



# Cultus Lake Park

## SPECIAL EVENT BYLAW

### Bylaw No. 1240, 2024

A Bylaw to regulate Special Events

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Section 12 of the *Cultus Lake Park Act* (1932 and Amendments) enables the Cultus Lake Park Board to adopt bylaws, and Section 9.2 (1) provides that Section 260 – Enforcement Powers of the *Community Charter* apply to the enforcement of the bylaws of the Board, and Section 261 – Payment of Fines and Other Penalties to Municipality under the *Community Charter* provides that fines and other penalties imposed and collected under or because of a Cultus Lake Park bylaw must be paid to the Park.

Every Person who offends against any of the provisions of this Bylaw or who suffers or permits any act to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw, will be in breach of this Bylaw, and will be liable to the fees as outlined in Schedule A of this Bylaw and the fines and provisions as outlined in the “Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019 and all amendments.”

The Cultus Lake Park Board in open meeting assembled, enacts as follows:

#### 1 TITLE

This Bylaw may be cited as “Cultus Lake Park Special Event Bylaw No. 1240, 2024”.

#### 2 INTERPRETATION

**2.1** Words or phrases defined in *The Cultus Lake Park Act* (British Columbia), the *Interpretation Act* (British Columbia), the *Motor Vehicle Act* (British Columbia), the *Transportation Act* (British Columbia), the *Local Government Act* (British Columbia), the *Community Charter* (British Columbia) or any successor legislation to any of them, will have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

#### 2.2 DEFINITIONS OF TERMS

“**Applicant**” means the Person, Leaseholder or Organization that is applying for a Special Event Permit.

“**Beverage Garden**” means an area within a Special Event site where liquor may be sold, served, and/or consumed.

**“Block Party”** means an event, organized by a Leaseholder, in which many members of a single community congregate in the street to observe an occasion of some importance. The event must be hosted on the Highway the Leaseholder lease is addressed to.

**“Board”** means the elected Board for Cultus Lake Park.

**“CAO”** means the Chief Administrative Officer; a position appointed by the Board.

**“Community Event”** means an event for the benefit of the residents of Cultus Lake Park and/or the local community, including but not limited to community garage sales, art shows, and Cultus Lake Community School and Cultus Lake Memorial Church events held on Park property.

**“Food Vendor”** means a food stand, cart or truck that sells and/or serves food to event attendees for immediate consumption. Cultus Lake Park Commercial Leaseholders are not considered to be “Food Vendors” under this definition.

**“Foreshore”** means the area under the Lease Agreement from the Ministry of Forests, Lands and Natural Resource Operations and Rural Development within Cultus Lake Park along the lakeshore and 100 meters or 328 feet into the lake from the high-water mark.

**“Leaseholder”** means a Person(s) having a current and valid lease with Cultus Lake Park.

**“Organization”** means an organized body of people with a particular purpose, including but not limited to a group, society, association, club, league, or business.

**“Park”** means the area within the Cultus Lake Park boundaries and the Foreshore assigned to the Cultus Lake Park by the Province of British Columbia.

**“Park Staff”** means any Person employed by Cultus Lake Park.

**“Permittee”** means the Person, Leaseholder or Organization who has obtained and holds a valid Special Event Permit from Cultus Lake Park.

**“Person”** has the same meaning as in the *Interpretation Act* (British Columbia).

**“Special Event”** means an organized event, public or private, including but not limited to parades, races, walks, performances, concerts, festivals, group celebrations, receptions, weddings, and filming projects, held within the boundaries of Cultus Lake Park, including the Foreshore. For the purpose of this bylaw Special Event includes Block Party and Community Event.

**“Special Event Permit”** means a valid permit for a Special Event issued pursuant to the provisions of the current Cultus Lake Park Special Event Bylaw, all amendments, and the Cultus Lake Park Special Event Policy.

**2.3** In this Bylaw, unless the context otherwise requires, the singular will include the plural and the masculine includes the feminine gender.

- 2.4 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

### 3 GENERAL REGULATIONS

- 3.1 All Persons, Applicants, Permittees, participants, and spectators operating or attending a Special Event within Cultus Lake Park are subject to the provisions as outlined in this Bylaw, the Special Event Administrative Policy and all other Cultus Lake Park Bylaws, Amendments and Policies.
- 3.2 No Person, Leaseholder or Organization will operate a Special Event within Cultus Lake Park without a valid Special Event Permit issued by Cultus Lake Park.
- 3.3 No Permittee will operate a Special Event within Cultus Lake Park without having all event requirements that are included with the approved Special Event Permit.
- 3.4 No Permittee will operate, include, allow, or maintain any provision during a Special Event within Cultus Lake Park that were;
- (a) not requested; or
  - (b) denied
- during the Special Event Permit approval procedure.
- 3.5 Permittee(s) must keep the Special Event Permit on site for the duration of the event.
- 3.6 Permittee(s) must return Cultus Lake Park property and infrastructure to an equal or better condition than that which existed prior to the event, all within 48 hours of the event, to the satisfaction of Cultus Lake Park.
- 3.7 No food vendors will discharge any waste on Cultus Lake Park property.

### 4 FEES AND FINES

- 4.1 All Persons are subject and will pay the types of fees as listed in Schedule A of this Bylaw and the provisions and fines set out in Cultus Lake Park Bylaw Notice Enforcement Bylaw No. 1140, 2019, as amended from time to time.
- 4.2 The amounts of all fees listed in Schedule A of this Bylaw are determined and set from time to time as follows:
- (a) The Board hereby delegates to the Chief Financial Officer all of the powers, duties and functions of the Board under Sections 14(a.1) and 14(f.1) of the Act to determine and publish, on an annual basis, the amount of each fee;
  - (b) by March 31 of each calendar year, the Chief Financial Officer will determine and publish, or cause to be published, a notice (the "Fee Notice") in the Cultus Lake Park Office stating the amount of each fee, and such Fee Notice will remain published in the Cultus Lake Park Office until such fee amounts are no longer in effect;

- (c) all fee amounts go into effect the later of (i) 14 days after the applicable Fee Notice is published, or (ii) such other date specified in the Fee Notice, and supersede any prior Fee Notices and fee amounts;
- (d) in determining any fee amounts pursuant to this Section 4.2, the Chief Financial Officer will consider, acting reasonably, all of the following factors:
  - i. all costs to the Board of enforcing this Bylaw;
  - ii. all costs to the Board in managing and maintaining Cultus Lake Park, including administration, infrastructure, Foreshore, bylaw and security;
  - iii. the most recently passed budget of the Board;
  - iv. the financial circumstances of the Board;
  - v. the best interests of the Board; and
  - vi. the mandate of the Board;
- (e) the amount for each type of fee determined pursuant to Section 4.2 will not increase more than 20% year-over-year;
- (f) the Chief Financial Officer may publish copies of the Fee Notice at locations that are in addition to the Cultus Lake Park Office, but in the event of a conflict or inconsistency between the Fee Notice published in the Cultus Lake Park Office and any other notice, the Fee Notice published in the Cultus Lake Park Office will prevail and govern; and
- (g) if no Fee Notice is published by the Chief Financial Officer by the deadline set out in Section 4.2(b), then any Fee Notice from the previous year remains in effect and enforceable.

**4.3** Each occurrence or day that a contravention of a provision of this Bylaw exists or is permitted to exist will constitute a separate offence.

**4.4** All outstanding fees and/or fines must be paid in full before a Special Event Application will be received.

## **5 SEVERABILITY**

If any part of this Bylaw is for any reason held invalid by a court or competent jurisdiction, the invalid portion will be severed, and the severance will not affect the validity of the remainder.

## **6 REPEAL**

The Cultus Lake Park Special Event Bylaw No. 1150, 2019 and all amendments are repealed upon adoption of this Bylaw.

**7 EFFECTIVE DATE**

This Bylaw will come into force and effect upon its adoption.

READ A FIRST TIME this 21<sup>ST</sup> day of FEBRUARY 2024

READ A SECOND TIME 21<sup>ST</sup> day of FEBRUARY 2024

READ A THIRD TIME this 21<sup>ST</sup> day of FEBRUARY 2024

ADOPTED this 20<sup>TH</sup> day of MARCH 2024



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Kirk Dzaman, Chair  
Cultus Lake Park Board



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Joe Lamb  
Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true and correct copy of Cultus Lake Park Special Event Bylaw No. 1240, 2024



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Chief Administrative Officer

## SCHEDULE A: FEES

All Special Event fees are set out in Table 1 below. The amount of each type of fee will be determined from time to time in accordance with Section 4.2 of this Bylaw.

<b>No.</b>	<b>Fee Type</b>	<b>Fee Sub-types</b>
1.	Non-refundable application fee	Not applicable
2.	Refundable security deposit	Not applicable
3.	Early set up fee	Not applicable
4.	Late take down fee	Not applicable
5.	Swim line removal and replacement fee	Not applicable
6.	Beverage Garden fee	Not applicable
7.	Food Vendor fee	Not applicable
8.	Rental fee 0-100 people	Not applicable
9.	Rental fee 101-200 people	Not applicable
10.	Rental fee 200+ people	Not applicable
11.	Tent rental fee	Not applicable
12.	Garbage bin rental fee	Not applicable
13.	Portable washroom rental fee	Not applicable
14.	Filming fee	Not applicable
15.	Other areas within the Park rental fee	Not applicable
16.	Additional Park staff services	Not applicable
17.	Clean up fee	Not applicable
18.	Cancellation fee (within 30 days of event)	Not applicable