

1. Hazardous foods shall be maintained, stored, offered for sale such that an internal temperature of the food is:
 - a) 4°C or lower; or
 - b) 60°C or higher

KEEP HOT FOOD HOT! KEEP COLD FOODS COLD!
2. Adequate refrigeration space for the safe storage of perishable and hazardous food must be provided.
3. Raw and ready-to-eat products must be fully separated and stored in tightly covered containers, to prevent cross-contamination. For example; if a refrigerator is provided, the raw products should be stored on the bottom shelf with ready-to-eat products above; if thermos cases and ice packs are used, separate cases must be provided for raw and ready-to-eat products.
4. Accurate indicating thermometers shall be provided in all temperature-controlled compartments.
5. A separate hand washbasin is to be provided at a food preparation area. This sink must be supplied with hot and cold running water under pressure, together with a supply of soap in a dispenser and single service (paper) towels. The unit can either be permanently pumped in or be a portable unit, i.e., coffee urns, but, all work must comply with the Ontario Plumbing Code.
6. A minimum of a two-compartment sink with drain board, supplied with hot and cold running water under pressure, must be available for cleaning and sanitizing utensils. It must be located on approved commercial premises (domestic operation is not permitted) and be readily available.

All utensils and food containers must be:

- a) **WASHED:** in hot water and detergent
- b) **RINSED:** in hot water
- c) **SANITIZED:** immersed in a solution of hot water and 100 ppm chlorine bleach or 25 ppm iodine or 200 ppm QUAT for 45 seconds.

A test reagent must be provided to test sanitizer strength.

7. A separate holding tank shall be provided for sink wastes. This waste tank shall be equipped with an easily readable gauge for determining the waste or water level in the tank.
8. Dumping of wastewater is not permitted.
9. Ensure all water supply tank used for cleaning and sanitizing is disinfected with a chlorine solution of not less than 100 ppm (1oz. bleach to every 4 gallons of water).
10. Single service articles shall be used for the service or sale of food.
11. Tongs, spatulas, or any other multi-service articles, must be cleaned and sanitized after each use (**daily**)
12. Ensure separate tongs are used for raw and cooked products to eliminate cross contamination.
13. All food is to be protected from contamination and adulteration.
14. Ensure that an adequate number of garbage receptacles with tight-fitting or self closing lids are provided for storing all garbage and waste in a sanitary manner.
15. All employees who handle or come in contact with food must wear clean outer garments and headgear to confine the hair.
16. The location and operation of the Barbeque facility must comply with the Ontario Fire Code.

Food Handler Guidelines

- Be clean and healthy, wear clean outer garments and confine hair.
- Do not smoke in the food area while preparing/handling food.
- Wash your hands
 - Before handling any food or utensils
 - After handling raw foods such as meat
 - After using the washroom
 - After sneezing, smoking or anytime they become soiled.
- Cook food until well done to prevent the spread of disease.
- If in doubt about the condition of a certain food, do not guess **throw it out**.
- If utensils drop on the floor, they are dirty, wash them.
- Use a thermometer to confirm food is the proper temperature
 - Cold foods **4°C or lower**
 - Hot foods **60°C or higher**
- Make sure all workers know the proper procedures to follow.
- **DO NOT** let anyone not involved in food handling into the preparation area, other than official Health Inspection personnel or other authorized service persons.