



Government of Canada

Gouvernement du Canada

The National Battlefields  
Commission

Commission des champs  
de bataille nationaux

**POLICY**

**FOR USING THE GROUNDS**

**MANAGED BY**

**THE NATIONAL BATTLEFIELDS**  
**COMMISSION**

Effective January 1, 2013

Canada 







## **TABLE OF CONTENTS**

<b>Introduction</b>	<b>3</b>
<b>1. Nature of activities permitted on Commission-managed sites</b>	<b>5</b>
<b>2. Type of activity</b>	<b>6</b>
<b>3. Procedure for obtaining an occupation permit</b>	<b>8</b>
<b>4. Approval criteria regarding permit applications</b>	<b>9</b>
<b>5. Approval of an activity WITHOUT admission fees</b>	<b>11</b>
<b>6. Approval of an activity WITH admission fees</b>	<b>12</b>
<b>7. Guidelines for holding activity in the park</b>	<b>15</b>
<b>8. Legal and financial consideration</b>	<b>26</b>
<b>Conclusion</b>	<b>27</b>
<b>APPENDIX 1</b> Profile of the Battlefields sites managed by the National Battlefields Commission	
<b>APPENDIX 2</b> Occupation permits application form	
<b>APPENDIX 3</b> Rates	



## Introduction

The National Battlefields Commission (NBC) is responsible for the management of the National Battlefields Park (Plains of Abraham), Des Braves Park and Pierre Dugua de Mons Terrace. Preserving and developing a historical and urban site of this calibre remain the main goal of the NBC, which is strongly committed to sensitizing people to the park's importance in the history of the country and of Quebec City. It is at the root of Canadian history and the heart of important events in Quebec City. The site is where history and nature meet, a place for entertainment and relaxation, and also a special place for celebrations. Battlefields Park is a priceless historical and urban park, and its location near Old Quebec makes it a natural attraction where various events can be held. That is why the NBC receives a great number of applications every year from different organizations seeking permission to hold various activities on the grounds.

As the manager of a public park, the NBC would like to ensure a balanced use of the grounds, that is, a balance between authorizing events and preserving the site's peaceful nature. Accordingly, if it has to limit use of a site, it gives preference to public activities and events over those limited to a private group.

The NBC also expects that events conform to the requirements of its sustainable development policy.

The Commission is also aware of the social and economic role that it plays and of its importance, particularly in Quebec City.

This document has been prepared to inform the organizations wishing to use Battlefields Park, Des Braves Park or Pierre Dugua de Mons Terrace of the requirements for using NBC grounds. These requirements will help organizations better plan the presentation of major, important and minor events while taking into consideration the characteristics of the site, the preservation of the environment and the uses outlined by the NBC. Event organizers must comply with these directives, which apply to all of the sites managed by the NBC. They must also recognize the intrinsic value of holding their events on the site





This document is also a reference tool for NBC managers so that they can answer any questions that they may be asked after they have ascertained that the proposed activities will not have any negative impact on the park's natural or man-made characteristics. **Strict criteria are applied when evaluating applications.** However, certain criteria may have been omitted in this document. **The NBC reserves the right to study each application, to evaluate its impact on the sites that it manages, and to decide whether or not an event will be held.** If need be, an application may be submitted to the NBC board of directors for a specific decision.

## **1. Nature of activities permitted by the Commission on its sites**

Battlefields Park can be subdivided into different sites. Each site is described in **Appendix 1**. These sites are first and foremost public spaces. Festivities or other events must be suited to the site where they are to be held, and take into consideration the park's natural character and mission, how frequently it is used for events and its environment, including the neighbourhood.

### **1.1 Cultural activities**

Activities falling under this heading encompass festivals, concerts and other performances (with the exception of regular program at the Edwin Bélanger bandstand) as well as exhibitions and symposia. Holding such activities requires installing infrastructure, and sometimes the exclusive occupation of part of the park or more

### **1.2 Education and community activities**

These activities, generally organized by educational institutions, community groups or charitable organizations (Diabetes, Alzheimer's, etc), include picnics, outdoor classes and fundraising activities, as well as non-competitive activities, such as treasure hunts. These activities do not require the installation of any infrastructure nor the exclusive occupation of a part of the park, except on rare occasions.

### **1.3 Public gatherings**

This category includes public demonstrations (eg, car shows, union demonstrations, political gatherings) that can take place in certain parts of the park, as well as any activity involving a gathering that starts in the park and moves out of it (eg, a parade). These activities do not require the installation of any infrastructure, except on rare occasions.

### **1.4 Film shoots and photography sessions**

These activities sometimes require the occupation of a specific part of the park, and often occur on the same day.

## 1.5 Sports activities

These activities include all sports activities, such as championships, competitions and recreational activities (cross-country, marathons, etc). These activities may require the installation of infrastructure and sometimes the exclusive occupation of part of the park.

## 1.6 Activities WITH admission fees

These activities encompass all activities, including those described above in Subsections 1.1 to 1.5, for which admission in any form is charged, including a ticket, pass, button or stamp, for an exclusive part of the park.

## 2. Type of activity

### 2.1 Major activity:

The NBC considers a **major activity** to be any activity that has the potential to attract **more than 10,000 persons**, that requires the installation of one or more pieces of infrastructure, and that exclusively occupies part of the park.

### 2.2 Important activity:

The NBC considers an **important activity** to be any activity that has the potential to attract **fewer than 10,000 persons**, that requires the installation of at least one piece of infrastructure and that exclusively occupies part of the park.

### 2.3 Minor activity:

All other activities not covered by Subsections 2.1 and 2.2 are considered **minor**.

## **2.4 Prohibited activities**

The following activities are generally prohibited in Battlefields Park, unless special permission is given by the NBC board of directors:

- activities that have a significant negative impact on NBC revenues (parking);
- camping in any form (except on rare occasions, such as the Snow Jam and Take the Capital by Storm, and military exercises);
- commercial activities when they are not an integral part of an activity proposed by a non-profit organization;
- commercial activities, such as fairs, exhibitions, flea markets;
- activities that require the complete closure of the park or which significantly restrict public access;
- any activity not meeting the NBC's approval criteria.

### 3. Procedure for obtaining an occupation permit

Permission to occupy a part of the park for the activities described above must be requested from the NBC in order to obtain its approval of all activities comprised in an activity. At no time should an organization assume that its activity can be held on the site until it receives official authorization from the NBC.

The required procedure is as follows:

- 1) Contact the NBC to check the availability of the desired site and the feasibility of the activity:

**Head of applications**

**Telephone: 418 648-7289**

**Fax: 418-648-3638**

**E-mail: [claudia.beaulieu@ccbn-nbc.gc.ca](mailto:claudia.beaulieu@ccbn-nbc.gc.ca)**

- 2) The applicant must send a **written application** to the Secretary Director General of the NBC or his or her duly authorized representative stating the nature of the activity, its place and date (or dates and times), which the applicant will respect, taking into consideration, in the case of a major or important activity, infrastructure assembly and dismantling as well as the clean-up of the park, the number of participants or spectators expected to attend, a waiting area if required, and all the details of the proposed publicity and display panels. Site plans may be required depending on the nature, scope and location of the special activity.

In the case of a **major or important activity**, the initial application must be sent at least **THREE months** prior to the date of the activity, unless there is an exception specifically approved by the NBC board of directors on the basis of the approval criteria for an occupation application, as explained in Section 4 of this Policy.

In the case of a show, the initial application must include the name of the performer and expected attendance. If it is impossible to obtain any or all of this information, the NBC reserves the right to analyze the application insofar as justified by the exceptional circumstances.

In other cases, the initial application must be sent at least **ONE month** prior to the activity.

**The written application must be sent to the following address:**

*National Battlefields Commission*

390 De Bernières Avenue

Quebec City, Quebec G1R 2L7

Fax: 418 648-3638

E-mail: [claudia.beaulieu@ccbn-nbc.gc.ca](mailto:claudia.beaulieu@ccbn-nbc.gc.ca)

## 4. Approval criteria regarding permit applications

### 4.1 Respecting the Commission's mandate and priorities: preserving and developing Battlefields Park

Battlefields Park, comprising the Plains of Abraham, Pierre Dugua de Mons Terrace and Des Braves Park, is first and foremost public space. When they are used, the NBC must take into account the compatibility of each activity with the park landscape, its natural character, its vocation and the balance between an urban park and prestigious historical site (so as to maintain its integrity), how frequently it is used for activities and the surrounding environment. Care must be taken to ensure that no activity hinders regular NBC activities or prevents park users from enjoying the park and its services or from participating in its activities, such as the activities it promotes.

The activities that are permitted must be consistent with the NBC's priorities, direction and priorities.

The NBC is aware that activities have an impact on the grounds as a whole. Its main goal is to minimize any damage in order to ensure the long-term well-being of its sites and green spaces. The NBC must therefore ensure, before authorizing any activity on one of its sites, that there will be little or no negative impact on the park's natural environment or on the surrounding environment. Thus, activities that permanently damage NBC territory, grounds, facilities, roads or paths or that hinder services offered by the NBC (eg, cross-country ski trails) are excluded from the Battlefields Park unless they receive special authorization from the NBC.

To avoid creating a negative impact, **the management of mitigation measures requires careful planning and the full co-operation of organizers before, during and after the activity as such.**

### 4.2 Characteristics of the activity

An activity's impact on a park depends on its characteristics. The NBC must take the following aspects into account:

- the season in which the activity takes place;
- weather conditions before, during and after the activity;

- the duration of the activity: a long activity stretching over several days can have a negative impact on the use of the park by citizens and tourists wishing to use the park for recreational and leisure activities;
- how often the site is used for major or important activities;
- the free flow of vehicles and tourist bus traffic, particularly at Cap Diamant, and access to free parking spaces on Ontario Avenue;
- the type, location and number of pieces of equipment and the infrastructure required;
- preparing for the activity, setting up and dismantling of on-site facilities;
- the number of visitors, their activities and the duration of their visits;
- the delivery of its own public services;
- positive benefits for the NBC and the park;
- economic benefits for Quebec City and surrounding area.

### **4.3 Support capacity of the site**

The support capacity of a site is determined by the total number of people capable of accessing the location at a given time, taking into account its natural characteristics, its set-up, environmental protection, and security requirements for people and assets. This factor must be strictly respected in order to minimize any negative impact on the environment or deterioration of the site. The NBC representative may be consulted to determine the capacity of a site for a given activity.

The application of these guidelines will go a long way toward ensuring that a site has sufficient capacity to accommodate the planned activity.

#### **4.4 Capacity of the surrounding area**

The NBC takes into consideration the nature of a site's surroundings before giving permission to hold an activity. Thus, a major activity will have fewer negative effects on a surrounding area consisting of offices or businesses than if it consists mainly of private residences.

#### **4.5 Park Mission**

Certain parts of the park managed by the NBC have acquired a particular mission over the years, such as the Great Plain, which is an ideal spot for sports activities. The NBC must make sure the activity is compatible with the park's mission and its various sectors before approving the occupation application.

#### **4.6 Priority of activities**

The NBC gives priority to public non-profit activities. If two or more events require the use of the same site, priority is given in the following order:

1. activities organized by or in partnership with the NBC;
2. activities of national or international scope, or activities organized by government (federal, provincial or municipal);
3. recreational, athletic, educational, social or cultural activities;
4. family, community and individual activities.

### **5. Approval of an activity WITHOUT admission fees**

In addition to the criteria set out in Section 4, for any activity without admission fees, the occupation permit holder must refer to **Appendix 3** for the list of rates.



## **6. Approval of an activity WITH admission fees**

### **6.1 Activity approval criteria**

In addition to the criteria set out in Section 4, an activity with admission fees must:

- 1) generate significant regional benefits; in this regard, the NBC reserves the right to:
  - a) require a study to be conducted in accordance with the recognized practices in the field, and;
  - b) obtain an opinion from the Office du tourisme de Québec that the activity in question constitutes a major event that would result in significant regional economic benefits.
- 2) generate royalties for the NBC, which will be reinvested in the park for amenities and facilities for the use of citizens (see the rate list in **Appendix 3**);
- 3) the NBC reserves the right to consult any organization of its choice in order to complete the file;
- 4) obtain authorization from the NBC board of directors.

### **6.2 Application of rates**

In order to apply rates, the NBC

- 1) considers public access at all times for the requested activity:
  - a) unrestricted public access to the entire park: no rates for admission fees apply;
  - b) reduced public access to all or part of the park: rates apply.
- 2) places event organizers into two categories:
  - a) for-profit organizations: 100 % of basic rates;
  - b) non-profit organizations: 25 % of basic rates to occupy the site. No admission fee charges.

### 6.3 Basic rates

A royalty must be paid to the NBC for both admission fees charged for an activity and the days the site is occupied (for a description of the sites, see **Appendix 1**).

These amounts are subject to change every year by a decision of the NBC board of directors. Prices do not include GST or PST.

The rates are applied according to the terms and conditions set out in Subsection 6.2 above, and the royalty is calculated as follows:

- 1) admission fee:
  - a) a price floor is set at \$20,000 and a price ceiling at \$50,000, payable for the day of the activity.  
The calculation is done as follows:
    - For 1 to 20,000 tickets sold, the rate will be \$20,000;
    - For 20,001 to 30,000, the rate will be \$30,000;
    - For 30,001 to 40,000, the rate will be \$40,000;
    - For 40,001 or more, the rate will be \$50,000.
  - b) when the activity is held over several days, the admission fee applies each day.
- 2) occupation of site:
  - a) this includes all the days required to set up and dismantle infrastructure, including the day(s) on which the activity takes place. The number of days that a site is occupied is calculated from the date mobilization starts until the day everything is fully demobilized;

#### Definitions

Date of the **mobilization** of the infrastructure means the date on which any equipment or materials (eg, fence, concrete block or other) is delivered to NBC grounds.

Date of the **demobilization** of the infrastructure means the date that all equipment/materials are completely removed from the site.

If the mobilization and/or demobilization dates set out in the agreement are not followed, a penalty will be imposed. See Subsection 7.1 for information about penalties.

b) the occupancy of the site is calculated as follows:

\$1,000 per day; *multiplied by*:

the number of days the site is occupied; *multiplied by*:

percentage of the basic rate established in Subsection 6.2.

#### **6.4 Considerations**

1) A non-profit organization that submits an application to hold an activity with an admission fee will not be considered a non-profit organization for the application of this policy, but rather as a for-profit organization in either of the following situations:

- a) the activity organizer cannot demonstrate to the NBC's satisfaction that the non-profit organization is acting strictly in keeping with its mission and not incidentally, and that the profits generated by the activity with admission fees will be used solely for the benefit of its mission;
- b) the organizer, such as the Festival d'été de Québec or the Quebec City Carnival, is organizing an activity with an admission fee that is scheduled to take place outside the normally scheduled signature activity, which is recognized as a traditional tourist event in the Quebec City area.

2) Activities aimed at collecting charitable donations eligible for tax credits organized by registered charitable organizations are not considered to be activities with an admission fee.

## 7. Guidelines for a properly held activity in the park

The NBC has established guidelines for activities held in the park. These guidelines are listed here, whether it be for any activity in general, for major, important or winter activities. In all cases, the organizers must also sign an agreement authorizing the use of the site for the activity.

### 7.1 For all activities

Occupation permit holders must:

- respect all the clauses in the agreement concerning the event in question;
- respect the areas to which they are allocated for the event; a site plan must be supplied and preapproved;
- follow the NBC's recommendations concerning protection of vegetation and park furnishings (eg, climbing up trees and on picnic tables is prohibited);
- comply with applicable federal, provincial and municipal statutes, regulations and bylaws in effect in the park;
- inform the NBC immediately of any incident that is in violation of or disregards any legislation, particularly an environmental statute or the Canada Labour Code—Part II, which deals with health and safety standards;
- carry out, as soon as the permit holder becomes aware of it and after notifying the NBC and obtaining its permission, any work needed to rectify, repair and clean up any damage or breakage, at the permit holder's expense, and stop any event that contravenes any legislation, particularly an environmental statute or the Canada Labour Code—Part II;
- obtain the NBC's approval before making any changes to the site prior to, during or after the event, **restore the site to its original condition to the satisfaction of the NBC**, and make a financial contribution to the NBC for the fertilization and aeration of the grass after the event;

- take into account that no closing of the park is permitted; if closure cannot be avoided, an application must be submitted to the NBC for study and authorization, if deemed appropriate;
- provide the NBC representative with the name of a designated representative for the duration of the event and his/her contact information (business, cell, fax and emergency telephone numbers and e-mail address) so that he/she can be reached at any time (24 hours a day) during the event;
- implement and maintain all appropriate security measures during the event to protect both the public and NBC property, to the satisfaction of the NBC;
- maintain a continuous watch (24 hours a day) over the site infrastructure, at the occupation permit holder's expense;
- ensure that the officers and employees of the NBC, Quebec City public safety and public works departments and any other person designated by the NBC can move freely in the part of the park being used;
- avoid using heavy equipment on the lawns, but if need be, these vehicles must be equipped with high-flotation tires (low-pressure balloon tires) in order to avoid damaging the lawns. If necessary, use rubber carpets or other acceptable procedures in order to minimize damage and establish a signposted access way. This information must be supplied in a plan and approved before access can be granted;
- keep the park entries, roads and walking paths free of any obstruction, unless special permission has been granted (eg, walking path behind the Discovery Pavilion, and the Cross of Sacrifice walkway).

## **Penalties**

- In the event that an occupation permit holder does not follow the set-up/dismantling schedule, a penalty of \$1,000 per day (in addition to the occupation charges described in Subsection 6.3) will be imposed. The NBC may, exceptionally, stay all or part of this penalty. (See definitions Subsection 6.3).

## **7.2 For major or important activities**

In addition to the aforementioned requirements, occupation permit applicants must meet the following criteria.

### **Installation, set-up and dismantling**

- In the case of a major or important event that requires the installation of infrastructure, permit applicants must, before the deadline established by the NBC, provide the NBC representative with a site plan for approval indicating the number, dimensions and location of the infrastructure, the usefulness and need for its installation, a list of available activities, the placement of banners and panels, as well as the location of temporary barriers used to protect certain areas of the park; as required, and insofar as possible, the NBC representative will supply to-scale plans.
- During the set-up of the infrastructure, it is prohibited to place posts, stakes or pegs near the roots of trees, on asphalt paths, on decorative surfaces, on delicate or special surfaces, or on wall coverings.
- The attachment of guy wires, cables and wires of any kind to trees, furniture, street lamps, buildings, monuments or any other permanent structure is strictly prohibited, unless special authorization is received.
- The installation of lighting equipment in trees is prohibited, with the exception of the NBC's own festive lighting.

- No infrastructure may be installed beneath the tree canopy. Moreover, all underground wires must be detected, at the occupation permit holder's expense, to avoid damaging NBC underground facilities.
- No infrastructure may be installed directly on the lawns if it prevents air from circulating. In order to protect the lawns, platforms must be erected and raised to a height of at least **100 to 150 mm** (from 4 to 6 inches) from the ground and left open at both ends so air can circulate.
- A rationale must be provided for the installation of trailers on lawns, and a list of each facility must be submitted for approval.
- Facilities at the park's east entrance (George VI – Cross of Sacrifice area) must be minimal and aesthetically pleasing.
- Any property damage that occurs must be repaired at the occupation permit holder's expense.

### **Use of the "Site for Major Events"**

- The NBC offers various services (electricity, communication, water and sewer connections), which are accessible to occupation permit holders. Depending on their needs, permit holders must inform the NBC of the service wells they require at least **fifteen** working days prior to the expected date of use and the services required for each well must be indicated. The NBC will be able to make the required services available (wells PS-1 to PS-6 and PR-1 to PR-13 are available).
- The requirements and standards for using the Site for Major Events, which are explained in the User's Guide that will be given to occupation permit holders, must be complied with, and the associated costs will be paid by the permit holder upon receipt of the invoice. These include electricity costs, and charges for turning on, running and shutting off the water supply. Recognized standards of hygiene and cleanliness must be respected, and occupation permit holders must comply with applicable statutes, regulations and bylaws concerning the operation of food stands.

- Each service well on the Site for Major Events must be restored to its original state of cleanliness and working order. If this is not done, the NBC will require the necessary repairs to be carried out to its satisfaction.
- Occupation permit holders are responsible for ensuring that all electrical equipment brought to the site and plugged into NBC electrical distribution panels is in good working order and complies with all security requirements, as well as all codes and regulations in force.
- Occupation permit holders are required to take every precaution to protect the site's French drains in order to maintain the effectiveness of the drainage system. This requires controlling traffic on the site and limiting it as much as possible; any breakdown or contamination of the system will require repairs, at the user's expense.
- In order to prevent the premature wear and deterioration of service wells and ensure that the wells remain in good working order, that standards are met and that no damage is done to the facilities, the NBC's electrician or any other person designated by the NBC will provide the representative designated by the occupation permit holder with the required guidelines **before** each use of a well. He or she will also verify the conformity of the facilities **during** their use and inspect the facilities **after** their use. Costs related to this mandatory service will be billed to the occupation permit holder in accordance with the rates determined by the applicable collective agreement as well as the associated benefits.

### **Controlling access to the site**

- For the safety of visitors, fences and temporary barriers must be installed in areas specified by the NBC representative in order to protect certain vulnerable areas indicated on the plans, including service wells, flower beds and gardens. These barriers must be portable.
- The occupation permit holder is responsible for ensuring the security of the infrastructure and other equipment it erects. The NBC does not assume responsibility for any damage, thefts, acts of vandalism, etc. that might occur to the infrastructure or equipment installed for the event. Moreover, the occupation permit holder must ensure the safety and security of participants and the sites at all times during the event. The permit holder must inform the Quebec City police force (SPVQ) of the event to be held and specify any concerns with respect to site security. The NBC will notify its own security service.



## **Waiting area**

- If an occupation permit holder needs to create a waiting area for its event, special written authorization from the NBC must be obtained. The NBC reserves the right to decide the location and size of the waiting area on its premises.

## **Waste**

- The occupation permit holder is responsible for removing from the site and its immediate surroundings any waste and debris produced by use of the property before, during and immediately after the event.
- The occupation permit holder must ensure that sufficient garbage containers are available during the event to meet participants' needs. The permit holder must have the site cleaned every day, at its own expense, which involves removing waste from the containers, and cleaning up and removing debris from the park.
- Should the clean-up not be completed to the satisfaction of the NBC, the latter may hire a cleaning team to remove the waste, for which it may charge a minimum fee of \$100/hour. To this may be added the amount of the actual expenses incurred, all of which may be deducted from the contract performance bond.

## **Universal accessibility, toilets, and sinks**

The occupation permit holder must see to the needs of the people attending the event. This must be done in the following way:

- Ensure universal access from all of the park's entrances during the event;
- Ensure easy access on the site and between attractions (that is, leave enough space between the tent stakes);
- Ensure that guy wires, cables, banners, attractions, etc. do not create obstacles for users, specifically people with disabilities using the site's walking paths;
- Install and maintain on site universally accessible toilets; they must be located in areas that are easily accessible from a hard surface.

For events on sites with no public washrooms, the occupation permit holder must install a sufficient number of well-maintained portable toilets and sinks. The actual number of these facilities depends on the nature of the event, on the site plan established for the event, and the average duration of public visits.

## **Displays**

- All temporary displays indicating directions or signage about the event itself, for commercial purposes or for sponsors must be submitted to the NBC prior to installation for information purposes; display panels and banners must be freestanding and in no case may be affixed to buildings, vegetation, monuments or any other fixed equipment in the park, unless authorized in advance.
- Sponsors' displays on NBC grounds must be limited and aesthetically pleasing.
- An occupation permit holder using the Site for Major Events may obtain its own sponsors, but the displays must be located within the authorized area. Occupation permit holders using any other part of the Plains must limit displays to sponsors or partners doing business with the NBC only.

## **Sales**

- The number of revenue-generating events held by the various organizations to finance an event on the NBC's grounds must be limited and of minimal scope in relation to the main event, and must be within the authorized area. It is prohibited to sell event-related products outside the authorized fenced perimeter.
- The selling of merchandise, objects or products (eg, event-related products sold to finance the event), food and alcoholic beverages is permitted on condition that this operation is an integral part of and essential to the financing of the authorized event. The occupation permit holder must obtain the NBC's approval, obtain the appropriate licences, and ensure that laws and standards governing the safety of the site and the environment are followed. They must also comply with Health Canada regulations as well as with applicable provincial, regional and municipal statutes, regulations and bylaws.

- Requiring visitors to wear a button or another identifying object as a means of financing an event in a restricted or fenced-in area is permitted.
- Unless otherwise agreed with the NBC, concession holder Les Gestions Res-to-Bil Enr. has exclusive rights to sell consumer products (food, non-alcoholic beverages and souvenirs) at the Cap Diamant Governors stand and at other sites other than the Site for Major Events.
- No alcoholic or non-alcoholic beverages may be served in glass bottles or cans. Only plastic cups are permitted anywhere on the grounds under NBC management during major or important activities, unless special permission is received.
- It is the responsibility of an occupation permit holder to ensure that all sellers associated with the activity comply with the site plan approved by the NBC and in its guidelines.
- The permit holder must ensure that NO stains result from the spillage of oil, grease or other food waste onto any park surface. Waste must be removed from the site and properly disposed of in accordance with the applicable regulations and bylaws. The dumping of grease, oil and food waste into manholes or sewers of the park is strictly prohibited and punishable by fine. Improperly disposed of waste will be removed at the occupation permit holder's expense. To minimize damage to the grounds, the grass or other hard surfaces of the park, the occupation permit holder must supply BASINS to all vendors with a business operating in the park during the event. How well these rules are respected will be assessed from the time facilities are set up until they are dismantled and removed and this assessment will be reflected in the reimbursement of the security deposit.

## **Parking**

The NBC limits the number of vehicles on all of its grounds, since the main attraction of these sites is that they give visitors a chance to escape the hustle and bustle of urban life by providing them with some green space. When these sites become **parking lots**, they no longer serve their intended purpose.

- The occupation permit holder will notify the NBC at least **ten** days before the use of the site, of its parking needs during the set-up of the facilities for the event, the event itself and the dismantling of the facilities afterwards. The NBC will determine a limited number of parking spaces available in the park and will indicate where parking is permitted. Authorized vehicles must be equipped with stickers (designating the event), failing which penalties will be applied.
- Vehicles transporting goods or equipment for the event may make deliveries using roads reserved for such vehicles. A calendar indicating the frequency of deliveries and the road to be used must be given to the NBC prior to the event to inform the NBC of comings and goings on the site. Insofar as possible, the occupation permit holder will be equipped with an appropriate light vehicle, such as an ATV with a trailer or a small golf cart, to transport the merchandise to the desired location on the site. If these vehicles travel on reserved roads, they must be registered and insured. With respect to setting up and assembling infrastructure, the NBC must be notified in advance to minimize traffic on the grass.

**Acts by organizations using the NBC's grounds must not cause a loss of revenues, sales or parking spaces for the NBC; if they do, the NBC must be compensated for such loss.**

### **7.3 For winter activities**

Occupying the park in winter requires certain precautions when infrastructure has to be installed and the event must accommodate a great number of visitors. Damage may be significant, notably due to trampling by visitors, the corrosive action of salt, material breaking during the installation or dismantling of infrastructure or through the repeated freezing and thawing of natural surfaces. **In addition to meeting the aforementioned requirements**, occupation permit holders must follow the instructions below.

- the type of infrastructure, its placement and the manner of assembly (eg, by means of heavy machinery) must be clearly specified in the event site plan for it to be approved by the NBC;
- structures (ie, under platforms) must be cleared after each snowfall, to allow the air to circulate;

- hard surfaces that must be cleared of snow as well as the borders of lawns, and the locations of constructed elements (walls, sidewalks, sewer grates, etc) must be marked out with stakes before the beginning of winter;
- the use of salt for melting ice is strictly prohibited; only sand used sparingly but in an adequate amount ensuring the safety of visitors is permitted;
- heightened protective measures must be put in place to safeguard both natural elements (flower beds, large bushes, young trees) and constructed elements (benches, street lamps, curbs, lights, etc);
- all lawns used must have a layer of snow compacted by authorized equipment to a minimum of **20 cm** (8 inches) thickness. In case the amount of snow is insufficient, it will be possible to use a snow-making machine or to have snow delivered by truck. Only clean snow may be brought to the location;
- insofar as possible, for the security of users of the park, the snow cover in the park must be put back in place after the activity ;
- with respect to the use of services supplied on the Site for Major Events, if the water supply system is used, the occupation permit holder must ensure that the water does not freeze in the pipes, as explained in the User's Guide. The permit holder must take every precaution in this regard. In case of breakage, the permit holder is responsible for the damage;
- it is essential that the NBC representative and the respondent designated by the occupation permit holder or any other authorized persons meet on the site on the day snow is removed from the streets and the snow on the lawns is compacted, before the work begins, to direct and supervise the operations and to clearly instruct the operators of the restrictions and practices pertaining to the removal of snow from the NBC grounds.

#### **7.4 NBC visibility**

Using part of the park is an undeniable advantage for the organizer of an activity.

Considering the value of said use and the services rendered, if applicable and in return for same, the occupation permit holder is required to offer visibility to the NBC and the Government of Canada and/or to permit the NBC to benefit from the participants' presence at the event.

This visibility will be determined beforehand, specified in the agreement of use, and will be tailored to the nature of the activity and the value of the use of the site.

In particular, in the case of events with admission fees as described in Section 6, non-profit organizations must consider in the visibility given to the NBC the value of the 100 % reduction in rates granted in the admission fees and 75 % in the occupation of the site.

In all cases, it is an essential condition that the occupation permit holder:

- acknowledge the NBC's contribution, beginning with the Government of Canada's contribution, and ensure that this partnership is displayed, for example, in advertisements, official programs, other partners' display panels on site and press releases (means to be agreed upon);
- allow the NBC to set up facilities that ensure its visibility on the site, in particular at the edge of the site (at the location of its choice), such as welcoming panels on the Plains of Abraham with its logos;
- allow the NBC, as it sees fit, to set up a booth promoting its services and activities.

## 8. Legal and financial considerations

In order for an event to be held, the NBC can require financial and legal guarantees from the occupation permit applicant.

### 8.1 Performance bond

The occupation permit applicant must obtain at its own expense a performance bond for a minimum amount, to be determined by the NBC according to the type and scope of the event, as a guarantee of performance and the restoration of the site to the NBC's satisfaction. The NBC reserves the right to increase this amount if the event jeopardizes the condition of the site more significantly. The occupation permit applicant must designate the NBC as the beneficiary and must maintain the guarantee for the duration of the event, including the period reserved for assembling and dismantling facilities. For **winter** events, the applicant must maintain the guarantee until a fixed date, agreed upon by both parties, to allow the completion of work after the spring thaw and to the satisfaction of the NBC. The NBC will not issue an occupation permit **until the performance bond has been received**.

The NBC reserves the right to keep the bond, in whole or in part, in the event that the occupation permit holder or its subcontractors do not comply with the regulations described herein, or if it has reason to believe that breakage or significant damage might result from the departure from these regulations.

The occupation permit holder is responsible for all damage done to NBC property during the event. If any damage does occur, the NBC can use the amount of the guarantee to cover the costs of the repair. The damage is then assessed, after the event is held, by an NBC representative and a representative designated by the occupation permit holder, who will agree on the repair work to be done. The NBC must be informed beforehand of all contractors and subcontractors hired, directly or indirectly by the occupation permit holder, to carry out the work, and the contractor or subcontractor must comply with all the applicable requirements contained herein.

If, after an event is held, the amount needed to repair any damage exceeds that of the performance bond, the NBC will bill the outstanding amount to the occupation permit holder. No permit will be subsequently issued as long as the bill has not been paid in full.

## **8.2 Insurance requirements**

**To enjoy access to the site**, the occupation permit holder must provide the NBC with proof of third-party liability insurance covering all damage to property, all bodily harm and any death caused by or resulting directly or indirectly from the use of the location by the occupation permit holder, its workers or subcontractors during the activity or the public present for the occasion. The insurance policy must designate the NBC and Her Majesty the Queen in Right of Canada as additional insured parties.

The insurance policy must provide a minimum of two million dollars in coverage. However, this amount may be higher depending on the level of risk related to certain events.

The occupation permit holder agrees to indemnify and save harmless the NBC from and against all claims arising directly or indirectly from use of the site, the holding of an event or the public's presence on the occasion.

## **8.3 Cost of electricity and use**

The current costs of electricity used and all other costs related to the use of the site during the event are the responsibility of the occupation permit holder.

## **Conclusion**

In developing the policy for using the park, the NBC was concerned with safeguarding the natural elements as much as the built assets and site furniture, and strove to develop a management tool that allows it to manage the holding of activities in Battlefields Park more effectively.

In addition to giving event organizers rules to follow, allowing them to hold their events in the best possible conditions while ensuring the park is protected, the policy also outlines, with the help of precise criteria, the type of activity that may be accommodated favourably.

The NBC will thus be able to help host events on the Plains in the heart of Quebec City, while preserving a park of exceptional quality and ensuring its sustainability for future generations.