

## CITY OF GRAND FORKS

<b>POLICY TITLE:</b>	<b>Sidewalk Patios on City Property</b>	<b>POLICY NO:</b>	<b>111</b>
<b>EFFECTIVE DATE:</b>	<b>February 6, 2006</b>	<b>SUPERSEDES:</b>	
<b>APPROVAL:</b>	<b>February 6<sup>d</sup>, 2006</b>	<b>PAGE:</b>	<b>1 of 1</b>

### **POLICY:**

This policy defines a process by which restaurant or Café operators may apply to encroach onto or occupy a portion of the public sidewalk directly adjacent to the restaurant's property for the purpose of extending seating capacity to an outdoor area while enhancing the streetscape of the downtown core.

### **PURPOSE:**

To provide a guide to the issuance of permits for placement of limited street furniture (daytime) and construction of sidewalk cafes or patios associated with adjacent restaurant property.

### **PROCEDURE:**

The following types of applications may be submitted under this policy:

1. **Applications for Small Sidewalk Patios.** Patios where furniture is brought in each evening and does not exceed three (3) tables (maximum 24" width) and six (6) chairs. Permitting shall be at the discretion of the City Manager or a designate and does not require Council approval. The attached application package for Small Sidewalk Patio on City Sidewalks applies.
2. **Applications for a Large Sidewalk Patios.** This involves occupation of City controlled property that is more extensive than (1.) above and/or requires the installation of railings, or other defined boundaries on the sidewalk. The necessary application package is attached. Public Works Superintendent will assist the proponent with this proposal that must be submitted to the City Manager for approval, who may in his discretion refer it to City Council for approval. Any applications that are not approved by the City Manager shall be forwarded to City Council for their information.

CITY OF GRAND FORKS			
<b>POLICY TITLE:</b>	<b>Temporary Commercial Use on Public Property</b>	<b>POLICY NO</b>	114
<b>EFFECTIVE DATE:</b>	<b>March 27, 2017</b>	<b>SUPERSEDES:</b>	Policy 114 v. Feb 2006
<b>APPROVAL:</b>	<b>Council – March 27, 2017</b>	<b>PAGE:</b>	1 of 2

## **PURPOSE:**

To establish guidelines and give direction for orderly establishment and temporary use of available and under-utilized City properties for commercial use where such activities enhance the public convenience, provide complementary services to the users within the area, encourage economic development, improve quality of life and are not in direct conflict with any other use which has a priority.

## **POLICY:**

The use of City properties may be permitted for temporary commercial use provided the property is returned to its original state; the proponent/operator complies with the terms and conditions of any agreement issued and any City Bylaws; and, the proposed business meets health, safety and public sanitation standards. This permission is granted, subject to the realization that City properties are designed and meant for general public use including the City's requirement for utilities and public works and these must always be the first priorities.

The City will interpret this policy in congruence with section 25 (1) of the Community Charter which states that "Unless expressly authorized under this or another Act, a council must not provide a grant, benefit, advantage or other form of assistance to a business".

## **DEFINITIONS:**

"Temporary" means for no period greater than 16 hours at a time, unless otherwise approved by the City Manager or his designate.

## **PROCEDURE:**

1. This policy applies to all 'temporary' commercial use of public property, including parks, sidewalks or streets.
2. Site Licences, outlining the details rules for Temporary Commercial Use of Public Property, may be issued authorizing such commercial use.
3. Proximity to permanent businesses offering similar products for sale will be a consideration of any application.

4. The fee charged for a Site Licence is detailed in the Fees and Charges Bylaw.  
The City may invoke a minimum fee, which reflects the average cost of similar business operating in the City.
5. It is the Licensee's responsibility to pay for any site preparation and improvement costs and to remove such improvements and restore the site to its prior condition. The City may require a deposit if in the opinion of the City the operator may not be in a position to undertake such work.
6. The City Manager, or his designate, is authorized to approve the issuance of Site Licences in any areas previously approved by Council for Temporary Commercial Use on Public Property.
7. The City reserves the right to revoke any Site Licences issued, at any time, where it is found that the use is creating difficulties deemed unacceptable to the City or where any conditions of this policy or any Site Licence issued have not been met or the operator has consistently and repeatedly ignored requests from the City to rectify the unsatisfactory condition.
8. Licensees should not be selling the same menu items or merchandise, during the same hours as other retailers/operators in the approved larger area, unless the City is satisfied that there are unmet needs and demands.
9. Upon approval of the Site Licence, the applicant is to furnish proof of compliance with all Provincial and Municipal licensing and regulations and proof of any required liability insurance.
10. Applications for a Site Licence must include:
  - (a) a letter of intent that includes the operating period.
  - (b) a site plan indicating parking, fire access, or other convenience and safety requirements.
  - (c) a list of merchandise and services to be provided.

## CITY OF GRAND FORKS

<b>POLICY TITLE:</b>	<b>Use of City Property or Facilities</b>	<b>POLICY NO:</b>	<b>1207</b>
<b>EFFECTIVE DATE:</b>	<b>July 17, 2017</b>	<b>SUPERSEDES:</b>	
<b>APPROVAL:</b>	<b>Council</b>	<b>PAGE:</b>	<b>1 of 7</b>

### **Purpose**

To establish guidelines for the use of City property or facilities.

### **Definitions**

**Event Organizers** means the non-City organizer of the activity or event.

### **Policy Statements**

#### 1. Limitations

The City will endeavour to meet all requests to use its property or facilities so long as it does not represent an unreasonable burden on its resources. The City reserves the right to refuse use of its property for events where there is potential for damage, crowd control issues, liquor abuse, inadequate planning, or if any provision of this policy is not met.

#### 2. Public good

Requests that would require a significant amount of City resources may require a statement of anticipated benefit to the City or its residents, or may be sent to Council for decision.

#### 3. Sufficient notice

Event Organizers will fill out an Event Request Form, available at City Hall, at least one month prior to the event.

#### 4. Food and drink

Event Organizers will follow the Interior Health Authority regulations for permits and food safety.

5. Alcohol

Event Organizers will hold a liquor license and Serving It Right certification.

6. Amplified sound and noise

Event Organizers will comply with the noise bylaw or have an exemption passed by Council.

7. Fires

Event Organizers must follow fire safety protocols acceptable to the fire department.

8. Hazardous materials

All hazardous materials stored or used in an activity or event will follow safety protocols and have emergency plans in place.

9. Waste management

Event Organizers will ensure there are sufficient garbage and recycling bins and that the site is left clean.

10. Electrical services

The City will provide electrical connections at its discretion, where available, and upon request.

11. Road closures

Road closures are at the discretion of the City. The authorization of road closures will take into account the potential impact on emergency access, businesses and residents.

12. Tents, stages, and temporary structures

Temporary structures will be set up safely and in a way that allows emergency access, and must be removed by the event organizer.

### 13. Liability and Insurance

The City will not be responsible for personal injury or damage, for loss, damage or theft of clothing, materials and/or equipment on the premises. The Event Organizer shall indemnify and save harmless the City and its staff, and will hold adequate insurance that names the City as additional insured.

### 14. Parking

Activities or events will not block access to private property or public services, or unduly encroach on residential parking. It is the responsibility of the Event Organizer to notify residents if they anticipate an impact.

### 15. Attendance

Events expecting more than 150 people attending will have a risk management plan.

### 16. Smoking

Event Organizers must follow provincial smoking regulations, identify a designated smoking area, and provide butt disposal. Smoking is prohibited indoors or around children.

### 17. Washrooms

Events with public assembly in enclosed areas will meet BC Building Code requirements for the number of washrooms provided. Event Organizers will ensure washrooms are kept in sanitary condition.

### 18. Commercial Use on Public Property

See Policy 1208: Temporary Commercial Use on Public Property.

### 19. Playing fields

The City will ensure playing fields are kept in good condition and will accommodate reasonable requests for special maintenance related to the event.

## 20. City Equipment

The City will lend bleachers, barricades, picnic tables, garbage cans, Hi-Viz vests, and traffic cones as available and upon request.

## 21. City Facilities

City facilities are available for use subject to the terms of a Facility Use Agreement.

## 22. Private Equipment Stored on City Property

Private equipment may only be stored on City property by special arrangement. The City is **not** responsible for managing or safeguarding private equipment stored on City property.

## 23. Damage

The City may require a damage deposit in a Facility Use Agreement.

Event Organizers shall ensure that no person will:

- damage or destroy any sign, building, or property;
- deposit rubbish, garbage, or refuse of any kind except in receptacles provided for that purpose.

## 24. Security

The City may require the Event Organizer to provide security for large events.

## **Schedule A: Procedure**

<b>Item</b>	<b>Description</b>	<b>Staff responsible or designate</b>
Food and Drink	Obtain copies of the permits or a description of why they are exempt.	Deputy Corporate Officer
Alcohol	Create an RFD for the requested liquor license. Obtain a copy of liquor license if issued.  <u>Supporting document:</u> RFD for liquor license request.	Deputy Corporate Officer
Amplified Sound System	Create an RFD for a requested exemption to the noise bylaw.  <u>Supporting document:</u> RFD for noise bylaw exemption.	Deputy Corporate Officer
Fires	Coordinate the activity specifications with the requirements of the fire department.	Fire Chief
Hazardous Materials	Obtain a copy of the safety protocols and emergency plan for any hazardous materials.	Deputy Corporate Officer
Waste Management	Ask what type and how much waste will be generated. Offer City equipment as appropriate and make sure the Event Organizer has a plan for managing waste.  <u>Supporting document:</u> Event request form	Deputy Corporate Officer
Electrical Services	Have the Event Organizer fill in an Electrical Service Request form and coordinate it with Public Works.  <u>Supporting document:</u> Electrical Service Request form	Power Distribution Coordinator and Deputy Corporate Officer



Item	Description	Staff responsible or designate
Road Closures	<p>Have the Event Organizer fill in the "Road Closure Notification" form. Check that all properties that use the affected road are included on the form. Make sure the Event Organizer has the capacity and equipment to safely close the road and put up appropriate signage, and that they notify emergency services.</p> <p><u>Supporting document:</u> Road Closure Notification form</p>	Manager of Operations and Deputy Corporate Officer
Tents, stages, and temporary structures	<p>If many structures are planned, obtain a site plan. Check with Public Works for buried utilities if the structures are heavy or if any stakes etc. are being driven into the ground. Run any site plans past the building inspector and fire department to check for additional requirements.</p> <p><u>Supporting document:</u> Site plan template</p>	Deputy Corporate Officer
Insurance	<p>Check the MIA risk matrix for the appropriate level of insurance.</p> <p><u>Supporting document:</u> MIA risk matrix</p>	Chief Financial Officer and Deputy Corporate Officer
Parking	<p>Obtain a parking plan for large events.</p> <p><u>Supporting document:</u> Parking plan template</p>	Manager of Operations and Deputy Corporate Officer
Attendance	<p>If the event expects more than 150 attendees, then obtain a risk management plan.</p> <p><u>Supporting document:</u> Risk management plan template</p>	Fire Chief and Deputy Corporate Officer

<b>Item</b>	<b>Description</b>	<b>Staff responsible or designate</b>
Smoking	Ask Event Organizer if they will have a designated smoking area. If so, have them mark it on a site plan.  <u>Supporting document:</u> Site plan template	Deputy Corporate Officer
Number of Toilets	Check the number of existing facilities against the anticipated number of attendees. If more toilets are required, inform the Event Organizer of how many portable toilets they will need.  <u>Supporting document:</u> BC Building Code	Manager of Development and Engineering, and Deputy Corporate Officer
Washrooms	Ensure there are enough City staff on during the event to do extra cleaning, or for larger events, obtain the event plan for janitorial services.	Deputy Corporate Officer
Vending / Commercial Use of Public Property	Follow Policy No. 1208	Deputy Corporate Officer
Playing Fields	Ensure there are enough City staff resources and accommodate all reasonable requests for special maintenance.  <u>Supporting document:</u> Event request form	Public Works Coordinator and Deputy Corporate Officer
City Equipment	If available and appropriate, lend City equipment to the Event Organizer.  <u>Supporting document:</u> Event request form	Public Works Coordinator and Deputy Corporate Officer
City Facilities	Fill out a facility use agreement and go over it with the Event Organizer.  <u>Supporting document:</u> Facility Use Agreement.	Manager of Operations and Deputy Corporate Officer