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TSAWWASSEN FIRST NATION

Community Governance Act

PUBLIC EVENTS REGULATION (2022)

Date Enacted: 4 October 2022

Order Number: O.079-2022

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Section(s) Amended	Date	Order number	Come Into Force Date

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Citation

- 1 This regulation may be cited as the *Events Regulation*.

Authority

- 2 This regulation is made under the *Community Governance Act*.

Application

- 3 This regulation applies to all Events other than:
 - (a) Events organized by the Tsawwassen Government;
 - (b) Events for which a permit has been granted under the *Film Regulation*;
 - (c) Events with fewer than fifty attendees, where alcohol is not served; and
 - (d) Events that are funerals for Tsawwassen Members or their immediate family members.

Definitions

- 4 In this Regulation:
 - “**Application**” means an application for a Permit to host an Event on Tsawwassen Lands.
 - “**Emergency Services**” means emergency medical services, police services, and fire services.
 - “**Enforcement Officer**” means a person appointed as an enforcement officer under the *Laws Enforcement Act*.
 - “**Event**” means an organized activity held in a space that is normally open to the public on Tsawwassen Lands.
 - “**Flora and Fauna**” means all plants and animals on Tsawwassen Lands, including fungi native to the environment.
 - “**Fire Code**” means the BC Fire Code established under BC’s *Fire Services Act*.
 - “**Manager**” means the Director of Lands, or any other person designated by the Chief Administrative Officer.
 - “**Permit**” means an event permit issued under this regulation.
 - “**Permit Holder**” means a person who has been issued a Permit.

General Requirements

- 5 (1) All costs associated with Emergency Services pertaining to any Event are the Permit Holder’s responsibility.
 - (2) All Events must comply with applicable federal, provincial, and Tsawwassen laws and regulations including, but not limited to:
 - (a) *Building Regulation*;
 - (b) *Business License Regulation*;

(c) *Good Neighbour Regulation*; and the

(d) *Parks Regulation*.

(3) Events that incorporate pyrotechnics must comply with the *Fire Regulation*.

(4) If the Event causes damage to property, lands, waters, or Flora and Fauna, the Permit Holder must pay for any restoration costs.

Permit

6 (1) No person may hold an Event without a valid Permit, unless authorized by Order of Executive Council.

(2) A Permit Holder must abide by the conditions of the Permit.

Alcohol

7 (1) Anyone wishing to serve alcohol at an Event must have a BC Special Event Permit.

(2) The applicant must provide to the Manager, or their designate, a copy of an approved BC Special Event Permit at least 15 calendar days before the Event.

(3) If alcohol is to be served at an Event and a Permit Holder does not have a BC Special Event Permit, the Manager shall order the Event to be cancelled.

(4) If the Manager orders the Event to be cancelled, the Permit Holder must stop Event activities safely and immediately.

(5) The Manager, or their designate, may require a Permit Holder to provide details of plans to address safety issues pertaining to alcohol consumption, as well as prevention of unauthorized alcohol consumption and drug use.

Application Process

8 (1) To apply for a Permit, applicants must use the Application form established by the Manager.

(2) Applicants must submit a completed Application to the Manager, or their designate, at least 90 calendar days before the first day of any Event.

(3) All Applications must include proof that the applicant has received consent from the property owner or leaseholder to host an Event.

(4) The Application fee of \$250 per day of Event must be paid in full before issuance of the Permit.

(5) The Manager may waive the Application fee for Events that promote philanthropy, humanitarianism, or community.

- (6) The Manager may waive the Application fee for applicants who are Tsawwassen Members.
- (7) If an applicant fails to submit an Application, or if the Application is incomplete, the Manager may order the Event to be cancelled.
- (8) If the Manager orders a proposed Event to be cancelled, all costs associated with that cancelled Event are the responsibility of the applicant.
- (9) The Manager may, in their absolute discretion, reject any Application that fails to consider community safety or is contrary to Tsawwassen community values.
- (10) For indoor Events with fifty-one or more expected attendees, the applicant must provide proof to the Manager that the Event will comply with the venue's occupancy limits and the Fire Code.
- (11) The Manager may reject any Application due to expected risk of harm to Flora and Fauna, waters, land, or air quality.
- (12) Applicants may be required to provide proof of compliance with specific federal, provincial, and Tsawwassen laws and regulations before Permit issuance.

Damage Deposit

- 9** (1) The Manager may require the applicant to provide a damage deposit of up to \$5,000 before the Event.
- (2) TFN shall refund the damage deposit to the Permit Holder subsequent to the Event if no damage is caused by the Event.
- (3) If the Event causes damage to Tsawwassen property, lands, waters, or Flora and Fauna, then:
 - (a) an amount may be deducted from the damage deposit for restoration costs; and
 - (b) If the costs are estimated to be more than the damage deposit, the Permit Holder may be required to pay for any restoration costs.

Insurance

- 10** (1) Applicants must provide proof of comprehensive general liability insurance to the Manager, or their designate, before the Permit is issued.
- (2) Applicants' general liability insurance must have a per-occurrence limit of at least \$2,000,000 and add TFN as an additional insured to protect TFN in event of bodily harm, property damage, or loss arising from the Event.

Enforcement

- 11** Any person who contravenes this regulation, violates conditions of the Permit, or interferes or obstructs an Enforcement Officer engaged in enforcing this regulation commits an offence, and may:
- (a) be issued a ticket by an Enforcement Officer in accordance with the *Laws Enforcement Act* and the *Ticket Regulation*;
 - (b) be ordered to suspend or terminate Event activities until compliant; and
 - (c) have their business license suspended or revoked