

USE OF PUBLIC PROPERTY POLICY

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1. Purpose of this Policy

1. To establish guidelines for the use of public property or facilities, excluding the Nakusp & District Sports Complex.
2. To ensure fairness and consistency with all event organizers.
3. To delegate authority to the *CAO* to approve requests for the use of public property or facilities for public or private events.

2. Definitions

1. “*CAO*” means Chief Administrative Officer for the Village of Nakusp or their designate.
2. “*Council*” means the elected officials for the Village of Nakusp.
3. “*Fire Chief*” means the Fire Chief for the Nakusp & District Volunteer Fire Department or their designate.
4. “*Enhance*” means intensifying, increasing, or improving the quality or value.
5. “*Event Organizers*” means the non-Village organizer of the activity or event.
6. “*Safe Ride Home Plan*” means the transportation method made available for patrons at events where alcohol is served or sold, such as taxi services or designated drivers.
7. “*Village*” means the Corporation of the Village of Nakusp.

3. Guiding Principles

1. The *Village* will strive to meet all requests to use its property so long as it does not unreasonably burden *Village* resources.
2. The *CAO* reserves the right to refuse the use of *Village* 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.
3. Event requests that the *CAO* has identified to require a significant amount of *Village* resources will request the *Event Organizer* provide a statement of anticipated benefit to the

citizens and municipality, which will be sent to *Council* for a decision.

4. Events held for the public that enhance the public space and do not cost citizens to attend or participate shall be deemed “public good.” The *CAO* will work with these *Event Organizers* to reduce costs where applicable.
5. Events or Enhancements of Spaces for Public Good must not be discriminatory.

4. Event Requirements

1. *Event Organizers* will fill out an Event Request Form, available at the Village Office, at least one (1) month before the event date, provide damage deposits where required, and pay rental(s) costs before the event date.
2. *Event Organizers* will be responsible for obtaining additional licences and permits and supplying plans, security, and neighbourhood notifications as needed through the Event Request Form submitted to the *Village* for review to the satisfaction of the *CAO*.
3. *Event Organizers* must provide the *Village* with a third-party liability insurance policy listing the Village of Nakusp as an additional insured with a minimum of two (2) million unless a higher limit is required based on MIABC’s risk matrix.

5. Guidelines for Use of Public Property or Facilities

1. **Bylaw Compliance:**
Events will comply with *Village* Bylaws, including, but not limited to, Use of Public Property, Good Neighbour, Tobacco and Cannabis Smoking, and Park Regulation.
2. **Food and Drink:**
Event Organizers will comply with Interior Health Authority regulations for permits and food safety, and food vendors must comply with the Use of Public Property bylaw.
3. **Alcohol:**
Event Organizers will hold a liquor license and Serving It Right certification and provide the *Village* with a safe ride home plan. All risks associated with alcohol consumption are transferred to the *Event Organizer* and not the *Village* as the property owner.
4. **Fires & Hazardous Materials:**
Event Organizers must follow fire safety protocols acceptable to the Fire Chief. All hazardous materials stored or used in an activity or event will follow safety protocols. Fires and hazardous materials used at an event require a risk management plan.
5. **Waste Management & Sanitization:**
Event Organizers will ensure adequate garbage and recycling receptacles are provided for

- the event and that the site remains clean during and after it. They will also ensure washrooms are kept in a sanitary condition. *Event Organizers* may be required to provide additional portable washrooms to the satisfaction of the CAO.
6. Amplified Sound and Noise:
Event Organizers will comply with the Good Neighbour bylaw or have an exemption passed by Council. The Event Organizer is responsible for providing notice to the neighbouring property owners.
 7. Electrical Services:
The *Village* will provide electrical services where available upon request.
 8. Temporary Structures:
Temporary structures will be set up safely and in a way that allows for emergency access and must be removed by the *Event Organizer* at the end of the event.
 9. Parking:
Activities or events will not block access to private property or public services or unreasonably encroach on residential parking. The *Event Organizer* is responsible for notifying neighbours of any anticipated impact.
 10. Street & Sidewalk Closures:
Requests to close *Village* streets and/or sidewalks must meet the Use of Public Property Bylaw regulations and may require a Traffic Control Plan to the satisfaction of the CAO. Event Coordinators must notify motorists by posting signs of the street closures.
 11. Attendance & Security:
Events expecting significant attendance will be required to provide a risk management plan and potentially supply additional security services.
 12. Playing Fields:
The *Village* will ensure that playing fields are kept in good condition and will accommodate reasonable requests for special maintenance related to the event.
 13. Village Equipment:
The *Village* will lend barricades, garbage cans, and traffic cones as available upon request.
 14. Village Facilities:
Village facilities are available for use subject to the terms and conditions of a Facility Rental Agreement.
 15. Private Equipment Stored on Village Property:
Private equipment may only be stored on *Village* property by special arrangement and where storage space allows. The *Village* is not responsible for managing, transporting, or

safeguarding private equipment stored on *Village* property.

16. Damage:

Event Organizers shall ensure that a person does not damage or destroy any sign, building, or property or deposit rubbish, garbage, or refuse of any kind except in receptacles provided for that purpose.

17. Right to Refuse:

The CAO holds the right to refuse services to an *Event Organizer* and facility renters who have, in the past:

- i. Deliberately caused or permitted damage to public property;
- ii. Do not adhere to *Village* Bylaws or other legislation;
- iii. Not paid for rentals or repair costs.

6. Guidelines for Enhancing Spaces for Public Good

1. Facilities:

The CAO may allow a community group to enhance a public facility for free during a *Village*-organized event or drop-in program. The enhancement must be free for the public to attend and participate in.

2. Village Staff:

Enhancements must not create additional work for Village staff or occur outside regular operational hours.

3. Setup & Takedown:

Organizers must complete all setup and takedown themselves. The Village is not responsible for missing or damaged items left unattended. Additional staff support is available upon request through the event request form and will be charged out as per the *Village's* Fees and Charges Bylaw.

4. Insurance:

Enhancements of public spaces may require a third-party liability insurance policy listing the Village of Nakusp as an additional insured to be determined by the CAO or their designate.

Adopted: July 8, 2024

Revised:

Repeal:

Mayor

CAO