

BYLAW NUMBER 29M2015

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND BYLAW 38M2012,
THE MUNICIPAL COMPLEX BYLAW**

WHEREAS Council has considered LAS2015-18 and deems it necessary to amend Bylaw 38M2012, the Municipal Complex Bylaw;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 38M2012, the Municipal Complex Bylaw, as amended, is hereby further amended.
2. In section 3:
 - (a) the definition of "*business hours*" is deleted and replaced with the following:

“*business hours*” means the hours between 7:30 a.m. and 5:30 p.m. on any day that the *Atrium* is open to the public;”
 - (b) in the definition of "*Event*" the words "occurring over the period of a single day" are deleted;
 - and
 - (c) the definition of "*regional health authority*" is deleted.
3. In section 4:
 - (a) subsection 4(1)(a)(i) is deleted;
 - (b) subsection 4(1)(b) is deleted;
 - (c) in subsection 4(1)(c), the words ", or erect or place a tent or temporary shelter of any kind" are deleted;
 - (d) subsection 4(1)(o)(i) is deleted;
 - (e) subsection 4(1)(q) is deleted;
 - and
 - (f) subsection 4(2) is deleted.

4. In section 5:

- (a) in subsection 5(1)(f), the “.” after the word “plant” is deleted and replaced with a “,”;
and
- (b) the following is added after subsection 5(1)(f) as subsections 5(1)(g), (h), (i) and (j):
 - “(g) engage in any activity that interferes with or obstructs an *entrance/exit zone*;
 - (h) within the boundaries of the *Complex*, sell or offer for sale any type of merchandise or product, including the sale of newspapers, magazines or food or beverages;
 - (i) within the boundaries of the *Complex*, set off, launch or operate any fireworks or other explosive devices;
 - (j) within the boundaries of the *Complex*, erect or place a tent or temporary shelter of any kind.”.

5. The following is added after section 5 as section 5.1:

“PREPARATION AND DISTRIBUTION OF FOOD

- 5.1 (1) A *person* must not prepare and distribute any food product, or cook any food product for distribution to other *persons* by using a source of heat to boil, bake, roast, grill or barbecue the food within the boundaries of the *Complex*, unless all of the following requirements are complied with:
- (a) the *person* prepares or cooks and distributes the food products in a location within the boundaries of the *Complex* designated by the *Complex Manager*;
 - (b) the *person* is in possession of, and provides to the *Complex Manager* or an *Officer* upon demand, a current approval in writing, from Alberta Health Services for the preparation, cooking and distribution of food for the specific *Event*;
 - (c) the *person* complies with all safety requirements of the *Complex Manager* for any equipment used to provide a heat source, including all of the following:
 - (i) A fire extinguisher meeting all requirements of the Alberta Fire Code must be available at all times during the use of any equipment providing a heat source;

- (ii) Equipment providing a heat source must have any propane cylinders approved by a testing agency registered with the Standards Council of Canada and requalification of the propane cylinders must be in accordance with the Canada Standards Association "Propane Storage and Handling Code" as required by Alberta Regulation 111/2010 and proof of such approval or requalification must be provided to the *Complex Manager* upon request;
- (iii) Equipment providing a heat source cannot be used in tents or where flammable materials overhead or near the heat source;
- (iv) Equipment providing a heat source cannot be used on the *Plaza* if vehicles are on the *Plaza*;
- (d) the *person* is in possession of, and provides to an *Officer* upon demand, a commercial general liability insurance policy with an insurer licensed to do business in Alberta for the *Event* where the preparation or cooking and distribution of food is to take place, in a form and in an amount satisfactory to the City Solicitor, which includes all of the following:
 - (i) *The City* as an additional insured;
 - (ii) a cross-liability clause;
 - (iii) products and completed operations coverage.

(2) Despite subsection (1), *pre-packaged food products* may be distributed on the *Complex Exterior* or in the *Complex Interior* if the *Complex Manager* has given approval in writing for the distribution of a *pre-packaged food product*."

6. In section 10:

(a) subsection 10(3) is deleted and replaced with the following:

"(3) An *Event* must not be staged on or held, or *persons* attending or participating in an *Event* must not gather or remain, in or on any of the following locations:

- (a) an *entrance/exit zone*, as shown on Schedule "C" attached to this *Bylaw*;
- (b) any memorial located on the *Complex Exterior*, as shown on Schedule "E" attached to this *Bylaw*;

without the written permission of the *Complex Manager*.";

(b) subsections 10(5) and (6) are deleted and replaced with the following:

“(5) A *person* or group of *persons* may stage or hold an *Event* on the *Plaza* or carry out an activity on the *Plaza* only between the hours of 7:00 a.m. and 11:00 p.m.

(6) Registration of an *Event* by any *person* or group of *persons* for exclusive use of the *Plaza* is limited to 1 *Event* per month.”

and

(c) the following is added after subsection 10(6) as subsection 10(7):

“(7) No *person* or group of *persons* may register for exclusive use of the *Plaza* for an *Event* that lasts longer than 1 day.”.

7. Subsection 11(3) is deleted and replaced with the following

“(3) A *permit* will not be granted by the *Complex Manager* for the use of the *Complex Interior* to any *person*.

(1) for an *Event* that lasts longer than 5 consecutive days; or

(2) for more than 5 *Events* per calendar year.

(3.1) Despite subsection (3), a *permit* will not be issued to any *person* for *Events* that cumulatively total more than 5 days in a calendar year.”.

8. Subsection 12(b) is deleted.

9. In subsection 13(4) the words “by email or by registered mail” are deleted.

10. The following is added after subsection 14(1) as subsection 14(1.1):

“(1.1) The *Complex Manager* may allow a portion of the *Atrium* to be used to locate a voting station in connection with a municipal, school board, provincial or federal election. A *permit* is not required for such an activity.”.

11. In **SCHEDULE “A”** under the headings indicated:

(a) the following is deleted:

Section	Description of Offence	Specified Penalty
“4(1)(a)(i)	Interfering with or obstructing access to, or exit from the <i>Complex</i>	\$ 250.00”

(b) the following is deleted:

Section	Description of Offence	Specified Penalty
"(b)	Selling or offering for sale any merchandise or products in or on the <i>Complex</i>	\$ 100.00"

(c) the following is deleted:

Section	Description of Offence	Specified Penalty
"(c)	Sleeping, or erecting a tent or other temporary shelter within the boundaries of the <i>Complex</i>	\$ 500.00"

and replaced with:

Section	Description of Offence	Specified Penalty
"(c)	Sleeping within the boundaries of the <i>Complex</i>	\$ 500.00"

(d) the following is deleted:

Section	Description of Offence	Specified Penalty
"(o)(i)	Setting off, launching or operating fireworks or other explosive devices within the boundaries of the <i>Complex</i>	\$ 500.00"

(e) the following is deleted:

Section	Description of Offence	Specified Penalty
"(q)(i)	Preparing, cooking or distributing food in a location on the <i>Complex Exterior</i> not designated by the <i>Complex Manager</i>	\$ 250.00
(q)(ii)	Preparing, cooking or distributing food on the <i>Complex Exterior</i> without a current written approval from the Alberta <i>regional health</i>	\$ 250.00

	<i>authority</i>	
(q)(iii)	Preparing, cooking or distributing food on the <i>Complex Exterior</i> without complying with all safety requirements for any equipment used to provide a heat source	\$ 500.00
(q)(iv)	Preparing or cooking and distributing any food product without a commercial general liability insurance policy in a form and in an amount satisfactory to the City Solicitor	\$250.00
4(2)	Without written approval of the <i>Complex Manager</i> , distributing a <i>pre-packaged food product</i> on the <i>Complex Exterior</i>	\$100.00"

and

(f) after:

Section	Description of Offence	Specified Penalty
“(f)”	Without the written approval of the <i>Complex Manager</i> , affixing or attaching any thing or object to any part of the <i>Complex</i> or to any property of <i>The City</i> located on the <i>Complex</i>	\$ 100.00”

the following is added:

Section	Description of Offence	Specified Penalty
“(g)”	Without the written approval of the <i>Complex Manager</i> , engage in any activity that interferes with or obstructs an <i>entrance/exit zone</i>	\$250.00
(h)	Without the written approval of the <i>Complex Manager</i> , sell, or offer for sale, any type of merchandise or product, including the sale of newspapers, magazines or food or beverages	\$100.00
(i)	Without the written approval of the <i>Complex Manager</i> , within the boundaries of the <i>Complex</i> , set off, launch or operate any fireworks or other explosive devices	\$500.00

(j)	Without the written approval of the <i>Complex Manager</i> , erecting a tent or other temporary shelter within the boundaries of the <i>Complex</i>	\$500.00
5.1(1)(a)	Preparing, cooking or distributing food in a location not designated by the <i>Complex Manager</i>	\$ 250.00
5.1(1)(b)	Preparing, cooking or distributing food without a current written approval from Alberta Health Services	\$ 250.00
5.1(1)(c)	Preparing, cooking or distributing food without complying with all safety requirements for any equipment used to provide a heat source	\$ 500.00
5.1(1)(d)	Preparing or cooking and distributing any food product without a commercial general liability insurance policy in a form and in an amount satisfactory to the City Solicitor	\$250.00
5.1(2)	Without written approval of the <i>Complex Manager</i> , distributing a <i>pre-packaged food product</i>	\$100.00"

12. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME THIS ___ DAY OF _____, 2015.

READ A SECOND TIME THIS ___ DAY OF _____, 2015.

READ A THIRD TIME THIS ___ DAY OF _____, 2015.

MAYOR
SIGNED THIS ___ DAY OF _____, 2015.

CITY CLERK
SIGNED THIS ___ DAY OF _____, 2015.