



TOWN OF CRESTON
SPECIAL COMMITTEE OF THE WHOLE MEETING AGENDA
HELD IN ACCORDANCE WITH MINISTERIAL ORDER NO. M192

Tuesday, June 30, 2020, 4:00 PM

Council Chambers, 238-10th Avenue North, Creston, BC

1. **CALL TO ORDER**
2. **ADOPTION OF AGENDA (and additional items if necessary)**
3. **DELEGATIONS**
None
4. **BUSINESS**
 - a. Council Direction Request from the Manager of Engineering, regarding the Wastewater Treatment Plant Solids Dewatering Facility
 - b. Council Direction Request from the Director of Community Services, regarding the Parks Booking Policy and Liquor Licence Application Policy
5. **QUESTION PERIOD**
6. **ADJOURNMENT**

COUNCIL DIRECTION REQUEST (CDR)

Town of Creston

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ACTION DATE: June 30, 2020

File 0890.20.08

SUBJECT: Waste Water Treatment Plant – Solids Dewatering Facility Upgrade

SUGGESTED FOLLOW-UP ACTION: THAT the Council Direction request from the Manager of Engineering, regarding the Waste Water Treatment Plant – Solids Dewatering Facility Upgrade, be received; AND FURTHER, THAT staff bring forward a recommendation to award a general construction contract for the 2020 Solids Dewatering Facility Upgrade at the Waste Water Treatment Plant for consideration at the Special Council Meeting of June 30, 2020.

CAO COMMENTS: I agree with the recommendation.

BACKGROUND

Staff Briefing Note:

Attached ☒

Available ☐

Nil ☐

1. DEFINE THE TOPIC

KEY INFORMATION: Creston went to Public Tender for the Solids Dewatering Facility Upgrade at the WWTP on May 29th. Tender Close was 2pm on June 25th, 2020.

RELEVANT OBSERVATIONS: Five tenders were received. All base tenders plus Optional Items came in over budget

STRATEGIC QUESTIONS: Does Council wish to award the Contract to the low bidder pending the availability of additional funds from alternative sources or reallocation of funding contained as Contingencies as identified within the Tender Document.

ESSENTIAL QUESTION: Does Council wish to award the Contract to the low bidder?

2. DETERMINE DESIRED OUTCOMES if the essential question is addressed.

KEY RESULT: The Solids Dewatering Facility would become permanent and all Ministry of Environment (MOE) conditions would be addressed.

DESIRED BENEFITS OF KEY RESULT: Operation of the WWTP would be improved and future risk of non-compliance with MOE regulations would be significantly reduced.

REQUISITES: Construction of a permanent Solids Dewatering Facility is required.

UNINTENDED OUTCOMES: A budget short fall in the maximum amount of approximately \$310,695.39 may be experienced if contract contingencies are not available due to site issues or external funding sources fall through.

3. EXPLORE RESPONSE OPTIONS to achieve the key result (Pros & Cons)

1.	Award a General Construction Contract to Carver Construction Ltd., with all optional items as per the tender amount of \$3,781,650.00, excluding GST. See the accompanying Staff Briefing Note for Pro's / Con's
2.	Cancel the tender and revisit the design requirements. See the accompanying Staff Briefing Note for Pro's / Con's
3.	Other Options Council may wish to pursue

Submitted by:

Colin Farynowski, Manager of Engineering

Reviewed by:

CAO

Michael Moore, CAO

STAFF BRIEFING NOTE

Town of Creston

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DATE: 6/30/2020

TO: Michael Moore, Chief Administrative Officer

CC: Enter other management staff if required.

FROM: Colin Farynowski, Manager of Engineering

DEPARTMENT: Infrastructure Services

SUBJECT: WWTP Solids Dewatering Facility

APPENDIX: ☐ ATTACHED ☒ OTHER DOCUMENT ☐ NOT APPLICABLE

PURPOSE / ISSUE:

Council has approved \$3.789M for the upgrading of the Solids Handling Facility at the WWTP (Geo-tubes). Of the \$3.789M, \$2.834M is funded by Government Grants under the Gas Tax Grant. In order to achieve Council's long-term objectives this project provides infrastructure renewal and improves the ability to achieve treatment of municipal sewage

In order to achieve Council's long-term objectives this project provides infrastructure renewal and improves the ability to achieve treatment of municipal sewage.

BACKGROUND:

The Request for Tender for General Contracting services to undertake the Upgrading of the WWTP Solids Dewatering Facility was publically advertised between May 29th and June 25th, 2020. Notification of tender and information to tenderers was posted on BC Bid for the duration of the tender period.

The Request for Tender for General Contracting services to undertake the Upgrading of the WWTP Solids Dewatering Facility closed on June 25, 2020, with quotations received from the following contractors.

Contractor	Total Tender Price (including Optional Items)
Chandos Construction Ltd.	\$4,789,113.04 (excluding GST)
Cumming Construction Ltd.	\$4,283,966.6 (excluding GST)
Timbro Contracting	\$3,993,867.40 (excluding GST)
MarWest Industries Ltd.	\$3,845,912.55 (excluding GST)
Carver Construction Ltd.	\$3,781,650.00 (excluding GST)

The submitted bids received were reviewed by WSP Engineering Ltd. and the Manager of Engineering and found to be complete and without errors.

The following anticipated timeline is provided for Council's information:

Date	Action Item
July 15 th , 2020, to April 30, 2021	Construction Window

The Contractor will provide an actual project timeline prior to signing the Contract Documents.

The following is a breakdown of costs, not including GST, associated with this project:

STAFF BRIEFING NOTE

Town of Creston

Council Approved Budget (2019, 2020 & 2021)	\$3,789,172.61
Engineering Costs	<\$318,218>
In-House Costs (Owner supply of Pit-Run Aggregate as an alternative to Option 3 Below)	<\$120,000>
Remaining for General Contracting	\$3,350,954.61
Carver Construction Ltd.	<\$2,702,833.00>
Contingency	<\$300,000>
Optional Item #1 (Common Excavation)	<\$72,000.00 >
Optional Item #2 (Common Excavation of Earthen Berms)	<\$52,000.00>
Optional Item #3 (Imported Backfill – Alternative Source)	<\$308,000.00>
Optional Item #4 (Tubular Roof Structure)	<\$213,950.00>
Optional Item #5 (Single Pitch Roof)	<\$413,600.00>
Optional Item #6 (Roof Drainage System)	<\$19,267.00>
Total General Contracting Price	<\$3,781,650.00>
Variance to Council Approved Budget	<\$430,695.39>

For consideration to award general contracting services:

Option 1

Award General Contract with all optional items as per tender for **\$3,781,650.00**, excluding GST. This award would result in a budget shortfall and require an additional **\$310,695.39**, after adjustment of in-house owner supply of aggregate costs. The short fall would be funded by Creston (reserve funds) and the Columbia Brewery as per the current WWTP Operating Contract. After the Tender has been awarded, CONTRACT CHANGE ORGERS can be initiated to achieve the following cost reductions:

Change Order 1

Delete Optional Item #3 (Imported Backfill – Alternative Source) in the amount of **\$308,000.00**, excluding GST. Optional Item #3 was a comparison for cost to the Owner Supply of Aggregate (Pit-Run). It is more cost effective for the Town to provide Pit-Run Aggregate for the project. After deleting Optional Item #3, there would still be a budget shortfall of **\$122,695.39**. The short fall could be funded by Creston (reserve funds) and the Columbia Brewery as per the current WWTP Operating Contract or funded through the Contract Contingency which contains approximately \$375,000 in build-in contingencies (Optional Item #1 and \$300,000 Contingency).

Change Order 2

Delete Option Items #3 (Imported Backfill – Alternative Source), #4 (Tubular Roof Structure), and #5 (Single Pitch Roof) in the amount of **\$935,550**, excluding GST. This option would result in a budget surplus of **\$504,854.61**. The roof (Tubular Structure and Single Pitch Roof) can be added later once alternative funding sources are acquired. It is anticipated that a future tender would be at greater cost than the current proposal by the Low Bidder and it is not recommended by Staff to delete Optional Items 4 & 5.

Option 2

Cancel the tender and revisit the design requirements. This still may result in a capital budget increase or limitation in the project scope. Grant funding for this project was received from the GAS TAX GRANT. Funds under this grant have to be fully allocated by June 30, 2021. Any change to the scope of work would need to be reviewed by UBCM and the Ministry of Municipal Affairs and Housing and may result in disqualification of grant funding.

Staff recommends that Option 1 be selected and that **Carver Construction Ltd.**, be awarded this project in the amount of **\$3,781,650.00** (excluding GST). Council could further direct staff to Issue CHANGE ORDER #1

STAFF BRIEFING NOTE

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deleting Optional Item #3 for a net savings of approximately \$188,000 following Award of the General Contract.

CURRENT SITUATION:

Currently, the WWTP operates using a temporary geo-tube dewatering process was never intended as a long-term solution in meeting Ministry of Environment regulations.

KEY CONSIDERATIONS:

All Tenders came in over budget but due to owner flexibility built into the contract through the use of OPTIONAL ITEMS the Town of Creston has the ability to adjust the awarded components. By adding or deleting the various optional items, at any time after Contract Award, Council can control the budget impacts of this project at the different pricing option identified below. The Contract contains approximately \$375,000 in build-in contingencies (Optional Item #1 and \$300,000 Contingency).

OPTIONS FOR FOLLOW-UP ACTION:

For consideration to award general contracting services:

Option 1

Award General Contract with all optional items as per tender for **\$3,781,650.00**, excluding GST.

Pro's – Work is completed immediately and the Town is able to utilize the funding provided under the Strategic Gas Tax Grant. The dewatering facility becomes permanent and MOE regulations are fully addressed. Aggregate is provided by the Contractor and Town Forces are not required for hauling aggregate. There is no obligation by Creston to complete Optional Items in the amount of \$1,078,817 and any/all of these Items can be deleted by CONTRACT CHANGE ORDER at any time. The Contract contains approximately \$375,000 in build-in contingencies (Optional Item #1 and \$300,000 Contingency). Wording of OPTION ITEMS in the Contract allows time for Creston to secure funding short falls from the Columbia Brewery and the Sewer Reserve Fund prior to issuing a CONTRACT CHANGE ORDER to include any/all items in the Contract.

Con's - This award would result in a budget shortfall and require an additional **\$310,695.39** after adjustment of in-house owner supply of aggregate costs. If necessary, the short fall would be funded by Creston (reserve funds) and the Columbia Brewery as per the current WWTP Operating Contract.

Option 2

Cancel the tender and revisit the design requirements. This still may result in a capital budget increase or limitation in the project scope. Grant funding for this project was received from the GAS TAX GRANT. Funds under this grant have to be fully allocated by June 30, 2021. Any change to the scope of work would need to be reviewed by UBCM and the Ministry of Municipal Affairs and Housing and may result in disqualification of grant funding.

Pro's – There would be no short-term impact to reserve funds or borrowing capacity

Con's – It is likely that cancellation of the Tender would extend completion beyond June 30th 2021 resulting in disqualification of grant funding.

Submitted by:

Colin Farynowski, Manager of Engineering

Reviewed by:

CAO


Michael Moore, CAO

COUNCIL DIRECTION REQUEST (CDR)

Town of Creston

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ACTION DATE: 2020-06-16

File:0340.40

SUBJECT: Parks Booking Policy

SUGGESTED FOLLOW-UP ACTION: THAT the attached *Parks and Public Spaces Booking Policy (SER-009-010)*, the *Liquor Licence Application Policy (SER-003-015)*, the *Parks, Trails and Public Places Amendment Bylaw No. 1909, 2020* and the *Fees and Charges Amendment Bylaw No. 1910, 2020*, be brought forward for consideration at the June 30, 2020 Special Council Meeting.

CAO COMMENTS: This provides an update to the existing policy.

BACKGROUND

Staff Briefing Note:

Attached ☐

Available ☐

Nil ☐

1. DEFINE THE TOPIC

KEY INFORMATION: At the January 21, 2020 COTW meeting Council directed staff to present a draft Parks Booking Policy, and amendments to the *Parks, Trails and Public Places Bylaw No. 1788*. Staff also determined that additional amendments were required to the *Fees and Charges Bylaw No. 1763* and the *Liquor Licence Application Policy (SER-003-015)* as a result.

RELEVANT OBSERVATIONS: The attached draft bylaws and policies will change the current parks booking process, so that all closed booking applications for Millennium Park must have Council approval, unless as part of an established annual community event. Select staff would be authorized to extend park hours and/or waive fees for these established annual community events. The closed booking fee for Millennium Park would be increased to \$200 from \$150. Guidelines for denial or cancellation of bookings have been included.

STRATEGIC QUESTIONS: Do the draft bylaws and policies reflect Council's vision for the use of parks and public places?

ESSENTIAL QUESTION: Does Council want Staff to present the draft bylaws and policies for readings at an upcoming Council meeting?

2. DETERMINE DESIRED OUTCOMES if the essential question is addressed.

KEY RESULT: A clear booking process and regulations for use of Town parks and public places.

DESIRED BENEFITS OF KEY RESULT: Clarity and streamlining of the park booking process, forms, bylaws and policy, while improving public access to parks and public places.

REQUISITES: Adoption of policies and bylaw amendments, and subsequent redevelopment of booking forms reflecting the updated policies.

UNINTENDED OUTCOMES: Likely decrease in amount of fees collected for Millennium Park closed bookings. Possible increase in number of requests for closed bookings for Council to consider.

3. EXPLORE RESPONSE OPTIONS to achieve the key result (Pros & Cons)

1.	Council direct staff to present the attached bylaws and policies for consideration at upcoming Council meeting.
2.	Council refer to staff for further information or changes to draft documents (to be specified)
3.	Other, as per Council decision

Submitted by:

Ross Beddoes, DCS

Reviewed by:

CAO

Michael Moore, CAO



Town of Creston COUNCIL POLICY

DRAFT POLICY:

SER-009-010

Parks and Public Spaces Booking Policy

PURPOSE	The purpose of this Policy is to establish guidelines for booking parks and public spaces.
SCOPE	This Policy applies to all bookings of Town owned or operated parks and public spaces.
POLICY	Booking of Town owned or operated parks and public spaces is permitted in the Town of Creston when in conformance with this Policy.

DEFINITIONS	Booking means the reservation of a Town owned or operated park, public space or facility.
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Closed booking means the booking of a park, public space or facility where the booked area is closed to the general public, or where an admission fee is charged to access the booked area.

Open booking means the booking of a park, public space or facility where the general public retains access to booked area.

Established annual community event means Creston Valley Blossom Festival, Creston Valley Fall Fair, Creston Valley Winter Festival, or other events as defined in *Parks, Trails, and Public Places Regulations Bylaw No. 1788, 2014*.

Facility means a feature, area, or structure in a Town owned or operated park or public space.

PROCEDURES

1.0 Booking Procedure

- 1.1 Any person or organization intending to book a Town owned park, public space or facility must complete and sign the appropriate application form, as available at Town Hall.
- 1.2 No park, public space or facility booking will be authorized to a person under the age of 18 years.
- 1.3 No park, public space or facility booking will be authorized without a properly executed waiver of liability and indemnity form.
- 1.4 If requested by the Town, the applicant(s) and event organizer(s) will be required to provide 3rd party liability insurance of an amount not less than \$2,000,000, naming the Town of Creston as additional insured.
- 1.5 Bookings are registered on a first-come, first-serve basis.

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COUNCIL POLICY

- 1.6 Open booking applications must be submitted to the Town of Creston a minimum of 15 business days prior to the event.
- 1.7 Open bookings must be approved or denied by the Chief Administrative Officer, Corporate Officer, Director of Community Services, or their designate within 10 business days of receiving a complete application form.
- 1.8 Open booking fees will not be refunded.
- 1.9 Closed booking applications must be submitted to the Town of Creston a minimum of 30 business days (6 weeks) prior to the event.
- 1.10 Closed bookings must be approved or denied by Town Council, except for established annual community events, which may be approved by Staff, as defined in *Parks, Trails, and Public Places Regulations Bylaw No. 1788, 2014*.
- 1.11 Closed booking fees may be refunded, less a \$25 administrative fee, when in accordance with *Parks, Trails, and Public Places Regulations Bylaw No. 1788, 2014*.
- 1.12 The maximum time period a park, public space or facility may be booked shall be one day, between the hours of 7:00 a.m. and 10:00 p.m., unless specifically permitted by Council, or as part of an established annual community event, which may be approved by Staff, as defined in *Parks, Trails, and Public Places Regulations Bylaw No. 1788, 2014*.
- 1.13 All Town parks are closed to bookings between 10:00 p.m. and 7:00 a.m. daily, unless specifically permitted by Council, or as part of an established annual community event, which may be approved by Staff, as defined in *Parks, Trails, and Public Places Regulations Bylaw No. 1788, 2014*.

2.0 General Terms & Conditions of Booking

- 2.1 Pets are prohibited, unless permitted by *Parks, Trails, and Public Places Regulations Bylaw No. 1788, 2014*.
- 2.2 No sales or other business shall be conducted, without a Commercial Vendor Permit.
- 2.3 All newly landscaped and seeded areas are to be completely avoided in order to promote proper development.
- 2.4 Any and all solid waste shall be disposed of in litter barrels or similar facilities.
- 2.5 The park, public space or facility booked, including washrooms if applicable, shall be left in a clean and tidy condition.
- 2.6 Town staff must have access to the park, public space or facility at all times and may attend free of charge to any event held on Town owned or operated property for the purpose of auditing or reviewing compliance with Town bylaws and policies.

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COUNCIL POLICY

- 2.7 Failure to comply with this Policy or *Parks, Trails, and Public Places Regulations Bylaw No. 1788, 2014*, will result in the applicant(s) and/or attendees being removed from the Park or Public Space.
- 2.8 All performers and public speakers will conduct themselves in a polite and courteous manner. Inappropriate, offensive or obscene lyrics/speech are not permitted, whether live or recorded.
- 2.9 Users shall ensure that the park, public space, facility and/or field conditions are suitable for their intended use and must report any deficiency in maintenance to the Town of Creston.
- 2.10 Failure to completely clean up after an event will result in charges for the cost of cleaning and a 20% administrative fee.
- 2.11 Whenever reasonably possible, the Town will avoid maintenance of a park, public space or facility during the period booked.
- 2.12 All installation and removal costs of any required municipal equipment or property related to the event, shall be the responsibility of the applicant(s).
- 2.13 Arrangements with Town Staff regarding installation and removal of any municipal equipment or property must be made prior to the event.
- 2.14 Permission to book Town parks, public spaces or facilities does not imply any endorsement of the aims, policies or activities of any group or individual.

3.0 Additional Booking Terms and Conditions for Millennium Park

- 3.1 Closed bookings of Millennium Park are permitted only as specifically authorized by Council, except established annual community events, which may be approved by Town Staff.
- 3.2 No open or closed booking of Millennium Park is permitted on the following days, unless specifically authorized by Council, or as part of an established annual community event approved by Town Staff:
 - 3.2.1 Victoria Day, and the Saturday and Sunday that precede Victoria Day;
 - 3.2.2 Canada Day, and the Saturday and Sunday closest to Canada Day (if Canada Day falls on a Wednesday, no booking shall be permitted on the Saturday and Sunday preceding, or the Saturday and Sunday following Canada Day);
 - 3.2.3 B.C. Day, and the Saturday and Sunday that precede B.C. Day;
 - 3.2.4 Labour Day, and the Saturday and Sunday that precede Labour Day.
- 3.3 The applicant(s) or organization booking Millennium Park for a closed event where admission is charged to allow access for the general public, shall advertise the event in the local newspaper, or other media outlet deemed appropriate by Town

Town of Creston
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POLICY NO. SER-009-010

Staff, for a minimum of one week prior to the event.

- 3.4 The maximum number of people permitted to attend a closed booking event at Millennium Park is 150, unless specifically approved by Council.
- 3.5 The applicant(s) or sponsoring organization shall be liable for insurance coverage and security of their event.
- 3.6 Closed bookings may require an admission fee.
- 3.7 Open bookings may not charge an admission fee.

4.0 Additional Booking Terms and Conditions for Spirit of Creston Square

- 4.1 Unless requested to offset costs to the Town, there is no booking fee for Spirit of Creston Square.
- 4.2 Any street closures related to utilization of Spirit of Creston Square must be in accordance with *Traffic Regulations Bylaw No. 1546* and *Street Closure Policy (SER-010-001)* and be coordinated with Town Staff.

5.0 Additional Booking Terms and Conditions for the Downtown Greenspace

- 5.1 The Downtown Greenspace may only be booked for non-profit community events.
- 5.2 No performer or other person shall charge any fee for attendance.
- 5.3 No performer or other person shall inhibit the free movement of traffic or pedestrians.
- 5.4 No performer or other person shall block the pathway for any reason.

6.0 Additional Booking Terms and Conditions for the 11th Avenue South Walkthrough

- 6.1 Unless requested to offset costs to the Town, there is no booking fee for the 11th Avenue South Walkthrough.
- 6.2 The 11th Avenue South Walkthrough may only be booked for non-profit community events.
- 6.3 No performer or other person shall charge any fee for attendance.
- 6.4 No performer or other person shall inhibit the free movement of traffic or pedestrians.
- 6.5 Performers are restricted to the podium area only.

7.0 Denial and Cancellation of Bookings by the Town of Creston

- 7.1 The Town of Creston reserves the right to deny or cancel a booking application

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POLICY NO. SER-009-010

when it reasonably believes:

- 7.1.1 use by any individual or group will be for a purpose that is likely to promote, or would have the effect of promoting: discrimination, contempt or hatred for any group or person on the basis of colour, race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression, or mental or physical disability (*as per Section 318 and 319 of the Criminal Code of Canada*); or,
- 7.1.2 use by any individual or group will be for a purpose or action, that is contrary to provincial or federal law, or any Town of Creston bylaw or policy, including: violent, threatening, abusive, harassing, disruptive or intrusive language or conduct; or,
- 7.1.3 there is a misrepresentation, a likelihood of physical hazard to participants or audiences or a misuse of premises or equipment. Past misuse or non-payment of fees is sufficient grounds for denial of an application; or,
- 7.1.4 the booking is contrary to the public interest as determined by Council.

8.0 Alcohol Use

- 8.1 No alcohol is permitted during a booking except in cases where:
 - 8.1.1 the booking conforms with Liquor Licence Application Policy (*SER-003-015*); and,
 - 8.1.2 the applicant provides proof of General Liability Insurance in an amount not less than \$2,000,000 and a Liquor Liability Endorsement Policy in an amount not less than \$2,000,000, with the Town of Creston named as additional insured; and,
 - 8.1.3 the applicant is in possession of a Special Event Permit issued by the British Columbia Liquor and Cannabis Regulation Branch; and,
 - 8.1.4 the applicant or organizer has established a “Designated Driver Plan” in accordance with the Town’s Liquor Licence Application Policy (*SER-003-015*).

Town of Creston
COUNCIL POLICY

POLICY NO. SER-009-010

POLICY RECORD

Date Approved by Council:	, 2020	Resolution No.	#
Next Review Date:	, 2025	Policy No:	SER-009-010
Last Review Date:	, 2020	Replaces:	
Administrative Review:	, 2022		



Town of Creston COUNCIL POLICY

DRAFT POLICY:**SER-003-015**

Liquor Licence Application Policy

PURPOSE The purpose of this Policy is to establish guidelines respecting Liquor Licence Applications and Special Event Permits in the Town of Creston; and, alcohol consumption on Town owned properties/facilities.

SCOPE Town of Creston Council, Staff, Residents, and Businesses.

POLICY All liquor licence applications, and alcohol consumption on Town owned / operated properties / facilities, must conform with this Policy.

1.0 Liquor Licence Approval Process

When Council receives a request for comments or approval of an application to the *BC Liquor and Cannabis Regulation Branch*, for a liquor licence or amendment to a liquor licence, the request is to be advertised in one issue of a local newspaper (at the expense of the applicant) for public information before it is formally dealt with by Council. Following advertisement the application will be considered by Council.

2.0 Alcohol Use on Town Owned / Operated Properties and/or Facilities

There is to be no alcohol sold, consumed or distributed on land or facilities owned / operated by the Town of Creston unless:

- 2.1 the *British Columbia Liquor and Cannabis Regulation Branch* has issued a "Special Event Permit"; or, the facility has its own Liquor Licence under the provisions of the *BC Liquor Control and Licensing Act*, approved by resolution of Council; and,
- 2.2 The event is a private special event, as defined in the *BC Liquor Control and Licensing Regulation*, and Town Council, the Chief Administrative Officer, the Director of Community Services, or the Corporate Officer has approved a "Request for Liquor Special Event Permit/Approval form", as available at Town Hall, in accordance with the terms and conditions stated thereon; or,
- 2.3 The event is a public special event, as defined in the *BC Liquor Control and Licensing Regulation*, and Town Council has approved a "Request for Liquor Special Event Permit/Approval form", as available at Town Hall, in accordance with the terms and conditions stated thereon.

3.0 Designated Driver Plan

Organizers of events on Town owned properties and/or facilities, at which alcohol is served, must have in place a Designated Driver Plan to ensure alternate means of transportation for individuals who have consumed alcohol.

The Designated Driver Plan must consist of no less than following:

- 3.1 A Designated Driver announcement made to the assembled guests encouraging

Town of Creston

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COUNCIL POLICY

the use of a designated driver or alternate transportation provided by the organizers of the event; and,

- 3.2 Designated Driver information posted prominently at each station where alcohol is served; and,
- 3.3 A Designated Driver or Driver Service Provider.

POLICY RECORD

Date Approved by Council:	, 2020	Resolution No.	#
Next Review Date:	, 2025	Policy No:	SER-003-015
Last Review Date:	, 2020	Replaces:	SER-003-015
Administrative Review:	, 2022		



Town of Creston COUNCIL POLICY

**CURRENT
POLICY:**

SER-003-015

Liquor Licence Application Policy

PURPOSE The purpose of this policy is to establish guidelines respecting Liquor Licence Applications, Special Occasion Liquor Licences and Alcohol Use on Town owned properties/facilities.

SCOPE Town of Creston Council, Staff, Residents and Businesses.

POLICY

1.0 Approval Process

When Council receives a request for comments or approval of an application to the Liquor Control Branch, for a liquor licence or amendment to a liquor licence, the request is to be advertised in one issue of a newspaper (at the expense of the applicant) for public information before it is formally dealt with by Council; and the application will be dealt with at a Regular Council Meeting.

2.0 Alcohol Use on Town Owned Properties and/or Facilities

There is to be no alcohol sold, consumed or distributed on Town owned properties and/or facilities unless an approved "Special Occasion Liquor Licence" has been issued in accordance with the terms and conditions stated in the Town of Creston "Application Request for Special Occasion Liquor Licence" or the facility has its own Liquor Licence under provisions of the Liquor Control and Licencing Act, approved by resolution of Council.

3.0 Application Request for Special Occasion Liquor Licence

That an "Application Request for Special Occasion Liquor Licence", attached as Appendix "3", be completed to the satisfaction of the Authorized Authority for the Town of Creston.

.4 Designated Driver Plan

That organizers of events on Town owned properties and/or facilities, at which alcohol is served, have in place a designated driver plan to ensure alternate means of transportation for individuals who have consumed alcohol.

Designated Driver Plan should consist of no less than the following:

- a) A Designated Driver announcement made to the assembled guests encouraging the use of a designated driver or alternate transportation provided by the organizers for the event.
- b) Designated Driver information posted prominently at each station where alcohol is served.

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COUNCIL POLICY

POLICY NO. GOV-003-015

Appendix '3'

POLICY RECORD

Date Approved by Council:

Resolution No.

Next Review Date:

Policy No:

Last Review Date:

Replaces:

Administrative Review:

Town of Creston
COUNCIL POLICY

POLICY NO. GOV-003-015

Appendix '3'

**REQUEST FOR LOCAL GOVERNMENT'S APPROVAL
 OF SPECIAL OCCASION LIQUOR LICENCE APPLICATION**

NOTE: Private functions not held on or within Town of Creston property do not require local government's approval. You may proceed directly to the local RCMP office to process your application.

Local Government approval is required for all public functions OR all private functions located on Town owned land or property. Please provide the following information:

☐ **PUBLIC FUNCTION** - A recognized community or public celebration or event whether held on public or private property at which beer or wine is sold, consumed or distributed to the public at large. No hard liquor is permitted without an exception authorized by the Liquor Control and Licensing Branch. Approval of a public function requires Council's approval. Applications should be submitted to the Town of Creston a minimum of six (6) weeks prior to the date of the event.

☐ **PRIVATE FUNCTION** - A private function located on Town of Creston owned land or property, at which liquor is sold, consumed or distributed. A pre-sale of tickets or specific invitations are required. Council delegates authority approval to the Town Manager or designate. Applications should be submitted to the Town of Creston a minimum of three (3) weeks prior to the date of the event.

ORGANIZATION: _____

MAILING ADDRESS: _____
 _____ **POSTAL CODE:** _____

CONTACT PERSON: _____

FUNCTION: _____

LOCATION: _____

DATE(S): _____ **HOURS OF OPERATION:** _____

APPROXIMATE NUMBER OF PEOPLE ATTENDING: _____

"SERVING IT RIGHT" LICENCE NO.: _____ (For information: www.servingitright.com)

LICENCE HOLDER (FULL NAME): _____

PAID SERVER (if applicable): _____

ORGANIZERS OF EVENTS ON TOWN OWNED PROPERTIES OR FACILITIES AT WHICH ALCOHOL IS SERVED MUST HAVE IN PLACE A DESIGNATED DRIVER PLAN TO ENSURE ALTERNATE MEANS OF TRANSPORTATION FOR INDIVIDUALS WHO HAVE CONSUMED ALCOHOL.

NAME OF DESIGNATED DRIVER/SERVICE: _____

Town of Creston
COUNCIL POLICY

POLICY NO. GOV-003-015

Appendix '3'

GENERAL TERMS AND CONDITIONS:

1. All private or public functions, held on Town owned property or facilities, at which alcohol is served, consumed or distributed must have Local Government's approval.
2. All applicants must abide by the rules and regulations set forth by the Liquor Control and Licensing Branch for the Province of BC.
3. The group holding the event must obtain a "Special Occasion Liquor Licence" issued by the Liquor Control and Licensing Branch and will be responsible for any infractions or violations that occur.
4. The applicant shall indemnify and save harmless the Town of Creston from any and all liability whatsoever, arising out of the holding of the event. For events held on property owned or managed by the Town of Creston, the applicant shall provide proof of General Liability Insurance in the amount of 2 million dollars and a Liquor Liability Endorsement Policy in the amount of 2 million dollars, with the Town of Creston named as co-insured.
5. If you are applying as an individual (not attached to a group), you may not be required to complete "Serving it Right", but if you hire any managers or servers, they must each have a "Serving it Right" certificate.
6. Organizers of events will have in place a "Designated Driver Plan" in accordance with Town Policy. The Designated Driver Plan shall consist of no less than the following:
 - a. A Designated Driver announcement made to the assembled guests encouraging the use of a designated driver or alternate transportation provided by the organizers of the event.
 - b. Designated Driver information and reminders posted prominently at each station where alcohol is served and at each table where guests are seated.
 - c. A Designated Driver or Driver Service provider.
7. The approving Authority may any require additional information deemed applicable.
8. By signing this document, the applicant confirms all information provided is correct and agrees to the General Terms and Conditions noted above.

APPLICANT SIGNATURE

DATE

APPROVED



DECLINED



AUTHORIZED LOCAL GOVERNMENT AUTHORITY

DATE

Town of Creston
COUNCIL POLICY

POLICY NO. GOV-003-015

Appendix '3'

- Step 1: Pick up "Application for Special Occasion Liquor Licence" at BC Liquor Store, #2
- 1000 Northwest Blvd, Creston, BC.
- Step 2: Complete this form, "Request for Local Government's Approval of Special
Occasion Liquor Licence Application", and if approved, proceed to next steps.
- Step 3: Take approved "Request for Local Government's Approval of Special Occasion
Liquor Licence Application" to local RCMP office, 421 – 16th Avenue South,
Creston, BC.
- Step 4: Once all approvals are obtained, bring completed application forms to BC
Liquor Store, #2
- 1000 Northwest Blvd., Creston, BC, for Special Occasion Liquor
Licence issuance.

TOWN OF CRESTON

BYLAW NO. 1909

A bylaw to amend Parks, Trails and Public Places Regulations Bylaw No. 1788, 2014.

WHEREAS Council has enacted a Parks, Trails and Public Places Regulations Bylaw;

AND WHEREAS Council deems it necessary and in the public interest to amend Parks, Trails and Public Places Regulations Bylaw No. 1788;

NOW THEREFORE the Council of the Town of Creston, in open meeting assembled, acts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as “Parks, Trails and Public Places Regulations Amendment Bylaw No. 1909, 2020”.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amendments

- 3.1 “Schedule A – Town Parks”, is hereby deleted in its entirety and replaced with a new “Schedule A – Town Parks”, which is attached to and forms a part of this bylaw.
- 3.2 All instances of the term “*Town Manager*” are hereby replaced with the term “*Chief Administrative Officer*”.
- 3.3 Part 4 – Definitions is hereby amended by addition of the following:

“**Closed booking**” means a booking of a park, public space or facility which is closed to the general public, or where an admission fee is charged to access the booked area.

“**Established annual community event**” means Creston Valley Blossom Festival, Creston Valley Fall Fair, or Creston Valley Winter Festival.

“**Open booking**” means a booking of a park, public space or facility where the general public retains access to booked area.

“**Request for Liquor Special Event Permit/Approval Form**” means the Request for Liquor Special Event Permit/Approval form as required by the Town, as per Town Policy.

- 3.4 Part 4 – Definitions is hereby amended by replacing the definition for “Special Event Permit” with:

“**Special Event Permit**” means a Special Event Permit as issued by the British Columbia Liquor and Cannabis Regulation Branch, under the Liquor Control and Licencing Act.

- 3.5 Part 5 – General Regulations is hereby amended by the addition of:
“5.16 No person shall feed birds or other wildlife within Town parks, trails or public places.”
- 3.6 Part 5 – General Regulations, Section 5.8.4, is hereby deleted in its entirety and replaced with:
“5.8.4 Consuming alcoholic beverages (unless authorized by *Special Event Permit* and an approved *Request for Liquor Special Event Permit/Approval Form*”
- 3.7 Part 5 – General Regulations, Section 5.14, is hereby deleted in its entirety and replaced with:
“5.14 No alcoholic beverages of any kind are permitted with *Town parks, municipal trails* or *public places*, except by *Special Event Permit* and an approved *Request for Liquor Special Event Permit/Approval Form*”
- 3.8 Part 6 – Park Bookings, Section 6.1, is hereby deleted in its entirety and replaced with:
“6.1 *Council* authorizes the Chief Administrative Officer, Corporate Officer, or Director of Community Services to grant or deny permission to individuals, groups and organizations requesting *open bookings*, or *closed bookings* as part of an *established annual community event*, to use facilities in *Town parks*, on a first come/first serve basis.”
- 3.9 Part 6 - Park Bookings, Sections 6.2 to 6.5 are hereby renumbered as Sections 6.4 to 6.7.
- 3.10 Part 6 – Park Bookings is hereby amended by addition of: “6.2 *Council* authorizes the Chief Administrative Officer, Corporate Officer, or Director of Community Services to grant or deny permission to individuals, groups and organizations requesting extended park hours and/or booked time period, as part of an *established annual community event*.”
- 3.11 Part 6 – Park Bookings is hereby amended by addition of: “6.3 *Council* authorizes the Chief Administrative Officer, Corporate Officer, or Director of Community Services to waive booking fees for applications submitted as part of an *established annual community event*.”

Part 4 Effective Date

- 4.1 This bylaw shall come into full force and effect upon adoption.

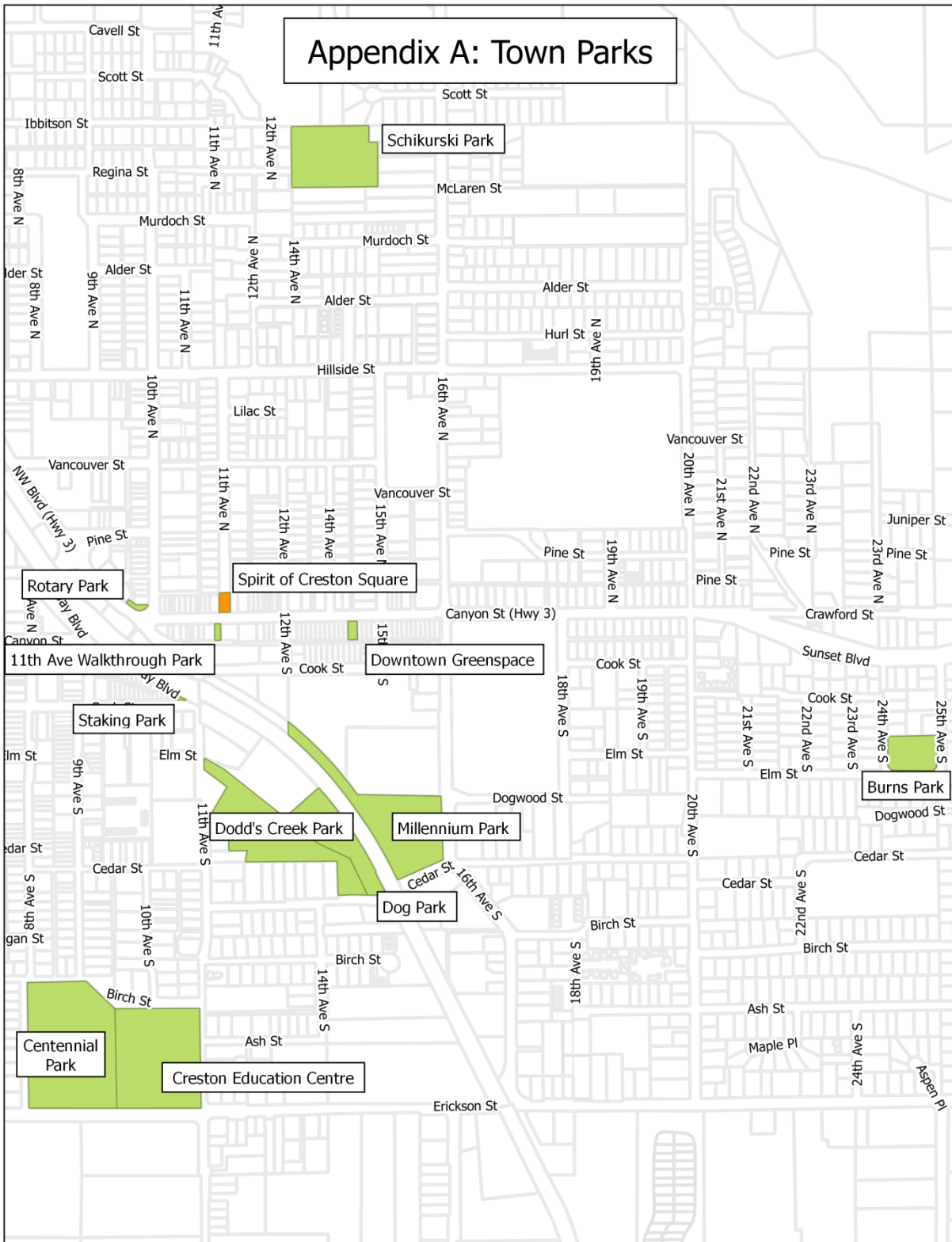
READ A FIRST TIME by content and SECOND TIME by title this day of , 2020.

READ A THIRD TIME by title this day of , 2020.

ADOPTED this day of , 2020.

Mayor Ron Toyota

Bev Caldwell, Corporate Officer



Town of Creston

Bylaw No. 1910

A bylaw to amend the Fees and Charges Bylaw No. 1763, 2011.

WHEREAS it is deemed necessary and in the public interest to amend Fees and Charges Bylaw No. 1763, 2011;

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

Part 1 Citation

1.1 This Bylaw may be cited as “Fees and Charges Amendment Bylaw No. 1910, 2020”.

Part 2 Severability

2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amendments

3.1 “Schedule 8 – Parks and Community Services”, is hereby deleted in its entirety and replaced with a new “Schedule 8 – Parks and Community Services”, which is attached to and forms a part of this bylaw.

Part 4 Effective Date

4.1 This bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME by title and SECOND TIME by content this 14th day of January, 2020.

READ A THIRD TIME by title this 14th day of January, 2020.

ADOPTED this 28th day of January, 2020.

Mayor Ron Toyota

Bev Caldwell, Corporate Officer

Schedule 8 – Parks and Community Services

Parks Booking Fees (subject to applicable taxes)	
Description	Fee
<u>Millennium Park</u> Open Booking Closed Booking	 \$20.00 \$200.00
<u>Centennial Park</u> Open Booking (covered picnic area only)	 \$20.00
<u>Spirit of Creston Square</u> Open Booking <i>* There may be a fee to offset costs borne by the Town.</i>	 \$0.00*
<u>All other Parks and Public Places</u> Open Booking	 \$20.00