

TITLE:			
USE OF PUBLIC PARKS AND FACILITIES			
Origin:	Engineering & Works		
Adopted:	Council - July 13, 2009	#2009.24.373	Ref: WS-020
Amended:	Council - August 10, 2009	#2009.26.408	Page: 1 of 4
	Council - April 8, 2013	#2013.15.193	
	Council - June 23, 2014	#2014.23.345	

[Application Form](#)

INTENT: Sidney's parks are a community resource to be used and enjoyed by all residents and visitors. These parks establish a unique "sense of place", provide a diversity of opportunities for social interaction and variety of recreational choices. Our parks are essential to Sidney's desirability as a place to live, work and play.

1. Public parks and its facilities are available for use to all individuals, organizations and groups (private, non-profit, commercial, etc.) as per the regulations described further in this policy.
2. Community organizations which hold a service agreement with the Town will have priority of use and may pre-empt any other group if such pre-emption is necessary to enable the organization to fulfill its obligations to the Town under the service agreement. User fees and damage deposits shall be waived for organizations holding a service agreement, however, all costs, direct or indirect, associated with the event shall be borne by the organization.
3. Applicants are responsible for ensuring that this policy is upheld and that all Town regulations and applicable bylaws are followed.
4. The Town has the authority to determine the appropriateness of the site for the requested activity.
5. Applications will not be considered from individuals, organizations or groups who practice discrimination in their membership, programs or philosophy, or for any activity or business that would violate any legislative provision, including the Criminal Code of Canada and the British Columbia Human Rights Code.
6. The Town reserves the right to reject any and all requests or to apply additional conditions and limitations (such as event duration and size) for the event to ensure equal and fair access and protection of public parks and facilities.
7. The Chief Administrative Officer, or his designate, is authorized to:
 - a) grant the use of public parks and facilities by individuals or groups where there is no conflict with existing bookings and such use is of an ad-hoc, amateur nature, is deemed to be inoffensive, is not amplified and is intended for personal entertainment or the enjoyment of small groups of friends, family or parks visitors;
 - b) waive the booking lead-time and application fees and damage deposits as appropriate; and
 - c) finally decide on all requests for use of public parks and facilities where processing staff are unsure of the nature, purpose or potential impacts of proposed users.

Rules and Regulations

1. **Access** - At no time shall any member of the public be restricted from entering any park either by a physical barrier or other method of restricting park access (i.e. gatekeeper).
2. **Costs** - No costs are to be incurred by the Town. All costs, direct or indirect, associated with the event shall be borne by the applicant. Should any assistance from Town staff be required for the event (for traffic control, policing, clean up, etc.) the applicant will be responsible to pay these costs to the Town. Applicant will be required to pay the estimated costs two (2) weeks prior to the event.
3. **Time** - No event shall commence before 8:00 a.m. or continue past 11:00 p.m., including any required setup or clean up.
4. **Set Up** - The applicant is responsible for setup of the park and facilities. Set up must not commence before 7:00 a.m. on the day of the event.
5. **Clean Up** - The applicant is responsible for clean up of the park and facilities, which includes the pick up of all litter and removal of any recyclable materials and display material, signage, tents or other structures. The applicant must provide the necessary containers for recyclable materials.
6. **Damage** - The applicant is responsible for the cost of any and all repairs for damage to the site or facilities occurring through carelessness, misuse or abuse.
7. **Temporary Structures** - Tents, tables, chairs, portable toilets or other temporary structures must be approved by the Town.
8. **Signs** - No signs, notices, banners or other items are permitted to be attached to any structure, tree or garbage or recycling bin on, or around, the park. Town approval must be obtained for any event signage.
9. **Sound** - Any use of amplified equipment must be approved by the Town.
10. **Lighting** - Any use of additional lighting must be approved by the Town.
11. **Vehicles** - Vehicles are not permitted on the grass areas. All loading and unloading from motor vehicles must be carried out from adjacent hard-surfaced areas, unless otherwise approved by the Town.
12. **Road Closure** - Request for the closure of a public road must be approved by Town Council.
13. **Parking** - Any requests for exceptions to posted parking regulations must be approved by the Town.
14. **Traffic Control** - The applicant is required to provide, at their own expense, the necessary traffic control for the event. Should any assistance be provided by the Town and/or RCMP, the applicant is required to pay these costs.
15. **Sale of Food, Beverages and Merchandise** – Must be ancillary to the event/activity. No applicant shall sell or charge, or permit to be charged, a fee for the sale or distribution of food, beverages and merchandise on public property without the necessary approvals (Business License, Special Occasion Liquor License, etc.)

16. **Food Services** - Food preparation equipment with an open flame is permitted in accordance the local Health Authority regulations, inspection by regional Environmental Health Officer and the Sidney Fire Department. (Note: Food preparation equipment with an open flame is not permitted within six (6) metres (20 ft) of the Pavilion facility).
17. **Alcohol** - The consumption, sale or distribution of alcoholic beverages must be approved by Town Council and a Special Occasion Liquor License from the BC Liquor Control Board must be obtained. (Note: Any fencing required as part of the liquor licence shall be permitted as approved by the Town, however public access to the park must be maintained at all times).
18. **Fireworks** - Discharge of fireworks or other explosives is not permitted without an authorized Fireworks Permit issued by the Sidney Fire Department.
19. **Noise** - Any substantiated noise complaints will be sufficient cause to permit the RCMP or Bylaw Enforcement Officer to order discontinuance of the noise portion of the event. Failure to comply as directed will be sufficient cause for the RCMP to order the end of the event and the clearing of the park and facilities.
20. **Notice to Businesses / Residents** - Depending on the type and scale of the event, the applicant may be required to notify local businesses and residents of the event that is taking place.

Application, Fees and Insurance

1. A Park Use Application form (attached) must be completed and the appropriate user fee and refundable damage deposit must be paid as follows:

PUBLIC PARKS (Beacon Park, Tulista Park, Iroquois Park, etc.)			
<u>Type of Event</u>	<u>Application Fee</u> <u>Per Event</u>	<u>Refundable Damage Deposit</u>	
		<u>Beacon Park & Pavilion</u>	<u>Other Parks</u>
Private Events (meetings, weddings, birthday parties)			
- up to and including 100 participants	\$30.00	\$200.00	none
- over 100 participants	\$100.00	\$400.00	\$200.00
Public Events (music concerts, art shows, festivals)			
- up to and including 100 participants	\$30.00	\$400.00	none
- over 100 participants	\$100.00	\$400.00	\$200.00
Charity Events			
- unlimited number of participants	none	none	none
Commercial Use (for profit) (music concerts, art shows, sporting games)			
- up to and including 100 participants	\$30.00	\$400.00	\$200.00
- over 100 participants	\$100.00	\$400.00	\$200.00

2. Applications require the following lead time for approval by the Town:

private or public event (up to and including 100 participants)	- two (2) weeks
private or public event (over 100 participants)	- four (4) weeks
public or private event with component requiring Council approval	- eight (8) weeks

3. A minimum two weeks prior to the event, the applicant must submit to the Town proof of general liability insurance in the minimum amount of \$2,000,000 indemnifying the Town of Sidney, its elected officials, officers, employees and agents against any and all claims, actions, and costs for property damage and personal injury sustained by any person(s), including the user, which may result from the use of said property by the user. The policy shall include the Town of Sidney as additional named insured and shall contain a cross liability clause.
4. Subject to activities excluded from coverage under the Town’s insurance policy, the applicant may purchase a User Group Insurance Policy through the Town.