

**KING TOWNSHIP
CORPORATE POLICY
ROAD OCCUPANCY – SPECIAL EVENTS**



POLICY NO.:
COR-POL-143

Corporate Services Department

Issue Date: 6/28/2021

Issue No.: 1

Next Revision: 6/29/2026

1 PURPOSE STATEMENT

1.1 The purpose of this policy is to provide clear and consistent criteria for conducting *Special Events* that take place on public *Highways* within the *Township* of King.

2 POLICY OBJECTIVE

2.1 This policy is meant to provide staff with the appropriate tools to ensure that all possible safety measures have been taken into account during the planning and organization of *Special Events* on public *Highways*.

2.2 This policy is also meant to provide guidance and rules for *Event Organizers*.

3 APPLICATION/SCOPE

3.1 This policy applies to all staff and external agencies involved in the planning, organizing, and operation of *Special Events* on public *Highways* in the *Township* of King including the *Applicant*.

4 DEFINITIONS

4.1 **Amusement Device** has the same meaning as in subsection 1(1) of O. Reg. 221/01 passed under the *Technical Standards and Safety Act, 2000, S.O. 2000, c. 16*;

4.2 **Applicant** means the individual, group of individuals, *Charity*, or corporation that is applying for a *Permit* and includes *Event Organizers*;

4.3 **Application** means a written submission to request or amend a *Permit*, including any additional requirements identified in this Policy or the Road Occupancy – *Special Event Guidelines*;

4.4 **Charity** means a registered charitable or registered not-for-profit organization that operates for cultural, educational, or religious goals, social welfare, recreation, amateur sport or any other similar community initiative for any purpose except profit;

4.5 **Clerk** means the *Township Clerk*, or their designate(s), unless otherwise specified;

4.6 **“Event Organizer”** means the *Person* applying for, or holding a *Permit*, also known as the *Applicant* and/or the *Permit Holder*, as defined;

4.7 **Highway** means a common and public walkway, lane, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles and pedestrians and includes the untraveled portion of a road allowance, a street as defined in the *Municipal Act, 2001* and the *Highway Traffic Act* and a highway as defined in the *Municipal Act, 2001* and the *Highway Traffic Act*, and may also be referred to as the road;

4.8 **Permit** means a permit issued by the *Clerk* to temporarily occupy, or close a

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portion of *Highway* for a *Special Event*;

- 4.9 **Permit Holder** means an *Applicant* that has successfully obtained a *Permit* through the approval process under this policy;
- 4.10 **"Person"** includes individuals, sole proprietorships, partnerships, unincorporated associations, trustees, agents, legal representatives, corporations or natural persons;
- 4.11 **Secondary Permits** means any permit for other activities regulated by Township By-laws or other legislation that is required to be obtained to carry out the *Special Event*, and which must be obtained and supplied to the *Township* prior to the issuance of a *Special Event Permit*. (i.e. road occupancy permit from York Region, noise exemptions, fireworks, etc.);
- 4.12 **Secondary Requirements** means any documentation needed to prove that the *Applicant* has retained the necessary services for their event (i.e. York Regional Police invoice, copy of licences or certifications, etc.) or for other purposes such as to prove that the applicant(s) owns or works for a company, satisfactory evidence that the applicant(s) is over the age of 18; and any other related documents required by the *Clerk*;
- 4.13 **Special Event** means an organized athletic event, parade/procession, or social function on municipal *Highways* and/or right-of-ways.

5 PERMIT REQUIRED

- 5.1 In accordance with the Road Occupancy/Road Closure By-law 2020-061, no person except by *Permit*, shall close, occupy, obstruct, encumber, injure or foul any *Highway*.
- 5.2 The Clerk is authorized and responsible for the administration and issuance of Road Occupancy Permit(s) *Special Events* held temporarily.
- 5.3 There are three types of road occupancies:
 - a) **Occupancy Only (no closure)** – This is a *Special Event* that does not require any temporary/rolling closure or full closure such as the occupancy of the shoulder of a *Highway* or use of the *Township's* right-of-way.
 - b) **Temporary/Rolling Closure** - This is a *Special Event* closure that does not require any full lane closures. Used mostly for small parade walks that use sidewalks only and/or cycling events that close roads for a very short period of time. All closures are contained to either one (1) lane or are in motion (rolling) and monitored by police presence.
 - c) **Full Closure** - This is a *Special Event* that requires the complete closure of a Regional road and/or a municipal road. Traffic movement must be diverted by a scheduled detour plan. Police must be at the event site for traffic control.

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6 GENERAL PROVISIONS

- 6.1 Where a *Permit* has been issued, the *Clerk* may temporarily close or restrict access to any portion of a *Highway* to pedestrians and/or vehicular traffic, and may require as a condition the erection of such barricades and other barriers as may be needed to preserve public order and protect persons and property during the *Special Event*.
- 6.2 Every *Permit* shall specify the name of the *Permit Holder*, and the nature, location, date(s) and time(s) of the *Special Event*.
- 6.3 The issuance of a *Permit* does not represent a commitment by the *Township* or the *Clerk* to issue a *Permit* for any subsequent, continuing, or similar event.
- 6.4 No amendment shall be made to a *Permit* without prior authorization by the *Clerk*.
- 6.5 No *Applicant* shall give false or misleading information for the purpose of obtaining a *Permit*.
- 6.6 Every *Applicant* shall notify the *Clerk* in writing of any change in any of the information contained in an application as soon as possible, or at the latest, within two days of the change.
- 6.7 A *Permit Holder* shall comply with all *Permit* conditions and must follow the *Special Events Road Occupancy Guidelines*.
- 6.8 A *Permit* is the property of the *Township* and is non-transferable.
- 6.9 In the event of an emergency as defined in the federal [Emergency Act](#), as amended, the provincial [Emergency Management and Civil Protection Act](#), as amended, or similar legislation, or as declared by any level of public health authority with jurisdiction over the *Township* of King:
 - a) New *Applications* will not be accepted; and
 - b) *Applications* under review will not be issued; and
 - c) *Special Event Permits* may be revoked, suspended, or cancelled.

7 APPLICATION – MINIMUM REQUIREMENTS

- 7.1 All *Applications* shall be completed and submitted on the Road Occupancy Application (*Special Events*) Form (FORM-CLK-105).
- 7.2 The *Application* to the *Township* for a Road Occupancy Permit for *Special Events* must be submitted at least 60 days prior to the *Special Event* date.
- 7.3 Every *Application* shall include the minimum requirements in the Road Occupancy for *Special Events* Guidelines.

8 REVIEW OF APPLICATION

- 8.1 The *Clerk* will receive and consider all *Applications*, and may conduct any investigations necessary to determine whether a *Permit* should be issued.

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- 8.2 The *Clerk* may issue or refuse to issue any *Permit*, and may include any conditions in a *Permit* that they deem appropriate.
- 8.3 The *Clerk* may require a security deposit for possible damage to municipal property (including the *Highway*) or equipment, possible damage to adjacent private property, cleanup costs, and all other obligations of the *Permit Holder* under this policy and the *Permit*.
- 8.4 Prior to making a decision on any *Application*, the *Clerk* may consult with such other persons or agencies as considered necessary (i.e. Office of the Fire Chief, York Regional Police, Regional Municipality of York Region, etc.).
- 8.5 When reviewing an application, the *Clerk* shall consider the review items for an application in the Road Occupancy for *Special Event* Guidelines.

9 ADDITIONAL APPROVALS REQUIRED

- 9.1 The *Applicant* shall ensure that all permits, licences, approvals, *Secondary Permits*, or *Secondary Requirements* under request by the *Clerk*, *Township* by-laws or policies, regional, provincial, or federal legislation in relation to the *Special Event* have been obtained or met. Additional Approvals Required include, but are not limited to those listed in the Road Occupancy for *Special Events* Guidelines.

10 PERMIT CONDITIONS

- 10.1 In addition to any other conditions that the *Clerk* may deem appropriate, every *Permit* and *Permit Holder* shall be subject to the following conditions:
 - a) comply with all applicable laws;
 - b) that no vehicle, float, trailer or other display shall be used that is of such height as to interfere with official signs, traffic control signal displays, electric, light, telephone or other wires or cables on the *Highway*;
 - c) indemnify and save harmless the *Township*, its officers, employees and agents from and against all manner of actions, causes of action, claims, demands, losses and costs that may arise, be sustained, or prosecuted against the *Township* for or by reason of the granting of the *Permit* or the performance of the *Permit Holder* under the *Permit* whether with or without negligence on the part of the *Permit Holder*,
 - i. A Release/Waiver/Indemnity Agreement signed by the *Event Organizers*.
 - d) maintain the *Special Event* site in a clean and sanitary condition for the duration of the *Special Event*;
 - e) remove all debris from the *Special Event* site and, where required, adjacent properties immediately upon completion of the *Special Event*;

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- f) not use the *Township's* corporate logos in any material advertising the *Special Event* without prior written approval from the *Township*.

11 REFUSAL OF APPLICATION

11.1 A *Permit* may be refused if:

- a) information or documentation required for the *Application*, is not provided or provided within the timeframe set out in section 7;
- b) the requirements of this policy or the [Road Occupancy/Road Closure By-law](#) are not satisfied;
- c) false, mistaken, incorrect or misleading information is submitted in support of the *Application*;
- d) the *Applicant* or any principal, director or officer of the *Applicant* has an outstanding debt to the *Township* relating to a *Special Event*;
- e) the *Applicant* or organization sponsoring or conducting the *Special Event* has had any previous *Permits* revoked, or the *Applicant* did not comply with any of the conditions of a previous *Permit* or provisions of this policy, or the [Road Occupancy/Road Closure By-law](#);
- f) There are reasonable grounds to believe that the *Special Event* may not be carried in a lawful, safe, secure, peaceful, and controlled manner; or
- g) the *Special Event* poses an unacceptable risk to the health and safety of any person or damage to property.

12 REVOCATION OF PERMIT

12.1 A *Permit* may be revoked at any time without prior notice to the *Permit Holder* where:

- a) it was issued in error;
- b) it was issued as a result of false, mistaken, incorrect, or misleading information in the *Application*;
- c) there are reasonable grounds to believe that the holding or continuation of the *Special Event* poses an unacceptable risk to the health and safety of any person or damage to property;
- d) the *Permit Holder* is not in compliance with any permit conditions, *Secondary Permit*, *Secondary Requirements* or any other licence, permit, approval or authorization required; or
- e) in an emergency, in accordance with section 6.9 of this policy.

12.2 The *Permit Holder* will immediately be notified of a revocation and the reasons for it

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by using the contact information provided through the *Application*.

- 12.3 The *Permit Holder* of a revoked *Permit* shall immediately cease all the activities for which a *Permit* has been issued upon.

13 Security Deposit

- 13.1 A security deposit may be drawn from to repair the *Highway* to its original condition.
- 13.2 Clean up Deposit – garbage etc. As identified through circulation to Public Works.
- 13.3 Where a *Permit Holder* has damaged any *Highway* the *Permit Holder* may be ordered by the *Clerk* to:
- a) repair and/or compensate the *Township* for the damage to the satisfaction of the *Township* at the expense of the *Permit Holder*;
 - b) provide any studies, reports or documentation, as deemed appropriate by the *Clerk*, to determine the extent of the damage before repairing the damage; and
 - c) If the *Permit Holder* fails to comply with an order made under the Road Occupancy/Road Closure By-law or if the *Township* chooses to correct the damage itself, the *Township* may correct the damage and use any security deposit posted by the *Permit Holder* to pay for any costs; and
 - d) If the costs incurred by the *Township* in carrying out any work under this policy are greater than the security deposit posted by the *Permit Holder*, any costs not covered by the security deposit shall be a debt owed by the *Permit Holder* to the *Township* and the *Township* shall issue an invoice for the difference. In addition, where the bill is not paid in a timely manner, the billed amount shall be considered a debt to the *Township* and may be added to the tax roll of the *Permit Holder* (if applicable).

14 RELATED DOCUMENTATION

- 14.1 Road Occupancy – *Special Events* Guidelines
- 14.2 Road Occupancy – *Special Events* PRO-CLK-124
- 14.3 Road Occupancy – *Special Events* Application Form FORM-CLK-105
- 14.4 Road Occupancy – *Special Events* Administrative Checklist
- 14.5 [Road Occupancy/Road Closure By-law 2020-061](#)
- 14.6 [Joint Report Road Occupancy/Road Closure By-law JR 2020-04](#)
- 14.7 [Ontario Reg. 221/01: Amusement Devices](#)
- 14.8 [Building Code Act, 1992, S.O. 1992, c. 23;](#)

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14.9 [Technical Standards and Safety Act, 2000, S.O. 2000, c.16;](#)

14.10 [Ontario Electrical Safety Code, O. Reg. 164/99](#)

14.11 [Health Protection and Promotion Act, R.S.O. 1990, c. H.7](#)

15 APPROVAL AUTHORITY

<u>Council</u>	<u>2021-077</u>	<u>Original Signed</u>	<u>6/28/2021</u>
Authority	By-law	Township Clerk	Date