



## POLICY No. 2015-02 Festival and Event Policy

**Originating Department** PED-COM-01-2015

**SMT Approval:** 2015-01-20

**Council in Committee:** 2015-02-03

**Recommendation #:** 5

**Council Approval:** 2015-02-09

**Resolution #:** 16-15

**Revision History:**

[Click here for revision history](#)

### 1. PURPOSE

Haldimand County recognizes the importance of Festivals and Events in our County. The community volunteers and groups that host the local Festivals and Events enhance the quality of life and sense of community for the residents of Haldimand County. Festivals and Events also make significant contributions to the local economy and help boost tourism.

The purpose of this policy is to establish fundamental criteria and definitions for approving Festivals and Events taking place on public property in Haldimand County and for the implementation of a Festival and Event Operating Grant Program.

The purpose of the policy is also to make certain all necessary regulatory and operational approvals are obtained to ensure safe Festival or Event operation and adherence to applicable by-laws, policies and procedures.

### 2. APPLICATION

2.1 This policy applies to the defined Festivals and Events that take place in Haldimand County.

2.2 The funding aspect of this policy applies to Festivals and Events taking place all or in part on Haldimand County property.

2.3 The following activities are NOT subject to the provisions of this policy:

2.3.1 Filming:

- Filming on municipal property is regulated through Haldimand County Policy No. 2007-04 – Filming in Haldimand County.

### 2.3.2 Community-Based Tournaments:

- A sporting event that takes place only on designated County-owned sports fields and/or facilities that is not a Festival or Event as defined by this policy; and
- Community-based tournaments are approved and booked in accordance with Haldimand County Policy No. 2007-01 – Facility Booking and Ice Allocation.

### 2.3.3 Private Events on County Property:

- An event that takes place on County-owned property;
- Participation in these events is limited to invited guests (e.g. family reunions, birthday parties, pool rentals); and,
- Private Events are approved and booked in accordance with the Haldimand County Policy No. 2007-01 – Facility Booking and Ice Allocation.

## 3. DEFINITIONS

### 3.1 Festival or Event

A Festival or Event is an organized gathering with a planned program oriented towards arts, culture, sport and entertainment, charitable or educational activities, occurs within a defined period of time and provides community benefit, and that:

- Requires County approval(s) through the Festival and Event approval process;
- May require the approval of outside regulatory agencies such as Alcohol and Gaming Commission of Ontario (AGCO), Haldimand-Norfolk Health Unit, Haldimand County OPP, etc.; and,
- May incorporate activities not normally expected with the use of County property that may require risk mitigation such as alcohol consumption, carnivals, tents, fireworks, etc.

### 3.2 Community Benefit

Exists when Festivals and Events:

- Are open to the general public with no admission charge or a minimum charge where deemed necessary to ensure as much public participation and access as possible;
- A portion of the proceeds from the Festival or Event are donated to a local non-profit group or charity;
- The Festival or Event is hosted by a non-profit group or charity;

- The Festival or Event provides a positive image for and increases the profile of Haldimand County; and/or,
- The Festival or Event adds economic benefit to Haldimand County from a tourism perspective.

### 3.3 Event Classifications

#### 3.3.1 Major Festival or Event

- An organized non-profit event, recurring annually, which incorporates an intensive level of planned activity, a multi-faceted program of arts, cultural, sports or entertainment activities within a defined period of time that provides community benefit;
- Is accessible to and provides for broad access and participation to all residents of the County and/or tourists and has significant attendance levels (500+) relative to the size of the festival budget;
- Has an operating budget over \$10,000;
- Has received Council approval;
- Is mostly, if not entirely, held on County-owned property; and,
- Will restrict or limit community use of County-owned facilities, properties, roads and/or amenities for a day or more.

*Examples include:* Dunnville Mudcat Festival, Caledonia Canada Day Celebrations and Hagersville Lions Summer's End Festival, Major Sporting Events (provincial or national championships), the Dunnville Agricultural Fair and the Caledonia Agricultural Fair.

#### 3.3.2 Minor Festival or Event

- The event provides community benefit and a limited number of planned activities;
- The organizer anticipates that attendance will be less than 500 people;
- The event is mostly, if not entirely, held on County-owned property; and,
- Will cause limited restrictions for community use of County-owned facilities, properties, roads and/or amenities for less than 24 hours.

*Examples include:* Remembrance Day Ceremonies, Christmas Parades, community fund-raisers such as plant sales and food booth(s).

#### 3.3.3 For Profit Events on County Property

- A private enterprise organizer hosting a Festival or Event open to the public and intended to retain proceeds derived from the activity on a commercial basis.

*Examples include:* circuses, animal shows, exhibitions, concerts and trade shows.

#### 3.3.4 Agricultural Fair

An annual exhibition which primarily promotes agriculture and features a variety of livestock, agricultural or horticultural produce, as well as related articles of domestic manufacture; and,

- Additional activities of an agricultural fair may include entertainment, educational displays, contests and/or demonstrations.

#### 3.4 Festival or Event Permit

A written approval issued through the Festival and Event Policy that authorizes the event and includes any associated conditions.

### 4. POLICY

#### 4.1 Approvals Required

- 4.1.1 All Event Organizers must submit an application for approval, adhere to the process guidelines and obtain the relevant approvals prior to proceeding.
- 4.1.2 All Event Organizers must obtain and display, during the event, a Festival and Event Permit issued pursuant to this policy and adhere to any conditions associated therein.
- 4.1.3 All new or significantly-altered major Festivals or Events must be approved by a resolution of Council.
- 4.1.4 The subsequent approval of a Major Festival or Event following the initial Council approval, as well as the approval of any Minor Festival or Event, is delegated to the General Manager of Community & Development Services.
- 4.1.5 All For Profit Events on County property must be approved by a resolution of Council.
- 4.1.6 Where a Festival or Event requires a Special Occasions Permit (SOP) as per the Alcohol and Gaming Commission of Ontario (AGCO) regulations, which govern the program in order to qualify for an SOP, the event must be designated to be of municipal significance. (The designation of municipal significance allows advertising for and fund-raising from alcohol sales, where the event is being held by a group that is not a registered charity under the *Income Tax Act*, or a non-profit association or organization.) The

municipal designation is required in the form of a Council resolution or a letter issued from the Municipal Clerk or the General Manager of Community & Development Services, based on an evaluation of the following criteria:

- The Festival or Event is accessible to and provides for broad access and participation to all residents of the County and/or tourists and has significant profile;
- The liquor sales activity is ancillary to the main Festival or Event function and is for the purposes of raising funds for the Festival or Event or to raise funds for charitable purposes and objects that benefit the public at large;
- The Festival or Event is intended to encourage and promote community involvement and provides a venue for local businesses, organizations and residents to participate in the activities; and,
- The Festival or Event organizer has submitted and received approval of an alcohol management plan from the County. Considerations will include:
  - The size of the alcohol service area and the projected number of participants;
  - How the alcohol service area will be delineated (i.e. tents, barricades or fencing);
  - The qualifications that will be required by the organizer for all person(s) serving alcohol;
  - The duration and hours of the alcohol service area;
  - The impact of the alcohol service area upon neighbouring properties and other facility users or Festival or Event participants;
  - Public health, safety and liability considerations for participants and the County; and,
  - For Profit Events cannot be designated a “municipally significant” event as per the AGCO and these proponents are encouraged to partner with a non-profit charitable organization or third party in order to obtain an SOP.

4.1.6.1 A recurring Festival or Event that has been designated of municipal significance shall maintain that designation unless it is rescinded by the County.

## 4.2 Festival and Event Operating Grant Program

4.2.1 The County's Festival and Event Operating Grant Program is intended to achieve the following:

- Provide financial support for a specific time period to Festivals and Events to encourage the development of event capacity and increase attendance;
- Provide a fair and transparent application process;
- Allocate financial resources in a fair and equitable manner; and,
- Ensure accountability for funding provided to organizers.

4.2.2 Funding will only be provided to Festival or Event organizing bodies from Haldimand County that meet the definition of Festival or Event and the proposed funding parameters and conditions as follows:

- i. In recognition of the "in-kind" and "logistical" support provided by the County to Festivals and Events, grant funding will be provided in the amount of up to 10% of the eligible operating budget for an event, using the previous year's actuals. In the event the dollar value of successful grant applications exceeds an annual funding envelope, the value of all grants will be prorated accordingly.
- ii. Eligible use of the grant funds are:  
Programming – Fees for artists, speakers and key creative or community contributors, productions and exhibit costs, venue and equipment rental, design, display and decoration.  
Administration – Planning, coordination, event management, fund-raising, bookkeeping, audience feedback or other data collection and permit fees.  
Publicity and Marketing – Development and implementation of publicity and marketing strategies and advertising and promotional expenses.

Ineligible use of the grant funds are:

- Ongoing organizational operating costs (i.e. rent, telephone, salaries, services, training, office supplies / equipment, etc.);
- Deficit management/debt repayment;
- Reserve funds;
- Retroactive costs incurred prior to grant approval;
- Capital improvements or expenditures (i.e. structural costs, renovations, equipment purchases); and,
- Awards ceremonies, recognition events, banquets, receptions, annual general meetings.

- 4.2.3 Any organization or group that has a loan agreement, is in arrears and/or litigation with Haldimand County is ineligible to apply for funding.
- 4.2.4 In order to undertake the appropriate due diligence to ensure that applications meet the criteria of the program, applications will require a Festival and Event budget submission showing related expenditures, revenues and reserves (including details about the purpose of the reserve) of the organizer who is applying. A committee comprised of County staff will review all applications for subsequent Council approval relative to the following criteria:
  - 4.2.4.1 The Festival or Event aligns with and furthers the County's Corporate Strategic Priorities.
  - 4.2.4.2 Applicants must be a community group or organization; individuals are not eligible.
  - 4.2.4.3 Applicants must be a group or organization that has been in existence for a minimum of one year, and must have a bank account in the name of the group or organization.
  - 4.2.4.4 A governance structure exists consisting of a volunteer board of directors or executive committee comprised primarily of Haldimand County residents;
  - 4.2.4.5 There is demonstrated organizational capacity of volunteers, contractors and staff to deliver the Festival while meeting health, safety and legislative requirements;
  - 4.2.4.6 There is demonstrated financial capacity to deliver the Festival while meeting its financial obligations; and,
  - 4.2.4.7 Proof of adequate liability insurance coverage for the Festival to County standards.
- 4.2.5 If a Festival or Event approved for a grant through the Festival and Event Operating Grant Program does not occur in full the funds must be returned to the County. However, special consideration of exceptional circumstances, such as natural catastrophes or Acts of God will be considered at the discretion of Haldimand County.
- 4.2.6 Grant recipients must acknowledge the support of Haldimand County in all print and publicity material for the Festival (i.e. literature, advertising, banners or on-site signs).
- 4.2.7 Grant recipients must comply with applicable legislation, municipal by-laws and policies as outlined in the Festival and Event Approval Guidelines.
- 4.2.8 Organizations receiving County funding will maintain financial records in accordance with Canadian generally-accepted accounting principles and will provide them to the County upon request.

4.2.9 All organizations receiving a Festival and Event Operating Grant will be required to complete a final report form outlining how the grant funds were used, festival attendance, etc. The final report is due within 45 days following the festival. This report is critical in terms of being able to evaluate the impact of the funding program. Organizations which do not submit a final report form will be ineligible for County funding in subsequent years until the final report form is provided.

**5. RESPONSIBILITIES**

- 5.1 Community Development and Partnerships (CDP) staff will act as a “one stop” intake and approval coordination body for Festivals and Events. CDP will provide assistance to Festival and Event applicants throughout the approval process, and CDP will distribute necessary forms and documents submitted with the application to the applicable internal and external agencies for review and approval. CDP will prepare any necessary approval reports to Council.
- 5.2 CDP will administer and process Festival and Event Operating Grant applications for approval by Council and/or the General Manager of Community & Development Services, as applicable.
- 5.3 The Clerk and the General Manager of Community & Development Services will have the delegated authority for granting the municipally significant designation as per the AGCO requirements.

REVISION HISTORY					
REPORT	CIC		COUNCIL		DETAILS
PED-COM-06-2016	1-Mar-16	5	7-Mar-16	48-16	
CDP-02-2020	3-Mar-20	7	9-Mar-20	49-20	
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	
	Date	Rec#	Date	Res#	