



**LETTER OF PERMISSION FOR PERFORMING ACTIVITIES
AT CALGARY TRANSIT PROPERTIES**

(Refer to General Terms and Instructions attached hereto as Schedule “B” & “C”)

The City of Calgary, Transportation & Calgary Transit, reserves the right to reject any application for any reason whatsoever including but not limited to space limitations, or unsuitability of the activity in question.

A minimum of 15 business days notice for approval and process of application is required

FOR OFFICE USE ONLY

Valid from: to .

Authorized by: _____ Date: .

Officer responsible for Calgary Transit Revenue Streams

I. General

1. Name of Activity:

2. Name of Applicant / Person responsible for the Activity:

Authorized Signature: _____

3. Address (Street Address, City& Province and Postal Code):

Telephone Number: . Alternate Telephone Number: Email: .

4. Name(s) of anyone authorized to participate in the activity:

II. Activities Being Performed

(Please describe all the activities that will take place including: explanations of each activity and purposes, which will be performing the activity, how will the public be engaged, risks involved, etc.)



III. Additional Information

Need for security, uniqueness of operation, how participants will be identified, uniforms, etc.

IV. Locations

(Please, provide reference interested locations)

<u>C</u> Train station	<u>Area in station</u>	<u>Dates</u>	<u>Hours for activities</u>	<u>Number of people performing</u>
1.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	
2.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	
3.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	
4.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	

<u>Bus Terminals</u>	<u>Area in Terminal</u>	<u>Dates</u>	<u>Hours for activities</u>	<u>Number of people performing</u>
1.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	
2.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	
3.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	
4.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	

<u>BRT Line & Other Locations</u>	<u>Area</u>	<u>Dates</u>	<u>Hours for activities</u>	<u>Number of people performing</u>
1.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	
2.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	
3.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	
4.		<input type="text"/> to <input type="text"/>	<input type="text"/> from <input type="text"/>	

IV. License and Insurance

1. Hawker/Peddler License Number via 311 (If applicable): Expiry Date:

2. Name of Liability & Auto Insurance Company:

Address of Company (Street Address, City& Province and Postal Code):

Policy Number: Expiry Date:

(NOTE: Minimum Public Liability Insurance of \$2,000,000.00 is required.)

V. Sales Items

1. Products to be sold, and price:



2. Health Permit Number is Mandatory when food/beverage is served on site:

VI. Equipment

1. Type of vehicle(s) that will be on site (include make, model & license number) (if applicable):

2. Describe all equipment that will be on site (if applicable):

VII. Special Events Exemption

1. Permission to sell at Calgary Transit Property will not include any special events (*ie. in areas where there have already been designated vendors during festivals*).

VIII. Return Completed Application Forms to:

Revenue Streams, Service Design,
Calgary Transit,
Floor 2, 928 32 Ave N. E
P. O. Box 2100, Station M,
Calgary, AB, T2P 2M5
T: 4035377846 | CTePayCommercialAct@calgary.ca

The vendor by signature on the Letter of Permission signifies that he/she has read the attached Schedule “A”, “B”, “C” and agrees that, if the application is granted, to be bounded by all its provisions.

Applicant’s Signature: _____ Date

The City reserves the right to amend fees at any point in time.

Assessed Fee: _____ Paid: _____

**Schedule “A”
Fees**

Fee Schedules

*A non-refundable application fee of \$50 Applies in all application submissions.

** A Deposit maybe required to ensure compliance after an event.

Fee Schedule 1: Commercial Activity

Base Rate (Plus GST):

- Performing / Activity fee \$250.00 plus GST per unit/per location/per day
- Additional fees applicable based on activity (Plus GST):

Note:

- Overtime surcharge of 1.5 applies if booked over 6.5 hours or if activity passes outside agreed hours.

Bus Charter Rates for 2016-2018 (Excluding GST)

Minimum 2-hour Charter Fee, Passengers must be seated on Charter Service, Articulated Buses with 62 seat capacities are subject to Director approval before booking.

Contact below for rates:

*Scheduling
Calgary Transit,
Floor 2, 928 32 Ave N. E
P. O. Box 2100, Station M,
Calgary, AB, T2P 2M5*

CTCharters@calgary.ca

Fee Schedule 2: City of Calgary Business Units

Activity fee of \$0 Additional fees may be required if depending on activity

Fee Schedule 3: Non-For-Profit Groups

Performing / Activity fee \$0 up to \$250.00 plus GST (To be evaluated by Transit and based on activity/safety/security) Additional fees may be required depending on activity

Fee Schedule 4: Food Trucks / Food Carts

Activity fee \$26 per day plus GST (subject to availability)

Schedule “B”

General Terms

1. Letter of Permission

- 1.1 The application form, once approved by Calgary Transit, also serves as a Letter of Permission to carry on performing activities on Calgary Transit property. The Letter of Permission shall be validated upon receipt of assessed fees, fulfillment of all licensing and insurance requirements, provision of all required information and endorsement by the signature of the Officer responsible for Calgary Transit Revenue Streams.
- 1.2 Enquiries regarding the application shall be directed to:
- Revenue Streams, Service Design,
Calgary Transit,
Floor 2, 928 32 Ave N. E
P. O. Box 2100, Station M,
Calgary, AB, T2P 2M5
T: 4035377846 | CTePayCommercialAct@calgary.ca*
- 1.3 The vendor agrees to indemnify and hold harmless Calgary Transit and its agents and employees from and against losses, claims, demands, payments, suits, judgments, or expenses of any nature and description arising out of or in consequence of the activities of the vendor pursuant to this Letter of Permission or on Calgary Transit property and arising out of or in consequence of any error, act or omission or negligence of the vendor, its employees, agents, contractors, or invitees. This shall include, but not be limited to damages, because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons, because of damage to property, including loss of use thereof.
- 1.4 Calgary Transit reserves the right to establish additional vendors in special event areas during the special event.
- 1.5 Calgary Transit reserves the right to relocate any person issued a Letter of Permission in the event of a conflict in addition to the right to terminate the agreement in accordance with Section 6.

2. Licenses and Insurance Coverage

- 2.1 Throughout the term of the Letter of Permission, the vendor shall maintain in full force and effect, comprehensive general liability insurance providing coverage of at least \$2,000,000.00 (two million dollars) inclusive, for accidental injury to or death of any one or more persons and property damage because of one accident. Coverage shall include independent contractors and contractual liability including this Letter of Permission. The vendor shall provide the insurance in terms, form and with insurers that meet the prior approval of the City’s Risk Management unit.

3. Activities

3.1 **Commercial Activity:**

Subsection 2(1) of PIPEDA states that “commercial activity” means “any particular transaction, act or conduct or any regular course of conduct that is of a commercial character, including the selling, bartering or leasing of donor, membership or other fundraising lists. Commercial activity within The City of Calgary includes the buying and selling of goods and services in retail businesses, wholesale buying and selling, financial establishments, and a wide variety of uses that are broadly classified as “business.”



3.2 **City of Calgary Business Units:**

The City of Calgary's includes several business units providing enabling services to the Corporation as well as the citizens of Calgary. They include the below and not limiting to...

(Chief Financial Officers Department, Community Services Department, Deputy City Manager's Office, Planning & Development Department, Transportation Department, Utilities & Environmental Protection Department, City Clerk's office, City Manager's Office, Urban Strategy, Law, City Auditor's Office, City Council, & i.e.)

3.3 **Non-for-Profit Groups:**

Not for profit describes a type of organization that does not earn profits for its owners. All the money earned by or donated to a not-for-profit organization is used in pursuing the organization's objectives and keeping it running

3.4 **Busking / Performance:**

Busking refers to individuals or groups that play music or otherwise perform for voluntary donations on the Transit property. The goal is to entertain in a public place and may illicit free donations from patrons.

3.5 **Food Trucks / Carts:**

A food cart / truck is a mobile kitchen that is set up on the street at a designated location by Transit to facilitate the sale and marketing of food to local pedestrian traffic. They are fully licensed by the city and comply with the provincial food handling permit.

4. **Performing Services**

- 4.1 The vendor shall ensure all required licenses are obtained as required by various federal, provincial, or municipal agencies.
- 4.2 The vendor shall obtain a Health Permit, if required, and all necessary permits as required by various federal, provincial or municipal agencies.
- 4.3 The merchandise to be vended will be governed as set out and approved by both Calgary Transit and the Local Board of Health.
- 4.4 All items for sale shall fall within the "Confectionery Class" of the Calgary Local Board of Health. This provides for the sale of non-perishable, pre-packaged items such as newspapers, periodicals, gum, film, greeting cards, and candy bars.
- 4.5 Calgary Transit retains the right to disallow sale of items which are immoral or disreputable, in the sole opinion of the City as represented by the Transit Manager or his designate.
- 4.6 No food or beverage items are to be sold at the LRT stations or Transit Centres without prior written approval by Calgary Transit.
- 4.7 All Performing units shall be operational by the vendor within three weeks of the valid date recorded on the Letter of Permission; otherwise the assigned spot shall be forfeited and may be reassigned to another vendor. The vendor shall attach a photograph, color likeness or graphic representation of the unit with dimensions marked. The Performing unit that is operating is to be the one described in the Letter of Permission.
- 4.8 Units requiring power hook-up will be subject to the approval of the Officer responsible for Calgary Transit. Flammable gases and/or liquids shall **NOT** be used by any Performing units inside LRT stations or at Transit Centres.
- 4.9 The Performing operation shall not create any visual or physical obstructions for bus/LRT patrons, pedestrians, traffic, and transit operations, doorways, transit zones, fire hydrants, driveways and fare

payment areas in terminals and LRT stations. The vendor shall not obstruct the operation of buses within the bus terminals or create hazardous conditions to bus patrons and other pedestrians.

- 4.10 Overhead canopies or vertically opening doors shall not obstruct or hinder safe pedestrian traffic and bus operations. A minimum walking space of 1.5 meters shall be maintained by the vendor.
- 4.11 All existing parking restrictions shall apply. Performing operations shall operate at and within the designated areas only. The LRT Station platforms and Transit Centre “islands” are off limits to vendors unless stated otherwise.
- 4.12 The vendor shall not actively solicit or harass pedestrians and/or transit patrons.
- 4.13 The vendors shall remove the Performing units and any materials associated with their Performing operation each evening. Absolutely no vehicles, stands, garbage receptacles etc. will be allowed to remain on site after 11:00 p.m. each day. The vendor shall keep the unit and immediate area clean and neat.
- 4.14 The vendor shall provide a garbage receptacle at the Performing unit for all customers to discard any waste from the product sold or sampled (wrappers, cores, papers, cardboard, etc.) The vendor shall collect and dispose of any refuse produced directly or indirectly by the Performing operation within a six (6) meter (20 foot) area of the stand. The refuse may include, but is not limited to, pits, seeds, peels, stems, cores, or husks of any products sold. This also includes any packaging that may be discarded by the vendor or customers. If a commercial container is not provided then the vendor shall take the garbage away from the site at the end of each day or as more often as required.

5. **Fee Schedule**

- 5.1 All assessed fees as indicated in this section shall be paid once the vendor is notified of the approval. No Letter of Permission will be issued until the fees are paid.
- 5.2 A non-refundable application fee of \$50 Applies in all application submissions. A Deposit maybe required to ensure compliance after an event

6. **Calgary Transit Bylaws**

- 6.1 Applicants shall agree to be bound by all guidelines, provisions, and restrictions as outlined in the Calgary Transit Bylaw # 4M81 being a bylaw of the City of Calgary to regulate and control the conduct of passengers on public vehicles, including but not restricted to the following sections:
- 6.2 The Calgary Transit Designate, Calgary Transit, may designate any portion or portions of transit property as a Restricted Fare Area by causing signs to be posted at the entrances to such area indicating that the area is restricted to persons carrying valid tickets, transfers, permits or passes
- 6.3 No person, other than a person authorized by the Calgary Transit Designate, Calgary Transit, shall handle or operate any transit vehicle or any part of the mechanism or equipment of any transit vehicle, or any equipment, devices or cars used relating to Calgary Transit, except devices which are intended for passenger use.
- 6.4 No person shall cause any damage to any transit vehicle, shelter or property which is either owned or occupied by the City and which forms part of Calgary Transit

7. Access to Restricted Areas

- 7.1 Any group or individual requesting permission from Calgary Transit to enter onto restricted Calgary Transit premises must agree to abide by Calgary Transit’s access procedures to restricted areas.
- 7.2 All individuals requiring access to restricted areas must sign in and out at the Dispatch desk and/or the division in question, and must be accompanied to and from the restricted area by authorized Calgary Transit personnel.
- 7.3 Applicants must specify the number of individuals requesting access to restricted areas, and indicate what, if any, equipment will be required on-site.
- 7.4 Individuals are not allowed access to restricted areas during peak hour movement periods.
- 7.5 Access to Light Rail Transit track levels is restricted; permission for access is required from the Calgary Transit Designate of Light Rail Transit.
- 7.6 Smoking, food, and drink are not permitted in restricted access areas/or as posted in Transit terminals or LRT Stations.
- 7.7 The applicant shall cooperate fully with Calgary Transit to schedule times and area access so as to cause minimum disruption to facility operations.
- 7.8 Any abuse of the terms of the applicant’s Letter of Permission or procedures as noted in the Terms and Conditions will result in banned entry to restricted areas and immediate termination of the contract.

8. Adherence to Schedules

- 8.1 All applicants are required to provide a schedule to Calgary Transit prior to approval of the Letter of Permission, outlining requirements for special access to Calgary Transit property.
- 8.2 Calgary Transit reserves the right to re-schedule special access to Calgary Transit property upon verbal notice to the applicants.

9. Bylaws not limiting to:

- Bylaw Number 5M2004: Being A Bylaw of The City of Calgary To Regulate Neighborhood Nuisance, Safety and Livability Issues
- Bylaw Number 26M96: Being A Bylaw of The City of Calgary To Control and Regulate Traffic on Streets Within The City
- Bylaw Number 3M99: Being A Bylaw of The City of Calgary To Regulate Panhandling
- Bylaw Number 4M81: Being a bylaw of the City of Calgary to regulate and control the conduct of passengers on public vehicles

Applicant’s Signature: _____

Date

Schedule “C”

Guidelines

Application Process

1. A person or an organization (herein “applicant”) interested in using Calgary Transit property shall apply for a permit for use of transit space through the formal process.
 - a. An applicant shall apply for a permit to the Calgary Transit Designate for every proposed event/activity. The applicant will need to complete the above permit form in full.
 - b. An applicant should apply no earlier than 60 calendar days prior to the day of the proposed activity/event, and no later than 15 Business days prior to the day of the proposed activity/event.

2. A person or an organization shall (herein “permit holder”) receive written approval from the Calgary Transit Designate and supplied all items required in full (not limiting to payment, insurance, food certificate, i.e.) before being issued a permit. The written approval can be in hardcopy form mailed, or electronic form emailed, to the permit holder.
 - a. The Calgary Transit Designate will review each application on an individual basis and decide whether a permit will be issued, and inform the applicant of the decision in a reasonable time.
 - b. Considerations in deciding whether to issue a permit may include any one or more of the following:
 - i. Whether the period of time and location of the proposed event/activity has been in whole or in part previously approved for use by another permit holder;
 - ii. Whether the Calgary Transit space requested for use is the appropriate location for the described event/activity;
 - iii. Whether the past conduct of the applicant suggests that the application is reasonably likely to fail to comply with the terms and conditions of a permit and with the bylaws governing conduct on Calgary Transit property, namely, the Transit Bylaw (municipal bylaw 4M81);
 - iv. Whether the proposed event/activity contravenes any other statutory requirements, or any other applicable laws, bylaws or other regulations;
 - v. Whether the Calgary Transit Designate is of the opinion that the proposed event/activity may compromise the safety of the public, Calgary Transit customers and employees, cause injury to persons, cause damage to property, or interfere with the quiet use and enjoyment of the transit system;
 - vi. Whether Public Safety and Enforcement (PSE) has the staff resources to manage and supervise the proposed event/activity; and
 - vii. If the applicant is providing security, whether the proposed security is reasonably sufficient to manage and supervise the proposed event/activity.
 - c. The Calgary Transit Designate may, as reasonably required:
 - i. Place conditions on a permit, including restrictions as to the time, location, area, equipment, number of participants, or nature of activities; and
 - ii. Amend or vary a permit after it has been issued, if a change to circumstances occurs that may affect use of either the permit or the location for which the permit was granted.
 - d. If the Calgary Transit Designate decides to refuse a permit, the Designate shall provide a short summary with reason(s) for refusing a permit.
 - e. The Calgary Transit Designate shall refuse to issue a permit if:
 - i. The event/activity creates an obstacle to, or otherwise impedes pedestrian traffic flow, or access to transit fare vending machines, or other areas which are required for accessing transit services;
 - ii. The event/activity would take place in a fare-restricted area, boarding zone or platform, bus, LRT car or area, which presents a public safety hazard, or which might otherwise impede the delivery of transit services; and
 - iii. The nature or content of the event/activity incites hatred, contains threats of violence or contains violence.
 - iv. In direct contrast, expressive activity undertaken on government-owned property which has a private use aspect to it or is a place of official business would likely not attract Charter protection at all because of its disruptive and negative impact on the orderly conduct of business being engaged in. (Expressive activity carried out on City owned property to which the public is ordinarily entitled to access and use would likely engage Charter protection if the primary function

of that space is compatible with free expression and if expressive activity in such a place serves the values underlying the free speech guarantee afforded by law.)

Re-application

3. An applicant who remains interested in using Calgary Transit space shall re-apply for a permit if the Calgary Transit Designate refused to issue a permit from a prior application. A permit holder who remains interested in using Calgary Transit space shall re-apply for a permit if the prior permit was revoked, or the nature or content of the event/activity has changed since approval of the former permit.
 - a. An applicant shall pay the administrative fee of \$50 for every application, including subsequent applications.
 - b. An applicant who is re-applying because the Calgary Transit Designate refused to issue a permit from a prior application shall not re-apply until 60 calendar days after the date of refusal.

Revocation of Permit

4. The Calgary Transit Designate may, as reasonably required, revoke a permit if:
 - a. A change to circumstances occurs that may affect use of either the permit or the location for which the permit was granted;
 - b. The permit holder does not comply with the terms and conditions of the permit; or
 - c. The permit holder does not comply with the Transit Bylaw or other bylaws or policies of the City of Calgary or any other federal or provincial statutory requirements.
 - d. Calgary Transit will not be responsible for any revenue/monetary/value lost by the vendor

Rights of a Permit Holder

5. A permit holder has the following rights:
 - a. A permit holder has exclusive right to the use of the area as long as the area and the use as set out in the permit.

Obligations of a Permit Holder

6. A permit holder shall:
 - a. Comply with all the terms and conditions set out in the permit;
 - b. Not assign or transfer the permit to another person;
 - c. Have its permit available for review and inspection at all times when exercising its rights granted under the permit and shall produce the permit to a peace officer upon demand;
 - d. Comply with this policy and other bylaws or policies of The City of Calgary or any other federal or provincial statutory requirements;
 - e. If applicable, have a business license or a charitable registration number;
 - f. Appoint a contact person who may be contacted at any time during the use of the area under the permit;
 - g. Re-apply for a permit if the nature or content of the event/activity changes from what was described in the application for the existing permit;
 - h. Not use the space specified in a permit outside of the time(s) specified for use in the permit;
 - i. Notify the Calgary Transit Designate if the permit holder will not be using the space at the time permitted;
 - j. Be available to receive feedback from the Calgary Transit Designate if there are complaints from Calgary Transit customers or the public;
 - k. Comply with directions of a peace officer.

Location for which a permit may be issued

7. Subject to the conditions below, a permit may be issued for use of either or both Calgary Transit space outside bus terminals or LRT stations, including elevated speedways (+15) and platforms.
 - a. Subject to other restrictions, a permit may be issued for use of an area that is not a fare-restricted area.
 - b. A permit holder is subject to the following conditions, in addition to those included in the permit:
 - i. If inside a LRT station, no more than two, and if outside a LRT station, no more than six persons, may be present at the time and area permitted for use as set out in the permit;
 - ii. Participate only in passive engagement with the public, including waiting to be approached, abstaining from initiating conversation or engagement;
 - iii. Occupy and use only the area specified in the permit;
 - iv. If displays are used, only those that are standalone; and

- v. No signs, displays or any other fixture shall be affixed to Calgary Transit property; and
 - vi. Not be at or set-up any display at least five meters where there is a funneling of people, including entrances and exits, ticket vending machines, stairways, and escalators.
 - vii. Not be at or set up any display on busses or LRTs.
- c. No permit shall be issued for a request to use any areas within a Boarding Zone as defined in the Transit Bylaw.
8. A permit holder shall only use the space designated as the Expressive zone, space allocated specifically for permit holders.

Limits on frequency of use

9. A permit holder shall not use an area at a specific bus terminal or LRT station or platform for more than the frequency established by the Calgary Transit Designate based on demand, thereby ensuring other permit holders seeking use have access.

Material distribution

10. A permit holder shall not distribute material such as pamphlets, leaflets, brochures, newsletters, newspapers, magazines, books and other similar material unless the Calgary Transit Designate has given approval under the permit.
- a. A permit holder shall not dispose of litter on or in any part of Calgary Transit property other than in a receptacle specifically provided for disposal of litter;
 - b. If a Clean-up Order is issued to clean up litter caused by the event/activity or material distributed by the permit holder, the permit holder will be charged for the cost of undertaking the Clean-up Order.

Food or beverage distribution

11. Only a permit holder who has been approved by the Calgary Transit Designate to distribute a pre-packaged food product.
- a. Nothing in these guidelines relieves a permit holder or delegate from complying with any provision of any federal, provincial or municipal law or regulation, or any requirement of any lawful permit, order or license, for food and beverage preparation and distribution.
 - b. If a Clean-up Order is issued to clean up litter caused by the distribution of food or beverage, the permit holder will be charged for the cost of undertaking the Clean-up Order.

Sound amplification device

12. Subject to (a), a permit holder shall not use a sound amplification device on Calgary Transit property, whether inside or outside of the area permitted for use.
- a. This does not apply to buskers, who have been approved to busk as per City of Calgary busking guidelines.

Audio and video recording devices

13. A permit holder shall not use record, using audio or video devices, any event/activity, or any interactions arising from permitted event/activity.
- a. An applicant who wants to use a recording device for ensuring safety of the event/activity hosts will be informed that they will only be permitted to use an area that is under CCTV surveillance.

Mandatory participation in the Security Plan

14. A permit holder shall participate in the Security Plan when exercising its rights granted under the permit. This involves being vigilant of the surroundings, and reporting suspicious behaviour and disorderly conduct to Calgary Transit.

Enforcement

15. A peace officer:
- a. May demand proof of permit at any time when the permit holder is exercising rights under the permit;
 - b. In the commission of peace officer duties, request a permit holder to leave the premises;
 - c. May request a permit holder to cease event/activity permitted if he/she deems it necessary for the safety of persons on the property;
 - d. Issue a fine to the permit holder if the permit holder fails to comply with the peace officer's direction.