

# POLICY Festivals and Special Events (Consolidated)



## Policy C5001

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<b>Adopted by Council:</b>	2016.07.18	<b>Responsibility:</b>	Planning and Development
<b>Council Resolution #:</b>	COU16-169	<b>Last Review Date:</b>	2018.04.09
<b>Modified by Resolution #:</b>	COU18-83	<b>Next Review Date:</b>	
<b>Replaces:</b>			

### 1.0 POLICY

Banff has a long history of hosting festivals and special events in sport, culture and entertainment. Festivals and special events have the capacity to enhance the quality of life for both residents and visitors, create memorable national park experiences and provide services which allow traditional audiences to access new experiences.

In order to provide the maximum benefit to the Town, its citizens and visitors, the *Festivals and Special Events Policy C5001* establishes a vision for festivals and special events in Banff and outlines conditions for their development within the town site.

### 2.0 PURPOSE

This policy outlines the standards, frequency, and expectations for festivals and special events in Banff.

The purpose of this policy is to:

- Facilitate the implementation of diverse and innovative events which foster local entrepreneurship and promote mountain culture,
- Support a diverse range of cultural, recreational and leisure opportunities to encourage balanced and healthy lifestyles;
- Establish criteria for the review of applications for festivals and special events and the issuance of associated approvals for festivals and special events;
- Ensure all necessary regulatory and operational approvals are obtained to ensure safe festivals and special events operation;
- Limit the impact of festivals and special events on the community; and,
- Align festivals and special events with the direction provided in the Banff National Park Management Plan and the Banff Lake Louise Tourism objectives.

### 3.0 SCOPE

This policy applies to the development of festivals and special events throughout the Banff town site.

Applications for festivals and special events will be received for events that:

- Are open to members of the general public;
- Involve temporary changes to the activities on site; and,
- Require temporary fixtures including the installation of tents, outdoor washrooms, speakers, stage areas and/or bleachers.

Applications for festivals and special events are not required for:

- Parks Canada leasehold sites within the Town of Banff boundaries,
- Community events managed under separate administration procedures or policy
- Outdoor animation at the Banff Centre for the Arts and Creativity,
- Private gatherings, weddings and conferences,
- Events which are entirely within existing conference spaces and,
- Public demonstrations or rallies whose primary purpose is to draw attention to a specific religious, political, or social issue.

### 4.0 DEFINITIONS

- 4.1 **Destination Event** means visitor focused festivals and special events which is sponsored and/or endorsed by Banff Lake Louise Tourism.
- 4.2 **Event Tents** means an open or partially enclosed canopy structure. All event tents installed as part of a festival or special event must be approved in a site plan and removed at the closing of event.
- 4.3 **Festival and Special Event** means an organized gathering for the primary purpose of supporting a community, cultural, charitable, educational, food and beverage, recreational or sport experience. A festival and special event is held on a temporary basis and has a consistent and unified design, event theme, and purpose. Festivals and special events in Banff are evaluated with respect to the following categories;
- a. **Farmers Market** means an open public market that contains a variety of booths, tents or stalls that display primarily locally-produced artisanal foods, specialty produce, and baked goods as well as arts and crafts products.
  - b. **Seasonal Markets and Craft Fairs** means the sale of occasional holiday or seasonal arts and craft products where the primary emphasis is on the sale of handmade products, ornaments, knitwear, jewelry, woodcarvings, baskets,

toys, and decorations. Seasonal markets and craft fairs may also include the sale of related food and produce. Seasonal markets shall encourage the sale of locally produced arts and crafts.

- c. **Sporting and Recreational Event** means an athletic event of which the primary emphasis is a sporting demonstration, athletic competition or health promotion. Typical sporting events include; ski/snowboard shows, marathons, outdoor yoga, and other exercise gatherings.
  - d. **Food and Beverage Event** means an event where the primary purpose is the sale of food and beverage products for consumption within the premises of the event. Food and beverage events may include; craft beer events, wine and food shows, cooking demonstrations, temporary mobile food vending and pop-up food bars.
  - e. **Cultural Exhibits** are events with an emphasis on community-oriented educational and cultural demonstrations. The activities for cultural exhibits include; movies in the park, science lectures, music performances, winter pageantry, science demonstrations, outdoor display, and book sales. These events may be hosted by museums, art galleries, not-for-profit agencies and Banff Lake Louise Tourism.
- 4.4 **Make it, Bake it, Grow it** means locally produced products, made, baked or grown by the seller, the immediate family of the seller, a staff member of the seller, or by a member of a producer-owned cooperative. Products and services originating from outside **Alberta and British Columbia** franchises or distributorships will not be considered local in origin.
- 4.5 **Personal Services** – means services which are related to the care and/or appearance of a person. Personal services for special events may include but is not limited to: massage therapy, face painting and temporary tattoos.
- 4.6 **Special Event Organizer** - is the coordinator and site supervisor of an approved Special Event. Special event organizer must be present on site and are responsible for ensuring that special events conform to the conditions of approval including the “*make it, bake it, grow it*” criteria as defined.
- 4.7 **Not-For-Profit Organization** –means a club, society, or association that's organized and operated solely for social welfare, civic improvement, pleasure or recreation, or any other purpose except profit. Not-for-profit bake sales, sporting equipment trades, hotdog sales and other small scale fundraising events may, at the discretion of the development officer be exempt from the requirements and restrictions of this policy.
- 4.8 **Sale of Services** means the action of selling professional, financial and office services. The sale of services at festivals and special events must be related to the primary festival or special event. Services such as; community fundraising, and/or community activities permitted at the discretion of the approval authority.

- 4.9 **Temporary Structures** means a tent, canopy, bouncy castle, sun shade structures, canvas, bleacher or the like, installed on site in conjunction with an approved special events.
- 4.10 **Special Event Approval** means written approval issued under Festivals and Special Events Policy C5001 that authorizes the event and which includes conditions thereto.
- 4.11 **Vending Unit** means any cart, trailer, table, scooter, stand, booth or vehicle that is associated with the individual vendor. A vending unit may sell food, arts, and crafts and other cultural products.

## 5.0 SPECIAL EVENT RESTRICTIONS

- 5.1 Farmers markets are permitted provided:
- a. They occur outdoors;
  - b. They conform to the requirements and Standards of Alberta Agriculture and Forestry's Approved Markets and Alberta Liquor and Gaming Commission regulations;
  - c. They are temporary in nature and held no longer than 2 days per week,
  - d. At least ninety percent per cent (90%) of the vendors meet the "*make it, bake it, grow it*" criteria as defined and where the remaining vendors meet the "*personal services*" criteria as defined.
  - e. They do not include flea market booths, sale of professional services, or second hand products; and,
  - f. They are limited to 26 days per year collectively with the community.
- 5.2 Seasonal markets and community fairs shall:
- a. Be held a maximum of 2 times per year per leasehold;
  - b. Be held no longer than 4 consecutive days;
  - c. Emphasize the sale of locally produced arts and crafts while ensuring 75 per cent (75%) of the vendors meet the "make it, bake it, grow it" criteria and where the remaining vendors represent Canadian-made products and food or meet the "personal services" criteria;
  - d. Not include the sale of professional services, flea market booths, or second hand products; and,
  - e. Be limited to 24 days per year collectively with the community; and,
  - f. Are held between September 15<sup>th</sup> and June 15<sup>th</sup> annually.
- 5.3 Sporting and recreational events must:
- a. With the exception for public leaseholds, be limited to a maximum of 2 times per quarter per leasehold;
  - b. Be held no longer than 4 consecutive days;
  - c. Be temporary in nature, occurring less than once per month;

- d. Have accessory merchandising which is secondary to the primary event and less than 25% of the total dedicated site area;
- e. Accessory merchandizing must emphasize the sale of locally produced products while ensuring 75 per cent (75%) of vendors present at the event meet the "make it, bake it, grow it" criteria;
- f. Ensure all merchandising is in keeping with the purpose, theme and design of the primary sporting event;
- g. With the exception for public leaseholds have an overall maximum town-wide allowance of 4 events from June 15 – Sept 15 annually; and,
- h. Be limited to 48 days per year collectively with the community on a first come first served basis.

5.4 Food and beverage events must:

- a. Be held a maximum of 2 times per year per leasehold;
- b. Be held no longer than 2 consecutive days;
- c. Ensure all merchandising is in keeping with the purpose, theme and design of the food and beverage event;
- d. Accessory merchandizing and vendors must emphasize the sale of locally produced products while ensuring 75 per cent (75%) of the vendors present at the event meet the "make it, bake it, grow it" criteria;
- e. Have accessory merchandising that is less than 25% of the total dedicated site area;
- f. Provide designated areas and high quality furniture for eating and drinking on premises; and,
- g. Be limited to 24 days per year collectively with the community on a first come first served basis.

5.5 Cultural exhibit events shall:

- a. Have accessory merchandising that is less than 25 % of the total dedicated site area.

5.6 Festivals and special events sponsored by not-for-profit organizations shall:

- a. Be coordinated by recognized local not-for-profit organization;
- b. Be able to demonstrate that the revenues generated from the special event support local charitable, political or social projects.

5.7 Individual vendors are not permitted to:

- a. Sell services unrelated to the festival or special event; and,
- b. Operate outside an approved festival and special event in Banff.

5.8 No single applicant shall hold more than 80% of the special event allocation in any particular event category.

- 5.9 All special events shall operate within the hours of 8am to 10pm. The hours may be extended where special circumstances related to the particular event arise.

## **6.0 BUSINESS LICENCE REQUIREMENTS**

- 6.1 The granting of any approval for a festivals and special event by this policy shall not eliminate any requirement for a business licence.
- 6.2 The person, corporation or organization responsible for each festivals and special events shall have a valid Town of Banff Business Licence in accordance with the following requirements:
- a. The farmer's market organizer shall apply for a seasonal business licence which includes individual vendors.
  - b. The special event organizer of an approved seasonal market, sporting and recreational event, food and beverage event and cultural exhibit is required to obtain a special event temporary business licence which includes individual vendors.
  - c. Festival and special events organizers are required to obtain seasonal or temporary business licences to cover the number of vendors, product promotion, sales and merchandizing at special events.
  - d. The attainment of appropriate business licencing will be a condition of approval for festivals and special events in Banff.

## **7.0 RESPONSIBILITIES**

- 7.1 Council is responsible for approving this policy and any amendments thereto.
- 7.2 The director, planning and development or designate is responsible and may delegate authority to:
- a. Ensure compatibility of proposed festival and special event with neighbourhood and surrounding development;
  - b. Implement this policy and recommend any amendments;
  - c. Review all applications for festivals and special events on private leaseholds.
  - d. Approve or refuse applications on private leaseholds; and,
  - e. Inspect approved festivals and special events on private leaseholds to ensure compliance with the provisions of this policy, conditions of approval and any applicable Town of Banff bylaws, standards and guidelines.
- 7.3 The director, marketing and communications or designate is responsible and the delegated authority to:
- a. Review and coordinate destination festivals and events on public leaseholds;
  - b. Approve or refuse festivals and special events on public leaseholds; and,
  - c. Inspect approved festivals and special events on public leaseholds to ensure compliance with the provisions of this policy, and any applicable Town of Banff bylaws, standards and guidelines.

- 7.4 The directors of community services and operations or designate are responsible and delegated authority to:
- a. Implement this policy and recommend any amendments; and,
  - b. Provide facility bookings, permit, facilitate, oversee and provide coordination support for all community focused special event applications for Festivals and Special Events within Town of Banff recreation facilities and on public lands.

## **8.0 GENERAL CONDITIONS**

- 8.1 The granting of any approval required by this policy shall not eliminate any requirement for a business licence; or any other permit(s) which may be prescribed by any other Town bylaws or regulations or by other government agencies including Parks Canada.
- 8.2 By signing the application, the applicant agrees that the department director responsible, town manager or their designate may enter the event site and cause the festivals and special events to be stopped and the withdraw festivals and special events approval.
- 8.3 The department director responsible, town manager or their designate may enter and inspect the festivals and special events site from time to time to ensure compliance with the conditions of approval.
- 8.4 Approval notice issued by the Town of Banff must be available for inspection on the festivals and special event site at all times during the event.
- 8.5 The special event organizer is responsible for ensuring that the individual vendors conform to the “*make it, bake it, and grow it*” requirements for festivals and special events as outlined in this policy.

## **9.0 TOWN OF BANFF APPROVAL**

- 9.1 An application for a festival or special event shall not be processed until the applicant has provided all required documents and fees as described in this *Festival and Special Event Policy* and the *Festival and Special Event Application Form*.
- 9.2 The department director responsible or designate may refer the application to any other department, agency or official whose consideration the manager deems essential to a full and complete an assessment. The applicant is responsible for providing the necessary number of copies of the application for this referral.
- 9.3 If an application does not meet the requirements of this policy the department director responsible or designate, may refuse approval. In this case, a written response will be provided explaining the shortcomings of the proposal.

- 9.4 The department director responsible or designate may suspend or revoke approval for violation of any provision of this policy or any other applicable law, rule or regulation, for violation of the approval conditions, or for any misrepresentation by the applicant, his agents or employees or independent contractors under contract with the applicant.
- 9.5 Any festival or special event which includes cooking appliances or open flame requires a permit in accordance with the Alberta Fire Code (2014) and Town of Banff fire department Bylaw 66-2.

## **10.0 RELATED APPROVALS**

Issuance of a special event approval shall not relieve the landowner or applicant of the responsibility for securing other permits or approvals required by the Town of Banff fire department, Parks Canada, Alberta Health Services, or any other government agency.

## **RELATED DOCUMENTS**

Alberta Fire Code 2014  
Town of Banff Land Use Bylaw  
Town of Banff Business Licence Bylaw  
Town of Banff Community Standards Bylaw  
Town of Banff Waste Bylaw  
Temporary Event Application Form  
Town of Banff Festival & Special Event Standards

This policy shall be in effect on the date it is approved by resolution of Council.

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Karen Sorensen  
Mayor

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Robert Earl  
Town Manager