SUBJECT: Temporary Closure of Hess Street South Between George Street and King Street (PW06060) - (Ward 2)

RECOMMENDATION:

(a) That the applications to close Hess Street South between George Street and King Street to hold music festivals and specialty events for the following days and time periods:

(i) Friday, June 23\textsuperscript{rd} at 9:00a.m. to Sunday, June 25\textsuperscript{th}, 2006 at 9:00a.m.
(ii) Thursday, July 20\textsuperscript{th} at 9:00a.m. to Sunday, July 23\textsuperscript{rd}, 2006 at 9:00a.m.
(iii) Friday, September 15\textsuperscript{th} at 9:00a.m. to Sunday, September 17\textsuperscript{th}, 2006 at 9:00a.m.

(b) That approval of these closures be subject to the following conditions:

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

(ii) 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.

(iii) 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 with all costs to be the responsibility of the applicant.

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

(v) 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.
(vi) 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.

(vii) That no property owner or resident within the barricaded area be denied access to their property upon request.

(viii) That all property owners and tenants along the closed portion of the road be notified of the event by the applicant prior to the event in a form acceptable to the General Manager of Public Works.

(ix) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by Adam Ellis, located at 193 James Street South, to serve alcohol on the road allowance of Hess Street South on Friday June 24, 2005 and Saturday June 25, 2005, from 12:00 pm (noon) to 12:00 am each day.

(x) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the applications by Jim Skarratt, located at 19 Hess Street South, to serve alcohol on the road allowance of Hess Street South on Wednesday July 6, 2005 to Sunday July 10, 2005, from 12:00 pm (noon) to 12:00 am each day; and on Friday August 12, 2005 to Sunday August 14, 2005, from 12:00 pm (noon) to 12:00 am each day.

(xi) That the amplified sound, including set up, testing and performance will not begin prior to 11:00 am and will cease by 11:00 pm on all days of the week except Sunday when the amplified sound will not begin prior to 12:00 noon and will cease by 10:00 pm.

(xii) That the applicants be granted an amendment to the City of Hamilton’s Noise By-law No. 79-292 to allow music to be played between the hours of 11:00 a.m. to 12:00 midnight on June 24-26, 2005, on July 6-10, 2005, and on August 12-14, 2005, and that a Licensing & Standards Officer monitor the event and be in attendance if necessary, at the expense of the applicant.

(xiii) That no other music be played outside of any establishments within the closure area at any time, pursuant to the City of Hamilton Zoning By-law, including live music and outdoor speakers.

Scott Stewart, C.E.T.
General Manager
Public Works
EXECUTIVE SUMMARY:
Applications have been received to close Hess Street South between George Street and King Street to hold three music festivals. The closure requests conform to the Policy for Hess Village Special Events, namely two weekend closures, one consecutive five day closure, and all events will occur in different months.

BACKGROUND:
The information/recommendations contained within this report primarily affects Ward 2. Applications have been received from Adam Ellis to close Hess Street South between George Street and King Street to hold events on Hess Street South road allowance for the following time periods (includes set-up and take down time):

- Friday, June 23rd at 9:00a.m. to Sunday, June 25th, 2006 at 9:00a.m.
- Thursday, July 20th at 9:00a.m. to Sunday, July 23rd, 2006 at 9:00a.m.
- Friday, September 15th at 9:00a.m. to Sunday, September 17th, 2006 at 9:00a.m.

Council policy regarding special events in Hess Village allows for two weekend closures and one five day event to occur with each event occurring in a different month. Three applications have been received for 2005, and all conform to the policy. The June and July events are street festivals that will include live entertainment, and the September event is the annual Mardi Gras street festival.

As these are well attended festivals which have taken place for several years, and as the applicants have signed agreements to adhere to all City policies regarding festivals in Hess Village, this Department supports the applications.

ANALYSIS/RATIONALE:
N/A

ALTERNATIVES FOR CONSIDERATION:
Alternatively, Council may elect to deny the application for temporary road closure; however staff does not support this alternative as similar events within this closure area have been successfully operated in the past without incident.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
The applicant is required to pay the $484.31 road closure 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, the event does not exceed a one day duration, and no alcohol will be served as part of the event. This event does not conform to the policy as alcohol will be served.
Adherence to City policy regarding special events in Hess Village, adopted by City Council on December 11, 2002, is a condition of approval of the applications and the applicants have signed statements agreeing to this. City Noise Control By-law 79-292, as amended for these events, will be in effect.

**RELEVANT CONSULTATION:**

Hamilton Police Services, and the Special Event Advisory Team.

The Ward Councillor has been consulted and supports these recommendations.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment, 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
TEMPORARY CLOSURE:
Hess Street South
George to King

CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND
ROAD CLOSURE LIMITS:

SCALE
DATE
NOT TO SCALE 2006-05-09

REFERENCE FILE NO: PW06060