

AMENDMENTS TO MUNICIPAL COMPLEX BYLAW 38M2012

EXECUTIVE SUMMARY

On 2012 July 30 Council approved Bylaw 38M2012, the Municipal Complex Bylaw which came into effect on 2012 September 30. The Bylaw provides for public use of the Municipal Complex for various events and activities. The process, registrations (Plaza), and permits (Atrium) enable City Administration to work with the public using clear guidelines on use and ensure The City's risk is managed.

In reviewing various applications and applying Bylaw 38M2012, some sections of the Bylaw have been identified as being better placed under restricted activities vs. prohibited activities to better support desired uses. It was further identified that some situations experienced over the last couple of years were not adequately addressed or required further clarification.

ADMINISTRATION RECOMMENDATION(S)

That the Land and Asset Strategy Committee recommend that Council give three readings to the proposed Bylaw to amend the Municipal Complex Bylaw 38M2012 as set out in the Attachment.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2015 March 19 Council approved LAS2015-03 Municipal Complex Bylaw 38M2012 Amendments – Deferral Request directing Administration to bring forward the report on the Municipal Complex Bylaw 38M2012 Amendments no later than Q2 2015.

On 2014 June 09 Council approved LAS2014-19 Municipal Complex Bylaw 38M2012 Update directing Administration to report back through the Land and Asset Strategy Committee no later than 2015 Q1 with proposed amendments to Bylaw 38M2012.

On 2012 July 30 Council approved CPS2012-0426 Proposed Municipal Complex Bylaw, directing Administration to report back through the Land and Asset Strategy Committee no later than 2014 Q2 on the success of the implementation of the proposed Municipal Complex Bylaw and its operational effectiveness.

BACKGROUND

Since 2012 September 30, Administrative representatives from Corporate Properties & Buildings, Corporate Security and Animal and Bylaw Services have worked collaboratively to implement, monitor and enforce Bylaw 38M2012.

Overall the implementation and administration of the Bylaw 38M2012 has been very successful as we are able to accommodate an increasing number of events and non-profit organizations.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Bylaw 38M2012 supports the beneficial public use of the Municipal Complex Atrium and Plaza by setting out appropriate rights and limitations for use and behavior. Since implementation of Bylaw 38M2012, Administration has made improvements and changes to the processes, systems and resources required to accommodate, operate and enforce Bylaw 38M2012.

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Administration is proposing some minor amendments to Bylaw 38M2012 to address situations that were not initially identified and where further clarification or reclassification is required.

Two definitions are proposed to be changed for clarification:

- “business hours” are now clearly defined as 7:30 a.m. and 5:30 p.m.;
- “event” is no longer limited to a single day so that a single permit will cover a multiple day event.

The reclassification of specified activities from “Prohibited” to “Restricted” will allow, under limited circumstances, for the following noted activities with written permission from the Complex Manager:

- the obstruction of the entrance or exit areas as set out on the maps to enable some uses – for example, after hours;
- the selling of any goods or services;
- the use of tents or structures – for example, to shade or protect event materials from weather;
- the use of fireworks – for example, New Years or for filming when authorized by The City.

These were reclassified to allow for flexibility in accommodating persons or groups within the intent of their events and the impact on the Complex. For example, Administration would like to allow food in the Atrium for events such as cake cutting ceremonies or catered events.

Administration is also encouraging the selling of goods for charitable organizations such as the selling of daffodils for the Canadian Cancer Society.

The preparation and distribution of food products has warranted a dedicated section within the Bylaw to address all of the various scenarios, both within the Atrium and the Plaza. It is proposed the food provisions:

- be moved from section 4 (Prohibited) to a standalone section;
- expand to include food in the Atrium.

The Complex Manager is no longer restricted in the methods available for responding to an applicant as the direction to respond “by email or registered mail only” has been removed. There is further clarification on the use of the Plaza for events, including one event per person or groups of persons per month. Within the Atrium, there is also allowance for an event being up to 5 consecutive days in length, not just a single day. Lastly, a provision has been included for the use of the Atrium for any voting station in connection with municipal, school board, provincial or federal election without a permit.

Stakeholder Engagement, Research and Communication

Applicant feedback has been taken into consideration to help guide areas of the Bylaw which require further clarification for ease of understanding. Furthermore, the appropriate guidelines will be updated accordingly based on approved changes.

Corporate Properties & Buildings have also consulted with the Inter Department Event Team (IET), Arts & Culture, and Recreation as they are our liaison and partners for larger events held at the Municipal Complex.

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Corporate Properties & Buildings has collaborated with our main stakeholders, Corporate Security, Animal and Bylaw Services and Calgary Police Service to get feedback on the proposed Bylaw 38M2012 amendments.

Strategic Alignment

Adjusting the Municipal Complex Bylaw aligns to Council's Action Plan 2015-18 Strategy (N9) to provide great public spaces and public realm improvements across the city to foster opportunity for well used public spaces and places for citizen connections and urban vitality. This is also a performance measure in the Corporate Properties & Buildings Action Plan 2015-2018.

Social, Environmental, Economic (External)

The Bylaw formally acknowledges use of the outside space by groups who wish to have an event or demonstrate. Processes provide groups the ability to determine if City priorities for the Plaza restrict or disallow their use on a particular date and time.

Social

The Bylaw maintains public access to the Municipal Complex and provides a process to hold public events. This contributes to a culturally vibrant City.

Environmental

There are no significant environmental implications with the Bylaw.

Economic (External)

Proper management of the Complex provides a safe and secure place for citizens, organizations and industry to do business with The City.

Financial Capacity

Current and Future Operating Budget:

There are no impacts to current operating budgets with the amendment of the Bylaw.

Current and Future Capital Budget:

There is no capital request with this report.

Risk Assessment

These amendments will assist in mitigating ongoing risks by further clarifying situations, reclassification of certain activities and providing direction to situations not previously addressed.

REASON(S) FOR RECOMMENDATION(S):

The Municipal Complex buildings serve a number of purposes. The facility's primary purpose is serving customers, housing municipal government and legislative processes and a workplace for the Administration of The City. It is also a place where Calgarians should feel invited, welcome and safe to visit, participate in local politics and events and do business with The City. Bylaw 38M2012 has proven to be an important element in ensuring a balanced management approach to ensure these objectives are achieved.

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In working with Bylaw 38M2012 for the past two years, Administration has identified areas where some situations were not identified or where further clarification or reclassification is required. Addressing these with amendments to the Bylaw will continue to ensure an understandable and supportive approach for public users of the Atrium and Plaza.

ATTACHMENT(S)

Proposed text of a bylaw to amend 38M2012, the Municipal Complex Bylaw