

## CORPORATION OF THE TOWNSHIP OF MAPLETON

## BY-LAW NUMBER 2007-053

Being a by-law adopt the use of Special Event Permits (Roads) and to allow Charitable Organizations to conduct fundraising activities on Municipal Roadways.

**WHEREAS** Sections 8 to 11 of the Municipal Act, 2001, as amended, confer authority on municipalities to pass by-laws to regulate matters including highways, being one of its spheres of jurisdiction;

**AND WHEREAS** Section 177 (3.1) of the Highway Traffic Act, 1990 as amended, and Section 3(3) of the Safe Streets Act, 1999 as amended, make provisions for municipalities to pass by-laws to permit charitable organizations to conduct fundraising on roadways.

**AND WHEREAS** Section 1(3) of the Safe Streets Act, 1999 as amended, places conditions on fundraising on roadways;

**AND WHEREAS** it is deemed to be expedient to adopt the use of Special Event Permits (Roads) for special events on Township of Mapleton Roads and County of Wellington Roads within the municipal boundaries of the Township of Mapleton;

**WHEREAS** the Corporation of the Township of Mapleton deems it necessary and expedient to enact a by-law pursuant to s.42 of *The Municipal Act, S.O. 2001* to delegate to the Chief Administrative Officer the power to close a highway temporarily for the purposes of special events.

**AND WHEREAS** the Corporation of the County of Wellington has conferred by by-law the authority to the Corporation of the Township of Mapleton to approve Special Event Permits including toll booths on County Roads within the municipal boundaries of the Corporation of the County of Wellington.

**NOW THEREFORE** the Council of the Corporation of the Township of Mapleton enacts as follows:

1. THAT the CAO Clerk and/or the Director of Public Works is hereby authorized to issue Special Event Permits (Roads) for special events on Township of Mapleton roadways;
2. Subject to such further conditions as may be imposed by it, the Council of the Corporation of the Township of Mapleton delegates to its Chief Administrative Officer the power to close any highway under its jurisdiction temporarily for social, recreational, community or athletic purposes or a combination of such purposes.
3. Attached hereto as Schedule "A" are certain conditions that must be met to permit a charitable organization to conduct a fundraising activity on Township of Mapleton or County of Wellington Roadways within the municipal boundary of the Township of Mapleton.

4. Every person who, and charitable organizations including its agent that contravenes any provision of this by-law is guilty of an offence and is liable to a fine and any penalties imposed pursuant to the Safe Streets Act, 1999 as amended, the Highway Traffic Act, 1990 as amended, and the Provincial Offences Act, 1990 as amended, and the Federal Income Tax Act, as amended.
5. THAT By-law 2006-093 is hereby repealed.
6. This by-law shall come into force and effect on the day of its final passing.

**READ** a first and second time this 24<sup>th</sup> day of July, 2007.

**READ** a third time and passed this 24<sup>th</sup> day of July, 2007.

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Mayor John Green

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CAO Clerk Patty Sinnamon

**SCHEDULE 'A' TO BY-LAW 2007-053****Regulations for Charitable Fundraising Events on Roadways (Toll Booths)**

A charitable organization shall only be permitted to conduct a fundraising activity on Township of Mapleton Roadways or on County of Wellington Roadways within the municipal boundaries of the Township of Mapleton on the following conditions:

1. Upon completion of a Special Events Permit Application and subsequent approval by the CAO Clerk or the Director of Public Works. The applicant shall be provided with a copy of this by-law, together with the Township of Mapleton Corporate Policy for Special Events Permits.
2. A charitable organization shall be permitted to conduct a fundraising activity only on Township of Mapleton roadways or County of Wellington Roadways within the municipal boundaries of the Township of Mapleton where the maximum speed limit is 50 kilometres per hour, as long as the normal flow of traffic is not disrupted.
2. A charitable organization that is fundraising through an agent, shall ensure that its agent is conducting the fundraising in accordance with this by-law and all legislation as mentioned in this by-law.
3. A charitable organization, including its agent, shall not be permitted to conduct fundraising in an aggressive manner. Any of the following activities shall be deemed to be aggressive:
  - a) threatening the person solicited with physical harm, by word, gesture, or other means during the solicitation or after the person solicited responds or fails to respond to the solicitation;
  - b) obstructing the path of the person solicited during the solicitation or after the person solicited responds or fails to respond to the solicitation;
  - c) using abusive language during the solicitation or after the person solicited responds or fails to respond to the solicitation;
  - d) proceeding behind, alongside or ahead of the person solicited during the solicitation or after the person solicited responds or fails to respond to the solicitation;
  - e) soliciting while intoxicated by alcohol or drugs;
  - f) continuing to solicit a person in a persistent manner after the person has responded negatively to the solicitation;

**THE CORPORATION OF THE TOWNSHIP OF MAPLETON**  
**P.O. Box 160, 7275 Sideroad 3, Drayton, ON N0G 1P0**  
**Phone: (519) 638-3313 Fax: (519) 638-5113**

**SPECIAL EVENT PERMIT**  
**(By-law No. 2007-053 )**

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Sponsoring Organization: \_\_\_\_\_

NAME OF EVENT: \_\_\_\_\_

TYPE OF EVENT: \_\_\_\_\_  
(ie. parade, foot race or walk, cycling, street dance, toll booth, etc.)

DATE OF EVENT: \_\_\_\_\_

START TIME: \_\_\_\_\_ FINISH TIME: \_\_\_\_\_

LOCATION OF EVENT: \_\_\_\_\_

(Include Mapping where necessary)

TEMPORARY ROAD CLOSING REQUIRED: Yes \_\_\_\_\_ No \_\_\_\_\_

A Certificate of Liability Insurance in the amount of \$2,000,000.00 naming the Township of Mapleton and/or the County of Wellington as an additional insured, a map outlining the event route or roads to be used, along with a letter from the OPP acknowledging the event must be attached .

\_\_\_\_\_ accepts full responsibility for traffic control, crowd control, barricades, safety precautions and clean up associated with this event.

\_\_\_\_\_ also accepts the responsibility of any suits, actions, causes of action or damages that may arise or be taken against the Corporation of the Township of Mapleton and/or the County of Wellington by reasons of or in connection with this event.

I hereby confirm that I have received a copy of by-law 2007-053 and a copy of the Special Events Permit – Roads Policy and agree to abide by the terms and conditions set out therein.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

I have the authority to sign this Special Event Permit Application which binds the Event Sponsor named herein to the within terms and conditions.

Township Authorization

PERMISSION IS HEREBY GRANTED \_\_\_\_\_ DENIED \_\_\_\_\_ SUBJECT TO THE DESCRIPTION OF THE EVENT SPECIFIED ON THIS FORM AND SUBJECT TO THE APPLICANT'S ACCEPTANCE OF THE TERMS AND CONDITIONS SETOUT HEREIN.

Additional Conditions:

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C.A.O. Clerk or Director of Public Works

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Date of Issue

**PCR 02 SPECIAL EVENT PERMITS – ROADS**PCR 02.01 Purpose

The Township of Mapleton supports community events such as parades, walkathons and charitable fundraising events (toll booths) by non-profit organizations that are conducted on municipal roadways. The Special Events Permit (Roads) Policy is designed to set out a variety of measures to minimize the risk to the municipality while at the same time increasing a safe, enjoyable event for participants, surrounding properties or residents and motorists.

Adopted December 04, 2006

Amended July 24, 2007

PCR 02.02 Objectives

a) To ensure that community events along municipal roadways are conducted in a safe manner and to reduce the risk of liability to event organizers, participants, volunteers and the Township and its staff.

Adopted December 04, 2006

PCR 02.03 Permit Required

Special Event Permits (Roads) are required for any organized event such as parades, athletic events (foot races or walks, cycling events, street dances, community celebrations, charitable fundraising activities (toll booths) etc. that take place along municipal roadways. A Permit is required regardless of the time factor involved on being on a municipal roadway, part thereof, or an intersection under the jurisdiction of the Township, including County Roads, even if it is for a matter of a few minutes.

Applications for Special Event Permits (Roads) can be obtained from the municipal office or on the Township's Web site. The application must be signed by an authorized representative of the organization.

Applications for Special Events Permits must be submitted to the municipality at least 2 weeks prior to the event.

Permits are issued free of charge.

Adopted December 04, 2006

Amended July 24, 2007

PCR 02.04 Conditions for Special Event Permits (Roads)

Any organization that wishes to hold a special event on municipal roadways must complete the Special Events Permit Application Form.

In addition, the following must be forwarded to the Clerk's Office at least two weeks prior to the event taking place:

- a) Certificate of Liability Insurance in the amount of \$2,000,000.0 naming the Township of Mapleton as an additional insured. Where the event is to take place on a County Road,
- b) a map outlining the route of the event or the location of the toll booth;
- c) A letter from the County of Wellington Ontario Provincial Police acknowledging the event.

The Township of Mapleton reserves the right to refuse an application and to impose on the event whatever restriction it deems appropriate in the circumstance.

*Adopted December 04, 2006*

*Amended July 24, 2007*

PCR 02.05 Other

The Township will work with event sponsors to try to accommodate their requests. However, the Township reserves the right to deny permits if it feels that the event sponsors have not adequately planned for the safety and well being of the participants.

The Township of Mapleton reserves the right to introduce other conditions from time to time at its discretion.

*Adopted December 04, 2006*

PCR 02.06 Temporary Road Closings

The C.A.O. Clerk by by-law has the power to temporarily close any highway under the municipality's jurisdiction for social, recreational, community or athletic purposes or a combination of such purposes. The C.A.O. Clerk and/or Director of Public Works by by-law have the power to issue Special Event permits for social, recreational, community or athletic purposes or a combination of such purposes, including charitable fundraising events (toll booths) on municipally owned roads (upper tier and lower tier).

Such approvals shall only be granted when it is deemed to be in the interest of public safety.

*Adopted December 04, 2006  
Amended July 24, 2007*

PCR02.07 Special Events Taking Place on County of Wellington Roads

The County of Wellington by by-law 4919-07 has delegated the authority to the Township of Mapleton to approve special events and associated road closures. The County of Wellington has also delegated authority to the Township of Mapleton to approve toll booths on County Roads. The Director of Public Works and/or the CAO Clerk are hereby delegated the authority to authorize special events taking place on County of Wellington Roadways, if upon reviewing the completed Application and related information (ie. map of parade route), he/she deems it appropriate to issue such permit. A copy of the permit shall be provided to the County of Wellington.

The C.A.O. Clerk is hereby delegated the power to temporarily close any County of Wellington Roadway within the limits of the Township of Mapleton for social, recreational, community or athletic purposes or a combination of such purposes.

Adopted July 24, 2007