



## Taza Development Special Events Law, 2019

Under the guidance of Almighty God, Our Creator, and as a sovereign Nation; We, the peoples of Tsuut'ina Nation, in preservation and continuation of the Tsuut'ina Nation's unique culture, identity, traditions, language and institutions, and with respect to the special relationship to the land and resources, in continued relationship with all First Nations and Canada; Do ordain and establish this law in accordance with our inherent right to governance.

Nato ninist'iya dinachowi diyi nananitini k'asona diyi datl'ishi nanisaatluni niiha nihina?o-ha tlaat'a Tsuut'ina wusa dinaloku nihininisha, nihiusno, misila yino?i, nihigunaha misila nihininana?o-hi. Nisk'a uwa mits'i-hi tlaat'a dina-tii uwa Canada isla najuna adadanazini diyi datlishi dik'asilo niiha nihina?o-ha gwasala.

### **A Document to Ratify the L.SW.YYDD Within the Tsuut'ina First Nation Lands**

**Enacted on [Month, Day of 2020] in Tsuut'ina Nation  
Coming Into Force: [Month, Day, Year]**

#### **NOTICE – DRAFT ONLY**

This document is a non-binding draft of proposed legislation under development by the Tsuut'ina Nation. It has not been enacted and carries no legal force or effect. This draft is subject to review, revision, and formal approval by the Head Chief and Minor Chiefs of Tsuut'ina Nation. It may be amended or withdrawn at any time. Do not rely on this document for legal, regulatory, or development-related purposes.

## Preamble

WHEREAS the Tsuut'ina Nation Head Chief and Minor Chiefs desire to make a Law governing the Taza Development Special Events on the Tsuut'ina Nation Reserve;

AND WHEREAS the Government of Canada recognizes the inherent right of self-government as an existing Aboriginal right under Section 35 of the Constitution Act, 1982;

AND WHEREAS it is recognized that the inherent right of governance includes the right to govern in relation to matters that are internal to the community, and integral to the unique culture, identity, traditions, languages and institutions of the Tsuut'ina Nation;

AND WHEREAS it is considered to be necessary for the benefit, security and preservation of the Tsuut'ina Nation and culture;

AND WHEREAS Head Chief and Minor Chiefs have the authority to enact this Law pursuant to the Legislative Process Act;

NOW THEREFORE: Head Chief and Minor Chiefs hereby enact this Law pursuant to the Tsuut'ina Legislative Process.

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## Interpretation and Administration

### Name

1. This Law may be cited as the *Taza Development Special Events Law*.

### Purpose

2. The purpose of this Law is to provide the means to guide temporary events within the Lands, to ensure an event:
  - (a) Recognizes historical and culturally significant elements to the Tsuut'ina Nation,
  - (b) Contributes to the vibrancy of the Taza Development Lands, and
  - (c) Is conducted in a safe manner that accounts for risk management.
3. This Law is generally consistent with the provisions of the following instruments that describe designations of a portion of the Tsuut'ina Indian Reserve No. 145 for economic development purposes, as endorsed by Head Chief and Minor Chiefs:
  - (a) Order-in-Council dated January 8, 1993, and
  - (b) Ministerial Order dated May 20, 2015, as amended from time to time.

Despite the potential land uses which are mentioned within both instruments, the specific uses assigned to each Zone, as described in the Taza Development Guidelines shall take precedence.

### Applicability

4. This Law applies to temporary activities and events upon land that is subject to sub-lease, and lands identified as **Public Realm** lands.

### Metric Measurement

5. All regulation measurements shall be made in metric.

### Definitions

6. In this Law, the following terms have the following meaning:
  - (a) **"Applicant"** means a person, or a representative, who makes an application for a Special Event Permit,
  - (b) **"Development Permit"** means a document authorizing a Development, issued by the Tsuut'ina Development Authority pursuant to this Law governing land use within the subject Lands, and includes the plans and conditions of approval,
  - (c) **"Lands"** means the Lands shown on the Zoning Maps, attached in Schedule "A" of the Taza Development Zoning Law, 2019,
  - (d) **"Lot"** means a portion of the Lands which is described as a separate and distinct parcel, on a legally recorded Survey Plan or description filed in the Indian Lands Registry,

- (e) **“Officer”** has the same meaning as a Peace Officer within the Tsuut’ina Nation Offences Procedures Bylaw, 1998,
- (f) **“Setback”** means the required minimum or maximum distance, measured at a right angle, between a Building, Structure or Use and each of the Lot Lines,
- (g) **“Street”** means any public road, including the boulevards, sidewalks, and improvements, but excluding a Lane, bridge, or walkway, or a private roadway,
- (h) **“Structure”** means any construction fixed to, supported by, or sunk into land or water including a Manufactured Home or Mobile Home, but shall not include concrete, asphalt, brick, or tile surfaced areas,
- (i) **“Tsuut’ina Development Authority”** means the board established under Section 113 of the Development Approval Process Law,
- (j) **“Taza Development Guidelines”** means the most recent version of the Taza Development Guidelines, as may be amended from time to time.
- (k) **“Tsuut’ina Nation Head Chief and Minor Chiefs”** means the duly elected governing body for the Tsuut’ina Nation.

## Tsuut'ina Development Authority

### Establishment of Tsuut'ina Development Authority

7. The Tsuut'ina Development Authority is established pursuant to the *Development Approval Process Law, 2019* and will issue permits related to Special Events.
8. The process for reviewing and issuing a Special Event Permit shall generally conform to the process for issuing a Development Permit.
9. In accordance with the *Development Approval Process Law, 2019*, the Tsuut'ina Development Authority shall:
  - (a) Receive, review and process applications for Special Events Permits,
  - (b) Issue decisions regarding Special Event Permit applications,
  - (c) Adopt fee schedules for:
    - i. Applications for Special Event Permit applications, and
    - ii. Fines and penalties.

## Special Event Permit Applications

### General Application

10. An Applicant may submit a Special Event Permit application in accordance with the requirements of the *Development Approval Process Law, 2019*.

### Reviewing and Processing of a Special Event Permit Application

11. An Applicant shall follow the processes described within the *Development Approval Process Law, 2019*, and the Taza Development Guidelines.

### Notification of a Decision

12. The Tsuut'ina Development Authority shall consider and provide a decision on a Special Event Permit application in accordance with the *Development Approval Process Law, 2019*.

## General Regulations

### Alcohol, Gaming and Cannabis

13. The Tsuut'ina Development Authority may require an Applicant to obtain a permit through the Alberta Gaming, Liquor, and Cannabis Commission where the use of alcohol, gaming and cannabis is proposed.

### Business Licensing

14. All vendors, including food trucks shall comply with the requirements of the Taza Development Business License Law.

### Building Permits

15. The Tsuut'ina Development Authority may require a building permit for the following structures that may be used during Special Event but not limited to:
- (a) Tents,
  - (b) Air supported structures,
  - (c) Stages,
  - (d) Portable washrooms,
  - (e) Amusement parks, and
  - (f) Cultural structures (i.e teepee, sweat, lodges, etc.)

### Emergency Planning

16. The Tsuut'ina Development Authority may require an emergency response and evacuation plan from an Applicant.

### Fireworks

17. An Applicant wishing to light fireworks shall obtain an approved permit from the Tsuut'ina Fire Department. The Applicant shall provide the following information to the Tsuut'ina Development Authority:
- (a) A site plan specific to the activity,
  - (b) List of products to be used,
  - (c) A fire safety plan that ensures any additional measures are in place to support fire safety.
18. An Applicant shall ensure that all proper inspections by the Tsuut'ina Fire Department are conducted prior to a Special Event.



## **Food Trucks and Food Vendors**

19. All operators of food trucks, and anyone otherwise selling food at a Special Event, shall obtain all approvals from the Health Authority, in accordance with the Taza Development Public Health Inspection Law.

## **Insurance**

20. The Tsuut'ina Development Authority may require an applicant to demonstrate proof of insurance for commercial general liability or Special Event liability.
21. The Tsuut'ina Development Authority may require additional insurance for amusement devices, such as, but not limited to:
  - (a) Inflatable amusement devices,
  - (b) Dunk tanks, or
  - (c) Fireworks.
22. The Tsuut'ina Development Authority may require an Applicant to maintain owned or non-owned automobile liability insurance arising from the use and operation of all vehicles owned, leased, licensed, hired or borrowed by the Applicant during the term of the Special Event.

## **Medical Services**

23. The Tsuut'ina Development Authority may require an Applicant to provide on-site first aid coverage for a Special Event.

## **Notification**

24. The Tsuut'ina Development Authority may require an Applicant to notify adjacent sub-lease holders and tenants of any Special Event or temporary road closure near the location of the Special Event.

## **Signage**

25. The Tsuut'ina Development Authority may permit temporary signage that advertises the Special Event.
26. Temporary signage shall otherwise comply with the relevant provisions of the Taza Development Guidelines and the Taza Development Sign Law.

## Compliance and Enforcement

### General Offences

27. Any person who contravenes any provision of this Law by doing any act or thing which the person is prohibited from doing or by failing to do any act or thing the person is required to do is guilty of an offence.
28. A person is guilty of an offence where they make use of land or a development:
- (a) In a manner that is not in accordance with an approved Special Event Permit including any conditions forming part of that Special Event Permit,
  - (b) Without a Special Event Permit where one is required.
29. Any person who is convicted of an offence pursuant to this Law is liable on summary conviction to a fine not exceeding ten thousand (\$10,000) dollars per day of the offence and in default of payment of any fine imposed, to a period of imprisonment.

### Violation Tickets

30. Where the Tsuut'ina Development Authority believes that a person has contravened any provision of this Law, the Officer may commence proceedings against the person by issuing a violation ticket pursuant to the *Tsuut'ina Nation Offences Procedures Bylaw, 1998*.
31. Where there is a specified penalty listed for an offence in the *Taza Development Rates and Fees Law, 2020*, that amount is the specified penalty for the offence.
32. If a person is convicted twice of the same provision of this Law within twenty-four (24) month period:
- (a) The specified penalty for the second conviction is twice the amount of the specified penalty for a first offence, and
  - (b) The minimum penalty for the second conviction is the amount of the specified penalty for a first offence.
33. If a person is convicted three or more times of the same provision of this Law within a twenty-four (24) month period:
- (a) The specified penalty for the third and subsequent convictions is three times the amount of the specified penalty as set out in Schedule "B", and
  - (b) The minimum penalty for the third and subsequent conviction is twice the amount of the specified penalty for a first offence.
34. This section does not prevent any Officer from issuing a violation ticket requiring an appearance of the defendant at a court of competent jurisdiction, pursuant to the provisions of the *Tsuut'ina Nation Offences Procedures Bylaw, 1998*.

**Stop Orders**

35. The Tsuut'ina Development Authority shall enforce this Law in accordance with the *Taza Development Approval Process Law, 2019*.
36. The recipient of a stop order shall have recourse to appeal in accordance with the *Development Approvals Procedures Law*.

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## Amendments to this Law

### Amendments

37. Amendments to this Law shall be made through the *Tsuut'ina Legislative Process Act*, as may be amended as from time to time.

INSERT FIELD



# Taza Development Special Events Law

## Appendix

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Head Chief and Minor Chiefs Signatory Page

THIS LAW IS HEREBY made at this duly convened meeting of the Head Chief and Minor Chiefs of the Tsuut’ina Nation this [ ] day of [Month, Year] by Nation Council Resolution.

Voting in favour of the Taza Development Special Events Law, as evidenced by signatures, are the following members of the Head Chief and Minor Chiefs:

Tsuut’ina Nation Head Chief

Member of Tsuut’ina Minor Chiefs

Member of Tsuut’ina Minor Chiefs

Member of Tsuut’ina Minor Chiefs

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