

**OFFICE CONSOLIDATION**

**BYLAW NUMBER 34M2000**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO REGULATE EXTENDED DANCE EVENTS**

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(Amended by Bylaw Number 17M2004, 70M2011, 71M2011, 72M2011 *effective 2014 January 01*,  
56M2014 *effective 2015 January 01*)

**WHEREAS** the *Municipal Government Act*, S.A., 1994, c.M-26.1, provides that Council may pass bylaws for municipal purposes respecting:

- (1) the safety, health, and welfare of people and the protection of people and property;
- (2) people, activities, and things in, on, or near a public place or a place that is open to the public;
- (3) businesses, business activities, and persons engaged in businesses; and
- (4) systems of licences, permits, or approvals;

**AND WHEREAS** gatherings for the purposes of dancing to music for extended time periods are known to be taking place in the City of Calgary;

**AND WHEREAS** these gatherings

- (1) often involve in excess of one hundred (100) people;
- (2) have taken place during the late night hours;
- (3) may result in profit or gain for their organizers; and
- (4) have taken place in areas which caused disturbances to nearby residents;

**AND WHEREAS** it is desirable that these gatherings take place in facilities with adequate fire and safety protections;

**AND WHEREAS** it is desirable that outlets for cultural and physical expression that takes place at these gatherings be continued in a safe and responsible fashion;

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

1. This Bylaw may be cited as the "Extended Dance Event Bylaw".

**DEFINITIONS**

2. In this Bylaw:

- (1) *“Applicant”* means the person who applies for an Extended Dance Event Licence;
- (2) REPEALED BY B/L 17M2004, 2004 MARCH 15;
- (3) *“Expected Attendance”* means the number of people a person anticipates attending or desires to attend an Extended Dance Event, including Extended Dance Event Personnel and members of the public;
- (4) *“Extended Dance Event”* means an event:
  - (1) that is held to enable people to gather to listen to and dance to electronic and synthesized music which is performed or played continuously throughout the duration of the event;
  - (2) that includes lighting or light effects intended to increase the attendee’s appreciation of the music;
  - (3) that starts or continues into the late night hours; and
  - (4) that is outside the ordinary activities of the Venue where the event takes place;and includes events which are or may be commonly referred to as a rave.
- (5) *“Extended Dance Event Personnel”* includes entertainers and their entourage, sound and lighting technicians, security personnel, and emergency medical personnel, people providing concessions or services at an Extended Dance Event, regardless of whether they are paid a salary or fee for providing services at the Extended Dance Event’
- (6) *“Extended Dance Event Promoter”* means the person who stages the Extended Dance Event, and whose responsibilities may include contracting with entertainers, security firms, Venue owners, and advertisers;
- (7) REPEALED BY B/L 17M2004, 2004 MARCH 15;
- (8) REPEALED BY B/L 17M2004, 2004 MARCH 15;
- (8.1) *“Person”* means an individual or corporation, or other legal entity, and includes a partnership, an association or a group of persons acting in concert;
- (9) *“Responsible Party”* means every person who is an Applicant or is an Extended Dance Event Promoter, but does not include a Venue Owner;
- (10) *“Venue”* means the place where a Extended Dance Event is held.

(B/L 17M2004, 2004 March 15)

**LICENCING REQUIREMENTS**

- 3. The Chief Licence Inspector may issue an Extended Dance Event Licence in accordance with this Bylaw.
- 4. No person shall sell tickets for or stage an Extended Dance Event for which an Extended Dance Event Licence is required without first obtaining an Extended Dance Event Licence.
- 5. An Extended Dance Event Licence is required for all Extended Dance Events which have an Expected Attendance of 299 or more people.  
(B/L 17M2004, 2004 March 15)
- 6. A person will be deemed to have expected or desired 299 or more people to attend an Extended Dance Event if:
  - (1) the Extended Dance Event was held in a Venue of 200 or more square metres;
  - (2) the Extended Dance Event was held in a Venue with an occupancy of 299 or more people;
  - (3) 299 or more tickets to the Extended Dance Event were printed or sold; or
  - (4) any advertising for the Extended Dance Event which implies that attendance at the Extended Dance Event will exceed 299 people.  
(B/L 17M2004, 2004 March 15)
- 7. An Extended Dance Event Licence is not required for wedding dances, staff parties, community dances, school dances, or similar events.  
(B/L 17M2004, 2004 March 15)
- 8. An Extended Dance Event Licence is valid for only one Extended Dance Event and only for the Venue and date identified in the application for the Extended Dance Event Licence.

**LICENCE APPLICATIONS**

- 9. Each application for an Extended Dance Event Licence must be made no later than forty-five (45) days before the proposed date of the Extended Dance Event.
- 10. Each application for an Extended Dance Event Licence must consist of:
  - (1) a non-refundable licence application fee as follows:

<b><u>2015</u></b>	<b><u>2016</u></b>	<b><u>2017</u></b>	<b><u>2018</u></b>
\$303	\$315	\$327	\$340

(B/L 70M2011, 2011 November 29)

(B/L 71M2011, 2011 November 29)

(B/L 72M2011, 2011 November 29, *effective 2014 January 01*)

(B/L 56M2014, 2014 November 28, *effective 2015 January 01*)

- (2) a completed disclosure setting out:
  - (1) the full name and address of the Applicant;
  - (2) a form signed by the Applicant giving the Applicant's consent for the Calgary Police Service to conduct a security check on the Applicant;
  - (3) if the Applicant is corporate entity, the names and addresses of the directors and shareholders of the Applicant;
  - (4) the full name and address of the Extended Dance Event Promoter;
  - (5) a form signed by the Extended Dance Event Promoter giving the Extended Dance Event Promoter's consent to the Calgary Police Service to conduct a security check on the Extended Dance Event Promoter;
  - (6) if the Extended Dance Event Promoter is corporate entity, the names and addresses of directors and shareholders of the Extended Dance Event Promoter;
  - (7) REPEALED BY B/L 17M2004, 2004 MARCH 15;
  - (8) REPEALED BY B/L 17M2004, 2004 MARCH 15;
  - (9) the proposed Venue for the Extended Dance Event;
  - (10) the name and address of the registered owner of the Venue
  - (11) the Expected Attendance;
  - (12) the times the Extended Dance Event will begin and end;
  - (13) the date of the Extended Dance Event; and
  - (14) the method by which tickets to the events will be sold, including the names and addresses of any ticket agents, where applicable.
- (3) a letter of consent from the registered owner of the Venue or his authorized agent indicating the registered owner of the Venue:
  - (1) understands the Venue will be used for an Extended Dance Event; and
  - (2) consents to Licence Inspectors, Bylaw Officers, Calgary Police Service Members, Emergency Medical Services Officers, Safety Code Officers,

Calgary Regional Health Authority Officers, Alberta Gaming and Liquor Commission Inspectors, Alberta Occupational Health and Safety Officers, or any one of them entering and remaining within the Venue during the Extended Dance Event for the purpose of ensuring this or any Bylaw, licence conditions, or any Acts or Regulations are being complied with.

- (4) a letter from the Responsible Party indicating he consents to Licence Inspectors, Bylaw Officers, Calgary Police Service Members, Emergency Medical Services Officers, Safety Code Officers, Calgary Regional Health Authority Officers, Alberta Gaming and Liquor Commission Inspectors, Alberta Occupational Health and Safety Officers or any one of them entering and remaining within the Venue during the Extended Dance Event for the purposes of ensuring that this or any Bylaw, licence conditions, or any Acts or Regulations are being complied with;
- (5) a detailed written plan setting out how the Applicant intends to address emergency medical concerns which specifically sets out how many medical personnel and equipment will be on hand at the Extended Dance Event, and what medical training and certification the medical personnel will have;
- (6) a detailed written plan setting out how the Applicant intends to address security concerns, which specifically sets out:
  - (1) how many security personnel will be on hand at the Extended Dance Event;
  - (2) what training certification, and licences the security personnel have;
  - (3) how many security personnel will be located outside the Venue while the Extended Dance Event is ongoing;
  - (4) how security personnel will monitor line-ups outside the Venue;
  - (5) how security personnel will control the number of people leaving and entering the Venue while the Extended Dance Event is ongoing;
  - (6) whether people will be allowed to leave and re-enter the Venue while the Extended Dance Event is ongoing;
  - (7) whether the Venue will have a “quiet room”, outdoor space or similar separate area where people can take a break from dancing;
  - (8) how security personnel will monitor the “quiet room”, outdoor space or similar area;
  - (9) how security personnel will ensure there is access and egress to the Venue for emergency medical and police vehicles; and
  - (10) how security personnel will communicate with each other, the Responsible Parties, and emergency medical personnel; and
- (7) a detailed written plan setting out the sound system to be used at the Extended Dance Event, any steps the Applicant will take to ensure noise disturbance

outside of the venue is minimized, and steps the Applicant will take to ensure noise is controlled within the Venue while the Extended Dance Event is ongoing.  
(B/L 17M2004, 2004 March 15)

11. Any person who provides false or misleading information in an application for an Extended Dance Event commits to an offence.

**CONSULTATIONS AND INSPECTIONS**

12. The Chief Licence Inspector may provide the completed application to all or any of the following agencies for their review and consultation:

- (1) Calgary Police Service;
- (2) Calgary Emergency Medical Services;
- (3) Fire Marshal
- (4) Calgary Health Region;
- (5) Alberta Gaming and Liquor Commission;
- (6) Planning, Development and Assessment;
- (7) Community Services; and
- (8) Any other agency which, in the opinion of the Chief Licence Inspector, may assist the Chief Licence Inspector in determining whether granting the Extended Dance Event Licence is in the interests of the safety, health, welfare, and property of the attendees to the Extended Dance Event or the neighborhood of the proposed Venue.

(B/L 17M2004, 2004 March 15)

13. Upon request by any of the agencies set out in Section 12, a Responsible Party shall provide a representative of the agency access to the proposed Venue for the purposes of conducting an inspection of the proposed Venue and shall assist in carrying out the inspection.

(B/L 17M2004, 2004 March 15)

14. Upon request by any of the agencies set out in Section 12, a Responsible Party shall accompany the representative of the agency on the inspection of the proposed Venue.

(B/L 17M2004, 2004 March 15)

**LICENCE CONDITIONS**

15. The Chief Licence Inspector may issue an Extended Dance Event Licence with the specific conditions respecting:

- (1) the number and qualifications of emergency medical personnel and equipment which must be available at the Venue during the Extended Dance Event;
- (2) the number and qualifications of security personnel which must be available at the Venue during the Extended Dance Event;
- (3) the procedures required to be in place to address emergency medical and security concerns;

- (4) means of transportation for attendees of the Extended Dance Event if, in the opinion of the Chief Licence Inspector, parking, passenger pick up and drop off, or public transportation is unlikely to be sufficient for the Extended Dance Event;
  - (5) the number of people who may attend the Extended Dance Event;
  - (6) noise abatement measures which must be made to ensure noise outside or within the Venue is minimized; and
  - (7) such additional conditions as are, in the opinion of the Chief Licence Inspector, reasonably necessary to protect the safety, health, welfare, an property of the attendees of the Extended Dance Event or the neighborhood of the proposed Venue.
16. All costs and expenses incurred in meeting the requirements of this Bylaw or any conditions attached to the Extended Dance Event Licence shall be borne by the Applicant.

**REFUSAL OF AN APPLICATION**

17. The Chief Licence Inspector shall not issue an Extended Dance Event Licence to an Applicant if, in the opinion of the Chief Licence Inspector:
- (1) the application does not contain everything set out in Section 10;
  - (2) the Licence Inspectors, Bylaw Officers, Calgary Police Service Members, Emergency Medical Services Officers, Safety Code Officers, Calgary Regional Health Authority Officers, Alberta Gaming and Liquor Commission Inspectors, Alberta Occupational Health and Safety Officers, or any one of them, were unable to inspect the Venue because the Applicant was unable or unwilling to provide them with access to all of the Venue in a timely fashion;
  - (3) the Applicant is not a resident of Calgary;
  - (4) the proposed medical plan is not adequate;
  - (5) the proposed Venue cannot safely accommodate the Expected Attendance; or
  - (6) the proposed security plan is not adequate.
18. The Chief Licence Inspector may refuse to issue an Extended Dance Event Licence to an Applicant if:
- (1) the Applicant, Extended Dance Event Promoter, Venue Owner, or any of the Directors or Shareholders of the Applicant, Promoter, or Venue Owner have previously operated an Extended Dance Event in breach of a condition of an Extended Dance Event Licence or this Bylaw;
  - (2) the Calgary Police Service recommends against issuing the Extended Dance Event Licence;



- (3) the proposed Venue has previously been a Venue and has, in the opinion of the Chief Licence Inspector, shown itself to be an inadequate site for an Extended Dance Event;
- (4) the proposed Venue lacks appropriate Land Use approvals which thereby makes it inappropriate for an Extended Dance Event;
- (5) in the opinion of the Chief Licence Inspector it is inappropriate to issue an Extended Dance Event Licence to an Applicant because the safety, health, or welfare of the public may be harmed due to the issuance of the licence or the operation of the Extended Dance Event; or
- (6) in the opinion of the Chief Licence Inspector it is inappropriate to issue an Extended Dance Event Licence to an Applicant because the potential noise impact of the Extended Dance Event would create a nuisance in the community near the proposed Venue.

(B/L 17M2004, 2004 March 15)

### **RESPONSIBILITIES OF LICENSEE AND EMPLOYEES**

- (18.1) (1) A licensee shall be responsible for the act or acts of its agents, Extended Dance Event Personnel, and Extended Dance Event Promoter in the organization, promotion, advertisement or conduct of an Extended Dance Event as though the act or acts were done by the licensee.
- (2) When any information required to be provided to the Chief Licence Inspector becomes inaccurate, updated and accurate information must be promptly provided by the licensee to the Chief Licence Inspector.
- (3) a licensee shall maintain, on a continuous basis, the standards and requirements necessary to obtain a licence or any standards that are imposed by Bylaw or any other legislation after the Extended Dance Event Licence is issued.

(B/L 17M2004, 2004 March 15)

### **OFFENCES AND PENALTIES**

19. (1) Every person who organizes, promotes or allows an Extended Dance Event for which an Extended Dance Event Licence is required but for which an Extended Dance Event Licence has not been issued commits an offence.
  - (2) Every person who organizes, promotes or allows an Extended Dance Event for which an Extended Dance Event Licence is required but for which an Extended Dance Event Licence has been suspended or revoked, commits an offence.
- (B/L 17M2004, 2004 March 15)
20. For greater certainty, but without restricting the generality of the foregoing, any Person who is shown as the registered owner of a Venue on the Land Title for a Venue is shown as the payer of business or property tax on the tax roll for a Venue, or as the payer of utilities on the utilities statement of a Venue, must ensure that an Extended Dance Event licence has been granted before an Extended Dance Event takes place at that Venue.

(B/L 17M2004, 2004 March 15)

21. A Responsible Party shall ensure an Extended Dance Event for which a Licence has been issued is carried out in accordance with this Bylaw and any conditions attached to the Extended Dance Event Licence.
22. A Responsible Party shall ensure all security personnel at the Extended Dance Event are distinctively dressed in such a way that they are easily identified as security personnel.
23. A Responsible Party shall ensure all medical personnel at the Extended Dance Event is distinctively dressed in such a way that they are easily identified as medical personnel.
24. A Responsible Party shall ensure the Extended Dance Event Licence is conspicuously posted at the Venue for the duration of the Extended Dance Event.
25. A Responsible Party for an Extended Dance Event must be at the Venue at all times during the Extended Dance Event.

(B/L 17M2004, 2004 March 15)

26. A Responsible Party shall ensure at least one security person is located at every entrance to the Extended Dance Party.
27. A Responsible Party shall ensure that security personnel keep an accurate count of the number of persons admitted to the Extended Dance Event.
28. A Responsible Party shall ensure the number of people attending the Extended Dance Event does not exceed the number of persons allowed to attend the Extended Dance Event pursuant to the Extended Dance Event Licence.
29. The Applicant shall report the number of persons who were in attendance at the Extended Dance Event to the Chief Licence inspector within five (5) days of the Extended Dance Event.
30. A Responsible Party shall ensure free drinking water is available to the attendees of the Extended Dance Event at all times the Extended Dance Event is ongoing.
31. A Responsible Party shall ensure ear plugs are available to the attendees of the Extended Dance Event at all times the Extended Dance Event is ongoing.
32. The minimum penalty imposed upon a conviction for a first offence of a particular section of this Bylaw shall be the minimum penalty as set out in Schedule "A" to this Bylaw.
33. The specified penalty imposed upon a conviction for a first offence of a particular section of this Bylaw shall be the specified penalty as set out in Schedule "A" to this Bylaw.
34. Pursuant to the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, a person charged with an offence under this Bylaw may make a voluntary payment equal to the amount of the specified penalty for that offence.

(B/L 17M2004, 2004 March 15)

35. Where within twenty-four (24) months of being convicted of a first offence pursuant to Section 19 of this Bylaw a person is convicted of a second or subsequent offence

pursuant to Section 19 of this Bylaw, the minimum penalty that shall be applied is \$3,000.00.

36. Where with-in twenty-four (24) months of being convicted of a first offence pursuant to this Bylaw a person is convicted of a second or subsequent offence pursuant to this Bylaw, the minimum penalty shall be applied is \$700.00.

#### **APPLICABILITY OF OTHER REGULATIONS**

37. The issuance of an Extended Dance Event Licence pursuant to this Bylaw shall not be construed as alleviating any person of the obligation to comply with any other bylaws, acts, or regulations.
38. Unless specifically addressed in this Bylaw, the provisions of the Business Licence Bylaw, as it may be amended from time to time, or any bylaw passed in substitution therefor, shall apply to this Bylaw.
39. Without restricting the generality of the foregoing, the provisions respecting refusal, revocation, or suspension of a licence and appeals of a decision of the Chief Licence Inspector, including a decision to place conditions on a licence, apply *mutatis mutandi* to this Bylaw.

(B/L 17M2004, 2004 March 15)

#### **SEVERABILITY**

40. Each provision of this Bylaw is independent of all other provisions. If any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

#### **TRANSITION**

41. This Bylaw comes into force on the day it is passed.
42. Sections 11, 19, 21, 24, 25 and 28 come into force forty-six (46) days after the Bylaw is passed.
43. Any Extended Dance Event Promoter who stages an Extended Dance Event during the forty-five (45) days between the passage of this Bylaw and the coming into force of Section 19 who does not give the Chief Licence Inspector at least twenty-four (24) hours prior to notification of the Extended Dance Event commits an offence.
44. The specified penalty for a contravention of section 43 is \$250.00.

READ A FIRST TIME THIS 3<sup>rd</sup> DAY OF JULY, 2000.

READ A SECOND TIME, AS AMENDED, THIS 3<sup>rd</sup> DAY OF JULY, 2000.

READ A THIRD TIME, AS AMENDED, THIS 3<sup>rd</sup> DAY OF JULY, 2000.

(Sgd.) A. Duerr  
MAYOR

(Sgd.) D. Garner  
CITY CLERK

**SCHEDULE "A"**

**Penalties**

(Amended by Bylaw Number 17M2004)

<b><u>Section</u></b>	<b><u>Offence</u></b>	<b><u>Minimum Penalty</u></b>	<b><u>Specified Penalty</u></b>
11	Provide false or misleading information in an Application	\$ 300.00	\$ 500.00
19	Participate in an unlicensed Extended Dance Event	\$1,500.00	\$2,500.00
21	Breach conditions of a Licence in respect of:		
	- emergency medical personnel	\$ 300.00	\$ 500.00
	- security personnel	\$ 300.00	\$ 500.00
	- security procedures	\$ 300.00	\$ 500.00
	- means of transportation	\$ 200.00	\$ 300.00
	- number of people who may attend	\$ 300.00	\$ 500.00
	- noise abatement measures	\$ 200.00	\$ 300.00
	- general conditions	\$ 150.00	\$ 250.00
22	Security Personnel not distinctively dressed	\$ 200.00	\$ 300.00
23	Medical Personnel not distinctively dressed	\$ 200.00	\$ 300.00
24	Fail to post Licence	\$ 50.00	\$ 100.00
25	No Responsible Party at Venue	\$ 300.00	\$ 500.00
26	Fail to have security personnel at every entrance	\$ 300.00	\$ 500.00
27	Fail to ensure accurate attendance figures	\$ 300.00	\$ 500.00
28	Number of people in excess of Licence	\$ 400.00	\$ 600.00
29	Fail to report attendance numbers	\$ 300.00	\$ 500.00
30	Fail to provide free drinking water	\$ 400.00	\$ 600.00
31	Fail to make ear plugs available	\$ 400.00	\$ 600.00