

# CORPORATION OF THE TOWN OF PRESCOTT

## BY-LAW No. 27-2011

### Being a by-law to regulate temporary road closures for special occasions in the Town of Prescott

**WHEREAS** Council may pass a bylaw under section 9 and 11 of the municipal Act, S.O. 2001, c.25 as amended for regulating special events on municipal highways and for the temporary closure of a public roadway.

**AND WHEREAS** Council may pass a by-law under section 42 of the Municipal Act, 2001, as amended to delegate a designate the power to close a highway or public roadway for any purpose specified in this by-law, subject to any conditions the municipality may impose.

**NOW THEREFORE** the Council of the Corporation of the Town of Prescott enacts as follows:

#### **DEFINITIONS:**

1. This by-law may be cited as the Special Events Temporary Road Closure By-Law;
2. In this By-Law;

"Town" means the Corporation of the Town of Prescott;

"Council" means the Council of the Town of Prescott;

**"Designate" means the public works supervisor or authorized employee representing the supervisor in the Town of Prescott;**

"Person/Employee" means any employee representing the Town of Prescott;

"Temporary" means a period of time not exceeding twenty four (24) hours;

"Sidewalk" means all parts of a highway set aside for use by pedestrians or which is used by the general public for the passage of pedestrians;

"Roadway" means that part of the municipal highway that is improved, designed or ordinarily used for vehicular traffic, but does not include a shoulder or sidewalk and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively;

"Special event" includes a demonstration, parade, procession, walk-a-thon, sports event, festival, carnival, donation station, street dance, residential block party, sidewalk sale, gatherings and other similar events **as deemed by the designate;**

**"Road closure" means any change to or that may interfere with the normal designated or designed use of a public roadway;**

"OPP" means the Ontario Provincial Police;

**"Ambulance" means ambulance services that apply to the Town of Prescott;**

**"Fire department" means the fire department of the Town of Prescott;**

**"BIA" means the business Improvement association of the Town of Prescott;**

**“Chamber of Commerce” means the chamber of commerce for the Town of Prescott;**

**GENERAL REGULATIONS**

- 1) No individual or organization shall close any municipal roadway or part thereof for the purpose of holding a special event without first obtaining permission from the road closure designate.
- 2) Requests for temporary road closures must be received no less than four (4) weeks prior to the event.
- 3) On review of the application the road closure designate shall consider;
  - a) Potential adverse affects on public health and safety;
  - b) Potential inconvenience to public health;
  - c) Potential traffic impacts;
  - d) Potential complications concerning construction projects;
  - e) Lack of adequate detour routes;
  - f) Concerns for the security of persons or property proximate to the proposed route;
  - g) If the event breaches any municipal or provincial law;
  - h) Whether the past or present conduct of the applicant or organization sponsoring or conducting the special event affords reasonable grounds to believe that the event may not be carried in a lawful and controlled manner.

**RESPONSIBILITIES OF THE APPLICANT**

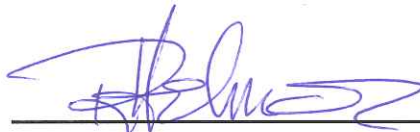
The individual or organization requesting the temporary road closure shall complete the necessary application form and provide all necessary documents as described herein. The application attached to the bylaw identified as **SCHEDULE “A”**

This by-law shall come into force and take effect on the 1<sup>st</sup> day of *January* 2012.

**READ A FIRST AND SECOND TIME THIS 3rd DAY OF OCTOBER, 2011.**

  
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**Mayor**

  
\_\_\_\_\_

**Clerk**

**READ A THIRD AND FINAL TIME AND PASSED THIS 7<sup>th</sup> DAY OF NOVEMBER, 2011**

  
\_\_\_\_\_

**Mayor**

  
\_\_\_\_\_

**Clerk**

## SCHEDULE "A"

### Special Event Road Closure Application

**Note:** Applications must be submitted 4 weeks prior to the event to the Operations Department at Town Hall or via email to [operations@prescott.ca](mailto:operations@prescott.ca)

Name of Applicant: \_\_\_\_\_

Email of Applicant: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Estimated # of Participants: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Description of the Special Event:

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The proposed road closure will begin on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. and finish on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

The proposed roads to be closed include (describe or attached map or sketch):

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**Crowd Control Plan:** Describe provisions that will be in place to ensure the anticipated participants and audience does not become unruly and remain in the designated area. i.e.: inside barricades, out of traffic, on sidewalks not crowding, etc.

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**Impact to Adjacent Properties:** Describe how impacted property owners will be notified/consulted regarding planned road closure.

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**Sanitary/Clean Up:** Describe plans for washroom facilities during the event and clean up after the event.

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**Organizer Liability:** Organizers of the event are responsible for the event; hence, there is a potential liability. The applicant is responsible for having liability insurance in place and attaching a copy of said policy with the application.

Does the applicant have liability insurance for this event? **Yes** \_\_\_\_ **No** \_\_\_\_

**Road Closure Costs:** The costs associated with the setup and removal of traffic control apparatuses (under the Highway Traffic Act) including: traffic signs, detour signs, and barricades will be deposited with the application in the amount of:

Non-Profitable: \$0.00

Profitable: \$200.00

**Road Closure Approval Process:**

The Public Works Supervisor or designate will circulate the approved application to the following departments:

Police

Fire

Ambulance/EMS

Public Works

BIA

Chamber of Commerce

The applicant submits this application and upon the signature and date accepts all responsibilities and liabilities for the event and indemnifies the Town of Prescott against any claims. The applicant duly acknowledges following all rules and regulations of the road closure bylaw and permitting conditions.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Director of Operations