REPORT

TO: Rob Adams, CAO
FROM: Shayla Rouse
DATE: June 5, 2019
REPORT: FAC.19.12
SUBJECT: Eugenia Gold Rush 2019

RECOMMENDATION:
FAC.19.12 Special Event Permit Renewal, Request for Municipal Resources, Request for Municipal Significance and Request for Exemption to Municipal Alcohol Policy – Eugenia Gold Rush be received; and

That the request from the Eugenia District Community Improvement Association to hold the 2019 Eugenia Gold Rush; and

That municipal resources, specifically to supply tables and chairs, snow fence, garbage cans and barricades, tent spikes, and fence posts; and

That the 2019 Eugenia Gold Rush be deemed municipally significant, for the purpose of making a Special Occasion Permit application; and

That an exemption to the Municipal Alcohol Policy to allow beer to be served from cans; and

That the fees associated with the Special Events Permit Application be waived

be approved/not approved.

BACKGROUND AND ANALYSIS:
By-Law 2016-106 regulates and governs the holding of special events in the Municipality of Grey Highlands and establishes a license system for special events. The Municipality has had a Special Events By-Law in effect since August 1, 2013 (By-Law 2013-44, August 2013 – Dec 2016; By-Law 2016-106, January 2017 – present). A Special Event Application has been received from the Eugenia District Community Improvement Association for the 2019 Eugenia Gold Rush. This annual event commemorates the 1853 fool's gold rush at Eugenia Falls, an important period in local history. 2019 will mark the 15th year for the event.
Brief summary of the event:

- Event held at the Eugenia Community Park and the Eugenia Community Boat Launch.
- Event runs the day and evening of Saturday, June 29th 2019. Set up will begin the day before and tear down will be completed the day after.
- This is a family event with games and amusements for the children, wagon rides, panning for gold, live music, silent auction and fishing derby. Free admission until 5 pm.
- Amusements provided by Party Tyme Treats and Amusements (Insurance holder) including: climbing tower, balloon typhoon, kids’ striker, and teen striker.
- Eugenia District Community Improvement Association will continue its sponsor partnership with OPG and intends to offer Eugenia Power Station tours, pending OPG staff availability this year.
- Attendance is estimated at 1,000 people or more.
- One 20’ x 30’ tent will be rented by the Association and erected on site for this event.
- Food concessions managed by Dave Hawkley of Blue Mountain Catering (Health Unit Permit Holder) will be on site during the day. There is a dinner in the evening.

A beer/wine tent will be open from 12 noon to 9pm. For the purpose of making a Special Occasion Permit application, the Eugenia District Community Improvement Association has requested the 2019 Eugenia Gold Rush be deemed municipally significant. The Association has also requested an exemption to the Municipal Alcohol Policy to allow beer to be served from cans. These same two requests were approved for last year’s event.

Department Response

Council and Legislative Services

- Under the current Noise By-law 2018-063, if approved, the event will have an automatic exemption from the noise by-law during the hours of 7 am and 10 pm if in compliance with the conditions set by the approval. This should be sufficient to meet the requirements for the event with the end time of 9 pm.

  - GHFES onsite with Pub Ed/Fire Prevention Booth and Firefighters (if available)
  - Ensure suitable access to all sites for emergency services. Should have a designated first aid area close to a street for access.

Fire & Emergency Services

- Inspection of Food Trucks required by GHFES. A $65 fee is applicable for all Food Truck Inspections. Inspection paperwork to be completed by owner ahead of time and present on day of inspection. Contact GHFES to book 519-986-
1216 ext 227. Proof of TSSA inspection also required.

- Use of extension cords shall include GFCI protection to eliminate potential shock hazards. All extension cords shall be unplugged when not in use.
- All BBQ’s shall be certified commercial use. Use caution when working with propane cylinders, ensure all connections are properly tested for leaks and propane used by trained personnel only.

Transportation/Environmental Services: No concerns.
Parks/Facilities: No concerns.
Building Services: No concerns.
Public Utilities: No concerns.
The issue surrounds the serving of alcohol. The municipal policy will not cover this as this Committee is not a committee of council.

To confirm, for coverage to apply the group or committee must be a committee of council. It is expected by our insurer that a council member either sits on the committee (I believe in prior years the Deputy Mayor was on this committee) or council or staff has oversight of that committee’s operations.

Finance

Independent groups or committees who do not report to/are under the supervision of council or a committee of council are not considered to be an insured under the municipality’s insurance program.

For risk purposes anytime a group or committee requests to be an insured under our insurance program the municipality is accepting the risk that the group’s negligence could result in a claim against our municipality. It is for that reason it is important that municipal staff or council have oversight/control over the group’s or committee’s planned activities.
Department

Response

This is especially true for higher risk activities such as serving alcohol, motorized activities, events involving water and the use of inflatable apparatuses.

Therefore my recommendation is that there is a PAL insurance policy purchased for this event and no exemption of the Municipal Alcohol Policy should be granted.

FINANCIAL IMPACT:
Financial impacts are limited to the in-kind contributions described in this memo. Specifically:

- Staffing hours required for delivering and picking up municipal resources for this event; specifically, 30 tables, 240 chairs, 100’ snow fence, 6 garbage cans and 2 barricades, tent spikes, and fence posts.
- Waiving the fees associated with this Special Events Permit Application ($550.00)

STAFFING IMPACT:
No Municipality of Grey Highlands staff will be required to be present on the 29th of June during the event. However, staff will be needed to deliver and pick up the municipal resources mentioned above, on the date(s) of event setup (June 28th and 29th 2019) and on or following the date of event cleanup (June 30th and July 1st 2019).

Approved By: Rob Adams, Chief Administrative Officer

Status: Approved - 28 May 2019
Special Event Renewal Application

NOTE: This application may only be used for the renewal of an annual Special Event. If applying for a first-time event, the full application form must be used.

Renewal applications must be complete and submitted 60 calendar days prior to the planned event, together with payment of application fee, to the Clerk, Municipality of Grey Highlands.

Mailing Address: 206 Toronto Street South, Markdale ON N0C 1H0
Telephone Number: 519-986-2811
Email Address: clerks@greyhighlands.ca

See Appendix 1 for illustration of steps and timeline for renewal review/approval.

Event Name: Eugenia Giold Rush
Sponsoring Organization: Eugenia District Community Improvement

This Year’s Contact Information
Name: Ron Barnett
Address: 211 Redan St., Box 231, RR 4, Flesheron, ON, N0C 1E0
Telephone: Day 519-924-0777 Evening 519-924-0777
Email: ron@colourpix.ca, barnettron5@gmail.com

This Year’s Date
Date(s) and Start Time / End Time (include any days required for set-up and clean-up):
Event: Saturday, June 29, 2019: 10am - 9pm
Setup: Thursday - Friday, June 28 & 29, 2019
Cleanup: Sunday - Monday, June 30 & July 1, 2019

The event proposed for this year will mark the 15th annual event.
**Any Changes to the Event this Year?**

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Component</th>
<th>What is on file at the Municipal Office</th>
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<tbody>
<tr>
<td>x</td>
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<td>Location</td>
<td>Information on file shown below. If a change in location this year, please check Yes and provide new information on page 4.</td>
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<tr>
<td>x</td>
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<td>Attendance</td>
<td>Attendance at last year’s event: 500 If change, please provide new estimate: N/A Attendance &gt;1,000 requires Council’s approval.</td>
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<td>x</td>
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<td></td>
<td>Road closure</td>
<td>Road closure information on file shown below. If change required this year, please check Yes, provide new information on page 4 and attach new map.</td>
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<tr>
<td>x</td>
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<td>Alcohol</td>
<td>Copy of Special Occasion Permit required each year. Council’s approval required each year.</td>
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<td>Deem municipally significant?</td>
<td>Council resolution required each year.</td>
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<td>x</td>
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<td>Tents, portable structures</td>
<td>Building Permit and inspection(s) may be required each year. Information on file shown below. If change required this year, please check Yes, provide new information on page 4 and attach new site map.</td>
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<td></td>
<td>Mobile food service</td>
<td>Copy of Refreshment Vehicle Licence required each year (if licensed by jurisdiction other than Grey Highlands) and/or inspection conducted by Fire Chief. Information on file shown below. If change this year, please check Yes and provide new information on page 4.</td>
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<td>Lottery, raffle</td>
<td>Lottery licence required each year.</td>
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<td>Open fire</td>
<td>Burn Permit required each year.</td>
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<td></td>
<td>Use of Municipal resources</td>
<td>Information on file shown below. If change this year, please check Yes and provide new request on page 4. Council’s approval required each year.</td>
<td>*</td>
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<td></td>
<td>Scheduling of Municipal staff</td>
<td>Information on file shown below. If change this year, please check Yes and provide new request on page 4. Council’s approval required each year.</td>
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<td>Grey County OPP Detachment</td>
<td>OPP notification mandatory each year.</td>
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<td>Emergency medical service</td>
<td>Information on file shown below. If change in service provider this year, please check Yes and provide new information on page 4.</td>
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Recommendations coming forward from previous year’s event that need to be addressed:

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Insurance:
As an attachment to the renewal application, the applicant shall provide written proof that the applicant has obtained a General Liability Insurance Policy in relation to the event with limits of not less than FIVE MILLION DOLLARS ($5,000,000) inclusive per occurrence for bodily injury, death and damage to property including the loss of use thereof. The Policy must name the Municipality of Grey Highlands as an additional named insured. The Policy must include coverage for cross liability and shall contain an endorsement to provide the Municipality of Grey Highlands with 30 days written notice of cancellation or material change that would diminish coverage.

The Municipality reserves the right to increase the liability amount and/or request additional coverages for events deemed to pose a higher risk to the Municipality.

Responsibilities and Acknowledgements:
Should the special event be approved, I agree to the following as an applicant or on behalf of the organization for whom this renewal application is being made:

- To ensure the physical setting is kept safe for participants and the general public attending the event.
- If I become aware of a situation that could lead to injury or property damage, I will take immediate and decisive action to prevent participants and the general public attending the event from engaging in activities or conduct that could cause property damage or harm to themselves or others.
- In the event of an incident including but not limited to bodily injury to a participant/public/myself or damage to municipal owned property or third party property, I will: call emergency services (911) when assistance is required; advise the Municipality of the incident the next business day (Clerk, 519-986-1216 ext. 233); and cooperate with municipal staff, police and investigating authorities, and any insurance companies involved.
- To use municipal facilities and equipment provided, if applicable, in a manner consistent with its intended use and application.
- To abide by the by-laws, rules, regulations, policies and procedures of the Municipality of Grey Highlands.
- I understand that the issuance of a Special Event Permit in no way constitutes approval to engage in any unlawful activity and hereby agree to conduct myself/organization in a manner that does not contravene any federal, provincial or county law.
**Agreement to Indemnify and Hold Harmless:**
The undersigned applicant agrees to save harmless and indemnify the Municipality of Grey Highlands and its elected representatives, officers, employees and agents from and against any and all claims, demands, suits, actions, causes of action and/or proceedings that may be brought against or made upon the Municipality and/or its elected representatives, officers, employees or agents by any person or persons arising out of matters in any way related to any act, failure to act or otherwise of the applicant and/or its employees, officers, servants, volunteers and against in respect of, or pertaining to the special event described in this renewal application or anything pertaining to the Special Event Permit should one be granted.

**Release of Waiver of Liability:**
The undersigned applicant hereby releases, waives and forever discharges the Municipality and its elected representatives, officers, employees and agents from all liability to itself and its heirs, executors, administrators and assigns for all loss or damage and any claims or demands for such loss or damage on account of injury to person or damage to property for which the Municipality may be responsible in respect of the conduct of the said event.

**Consent to Collect, Use and Disclose Personal and Other Information:**
Personal information on this form is collected for the purposes of administration, management and enforcement of the Municipality's special event permits and applications. Personal information, along with other information provided with this renewal application, will be shared among authorized municipal staff for the purposes of administering and managing approvals and permits required for the special event. Questions concerning this collection may be addressed to the Clerk by calling 519-986-1216 ext. 233 or emailing clerks@greyhighlands.ca.
I certify that I have read this entire renewal form and am fully aware of the terms and conditions and of my obligations created by it. I acknowledge that if all terms and conditions are not fulfilled, any approvals received from the Municipality of Grey Highlands for the event will be revoked or suspended.

I certify that I am at least 18 years of age, I am a knowledgeable person regarding the event*, and if applicable, authorized to act on behalf of the organization applying for the permit.

*A "knowledgeable person regarding the event" is defined as a person who is aware of the procedures necessary and risks involved with organizing such events.

Ron Barnett
Applicant’s Name

May 23, 2019
Date of Signature

Application fee payable to the Municipality of Grey Highlands:

Moderate Events with 50 – 999 attendees
$50 administration fee* + $50 application fee** = $100 total fee

Major Events with 1,000 attendees or more
$50 administration fee* + $500 application fee** = $550 total fee

The applicant may also be required to post a performance bond, a letter of credit or other surety irrevocable up to 90 days after the conclusion of the event.

*Administration fee is non-refundable and cannot be waived.

**Application fee may be waived at the discretion of the Clerk if the event is for charitable or not-for-profit purposes or for the benefit of the Grey Highlands community.
### APPENDIX 1
Process and Timeline for Approval of Special Event Renewal

<table>
<thead>
<tr>
<th>PROCESS</th>
<th>TIMELINE</th>
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<tbody>
<tr>
<td>Renewal received by Clerk, Municipal Office, Markdale.</td>
<td>60 days prior to planned event</td>
</tr>
<tr>
<td>Renewal reviewed for completeness. If required, more information obtained from the applicant.</td>
<td>Reviewed for completeness upon receipt. Allow 3 day period to obtain more information.</td>
</tr>
<tr>
<td>Renewal circulated to all Municipal Departments for review.</td>
<td>Allow 5 day period for review by Municipal Departments.</td>
</tr>
<tr>
<td>Depending on feedback received from Municipal Departments, it may be necessary to contact applicant for clarification and/or recommend change to event.</td>
<td>Allow 3 day period to contact applicant for clarification and/or recommend change to event.</td>
</tr>
<tr>
<td>Prepare Staff Report to be presented at upcoming Council Meeting as either an information item or as an approval item (item category determined by nature of event).</td>
<td>Council Meetings held every 3 weeks. Agenda items required 1 week prior to Meeting. Allow 28 day period to prepare Staff Report and place on agenda.</td>
</tr>
<tr>
<td>Depending on feedback received from Council, it may be necessary to contact applicant for clarification and/or recommend change to event.</td>
<td>Allow 3 day period to contact applicant for clarification and/or recommend change to event.</td>
</tr>
<tr>
<td>Issue Permit.</td>
<td>Permit to be provided to applicant 20 days before event.</td>
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Complete survey.  
Post event feedback.