SUBJECT: Temporary Road Closure for Mustard Festival - Ferguson Avenue North from King Street East to King William Street (PW06105) - (Ward 2)

RECOMMENDATION:

That the application by the International Village B.I.A. to temporarily close Ferguson Avenue North from King Street East to King William Street from Thursday, August 31, 2006, at 3:00 p.m. to Monday, September 4, 2006, at 12:00 noon for their annual Hamilton Mustard Festival, be approved subject to the following conditions:

(a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained.

(b) That the applicant provide proof of $5,000,000 public liability insurance naming the City of Hamilton as an added insured party with a provision for cross liability, and holding the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

(c) That all barricading, detour signing and traffic control be subject to the direction and satisfaction of the General Manager of Public Works, or his designate.

(d) That all barricading be supplied by and at the expense of the applicant.

(e) That “Temporary Road Closure” signs be installed in advance by the Public Works Department, on the affected roadways, if deemed necessary by the General Manager of Public Works at the sole cost of the applicant.

(f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the General Manager of Public Works at the expense of the event organizer.

(g) That no property owner or resident within the barricaded area be denied access to their property upon request.
(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the General Manager of Public Works.

(i) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by the International Village B.I.A. P.O. Box 91220 to serve alcohol on the road allowance on Ferguson Avenue North on Thursday August 31, 2006, from 4:00 p.m to 12:00 midnight, and Friday September 1, 2006, to Sunday September 3, 2006, from 12:00 noon to midnight each day, and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event.

John Mater, C.E.T.
Acting General Manager
Public Works

EXECUTIVE SUMMARY:

An application has been received from the International Village B.I.A. for the temporary road closure of Ferguson Avenue North between King Street East and King William Street for their annual Mustard Festival. As the application complies with the City’s road closure policy, and with no objections from area residents, staff recommends approval of the application, subject to conditions including the installation of advance warning signs for motorists, the prior notification of area residents of the event schedule, and support from Hamilton Police Services in providing control within the closure area.

BACKGROUND:

The information/recommendations contained within this report primarily affects Ward 2.

A request has been received by the International Village B.I.A. to temporarily close Ferguson Avenue North between King Street East and King William Street on Thursday, August 31, 2006, at 3:00 p.m. to Monday, September 4, 2006, at 12:00 noon. This will be their ninth annual event and approximately 11,000 spectators are expected to attend the festival which will include food, music and artisans all celebrating Hamilton being home to the world's largest miller of Mustard seed.

As the application complies with the City’s road closure policy, and with no objections from area residents, staff recommends approval of the application, subject to conditions including the installation of advance warning signs for motorists, the prior notification of area residents of the event schedule, and support from Hamilton Police Services in providing control within the closure area.
ANALYSIS/RATIONALE:  
N/A

ALTERNATIVES FOR CONSIDERATION:  
Alternatively, Council may elect to deny the application for temporary road closure, however staff do not support this alternative as the event has been successfully operated in the past without incident.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:  
The applicant is required to pay the $494 full road closure permit fee.

POLICIES AFFECTING PROPOSAL:  
The City has a policy for delegated authority for short term road closures. The policy states that delegated authority is given for events from previous years as long as: the event takes place in the same location as the previous year, and during the same time of day/day of week and does not include the serving of alcohol. This event does not conform to the policy, as alcohol will be served within the City’s road allowance and the event is of duration longer than one day.

RELEVANT CONSULTATION:  
- International Village B.I.A.
- Special Events Advisory Team
- Hamilton Police Services
- The Ward Councillor supports this year’s application and the B.I.A. has agreed with the proposed road closure of Ferguson Avenue.

CITY STRATEGIC COMMITMENT:  
By evaluating the “Triple Bottom Line”, (community, environment, and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No  
Arts, culture, archeologically and cultural heritage are supported and enhanced.

Environmental Well-Being is enhanced. ☐ Yes ☑ No  

Economic Well-Being is enhanced. ☐ Yes ☑ No  

Does the option you are recommending create value across all three bottom lines? ☐ Yes ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No