

OPTIONS

1. Seek elector approval through the Alternative Approval Process
2. Seek elector approval through other voting (referendum)

Staff supports option 1

ANALYSIS

Seeking elector approval through the Alternative Approval Process is faster than through Other Voting (referendum), if the elector assent is received at the end of the petition period. If however, elector approval was not received through the Alternative Approval Process, Council must decide whether or not to proceed with obtaining elector approval via Other Voting, in order to adopt the bylaw and continue the process of borrowing for the firehall.

FINANCIAL IMPACT

Costs incurred for the alternative approval process would be the cost of advertising notices of the process, estimated at approximately \$1000.

Normally taking the bylaw directly to referendum and bypassing the AAP would create an added expense for the City; given the original date of the Inspector's approval (i.e. referendum would have to be held before October 3, 2008). However, now that the Ministry of Community Development has indicated that they will adjust the date of the Inspector's approval should a Council wish to bypass the AAP and go direct to referendum, there would be no additional cost as the referendum would be done in conjunction with the general election.

ENVIRONMENTAL IMPACT/SUSTAINABILITY


Nil

RECOMMENDATION

THAT the report dated July 14, 2008 from the Director of Administrative Services entitled "Elector Approval – Firehall Borrowing" be received for information;

AND THAT the elector approval of the Firehall Addition Local Authorization Bylaw, 2008, No. 1443 be obtained by the Alternate Approval Process, on a city-wide basis, using a single elector response form and that the deadline date for elector responses be Friday, August 29, 2008, at 4:00 p.m.

Respectfully submitted,



Laurie Taylor
Director of Administrative Services

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

FRED C. MANSON, CGA
Chief Administrative Officer



**FIREHALL BORROWING
FIREHALL ADDITION LOAN AUTHORIZATION BYLAW, 2008, No. 1443**

**ALTERNATIVE APPROVAL PROCESS
SINGLE ELECTOR RESPONSE FORM**

*This elector response form is in relation to the City of Parksville **Firehall Addition Loan Authorization Bylaw, 2008, No. 1443** which will authorize the borrowing of up to Five Million Four Hundred Thousand dollars (\$5,400,000.00) for construction of an addition, consisting of six bays and a second floor, onto the existing fire hall located at the corner of Jensen Avenue and Highway 4A in Parksville.*

I, the undersigned, hereby request:

- that the Council of the City of Parksville **not** proceed with the adoption of **Fire Hall Addition Loan Authorization Bylaw, 2008, No. 1443**, unless the bylaw is approved by assent of the electors by a majority of votes in favour of the bylaw.

I, the undersigned, certify that I:

- Am a Canadian citizen; am 18 years of age or older; a resident of the City of Parksville for more than 30 days (or a verified non-resident property elector); and a resident in the Province of British Columbia for more than six months; and
- Have not signed another Elector Response Form on this Alternative Approval Process.

I, the undersigned, understand that:

- If **less** than 10% (887) of the municipal electors sign elector response forms, approval of the electors is considered to have been received under the provisions of the *Community Charter* and Council may proceed with adoption of the bylaw; and
- If **more** than 10% (887) of the municipal electors sign elector response forms, the Council may **not** proceed with adopting the bylaw without first obtaining the assent of the electors by means of holding a referendum on the question.

RESIDENT ELECTOR'S FULL NAME :

(e.g. Joseph Smith; not J. Smith or Joe Smith)

PRINT

SIGNATURE

**ELECTOR'S RESIDENTIAL ADDRESS IN
PARKSVILLE:**

(including postal code)

PRINT

PRINT

IF APPLICABLE:

**Civic address of the property in relation to
which you are entitled to register as a non-
resident property elector**

PRINT

PRINT

PLEASE NOTE: Signed, **original** Elector Response Forms must be submitted by mail or in person to the Corporate Officer at the City of Parksville at Box 1390, 100 E. Jensen Avenue, Parksville BC V9P 2H3 by not later than **4:00 p.m. Friday, August 29, 2008**. Postmarks will **not** be accepted as date of submission. Faxed submissions will **not** be accepted. Incomplete or illegible Elector Response Forms will **not** be considered

NOTE: IMPORTANT ELECTOR INFORMATION ON REVERSE SIDE



Instructions to Electors:

The *Community Charter* of the Province of British Columbia requires that in order for an Elector's Response to be valid:

1. the person signing the Elector's Response Form must be an eligible elector of the City of Parksville;
2. the elector's full name, residential address and signature must be included; **and**
3. if signing as a Non Resident Property Elector, the full civic address of property in the City of Parksville must be entered, as well as the elector's residential address.

Eligible Resident Electors must:

- be 18 years of age or older;
- be a Canadian citizen;
- have resided in British Columbia for at least six months (February 28, 2008) immediately preceding August 29, 2008;
- have resided in the City of Parksville for at least 30 days (since July 29, 2008) immediately preceding August 29, 2008;
- not have been disqualified by the *Local Government Act* or any other enactment from voting in a municipal election; and
- sign only one Elector Response Form.

Eligible Non-Resident Electors must:

- Not be entitled to respond as a resident elector;
- be 18 years of age or older;
- be a Canadian citizen;
- have resided in British Columbia for at least six months (since February 28, 2008) immediately preceding August 29, 2008;
- be a registered owner of real property in the City of Parksville for at least 30 days (since July 29, 2008) immediately preceding August 29, 2008.
- not have been disqualified by the *Local Government Act* or any other enactment from voting in a municipal election; and
- sign only one Elector Response Form.

Note: Please complete the required information in full, as incomplete forms will not be counted.

For further information please contact the undersigned at 954-4664, City of Parksville, between the hours of 8:00am and 4:00pm Monday through Friday, excluding holidays.

Laurie Taylor
Corporate Officer
City of Parksville

PART 4 – Public Participation and Council Accountability

Part 4: Division 1 – Elections, Petitions and Community Opinion

Election proceedings

81. (1) A general local election for the mayor and all councillors of each municipality must be held in the year 2005 and every 3 years after that.
- (2) By-elections for office on municipal council must be held as required under section 37 [*by-elections*] of the *Local Government Act*.
- (3) General local elections and by-elections must be held in accordance with Part 3 [*Electors and Elections*] of the *Local Government Act*.
- 2003-26-81.

Petitions to council

82. (1) A petition to a council is deemed to be presented to council when it is filed with the corporate officer.
- (2) A petition to a council must include the full name and residential address of each petitioner.
- 2003-26-82.

Council may seek community opinion

83. (1) A council may seek community opinion on a question that the council believes affects the municipality, by voting or any other process the council considers appropriate.
- (2) The results of a process under this section are not binding on the council.
- 2003-26-83.

Part 4: Division 2 – Approval of the Electors

Approval of the electors

(AM)
Dec
01/07

84. If approval of the electors is required under this Act or the *Local Government Act* in relation to a proposed bylaw, agreement or other matter, that approval may be obtained either by
- (a) assent of the electors in accordance with section 85, or
- (b) approval of the electors by alternative approval process in accordance with section 86.
- 2003-26-84; 2007-14-201 (B.C. Reg. 354/2007).

Assent of the electors

(AM)
Dec
01/07

85. (1) If assent of the electors is required or authorized under this Act or the *Local Government Act* in relation to a proposed bylaw, agreement or other matter, that assent is obtained only if a majority of the votes counted as valid are in favour of the bylaw or question.
- (2) Part 4 [*Other Voting*] of the *Local Government Act* applies to obtaining the assent

of the electors.

2003-26-85; 2007-14-201 (B.C. Reg. 354/2007).

Alternative approval process

86. (1) Approval of the electors by alternative approval process under this section is obtained if
- (a) notice of the approval process is published in accordance with subsection (2),
 - (b) through elector response forms established under subsection (3), electors are provided with an opportunity to indicate that council may not proceed with the bylaw, agreement or other matter unless it is approved by assent of the electors, and
 - (c) at the end of the time for receiving elector responses, as established under subsection (3), the number of elector responses received is less than 10% of the number of electors of the area to which the approval process applies.
- (2) Notice of an alternative approval process must be published in accordance with section 94 [*public notice*] and must include the following:
- (a) a general description of the proposed bylaw, agreement or other matter to which the approval process relates;
 - (b) a description of the area to which the approval process applies;
 - (c) the deadline for elector responses in relation to the approval process;
 - (d) a statement that the council may proceed with the matter unless, by the deadline, at least 10% of the electors of the area indicate that the council must obtain the assent of the electors before proceeding;
 - (e) a statement that
 - (i) elector responses must be given in the form established by the council,
 - (ii) elector response forms are available at the municipal hall, and
 - (iii) the only persons entitled to sign the forms are the electors of the area to which the approval process applies;
 - (f) the number of elector responses required to prevent the council from proceeding without the assent of the electors, determined in accordance with subsection (3);
 - (g) other information required by regulation to be included.
- (3) For each alternative approval process, the council must
- (a) establish the deadline for receiving elector responses, which must be at least 30 days after the second publication of the notice under subsection (2),
 - (b) establish elector response forms, which
 - (i) may be designed to allow for only a single elector response on each form or for multiple elector responses, and
 - (ii) must be available to the public at the municipal hall from the time of first publication until the deadline, and
 - (c) make a fair determination of the total number of electors of the area to which the approval process applies.
- (4) The council must make available to the public, on request, a report respecting the basis on which the determination under subsection (3) (c) was made.



Statutory Approval

Under the provisions of section 179

of the Community Charter

I hereby approve Bylaw No. 1443

of the City of Parksville,

a copy of which is attached hereto.

Dated this 14 day
of July, 2008


Deputy Inspector of Municipalities

Stat App1 25/04/2008

Report to Council

DATE: JULY 14, 2008

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

FROM: LAURIE TAYLOR, DIRECTOR OF ADMINISTRATIVE SERVICES

SUBJECT: 2008 BEER GARDEN SPECIAL EVENTS APPLICATIONS
OUR FILE: 8100-01

ISSUE:

Beer Garden Event Application for event organized by "District 69 Mixed Slo-Pitch League" in the Community Park on July 26 and 27, 2008, between the hours of noon and 6:00 p.m.

Beer Garden Event Application for event organized by "Island Jewel Charity Slo-Pitch Tournament" (associated with District 69 Mixed Slo-Pitch League) in the Community Park on August 2, 3 and 4, 2008, between the hours of noon and 6:00 p.m.

EXECUTIVE SUMMARY:

Under the provisions of the City's Special Events Policy organizations proposing to hold an event on municipal property, streets or parks are required to apply for a special events permit. All events covered in the policy must be approved by Council and event organizers must fulfill the requirements outlined in the policy.

REFERENCE:

*Policy No. 8.22 – Applications for Special Events
Completed Beer Garden Event Applications (1C), including the signed Terms and Conditions; a location diagram; a copy of the Special Occasion Licence Application; and confirmation of the RCMP and Fire Department's approval of the event.*

BACKGROUND:

The "District 69 Mixed Slo-Pitch League" holds annual co-ed slo-pitch events with a number of teams from Vancouver Island and the Lower Mainland attending. They have held beer gardens in Parksville in conjunction with these events in past years (2005 and 2006) with no problems.

This is a first-time beer garden application for the "Island Jewel Charity Slo-Pitch Tournament" event. The organizers are drawing on the experience of past District 69 Slo-Pitch League volunteers who have previously organized successful tournament beer gardens.

The intention of having a beer garden at events is to provide a designated and controlled area for players and spectators to partake in an alcoholic beverage, discouraging consumption in non-controlled areas. For this reason, the RCMP support beer gardens for recreational events. While the City may endorse a Special Occasion Licence (Beer Garden), final approval must be received from the RCMP Oceanside Detachment. The Beer Garden Event Application requires, among other items, confirmation of approval of the event by the Parksville Volunteer Fire

Department and the Oceanside RCMP Police to obtain a Special Event Licence. The organizers have signed the Terms and Conditions, acknowledging their willingness to fulfill these and all other Special Event requirements.

From time to time the Municipality is requested to allow the use of City property and roads for organized events such as this. The main issues associated with such requests are:

1. The impacts of the event on pedestrians, traffic conditions and the public;
2. Access to properties and services by emergency vehicles, the public, utility companies, and the municipality;
3. Public liabilities and damages that may result from the event.

OPTIONS:

Option 1: Deny the requests

Option 2: Approve the requests with conditions.

ANALYSIS:

1. Denying the requests outright would avoid the need to address any concerns however this may discourage the organizers from continuing their efforts in hosting such events. Spectators and players will not be provided with a designated and controlled location to consume alcohol.
2. The approvals could be made conditional upon the applicants addressing legitimate issues and concerns to the satisfaction of the City and other appropriate authorities. Given the City of Parksville is the owner of the Community Park with associated public responsibilities with respect to safety, access, utilities, and other matters, it is appropriate to consider applying reasonable conditions to address these issues. Attached to their Beer Garden Applications are City of Parksville Terms and Condition form for a Beer Garden Event, signed in agreement to adhere to all of the listed terms and conditions.

It is recommended that Council support Option 2.

RECOMMENDATION:

THAT the following organizations be permitted to conduct a beer garden special event in the Community Park Lacrosse Box at the specified time and dates outlined in the applications attached to the report from the Director of Administrative Services dated July 14, 2008 entitled "2008 Beer Garden Special Events Applications":

District 69 Mixed Slo-Pitch Playoffs – July 26 and 27, 2008, 12:00 p.m. till 6:00 p.m.;;
Island Jewel Charity Slo-Pitch Tournament – August 2, 3, and 4, 2008, 12:00 p.m. till 6:00 p.m.;;

AND THAT the approval be granted on condition that the organizers ensure that any temporary food concessions associated with the event are in compliance with Community Park Food Concessions Policy No. 3.18;

AND FURTHER THAT the approval for each event be granted on condition that the organizers adhere to the signed Terms and Conditions forms dated July 14, 2008 attached to the report from the Director of Administrative Services dated July 14, 2008 entitled "2008 Beer Garden Special Events Applications"

Respectfully submitted,



LAURIE TAYLOR
Director of Administrative Services

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:



FRED MANSON
Chief Administrative Officer

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MIKE SQUIRE, Acting Director,
Engineering & Operations



City of PARKSVILLE

BEER GARDEN EVENT APPLICATION FORM (IC)

(Application for a Beer Garden Licence in the City of Parksville)

Name of Organization, Event, Group etc: Dist. 69 Mixed Slo-Pitch Playoffs.

Name of Event and Beer Garden Coordinator: Tim Desmarais

Address: 3185 Grafton Ave., Qualicum Beach, BC.

Postal Code: V9K1W7 Fax: _____ Phone: (250) 752-9393 (Home)

Desmarais email: timothy1@telus.net Date: July 8/08 954-8337 (cell)

Signature of Applicant

Date(s) of Beer Garden: July 26, 27 Day of Week: Sat, Sun Time 12:00 PM - 6:00 PM
(Hours of operation to be a maximum of any six hours between 11:00 a.m. and 8:00 p.m.)

Duration of Beer Garden: 2 day (Not to exceed two days in duration for any one event unless held on a long weekend in which case not to exceed three days.)

Location of Beer Garden: Community Park Springwood Park

Inside the Lacrosse Box. Run by league

(Attach details of security and staff assisting with the beer garden event, including control of entrances and exits.)

Confirm that tables, chairs, benches, tables, etc. have/will be obtained: There will be approximately 7 tables and 20 chairs

Number and locations of portable toilets: Public washrooms on site in Kin Hut.

Number and locations of extra garbage containers: 3 extra garbage cans inside Beer Garden.

Closure of Street Required? Yes No [If Yes, which street(s)] _____

Traffic Control Arrangements: (Name of Company/Group and contact person)

Name: Regular parking in the Community Park Phone: _____

(Confirm that staff will be provided to ensure vehicles are parking in a safe and legal manner)

NOTE: The Municipal Council is not obligated to allocate the full six days for beer garden licences in any one calendar year. Once an application has been approved no change(s) will be allowed unless Council approval has been obtained.

See Reverse side for Terms and Conditions - Signature required prior to submission for consideration.

This portion to be completed by City of Parksville

Council Approval: Yes No Council Meeting Date: _____



**TERMS AND CONDITIONS FOR A BEER GARDEN EVENT
HELD IN CITY OF PARKSVILLE FACILITIES**

1. Provide confirmation of approval by the Parksville Volunteer Fire Department and the Oceanside RCMPolice to obtain a special event licence to hold a beer garden and to ensure appropriate public and emergency vehicle access is maintained to all roads, the park and adjacent facilities.
2. Provide all of the necessary traffic controls and confirmation that staff will be provided to ensure vehicles are parking in a safe and legal manner. Ensure that any charitable organization members performing traffic control and event parking, clearly state that **any parking fee is strictly by voluntary donation** and ensure that **this information is visibly posted at the site** and mentioned **in any event advertisement**.
3. Provide a detailed map of sufficient size, showing the proposed location of the beer garden; the number and location of portable toilets in a quantity suitable to the expected attendance for the duration of the event, extra garbage containers and arranging with a waste disposal company for removal/dumping of bins following the event; details of the security and staff assisting with the beer garden event including the control of entrances and exits.
4. Provide confirmation that tables and chairs have been obtained for the patrons. Provide identifiable paper cups and assurance that food will be available to the patrons. Ensure that any and all concessions [approved by the City with regard to the standing contract with the operator of the Community Park concession] meet all applicable health and safety requirements and the concession be allowed to remain open for one hour only beyond the closing of the beer garden.
5. Ensure the area created for the beer garden is enclosed and patrolled to the satisfaction of the Oceanside RCMPolice, which must include a 6' fence or suitable barriers or be double fenced with an 8' separation between the two barrier fences.
6. The beer garden will not exceed two days in duration for any one event unless held on a long weekend in which case beer gardens are not to exceed three days in duration for any one event.
7. Maintain the hours of operation to a maximum of any six hours between 11:00 a.m. and 8:00 p.m. and ensure a minimum of two hours closure of the beer garden prior to any other liquor permits being issued in the area [i.e. the area could be defined as the entire Park].
8. Ensure that no minors are allowed within the beer garden premises.
9. Hold and save harmless the City from and against all claims and damages arising out of, or in any way connected with the event, and obtain and maintain during the term of this event a comprehensive general liability insurance policy providing coverage of not less than \$2,000,000.00, naming the City of Parksville as an additional insured. A copy of such policy shall be delivered to the City a minimum of five working days prior to the event date.
10. Provide the City with a refundable security deposit of \$500.00 (to cover any loss or damage resulting from the event) a minimum of five working days prior to the event date.
11. Maintain and, if required, refurbish all municipal property and infrastructure to an equal or better condition than that which existed prior to the event, all within 48 hours of the completed event, to the satisfaction of the City of Parksville.

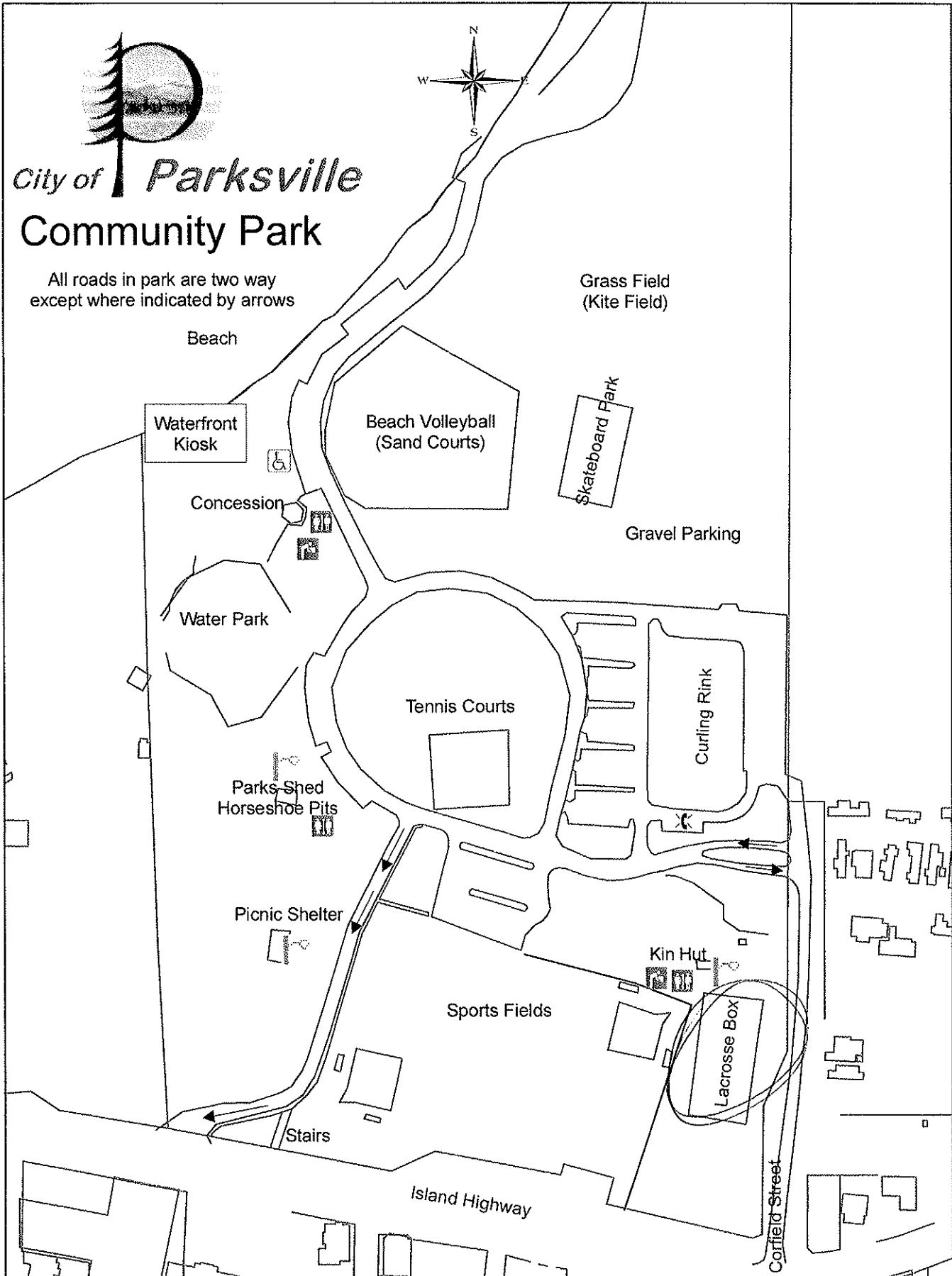
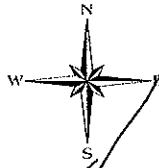
Tim Desmarais
Printed Name of Authorized Representative
Dist. 69 Mixed Slo-Pitch
Name of Organization

Desmarais
Signature
July 10/08
Date Signed



City of Parksville Community Park

All roads in park are two way
except where indicated by arrows





Ministry of Public Safety and
Solicitor General
Liquor Control and Licensing Branch

The information provided on this application will be a part of the Special Occasion Licence if issued. Please ensure that the information provided is accurate and complete. This information is collected under the authority of the *Liquor Control and Licensing Act* (RSBC 1996, c 287). The information provided will be used to process an application for a Special Occasion Licence and may be shared with representatives of the Liquor Distribution Branch, the Liquor Control and Licensing Branch, police agencies, and local government. It may also be released to other parties upon request. If you have any questions about the collection and use of this information, contact the Liquor Control and Licensing Branch at 2nd Floor, 1019 Wharf Street, Victoria, BC V8W 9J8. Telephone 250 387-1254

APPLICATION FOR SPECIAL OCCASION LICENCE

PERSONAL INFORMATION	ORGANIZATION INFORMATION
NAME: <u>Tim Desmarais</u> (250) 752-9393 HOME ADDRESS: <u>3185 Grafton Ave</u> CITY: <u>Qualicum Beach, BC</u> POSTAL CODE: <u>V9K1W7</u> YOUR "SERVING IT RIGHT" LICENSEE NUMBER: <u>991220L0202</u>	NAME OF ORGANIZATION: <u>Dist. 69 Mixed Slo-Pitch</u> ADDRESS OF ORGANIZATION: <u>1</u> CITY: _____ POSTAL CODE: _____

TYPE OF SPECIAL OCCASION LICENCE APPLYING FOR

PRIVATE EVENT \$25
 PUBLIC EVENT \$100
 MANUFACTURER PROMOTION/RESEARCH
 DESCRIPTION OF EVENT: Beer Garden for Slo-Pitch Playoffs

EVENT DETAILS (shaded areas for store use only)

LOCATION OF EVENT	ADDRESS	DESIGNATED AREA WHERE LIQUOR WILL BE CONSUMED
<u>Parksville Community Park</u>		<u>Inside the Lacrosse Box</u>
<u>Lacrosse Box</u>		

DATE OF EVENT	APPROX # OF ATTENDEES	TIME OF EVENT FROM TO	FEE (INCL. PST)	LICENCE NO.
<u>July 26th & 27th</u>	<u>80-100</u>	<u>12:00PM 6:00PM</u>		

LIQUOR QUANTITIES AND PRICES*

LIQUOR	QUANTITY	PRICE
Packaged Beer	<u>65 doz</u>	<u>\$3.50</u> per bottle/can
Draught Beer		\$ per 12 oz. glass
Packaged Cooler/Cider	<u>56-20</u>	<u>\$4.00</u> per bottle/can
Draught Cider		\$ per 12 oz. glass
Wine		\$ per bottle
Wine		\$ per 4 oz. glass
Spirits		\$ per oz.

* Subject to Liquor Price Schedule maximums

LIQUOR STORE MANAGER'S COMMENTS

Parksville North

STORE NAME: _____ STORE # 157

MGR: B. Paul PHONE # 248-3724

POLICE COMMENTS/ENDORSEMENT

U

DECLARATION: I hereby make application for a Special Occasion Licence under section 6 of the *Liquor Control and Licensing Act* to purchase for consumption at the time(s), date(s) and place as set out above. I am qualified to purchase liquor pursuant to the Government *Liquor Control and Licensing Act*, and I have read and understand the regulations printed on the reverse of this form. I understand that any person who makes a false statement when applying for a licence, commits an offence.

UBREW/UVIN AND HOMEMADE WINES OR BEERS ARE NOT PERMITTED AT THIS EVENT

SIGNATURE: Desmarais DATE: July 8/08

Attach this original application form to your licence(s). This original application and the licence(s) must be prominently displayed during the event.

WHITE: APPLICANT PINK: LIQUOR STORE MANAGER CANARY: POLICE

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Amanda Haywood

From: Laurie Taylor
Sent: Thursday, July 10, 2008 1:22 PM
To: Amanda Haywood
Subject: FW: Beer Garden Licence

Laurie

-----Original Message-----

From: Aaron Dawson
Sent: July 10, 2008 1:19 PM
To: Laurie Taylor
Subject: Fw: Beer Garden Licence

----- Original Message -----

From: Paul Voisine <Paul.Voisine@rcmp-grc.gc.ca>
To: Aaron Dawson
Sent: Thu Jul 10 09:08:09 2008
Subject: Beer Garden Licence

I have 2 Beer Garden licences from a Tim Desmarais

1.
Date: July 26th and 27th , 2008
Organization: District 69 Mixed Slow Pitch
Applicant: Tim Desmarais
Location: Parksville Community Park (Lacrosse box)
Event Times: 12:00 pm to 6:00 pm
Attendees: 80 -100
Oceanside RCMP Recommendation: Cpl Voisine has reviewed the licence and approves the licence as written.

2.
Date: August 2 ,3 & 4, 2008
Organization: Island Jewel Charity Slo-Pitch Tournament
Applicant: Tim Desmarais
Location: Parksville Community Park (Lacrosse box)
Event Times: 12:00 pm to 6:00 pm
Attendees: 100
Oceanside RCMP Recommendation: Cpl Voisine has reviewed the licence and approves the licence as written.

Cpl P. Voisine
A/OPS NCO
Oceanside Detachment

Parksville, B.C.
V9P 1B9

Phone: 250-248-6111
Fax: 250-248-4962



Parkville Volunteer Fire Department

160 W. Jensen Avenue, P.O. Box 1390, Parkville, B.C. V9P2H3 - Phone: (250) 248-

3242 Fax: (250) 248-3925

Visit us on the WEB @ WWW.PVFD.CA

July 14, 2008.

Tim Desmarais
3185 Grafton Avenue
Qualicum Beach, BC V9K 1W7

Dear Tim:

Re: *District 69 Mixed Slo-Pitch Playoffs*

We have your application requesting permission to hold a Beer Garden at the Community Park on July 26 – 27, 2008.

Please be advised that permission is hereby granted.

Yours truly,

TYRONE HEIGH
Assistant Fire Chief.

TH:ps



City of PARKSVILLE

BEER GARDEN EVENT APPLICATION FORM (IC)

(Application for a Beer Garden Licence in the City of Parksville)

Name of Organization, Event, Group etc: Island Jewel Charity 5/10-Pitch Tournament

Name of Event and Beer Garden Coordinator: Tim Desmarais

Address: 3185 Grafton Ave, Qualicum Beach, BC.

Postal Code: V9K 1W7 Fax: _____ Phone: (250) 752-9393 (Home)
Desmarais Date: July 8/08 954-8337 (cell)

Signature of Applicant

Date(s) of Beer Garden: Aug 2-4 Day of Week: Sat, Sun, Mon Time 12:00 PM - 6:00 AM
(Hours of operation to be a maximum of any six hours between 11:00 a.m. and 8:00 p.m.)

Duration of Beer Garden: 3 days (Not to exceed two days in duration for any one event unless held on a long weekend in which case not to exceed three days.)

Location of Beer Garden: Community Park Springwood Park
Inside the Lacrosse Box. Run by Parksville Lions.
(Attach details of security and staff assisting with the beer garden event, including control of entrances and exits.)

Confirm that tables, chairs, benches, tables, etc. have/will be obtained: There will be approx. 10 tables and 100 chairs.

Number and locations of portable toilets: Washrooms in the Kin Hut beside the Lacrosse Box.

Number and locations of extra garbage containers: 3 extra garbage cans to be inside the Lacrosse Box.

Closure of Street Required? Yes No [If Yes, which street(s)] _____

Traffic Control Arrangements: (Name of Company/Group and contact person)
Name: Regular parking in the Community Park. Phone: _____

(Confirm that staff will be provided to ensure vehicles are parking in a safe and legal manner)

NOTE: The Municipal Council is not obligated to allocate the full six days for beer garden licences in any one calendar year. Once an application has been approved no change(s) will be allowed unless Council approval has been obtained.

See Reverse side for Terms and Conditions - Signature required prior to submission for consideration.

This portion to be completed by City of Parksville

Council Approval: Yes No Council Meeting Date: _____



**TERMS AND CONDITIONS FOR A BEER GARDEN EVENT
HELD IN CITY OF PARKSVILLE FACILITIES**

1. Provide confirmation of approval by the Parksville Volunteer Fire Department and the Oceanside RCMP Police to obtain a special event licence to hold a beer garden and to ensure appropriate public and emergency vehicle access is maintained to all roads, the park and adjacent facilities.
2. Provide all of the necessary traffic controls and confirmation that staff will be provided to ensure vehicles are parking in a safe and legal manner. Ensure that any charitable organization members performing traffic control and event parking, clearly state that **any parking fee is strictly by voluntary donation** and ensure that **this information is visibly posted at the site and mentioned in any event advertisement.**
3. Provide a detailed map of sufficient size, showing the proposed location of the beer garden; the number and location of portable toilets in a quantity suitable to the expected attendance for the duration of the event, extra garbage containers and arranging with a waste disposal company for removal/dumping of bins following the event; details of the security and staff assisting with the beer garden event including the control of entrances and exits.
4. Provide confirmation that tables and chairs have been obtained for the patrons. Provide identifiable paper cups and assurance that food will be available to the patrons. Ensure that any and all concessions [approved by the City with regard to the standing contract with the operator of the Community Park concession] meet all applicable health and safety requirements and the concession be allowed to remain open for one hour only beyond the closing of the beer garden.
5. Ensure the area created for the beer garden is enclosed and patrolled to the satisfaction of the Oceanside RCMP Police, which must include a 6' fence or suitable barriers or be double fenced with an 8' separation between the two barrier fences.
6. The beer garden will not exceed two days in duration for any one event unless held on a long weekend in which case beer gardens are not to exceed three days in duration for any one event.
7. Maintain the hours of operation to a maximum of any six hours between 11:00 a.m. and 8:00 p.m. and ensure a minimum of two hours closure of the beer garden prior to any other liquor permits being issued in the area [i.e. the area could be defined as the entire Park].
8. Ensure that no minors are allowed within the beer garden premises.
9. Hold and save harmless the City from and against all claims and damages arising out of, or in any way connected with the event, and obtain and maintain during the term of this event a comprehensive general liability insurance policy providing coverage of not less than \$2,000,000.00, naming the City of Parksville as an additional insured. A copy of such policy shall be delivered to the City a minimum of five working days prior to the event date.
10. Provide the City with a refundable security deposit of \$500.00 (to cover any loss or damage resulting from the event) a minimum of five working days prior to the event date.
11. Maintain and, if required, refurbish all municipal property and infrastructure to an equal or better condition than that which existed prior to the event, all within 48 hours of the completed event, to the satisfaction of the City of Parksville.

Tim Desmarais
Printed Name of Authorized Representative
Island Jewel Charity Slo-Pitch
Dist. 69 Mixed Slo-Pitch
Name of Organization

Desmarais
Signature
July 10/08
Date Signed



Ministry of Public Safety and
Solicitor General
Liquor Control and Licensing Branch

The information provided on this application will be a part of the Special Occasion Licence if issued. Please ensure that the information provided is accurate and complete. This information is collected under the authority of the Liquor Control and Licensing Act (RSBC 1996, c 267). The information provided will be used to process an application for a Special Occasion Licence and may be shared with representatives of the Liquor Distribution Branch, the Liquor Control and Licensing Branch, police agencies, and local government. It may also be released to other parties upon request. If you have any questions about the collection and use of this information, contact the Liquor Control and Licensing Branch at 2nd Floor, 1019 Wharf Street, Victoria, BC V8W 9J8. Telephone 250 387-1254

APPLICATION FOR SPECIAL OCCASION LICENCE

PERSONAL INFORMATION	ORGANIZATION INFORMATION
NAME: <u>Tim Desmarais</u> (250) 752-9393 HOME ADDRESS: <u>3185 Grafton Ave</u> CITY: <u>Qualicum Beach, BC</u> POSTAL CODE: <u>V9K 1W7</u> YOUR "SERVING IT RIGHT" LICENSEE NUMBER: <u>99122060202</u>	NAME OF ORGANIZATION: <u>Island Jewel Charity Slo-Pitch Tournament</u> ADDRESS OF ORGANIZATION: <u>c/o Dist. 69 Mixed Slo-Pitch</u> CITY: _____ POSTAL CODE: _____

TYPE OF SPECIAL OCCASION LICENCE APPLYING FOR

PRIVATE EVENT \$25
 PUBLIC EVENT \$100
 MANUFACTURER PROMOTION/RESEARCH
 DESCRIPTION OF EVENT: Slo-Pitch Tournament Beer Garden

EVENT DETAILS (shaded areas for store use only)

LOCATION OF EVENT	ADDRESS	DESIGNATED AREA WHERE LIQUOR WILL BE CONSUMED
<u>Parksville Community Park</u>		<u>Lacrosse Box</u>

DATE OF EVENT	APPROX # OF ATTENDEES	TIME OF EVENT FROM	TO	FEE (INCL. PST)	LICENCE NO.
<u>Aug. 2, 3, 4 /08</u>	<u>100</u>	<u>12:00 PM</u>	<u>6:00 PM</u>		

LIQUOR QUANTITIES AND PRICES*

LIQUOR	QUANTITY	PRICE
Packaged Beer		\$ per bottle/can
Draught Beer	<u>15 kegs</u>	<u>\$350</u> per 12 oz. glass
Packaged Cooler/Cider	<u>80-2L</u>	<u>\$4.00</u> per bottle/can
Draught Cider		\$ per 12 oz. glass
Wine		\$ per bottle
Wine		\$ per 4 oz. glass
Spirits		\$ per oz.

* Subject to Liquor Price Schedule maximums

LIQUOR STORE MANAGER'S COMMENTS

Parksville North

STORE NAME: _____ STORE # 157

MGR: B Bay PHONE # 248-3724

POLICE COMMENTS/ENDORSEMENT

DECLARATION: I hereby make application for a Special Occasion Licence under section 6 of the Liquor Control and Licensing Act to purchase for consumption at the time(s), date(s) and place as set out above. I am qualified to purchase liquor pursuant to the Government Liquor Control and Licensing Act, and I have read and understand the regulations printed on the reverse of this form. I understand that any person who makes a false statement when applying for a licence, commits an offence.

UBREW/UVIN AND HOMEMADE WINES OR BEERS ARE NOT PERMITTED AT THIS EVENT

SIGNATURE: Desmarais DATE: July 8/08

Attach this original application form to your licence(s). This original application and the licence(s) must be prominently displayed during the event.

Amanda Haywood

From: Laurie Taylor
Sent: Thursday, July 10, 2008 1:22 PM
To: Amanda Haywood
Subject: FW: Beer Garden Licence

Laurie

-----Original Message-----

From: Aaron Dawson
Sent: July 10, 2008 1:19 PM
To: Laurie Taylor
Subject: Fw: Beer Garden Licence

----- Original Message -----

From: Paul Voisine <Paul.Voisine@rcmp-grc.gc.ca>
To: Aaron Dawson
Sent: Thu Jul 10 09:08:09 2008
Subject: Beer Garden Licence

I have 2 Beer Garden licences from a Tim Desmarais

1.

Date: July 26th and 27th , 2008
Organization: District 69 Mixed Slow Pitch
Applicant: Tim Desmarais
Location: Parksville Community Park (Lacrosse box)
Event Times: 12:00 pm to 6:00 pm
Attendees: 80 -100
Oceanside RCMP Recommendation: Cpl Voisine has reviewed the licence and approves the licence as written.

2.

Date: August 2 ,3 & 4, 2008
Organization: Island Jewel Charity Slo-Pitch Tournament
Applicant: Tim Desmarais
Location: Parksville Community Park (Lacrosse box)
Event Times: 12:00 pm to 6:00 pm
Attendees: 100
Oceanside RCMP Recommendation: Cpl Voisine has reviewed the licence and approves the licence as written.

Cpl P. Voisine
A/OPS NCO
Oceanside Detachment

Parksville, B.C.
V9P 1B9

Phone: 250-248-6111
Fax: 250-248-4962



Parksville Volunteer Fire Department

160 W. Jensen Avenue, P.O. Box 1390, Parksville, B.C. V9P2H3 · Phone: (250) 248-

3242 Fax: (250) 248-3925

Visit us on the WEB @ WWW.PVFD.CA

July 14, 2008.

Tim Desmarais
3185 Grafton Avenue
Qualicum Beach, BC V9K 1W7

Dear Tim:

Re: *Island Jewel Charity Slo-Pitch Tournament*

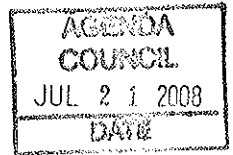
We have your application requesting permission to hold a Beer Garden at the Community Park on August 2 – 4 2008.

Please be advised that permission is hereby granted.

Yours truly,

TYRONE HEIGH
Assistant Fire Chief.

TH:ps



CITY OF PARKSVILLE

BYLAW NO. 1447

A Bylaw to authorize consolidation of bylaws

WHEREAS section 139 of the *Community Charter* empowers Council to, by bylaw, authorize the corporate officer to consolidate one or more of the bylaws of the City.

NOW THEREFORE the Municipal Council of the City of Parksville in open meeting assembled enacts as follows:

1. TITLE

This bylaw may be cited for all purposes as "Consolidation Authorization Bylaw, 2008, No. 1447".

2. INTERPRETATION

In this bylaw:

"*Consolidation*" means the incorporation of a bylaw and all amendments to it into a single document.

"*Corporate Officer*" means Corporate Officer for the City of Parksville appointed by Council and includes her/his deputy.

3. CONSOLIDATION OF BYLAWS

- a. The Corporate Officer is authorized to consolidate a bylaw by incorporating in it all amendments that have been made to the bylaw and omitting any provision that has been repealed or has expired.
- b. The Corporate Officer is authorized to establish the method and format for consolidating bylaws.

4. COPIES OF CONSOLIDATED BYLAWS

- a. Copies of consolidated bylaws that are made available to the public must be identified as being:
 - i. a bylaw consolidated under the provisions of the *Community Charter*, and
 - ii. printed under the authority of the Corporate Officer

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

ADOPTED this

Mayor

Director of Administrative Services

CITY OF PARKSVILLE

BYLAW NO. 1437

DEVELOPMENT COST CHARGES FOR WATER, SANITARY SEWER, STORM DRAINAGE, HIGHWAY FACILITIES AND PARKLAND

WHEREAS the Council may, under Section 933 of the *Local Government Act*, impose development cost charges under the terms and conditions of that section;

AND WHEREAS development cost charges may be imposed to provide funds to assist the City to pay the capital costs of providing, constructing, altering or expanding sewage, water, drainage and highway facilities and of providing and improving parkland, in order to service, directly or indirectly, the development for which the charges are imposed;

AND WHEREAS in establishing the development cost charges under this bylaw, Council has considered the future land use patterns and development, the phasing of works and services, the provision of park land described in the official community plan and how development designed to result in a low environmental impact may affect the capital costs of infrastructure within the City of Parksville;

AND WHEREAS the Council has also considered, and determined, that the charges imposed under this bylaw are not excessive in relation to the capital costs of prevailing standards of service, will not deter development, will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land and will not discourage development designed to result in a low environmental impact, within the City of Parksville;

AND WHEREAS the Inspector of Municipalities has approved this bylaw;

NOW THEREFORE the Municipal Council of the City of Parksville in open meeting assembled enacts as follows:

1. **TITLE**

1.1 This bylaw may be cited for all purposes as "Development Cost Charges, 2008, No. 1437".

2. **DEVELOPMENT COST CHARGE AREA.**

2.1 The development cost charges imposed by this bylaw shall apply throughout the City of Parksville except as follows:

a) development cost charges for water and sanitary sewer do not apply to any development within the lands described in Schedule "B";

3. **EXCEPTIONS**

3.1 This bylaw does not apply to a subdivision or **building** in respect of which the imposition of a development cost charge is prohibited by statute.

4. **INTERPRETATION**

- 4.1 **Enactments** Any Act referred to in this bylaw is a reference to an Act of British Columbia or Canada, as the case may be, and the applicable regulations, as amended, revised, consolidated or replaced from time to time. Any bylaw referred to in this bylaw is a reference to a bylaw of the City of Parksville, as amended, revised, consolidated or replaced from time to time.
- 4.2 **Headings** The headings given to the parts, sections and paragraphs in this bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this bylaw.
- 4.3 **Severability** If any part, paragraph or phrase in this bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, that portion shall be severed and the remainder of this bylaw shall continue in force.
- 4.4 **Schedules** The following schedules attached to this Bylaw form part of this bylaw:
- Schedule A – Development Cost Charges Rates
Schedule B – DCC Exemption Area

5. **DEFINITIONS**

In this bylaw:

"**Assisted Living**" means a **building** or **buildings** considered and used for a **multiple family residential** use, where there may be common facilities and a cafeteria or eating area, but where residents are ambulatory and live in private rooms or units which can be locked and which are not automatically accessible to care staff.

"**Building**" means any structure and portion thereof, including mechanical rooms, which is used or intended to be used for the purpose of supporting or sheltering any use or occupancy.

"**Carriage House**" means a **dwelling unit** which is contained in a **building** separate from a **single family residential** dwelling on the same parcel of land.

"**Commercial Use**" means the use of land or **buildings** for any retail, tourist accommodation, restaurant, personal or professional services, commercial entertainment or commercial recreational use, and any other business use which is not an **industrial use, institutional use, multiple or single family residential use**.

"**Dwelling Unit**" means one self-contained unit with a separate entrance intended for year-round occupancy, and the principal use of such **dwelling unit** is residential, with complete living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation.

"**Gross Floor Area**" means the total of the horizontal areas of all floors in a **building**, including the basement, measured to the outside of the exterior walls of the **building**, but not including any floor area used exclusively for vehicle parking or vehicle access, any basement area where the ceiling is less than 1.8 metres above the floor.

"**Industrial Use**" means the use of land or **buildings** for any manufacturing, processing, repair, storage, wholesaling or distribution of goods.

"**Institutional Use**" means the use of land or **buildings** for any school, hospital, congregate or other care facility, or for the purposes of a public body or publicly regulated utility, but does not include **assisted living** uses.

"**Multiple Family Residential**" means a **building** or **buildings** containing two or more **dwelling units** on a parcel and includes row housing, cluster housing, townhouses, apartment and **assisted living** uses, but does not include **secondary suites** or **carriage houses**.

"**Secondary Suite**" means a separate designated area within a **single family residential** dwelling containing toilet, bathroom, sleeping and living areas and cooking facilities in accordance with the provisions of the "City of Parksville Zoning and Development Bylaw, 1994, No. 2000".

"**Single Family Residential**" means a **building** containing one **dwelling unit** on a parcel.

"**Zone or zoning**" means the **zone** identified in the "City of Parksville Zoning and Development Bylaw, 1994, No. 2000" as amended or replaced.

6. **CHARGES**

a) Every person who obtains:

- i) approval of the subdivision of a parcel of land under the *Land Title Act* or the *Strata Property Act* for any purpose for subdivision which are creating fee simple or bare land strata residential lots which are **zoned** to permit no more than two **dwelling units**, or
- ii) a building permit authorizing the construction, alteration or extension of a **building** (including a **building** containing less than four self-contained **dwelling units** and that will, after the construction, alteration or extension, be put to no other use other than the residential use in those **dwelling units**).
 - A) Despite this, secondary suites within **single family residential** dwellings or **carriage houses** that are accessory to a **single family residential** dwelling located in RS1 (Residential Single Family) **zones** are not subject to payment of development cost charges.
- iii) a building permit for any new floor area which has a construction value in excess of Fifty Thousand Dollars (\$50,000.00);

shall pay to the City of Parksville the applicable development cost charges as set out in Schedule "A" attached to and forming part of this bylaw.

b) The charges will be based on the actual use of the **building** not the **zoning** category of the property; and

- i) where there is more than one use, each use is subject to the charge based on the actual use and there may be more than one category applied per **building**.
 - ii) mezzanines, storage or similar areas within a **building** are subject to development cost charges based on the same use that the majority area of the **building** contains.
 - iii) where a **building** is vacant and its future use cannot be determined, development cost charges are payable in accordance with the zoning category for the land upon which the **building** is situated.
 - iv) where a building permit is issued for the construction, alteration or extension of a **multiple family residential building** the rates in Schedule "A" will apply as required in this bylaw, provided that the total amount payable shall not be greater than the amount obtained by multiplying the number of **dwelling units** subject to the development cost charges by the single family unit rate in Schedule "A".
- c) All charges must be paid in full prior to the approval of the subdivision or building permit unless paid by way of installments in accordance with *BC Regulation 166/84* as amended or replaced.

7. GRACE PERIOD

The effective date of the rates contained within this bylaw will be 60 calendar days after the date of adoption.

8. REPEAL OF PREVIOUS BYLAWS

8.1 "Development Cost Charges for Water, Sanitary Sewer, Storm Drainage and Road Facilities Bylaw, 2004, No. 1402", "City of Parksville Development Cost Charge Installments Bylaw, 1993, No. 1157" and "Town of Parksville Development Cost Charges Bylaw, 1984, No 830" and all amendments to those bylaws are hereby repealed, effective on the date that the development cost charge rates established under this bylaw come into force under section 6.

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

APPROVED BY INSPECTOR OF MUNICIPALITIES this

ADOPTED this

Mayor

Director of Administrative Services

SCHEDULE "A"
DEVELOPMENT COST CHARGES RATES

Upon approval of a subdivision or the issuance of a building permit for any land within the City of Parkville, the following development cost charges shall be paid:

1. Upon the subdivision of land **zoned** to permit **single family residential** use the following amounts shall be paid in respect of each parcel of land in the plan of subdivision:

Parkland	\$1,911.04
Water	6,997.14
Sanitary Sewer	381.49
Storm Drainage	1,383.79
Roads	3,799.98
Total	\$14,473.44

2. Upon issuance of a building permit for the construction, of a **multiple family residential building**, the following charge shall be paid for each square meter of **gross floor area** authorized to be constructed by the building permit:

Parkland	\$17.37
Water	63.61
Sanitary Sewer	3.47
Storm Drainage	4.00
Roads	17.95
Total	\$106.40

3. Upon issuance of a building permit for the construction, alteration or extension of a **building** or part of a **building** for any **commercial use**, the following charge shall be paid for each square meter of **gross floor area** authorized to be constructed, altered or extended by the building permit:

Parkland	\$ 8.19
Water	29.99
Sanitary Sewer	1.63
Storm Drainage	4.43
Roads	52.16
Total	\$96.40

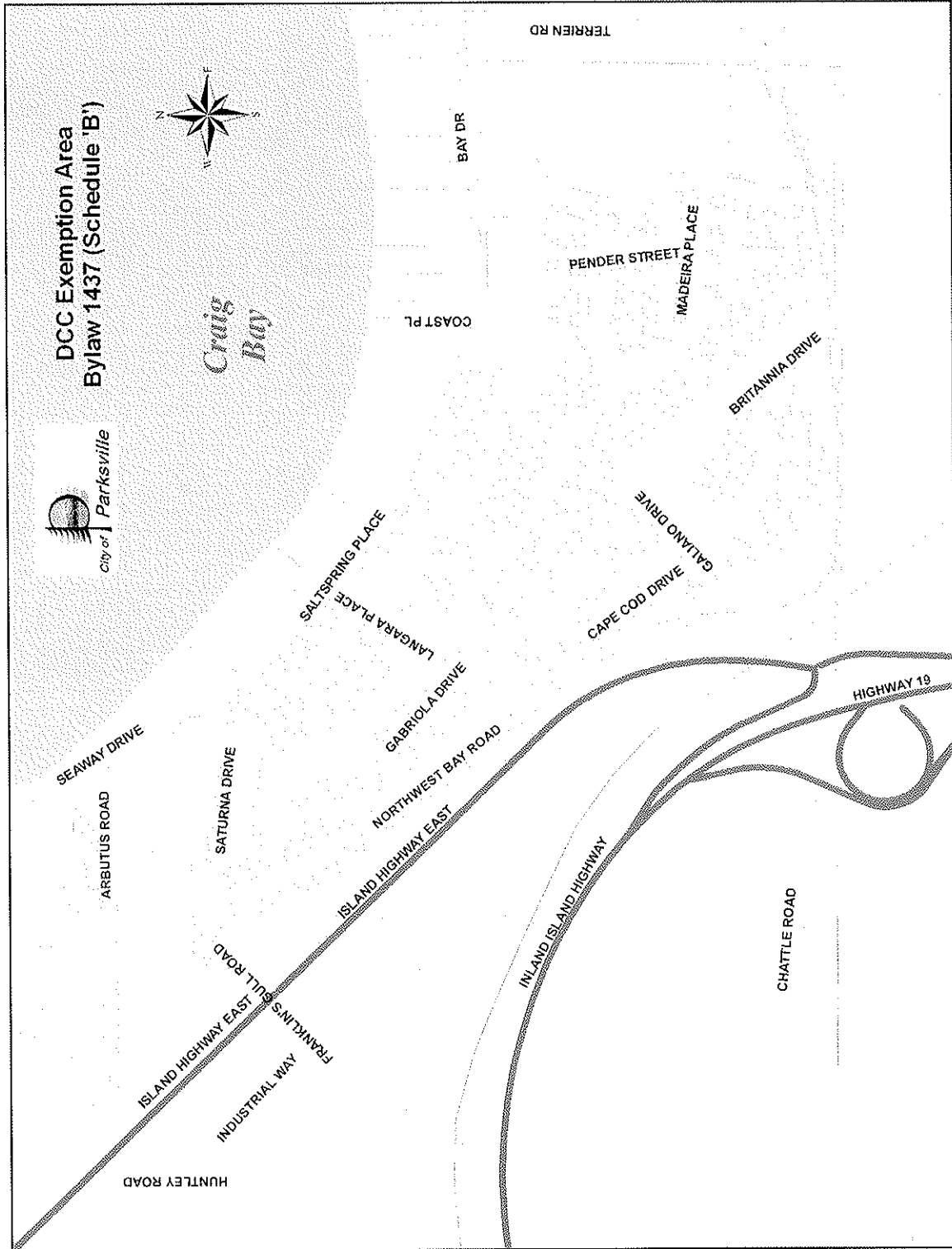
4. Upon issuance of a building permit for the construction, alteration or extension of a **building** or part of a **building** for any **industrial use**, the following charge shall be paid for each square meter of **gross floor area** authorized to be constructed, altered or extended by the building permit:

Water	\$29.99
Sanitary Sewer	1.63
Storm Drainage	6.23
Roads	20.68
Total	\$58.53

5. Upon issuance of a building permit for the construction, alteration or extension of a **building** or part of a **building** for any **institutional use**, the following charge shall be paid for each square meter of **gross floor area** authorized to be constructed, altered or extended by the building permit:

Water	\$36.65
Sanitary Sewer	2.00
Storm Drainage	2.49
Roads	52.16
Total	\$93.30

6. Where a proposed **building** is to be used for more than one class of use under this bylaw, the charge for each portion of the **building** used for a separate class of use shall be calculated separately, based upon the relevant charge under Sections 2, 3, 4 or 5 of this Schedule, and the total amount of those charges shall be payable upon issuance of a building permit for the construction, alteration or extension of the **building**.



I:\USERS\GIS\PDF Maps\DCC Exemption - Schedule B.pdf