

CITY OF WHITEHORSE

BYLAW 99-49

A bylaw to regulate the temporary closure of all or part of municipal highways to facilitate special events.

WHEREAS section 265 of the *Municipal Act* (1998) provides that Council may by bylaw, subject to the *Motor Vehicles Act* and the *Highways Act*, regulate traffic and manage and control municipal highways, including temporary and permanent opening and closing; and

WHEREAS it is necessary from time to time to temporarily close all or part of a highway in order to facilitate a special event; and

WHEREAS Council deems it desirable to delegate to a designated municipal officer the authority for approving the temporary closure of a highway for a special event;

NOW THEREFORE, the Council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the **Special Event Road Closure Bylaw**.

DEFINITIONS

2. In this bylaw:
 - (1) "CITY" means the City of Whitehorse.
 - (2) "CITY MANAGER" means the City Manager of the City of Whitehorse.
 - (3) "DESIGNATED OFFICER" means the Bylaw Services Manager of the City of Whitehorse, or an authorised representative as designated by the City Manager.
 - (4) "HIGHWAY" has the same meaning as in the *Motor Vehicles Act*.
 - (5) "SPECIAL EVENT" means an event with ceremonies, festivities or other observances, and includes such activities as parades, celebrations and block parties.
 - (6) "TEMPORARY" means a period of time not exceeding seven (7) days.

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AUTHORITY FOR APPROVING REQUESTS

3. The authority for approving requests to temporarily close a portion of a highway for the purpose of holding a special event is hereby delegated to the Designated Officer.

GENERAL REGULATIONS

4. No individual or organisation shall close any highway or part thereof for the purpose of holding a special event without first obtaining from the City a special event permit.
5. All applications for a special event road closure permit received less than 14 calendar days before the date of the event will be assessed on a case by case basis, with no guarantee of a decision being arrived at in time for the event.
6. The individual or organisation requesting the temporary highway closure shall:
 - (1) notify Ambulance Services, the Fire Department and the R.C.M.P. of the activity and the planned road closure;
 - (2) when required by the Designated Officer, advertise appropriately, placing event notices in the local papers and on all local radio stations prior to any closure taking place;
 - (3) provide traffic control barricades and, where traffic flow is reduced to one lane or as directed by the Designated Officer, employ flag people;
 - (4) ensure that access for emergency vehicles is available at any and all times;
 - (5) formally notify all businesses, organisations and individual residents in the affected areas of the planned road closure;
 - (6) co-operate with and take direction from all peace officers;
 - (7) follow all requirements of the Occupation Health and Safety Regulations and observe all laws and bylaws;
 - (8) clean up all debris and waste after the activity is over;
 - (9) when required by the Designated Officer, provide proof of liability insurance covering this activity;
 - (10) pay for occupying metered parking stalls as required by the Designated Officer;

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- (11) restore any disturbed or damaged surface works to City standards unless otherwise directed by the Designated Officer; and
- (12) when required by the Designated Officer, provide a detour plan for City approval prior to complete closure of a highway.

PENALTIES

- 7. The applicant or any person who fails to comply with the requirements of this bylaw commits an offence and is liable, upon summary conviction, to a voluntary fine under Section 20 of the *Summary Convictions Act*. Offences specified in Appendix "A" attached hereto and forming part of this bylaw are subject to voluntary fine procedures.
- 8. The Designated Officer may cancel the special event permit where the applicant contravenes this bylaw.

COMING INTO FORCE

- 9. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING: October 12, 1999

THIRD READING and ADOPTION: October 25, 1999

ORIGINAL BYLAW SIGNED BY:

Mayor: "Kathy Watson"

City Clerk: "Pat Burke"

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APPENDIX "A"

VOLUNTARY FINES

<u>Section</u>	<u>Description</u>	<u>Fine</u>
4	Fail to obtain a permit	\$100.00
5(3)	Fail to provide traffic control	\$100.00
5(4)	Fail to provide access for emergency vehicles	\$100.00

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SPECIAL EVENT ROAD CLOSURE APPLICATION AND PERMIT

Name of Applicant(s) _____
Number of Participants _____

The applicant hereby applies for a permit for a special event within the City limits of Whitehorse on the route and at the times herein set out, subject to the following terms and conditions:

The applicant shall:

- (a) notify Ambulance Services, the Fire Department and the R.C.M.P. of the activity and the planned road closure;
- (b) advertise appropriately, placing event notices in the local papers and on all local radio stations prior to any closure taking place;
- (c) provide traffic control barricades and, where traffic flow is reduced to one lane or as directed by the Designated Officer, employ flag people;
- (d) ensure that access for emergency vehicles is available at any and all times;
- (e) formally notify all businesses, organisations and individual residents in the affected areas of the planned road closure;
- (f) co-operate with and take direction from all peace officers;
- (g) follow all requirements of the Occupation Health and Safety Regulations and observe all laws and bylaws;
- (h) clean up all debris and waste after the activity is over;
- (i) when required by the Designated Officer, provide proof of liability insurance covering this activity;
- (j) pay for occupying metered parking stalls as required by the Designated Officer;
- (k) restore any disturbed or damaged surface works to City standards unless otherwise directed by the Designated Officer; and
- (l) when required by the Designated Officer, provide a detour plan for City approval prior to complete closure of a highway.

The special event will take place between the hours of _____ and _____ on _____ at _____

and in the case of a parade, along the route marked on the map annexed hereto as Schedule "A" and no other, **PROVIDED THAT** the permit may be revoked for any breach or apprehended breach of the peace or any Ordinance, law, bylaw or regulation in the absolute discretion of the Manager of Bylaw Services of the City of Whitehorse.

NOTE: All applications for a special event road closure permit received less than 14 calendar days before the date of the event will be assessed on a case by case basis, with no guarantee of a decision being arrived at in time for the event.

The applicant **ACCEPTS THE PERMIT ON THE CONDITIONS ABOVE STATED** and by the signature hereunder binds the applicant to these conditions.

Date Signature of Applicant

PERMIT APPROVAL

The City of Whitehorse hereby grants this special event permit to the applicant in accordance with the information, terms and conditions set out above, and such other special conditions as are set out below:
SPECIAL CONDITIONS (if any): _____

Date Manager of Bylaw Services