



MISSISSAUGA

THE CORPORATION OF THE CITY OF MISSISSAUGA

Special Events Temporary Road Closure By-law 0051-2006

(Amended by 0211-2014, 0044-2015)

WHEREAS Council may pass a by-law under Section 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, for regulating special events on highways and for closing a highway temporarily;

AND WHEREAS Council may pass a by-law under section 42 of the *Municipal Act, 2001*, as amended, for delegating to a committee of council or municipal employee the power to close a highway for any purpose specified in the by-law, subject to any conditions the municipality may impose;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

DEFINITIONS

1. In this By-law,

“**Chief of Police**” means the Chief of the Peel Regional Police or his designate;

“**City**” means The Corporation of the City of Mississauga;

“**Commissioner**” means the Commissioner of Transportation and Works for the City or his designate;

“**Council**” means the Council of the City;

“**Fire Chief**” means the Chief of the City’s Fire and Emergency Services Division or his designate;

“**highway**” has the same meaning as defined in section 1(1) of the *Municipal Act, 2001*, as amended;

“**intersection**” means the area embraced with the projection or connection of the lateral boundary lines of two or more highways that meet one another at an angle, whether or not one highway crosses the other;

“Mississauga Transitway” means the dedicated east-west Bus Rapid corridor located in the City of Mississauga between Renforth Drive and Winston Churchill Boulevard. (0211-2014)

“police officer” means the Chief of Police or any other police officer employed by the Regional Municipality of Peel Police Services Board, but does not include a special constable, a municipal law enforcement officer or an auxiliary member of a police force;

“person” includes a corporation;

“roadway” means that part of the 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;

“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;

“special event” includes a demonstration, parade, procession, walk-a-thon, sports event, festival, carnival, donation station, street dance, residential block party, sidewalk sale, cinematography event, gathering and such other similar events;

SPECIAL EVENTS – PERMIT REQUIRED

2. No person shall organize or participate in a special event on a highway unless a permit has been issued for such special event pursuant to this by-law.

APPLICATION FOR PERMIT

3.
 - (1) A special event permit for a temporary road closure not exceeding 24 hours may be issued by the Commissioner, subject to the terms and conditions of this by-law. (0044-2015)
 - (2) Notwithstanding subsection 3(1) of this By-law, a permit may be issued for a temporary road closure that exceeds 24 hours for the portion of Main Street between Queens Street South and Church Street in the City of Mississauga. (0044-2015)
4. Every applicant for a temporary road closure for a special event shall file an application with the Transportation and Works Department, in a form satisfactory to the Commissioner and shall include the following information:
 - (a) the name, address and phone number of the applicant;

- (b) the signature of the applicant or the person authorized on behalf of the organization sponsoring or conducting the special event;
 - (c) the date;
 - (d) the date of the special event and its proposed duration;
 - (e) the hour of starting the special event;
 - (f) the proposed location and route, if applicable;
 - (g) the proposed return route if applicable;
 - (h) the place and hour of disassembly;
 - (i) the estimated number of participants;
 - (j) the purpose of the special event;
 - (k) the number and type of vehicles, including floats and displays, if applicable;
 - (l) a sketch of the highways affected, including placement of marshals/volunteers on duty and barriers;
 - (m) a refundable clean-up deposit to be calculated in relation to the size and nature of the special event;
 - (n) other information as the Commissioner deems appropriate in the circumstances.
5. Applications for temporary road closures not exceeding twenty-four (24) hours shall be filed eight (8) weeks in advance of the special event, and applications for temporary road closures exceeding twenty-four (24) hours shall be filed twelve (12) weeks in advance of the special event.
6. Where the temporary road closure applied for is for an event of over 1,500 participants, the Commissioner shall post on the City's website notice that such an application is being considered.
7. On review of applications the Commissioner shall consider:
- (a) any potential adverse affect on public health and safety;
 - (b) any potential inconvenience of the public;
 - (c) any potential traffic impacts, including proximity to access points onto provincial highways, hospitals and fire stations, or lack of adequate detour routes;

- (d) any concerns for the security of persons or property proximate to the proposed route;
 - (e) the adequacy of police security for the special event including the adequacy of arrangements for assembly and disassembly;
 - (f) the adequacy of alternate fire & emergency response;
 - (g) if the road is a public transit route, the adequacy of an acceptable alternate public transit route;
 - (h) whether the special event may result in the breach of any law;
 - (i) the adequacy of arrangements for the convenience and comfort of participants in the special event;
 - (j) whether the past or present conduct of the applicant or the organization sponsoring or conducting the special event affords reasonable grounds to believe that the special event may not be carried in a lawful, safe, secure, peaceful and controlled manner.
8. Prior to determining if a temporary road closure should be permitted, the Commissioner may consult with the Chief of Police, Fire Chief, the Director of Mississauga Transit, other emergency response providers affected utilities, affected property owners and any other person or agency who may be deemed to have an interest in the matter.
 9. A member of Council may at any time prior to issuance of a permit by the Commissioner, in writing, require the Commissioner to submit the application to the General Committee for determination.

APPEAL

10. Where the Commissioner is required to post notice on the City's website that an application for temporary road closure is being considered, he shall also post notice when such permit is granted.
11. A decision by the Commissioner to refuse a temporary road closure or, where the temporary road closure is for an event of over 1,500 participants, a decision by the Commissioner to permit the temporary road closure may be appealed to General Committee by written notice to the City Clerk received no later than 7 days following the refusal or the posting on the website of the granting of the permit, as the case may be.
12. Where notice of an appeal is received, a hearing shall be held by the General Committee, the time, date and location of which the applicant shall be notified in writing.

13. If the applicant does not attend the hearing, General Committee may proceed in his absence.
14. Notwithstanding the provisions of the Council Procedure By-law, a decision of General Committee on an appeal under this By-law is final and binding.

PERMIT HOLDER RESPONSIBILITIES

15. Every permit holder shall:
 - (a) obtain and return at his own expense from the Transportation and Works Department barricades and cone delineators in the number required by the Transportation and Works Department;
 - (b) erect the barricades at the location approved by the Transportation and Works Department or the Chief of Police;
 - (c) immediately upon completion of the event, clean, the highway completely of all debris, rubbish and other encumbrances;
 - (d) not erect or maintain or permit to be built or maintained any fires on the highway;
 - (e) ensure that no vehicle, float, trailer or other display shall be used in any special event that is of such height as to interfere with official signs, traffic control signal displays, electric, light, telephone or other wires or cables on such highway.
 - (f) ensure satisfactory arrangements for policing of the special event, including attendance of police officers at all signalized intersections, as may be imposed by the Chief of Police;
 - (g) post a clean up deposit of \$100.00 for an event of up to 100 participants, \$500.00 for an event of up to 1,500 participants, \$1,000.00 for an event of over 1,500 participants, and pay any other applicable deposits and fees required;
 - (h) provide and maintain Comprehensive General Liability or Special Events Liability insurance subject to limits of not less than Two Million (\$2,000,000.00) Dollars inclusive per occurrence for bodily injury, death and damage to property. Such insurance shall be in the name of the applicant and shall name the City of Mississauga as an additional insured. Exceptions may be made when, at the City's discretion, the liability implications of an event are deemed to be minimal.

- (i) obtain necessary approvals from the Regional Municipality of Peel and/or the Ministry of Transportation of Ontario if the special event will proceed along, or cross a road under either jurisdiction.
 - (j) following the event, provide photographs and other documentary evidence to show signage, barricades, and cone delineation was in place during the event and provide a statement of actual attendance at the event.
16. Any costs incurred by the City to clean up and restore the highway as a result of the event shall be the responsibility of the applicant.

GENERAL PROVISIONS & PROHIBITIONS

17. Where a temporary road closure for a special event is permitted, the Commissioner may temporarily close any highway or part of a highway to pedestrians or vehicular traffic, or both, and may cause to be erected such barricades and other barriers as may be needed to preserve public order and protect persons and property during the time of such special event, at the expense of the permit holder or organization sponsoring the event.
18. Every person participating in a special event shall, unless otherwise permitted, travel along the route in the direction approved upon permit issuance.
19. Every person participating in a special event shall:
- (a) march or travel in the direction and on the portion of the highway as directed;
 - (b) obey the directions of police officers safeguarding the proper movement of persons and vehicles and generally maintaining order.
20. No person participating in a special event shall:
- (a) proceed on any highway or part of any highway in any manner other than as directed or provided for in the permit;
 - (b) halt, stop or congregate in such a manner as to obstruct pedestrians not participating in the special event;
 - (c) carry or display any banner, placard, flag, insignia or other similar device of a character or nature calculated or tending to endanger disorder or strife or to offend public morality.

OFFENCE

21. Every person who contravenes a provision of this by-law is guilty of an offence and liable on conviction to a fine as provided for in the *Provincial Offences Act*, R.S.O.1990, c. P. 33.

INTERPRETATION

22. In this bylaw, unless the context otherwise requires, words importing the singular number shall include the plural, and words importing the masculine gender shall include the feminine, and further, the converse of the foregoing also applies where the context so requires.
23. If a Court of competent jurisdiction declares any section or part of a section of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

REPEAL

24. By-law 352-89 is hereby repealed.

SHORT TITLE

25. This By-law may be referred to as the Special Events Temporary Road Closure By-law.

ENACTED and PASSED this 8th day of February, 2006.
Signed by Hazel McCallion, Mayor and Crystal Greer, City Clerk