

TOWN OF COMOX

BYLAW NO. 1465

A BYLAW TO REGULATE PERFORMERS AND ENTERTAINERS WITHIN THE TOWN OF COMOX

WHEREAS the Council of the Town of Comox is authorized, in accordance with the *Community Charter*, to regulate business and the use of public places within the Town of Comox;

AND WHEREAS the Council of the Town of Comox recognizes that talented entertainers can contribute to a vibrant and healthy community environment, and wishes to ensure that the performance of such entertainers does not conflict with persons living and working in the areas where they may perform;

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

1. Title

- (1) This bylaw may be cited for all purposes as the “Comox Performers and Entertainers Bylaw, 2005”.

2. Definitions

- (1) In this bylaw, unless the context otherwise requires
 - (a) “Audition Panel” means a panel of two or more officials of the Town of Comox, or their designates, who select entertainers based on performance;
 - (b) “Council” means the Council of the Town of Comox;
 - (c) “entertainer” means a musician or performer who entertains the public in a public place within the Town of Comox;
 - (d) “entertainment group” means two or more persons who are acting as an entertainer;
 - (e) “Entertainment Application” means the application form for an Entertainment Permit within the Town of Comox;
 - (f) “Entertainment Permit” means a current and valid permit issued by the Town of Comox for the purpose of providing entertainment in public places;

- (g) “park” means all public parks within the Town of Comox, including the Comox Harbour Promenade;
- (h) “parking lot” means every place to which the public has access or is invited for the purpose of parking a vehicle;
- (i) “public place” means every park, street and parking lot;
- (j) “street” means every road, street, lane or right of way, including sidewalks and boulevards, which is designed or intended for the use of the general public; and
- (k) “Town” means the Town of Comox;

3. Provision of Entertainment

- (1) No person shall perform or otherwise provide entertainment in a public place unless that person is the holder of a valid Entertainment Permit issued by the Town pursuant to this bylaw.
- (2) In the case of an entertainment group, no person shall perform or otherwise provide entertainment in a public place unless his or her name is listed on the Entertainment Permit issued to the group by the Town pursuant to this bylaw.
- (3) No entertainer shall impede or obstruct any form of traffic, nor allow his or her audience to impede or obstruct any form of traffic.
- (4) No person shall perform or otherwise provide entertainment in any location except as identified in Schedule B, attached to and forming part of this Bylaw.
- (5) The Comox Noise Control Bylaw applies to the performance of an entertainer.

4. Entertainment Permit

- (1) Each applicant for an Entertainment Permit must, in each year, fill out an Entertainment Application, as shown in Schedule A, attached to and forming part of this Bylaw.
- (2) Each applicant for an Entertainment Permit must, in each year, audition before the Audition Panel.
- (3) In the case of a group Entertainment Permit, the Town reserves the right to limit the number of performers to be included on any one Permit.
- (4) No person shall perform or otherwise provide entertainment without having possession of a valid Entertainment Permit.

- (5) The Town may refuse to issue or renew an Entertainment Permit if one or more persons named on that Permit has previously failed to comply with any condition as set out in the Permit, or has any outstanding fines levied in accordance with this Bylaw.
- (6) An Entertainment Permit is not transferable.
- (7) The Town may suspend an Entertainment Permit where its use may conflict with another use of a public place.
- (8) For an Entertainment Permit, the applicant must pay to the Town an amount, as specified in the Comox Fees and Charges Bylaw.

5. Conditions of Entertainment Permit

- (1) An Entertainment Permit is subject to certain conditions, which are attached to and form part of the Entertainment Permit.
- (2) The holder of an Entertainment Permit is permitted to perform or provide entertainment in a public place in compliance with the conditions that form part of the Permit.
- (3) Failure to comply with any condition set out in an Entertainment Permit shall render the Permit subject to immediate cancellation by the Town without prior notice.

6. Contravention of Bylaw Provisions

- (1) Any person who contravenes any provision of this Bylaw, including the provisions of the Comox Noise Control Bylaw, shall be guilty of an offence and shall, upon summary conviction thereof, be liable to a penalty not exceeding the maximum provided under the *Offence Act* for each and every offence. Each day that an offense continues shall constitute a separate offence against this Bylaw.
- (2) This Bylaw is designated under Section 264 of the *Community Charter* as a bylaw that may be enforced by means of a Municipal Ticket Information in the form prescribed, and in accordance with the Comox Ticket Information Utilization Bylaw.

7. Adoption

- (1) READ A FIRST AND SECOND time this 4th day of May , 2005
- (2) READ A THIRD time this 4th day of May , 2005
- (3) ADOPTED this 18th day of May , 2005

“Dr. Jim Brass”

MAYOR

“Richard Kanigan”

CORPORATE OFFICER



APPLICATION FOR ENTERTAINMENT PERMIT

TOWN OF COMOX
1809 Beaufort Avenue
Comox, BC V9M 1R9

250 339-2202

Application must be completed in full. Permit Fee must accompany this application.

Applicant must supply two (2) pieces of identification, and one of the pieces must be government issued picture identification. In the case of an application for a group Permit, the Manager of the group must apply for this Permit.

PART A – ENTERTAINMENT PERMIT

Entertainer's/Group Manager's Name: _____

Entertainer's Address: _____

Entertainer's Phone Number: _____ Cell. Phone: _____

Emergency Contact Name: _____ Phone: _____

Entertainment Group Name: _____ Number of Performers: _____

Full Names and Addresses of all Group Members:

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Type of Entertainment and description of repertoire: _____

Important: *All statements made in this application are true and correct. I have read the Conditions of this Permit (reverse) and will comply with them. Further, I will comply with all applicable bylaws in the Town of Comox.*

Signature of Applicant: _____ Date: _____

APPROVED BY: _____ DATE APPROVED: _____

PERMIT NUMBER: _____ VALID FROM: _____ TO: _____

PART B – CONDITIONS OF ENTERTAINMENT PERMIT

1. This Permit must be validated by the Town of Comox before the persons named on this Permit may perform or otherwise provide entertainment within the Town of Comox.
2. Entertainers must carry this original PAID Permit, and must produce it when requested by the Town of Comox or RCMP. Duplication of this permit will be subject to a charge of \$10.00.
3. Entertainers will not locate themselves so close to another entertainer as to interfere with the other's performance.
4. Entertainers will respect the right of businesses and residents to operate without undue disturbance by entertainment outside their premises, and must leave a location if requested to do so by a business or resident.
5. Entertainers are not permitted to sell tapes, CDs or other merchandise. No provision of personal service (such as face painting or hair wrapping) qualifies as entertainment. No products may change hands.
6. Entertainers are not permitted to use amplification, "boom boxes", recorded or broadcast music, or other means of increasing the volume of their performances.
7. Entertainers may only perform during the hours of 10:00 a.m. and 10:00 p.m.
8. Entertainers are not permitted to play in any public park, except the Comox Marina Park, and the Comox Harbour Promenade.
9. Entertainers may play at any one location for a maximum of two (2) hours, and then must move at least two (2) blocks away. Entertainers may not return to the previous location on the same day.
10. The Town is authorized to revoke an Entertainment Permit for cause. The RCMP is authorized to suspend a Permit for cause.

Areas where Entertainers are permitted in the Town of Comox

