

## By-law No. GG-011: RESPECTING EXHIBITIONS AND PUBLIC EVENTS

The Council of the Municipality of Grand Bay-Westfield under authority vested in it by Sections 10 and 11 of the *Local Governance Act*, SNB 2017, c.18 and amendments thereto enacts as follows:

### **SHORT TITLE**

1. This By-law may be sited as the Exhibition and Public Events By-law.
2. In this By-law:
  - (a) "Building Inspector" means the Building Inspector appointed by the Municipality;
  - (b) "Council" means the mayor and councillors of the Municipality;
  - (c) "licence" means a licence to carry on or establish a public event issued pursuant to this By-law that has not expired or been revoked;
  - (d) "Municipality" means the Town of Grand Bay-Westfield; and
  - (e) "public event" means any exhibition of natural or artificial curiosity, circus, outdoor musical concerts, and other shows or exhibitions for hire or profit.
3. No person shall carry on or establish a public event within, or partly within, the Municipality without obtaining a licence in accordance with the provisions of this By-law.
4. Subject to section 7, the Building Inspector shall issue a licence to any person who applies therefor on payment of the applicable fee listed in "Schedule A – Fees".
5. An application for a licence shall be submitted to the Municipality to the attention of the Building Inspector at least sixty (60) days prior to the date on which the event described in the application is to take place or begin and not more than ninety (90) days before such event is to take place or begin.
6. A licence shall be valid for a maximum period of seven (7) days or such other period as .

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7. The Council may:
  - (a) refuse to approve the issuance of a licence; or
  - (b) approve the issuance of a licence and may, in connection therewith, impose, in its discretion, any condition or conditions.
- 8(1). Where, in the opinion of the •, a person to whom a licence has been issued has violated or failed to comply with a condition of the licence imposed under paragraph 7(b), the Builder Inspector shall[, upon direction of •], in addition to any other fine, remedy or penalty prescribed herein, by notice served upon the person, revoke the licence.
- 8(2). The notice referred to in subsection 8(1) shall be sufficiently served upon the person if it is delivered personally to the person or if it is mailed prepaid registered postage to the last known residence or place of business of the peddler or transient trader.
- 8(3). Service of the notice referred to in subsection 8(2) by registered post shall be deemed to have been effected 1 day after the notice was deposited in the mail.

### **OFFENCES**

9. A person who carries on or establishes any public event within, or partly within, the Municipality without obtaining a licence therefor in accordance with this By-law commits an offence punishable under Part 2 of the *Provincial Offences Procedure Act*, SNB 1987, c.P-22.1 as a Category B offence.

### **ADMINISTRATIVE PENALTIES**

- 10(1) The municipality may require an administrative penalty to be paid with respect to a contravention of a provision of this By-law as set out in subsection 10(2).
- 10(2) A person who contravenes a provision of this By-law may pay to the municipality an administrative penalty in the amount of
  - (a) where the person has not previously contravened this By-law, \$100.00, and
  - (b) where the person has previously contravened this By-law, the sum of the amount paid or to be paid by the person in respect of the most recent

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contravention and \$100.00, provided that in no event shall a person be required to pay an administrative penalty in an amount exceeding \$1,500.00,

and, upon such payment, the person who committed the contravention is not liable to be prosecuted therefor.

10(3) A person who may pay to the municipality an administrative penalty in accordance with this By-law may pay the administrative penalty in accordance with the Administrative Penalty By-law.

**REPEAL**

11. By-law No. 47, a By-law of the Town of Grand Bay-Westfield Exhibition By-law enacted 26 July 1999, and all amendments thereto, is hereby repealed.

**READ A FIRST TIME** by summary this 13<sup>th</sup> day of March, 2023.

**READ A SECOND TIME** by title this 13<sup>th</sup> day of March, 2023.

**READ A THIRD TIME** in its entirety and ENACTED on this \_\_\_\_ day of \_\_\_\_\_, 2023.

This By-law comes into force on the date of final passing thereof.

**SIGNED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_

John Enns-Wind  
CAO / Clerk

Seal

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Brittany Merrifield  
Mayor

SCHEDULE "A" – LICENCE FEES

The fee for such license, or renewal thereof,	\$100.00