**TO:** Chair and Members Economic Development and Planning Committee  

**WARD(S) AFFECTED:** CITY WIDE

**COMMITTEE DATE:** September 7, 2010

**SUBJECT/REPORT NO:** Licensing Requirements for Festivals and Special Events (PED10205) (City Wide)

**SUBMITTED BY:**  
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**SIGNATURE:**

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**Council Direction:**

In 2007, City Council approved 48 recommendations arising from an Operational Review of the (former) Standards and Licensing Section of the Planning and Economic Development Department. Many of these recommendations related to improving the City’s Licensing Program, including the need for proactive inspections and enforcement.

**Information:**

Licensing and permit requirements for Festivals and Special Events in Hamilton are not new, but most requirements were never applied or enforced in the past and there was either little or no awareness among event organizers of the full range of requirements.

In the past couple of years proactive enforcement efforts commenced and were focused on licensing requirements associated with refreshment vehicles and amusement rides, but there are a number of other licence and permit requirements that can also be associated with festivals and special events such as:

- **Transient Trader Licence** - an event organizer may require a Transient Trader Licence for authorized vendors offering goods, wares or merchandise for sale at an event.
- **Food Services/Vendors** - a licence is required for each food service provider at an event.

- **Service of Alcohol** - an event organizer requires a Special Occasion Permit or a Temporary Liquor Licence Extension from the Alcohol and Gaming Commission of Ontario (AGCO).

- **Lottery Licences** - Licences are required for all raffles, bingos and break open ticket activities (games of chance) that take place during a festival or event. These licences may be issued only to eligible organizations who are registered as Charitable, Religious or Non-profit Organizations as per the AGCO regulations and policies.

- **Noise** - for outside noise created by live and/or amplified music, loud speakers or a large gathering of people a Special Enforcement Officer may need to attend the event to ensure there are no violations of the Noise By-law, and/or to provide suggestions to reduce the impact of the noise on the surrounding community. For events held on private property a “Noise Exemption Permit” could be required.

- **Temporary Signs** - permits may be required for signs and banners, to ensure that events are not in violation of the sign by-law.

This past Spring 2010, Municipal Law Enforcement (MLE) staff advised event organizers, through the City’s Special Events Advisory Team (SEAT), that event organizers are responsible to ensure that all City By-laws are adhered to and that the required licences, permits and/or services are in place prior the event. As a result, a number of concerns from event organizers were received about the possible unplanned additional financial consequences to them.

To allow event organizers time to prepare operationally and financially, staff have decided that this will be a transition year where further research will be done to better identify the effects to Festivals and Special Events, and to determine how best to obtain compliance with licensing requirements, hopefully without placing any undue financial hardship to event organizers. Staff will not be enforcing this year unless there are immediate safety issues or complaints. Staff will, however, continue to require compliance for refreshment vehicles and amusement rides, as those enforcement efforts have been on-going for a couple of years as well as enforcement of the Noise By-law if co-operation from event organizers is not obtained when a violation has been determined.

This year MLE staff has been attending some of the special events to identify the possible magnitude of the by-law requirements. Staff is also conducting a survey to determine how other municipalities handle licensing requirements and fees for festivals and special events. Staff also attended the July 13, 2010 meeting of the Hamilton
Association of Business Improvement Areas (HABIA) to begin consultation. Further, staff from Community Services have been directed by Council to prepare a Festival and Events Strategy for the City of Hamilton and simultaneously a strategic review of the SEAT process is currently underway. Hopefully, adherence to the various licensing and permit requirements for special events can be included as part of these initiatives.

MLE staff will continue to work with staff from the Community Services Department and SEAT to possibly develop an appropriate "Special Event Licence" category and will consider the ease of application and processing for event Organizers. Any such initiative would be presented to Committee/Council for consideration, including an appropriate communication/implementation plan.

As information is collected, staff will continue to consult with HABIA, SEAT and event organizers from some of Hamilton’s major events, and will report back to the Economic Development and Planning Committee as necessary.

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