

Request for Decision

File No: Shh 009 001

Date February 5, 2020
Author Shannon Moskal, Corporate Officer
Subject Special Event Licence – Panorama Family Day Fireworks Show

REQUEST

To grant a Special Event Licence to Panorama Mountain Resort for the Family Day Fireworks Show to be held at 2030 Summit Drive in Panorama on February 15, 2020.

OPTIONS

1. THAT a Special Event Licence be issued to Panorama Mountain Resort for the Family Day Fireworks Show to be held at 2030 Summit Drive in Panorama on February 15, 2020;

and further, the Special Event is hereby exempt from Sections 4.1, 4.2 and 4.3 of Noise Control Regulation Bylaw No.1396 during the hours of 8:00 pm to 9:30 pm on February 15, 2020.
2. THAT a Special Event Licence be issued to Panorama Mountain Resort for the Family Day Fireworks Show to be held at 2030 Summit Drive in Panorama on February 15, 2020 subject to the following conditions *[any or all of the conditions listed below could apply]*:
 - (a) the applicant must deposit cash in the amount of \$_____ for the reimbursement of any costs which may be incurred by the RDEK because of and as a consequence of the Special Event;
 - (b) the applicant must obtain and keep in force during the Special Event, at its sole expense, insurance satisfactory to the RDEK protecting the RDEK and the applicant (without any rights of cross-claim or subrogation against the RDEK) against claims for personal injury, death, property damage or third party or public liability claims arising out of, in connection with, or in any way related to the Special Event, in a form acceptable to the RDEK and in an amount not less than \$_____ and with the RDEK named as an additional insured;
and further, the Special Event is hereby exempt from Sections 4.1, 4.2 and 4.3 of Noise Control Regulation Bylaw No.1396 during the hours of 8:00 pm to 9:30 pm on February 15, 2020.
3. THAT a Special Event Licence as applied for by Panorama Mountain Resort for the Family Day Fireworks Show to be held at 2030 Summit Drive in Panorama on February 15, 2020 be denied.

RECOMMENDATION

Option 1.

BACKGROUND/ANALYSIS

The Family Day Fireworks Show is an annual event held by Panorama Mountain Resort. This event takes place on February 15, 2020 from 8:30 pm – 9:00 pm. The fireworks will be held at the ski resort in celebration of Family Day.

An exemption to the Noise Control Regulation Bylaw No.1396 is recommended, as the noise generated from the fireworks display may be clearly heard by surrounding residents.

SPECIFIC CONSIDERATIONS

Referrals

No concerns were identified by the referral agencies.

Control of Special Events Bylaw

Because attendance will exceed 500 persons, a Special Event Licence is required. Along with requiring a Licence, the Special Events Bylaw also stipulates the following:

- The Board may require posting of security (performance bond or cash) for the reimbursement of any costs which the RDEK may incur because of and as a consequence of the event.
- Applicant shall obtain insurance in a form and amount acceptable to the RDEK to cover risks of injury to personnel or property damage to equipment of the RDEK and to cover other expenses, costs or charges not listed.
- Owner/occupier of property shall not allow their property to be used for an event which *"may develop the making or causing of noises or sounds which disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity."*

Noise Control Regulation Bylaw No.1396

- Defines objectionable noise as any sound that disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or persons in the vicinity or of individuals or the public.
- Prohibits making or causing any objectionable noise in or on a highway, public or private place or elsewhere in the Service Area (all Electoral Areas) – Section 4.1.
- Prohibits an owner, tenant or occupier of real property to allow or permit objectionable noise to occur on or emanate from the property – Section 4.2.
- Prohibits playing or operating any outdoor public address system, radio, stereophonic equipment or other instrument or apparatus for the production or amplification of sound either in a public or private place in a manner that would cause or create objectionable noise – Section 4.3.