

**CITY OF HAMILTON**

***PUBLIC WORKS DEPARTMENT  
Operations & Maintenance Division***

<b>Report to:</b> Mayor and Members Committee of the Whole	<b>Submitted by:</b> Scott Stewart, C.E.T. General Manager Public Works Department
<b>Date:</b> July 14, 2008	<b>Prepared by:</b> Rich Shebib Extension 3909

**SUBJECT: Temporary Road Closure of Ferguson Avenue from King Street to Rebecca Street for the Annual Mustard Festival (PW08088) - (Ward 2)**

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**RECOMMENDATION:**

That the application by the International Village B.I.A. to temporarily close Ferguson Avenue North from King Street to Rebecca Street from Thursday, August 28, 2008 at 3:00 p.m. to Monday, September 1, 2008 at 1:00 a.m. for the annual Hamilton Mustard Festival, be approved subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained;
- (b) That the applicant provide proof of \$5,000,000 public liability insurance naming the City of Hamilton as an added insured party with a provision for cross liability, and holding the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction and satisfaction of the General Manager of Public Works, or his designate;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That "Temporary Road Closure" signs be installed in advance by the Public Works Department, on the affected roadways, if deemed necessary by the General Manager of Public Works at the sole cost of the applicant;
- (f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the General Manager of Public Works at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;

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- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the General Manager of Public Works;
- (i) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by the International Village B.I.A. P.O. Box 91220 to serve alcohol on the road allowance on Ferguson Avenue North on Thursday August 28, 2008 from 4:00 p.m to 12:00 midnight, and Friday August 29, 2008 to Sunday September 1, 2008 from 12:00 noon to midnight each day, and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event.

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Scott Stewart, C.E.T.  
General Manager  
Public Works

**EXECUTIVE SUMMARY:**

An application has been received from the International Village B.I.A. for the temporary road closure of Ferguson Avenue North between King Street East and Rebecca Street for their annual Mustard Festival. As the application complies with the City's road closure policy, and with no objections from area residents, staff recommends approval of the application, subject to conditions including the installation of advance warning signs for motorists, the prior notification of area residents of the event schedule, and support from Hamilton Police Services in providing control within the closure area.

**BACKGROUND:**

The information/recommendations contained within this report primarily affects Ward 2.

A request has been received by the International Village B.I.A. to temporarily close Ferguson Avenue North between King Street East and Rebecca Street on Thursday, August 28, 2008 at 3:00 p.m. to Monday, September 1, 2008 at 1:00 a.m. This will be their 10<sup>th</sup> annual event and approximately 11,000 spectators are expected to attend the festival which will include food, music and artisans all celebrating Hamilton being home to the world's largest miller of Mustard seed.

Warning boards will be installed by Public Works one week in advance, and notification of the closure will be delivered by the applicant to those on the affected roadways.

As the application complies with the City's road closure policy, and with no objections from area residents, staff recommends approval of the application, subject to conditions including the installation of advance warning signs for motorists, the prior notification of

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area residents of the event schedule, and support from Hamilton Police Services in providing control within the closure area.

**ANALYSIS/RATIONALE:**

N/A

**ALTERNATIVES FOR CONSIDERATION:**

Alternatively, Council may elect to deny the application for temporary road closure, however staff do not support this alternative as the event has been successfully operated in the past without incident.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

The applicant is required to pay the \$531.33 full road closure permit fee.

**POLICIES AFFECTING PROPOSAL:**

The City has a policy for delegated authority for short term road closures. The policy states that delegated authority is given for events from previous years as long as: the event takes place in the same location as the previous year, and during the same time of day/day of week and does not include the serving of alcohol. This event does not conform to the policy, as alcohol will be served within the City's road allowance.

This report aligns with the Public Works Strategic Plan by being a leader and steward of community events and is mutually beneficial with external customers and enhancing tourism.

**RELEVANT CONSULTATION:**

- Special Events Advisory Team
- The Ward Councillor was notified of the upcoming report for this annual event and is in agreement.

**CITY STRATEGIC COMMITMENT:**

By evaluating the "**Triple Bottom Line**", (community, environment, and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

**Community Well-Being is enhanced.**  Yes  No

Arts, culture, archeologically and cultural heritage are supported and enhanced.

**Environmental Well-Being is enhanced.**  Yes  No

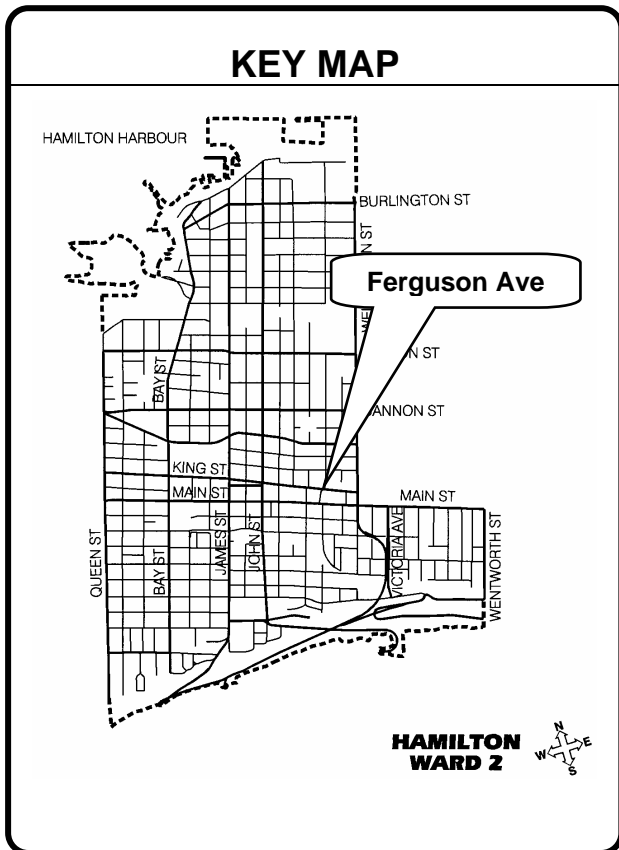
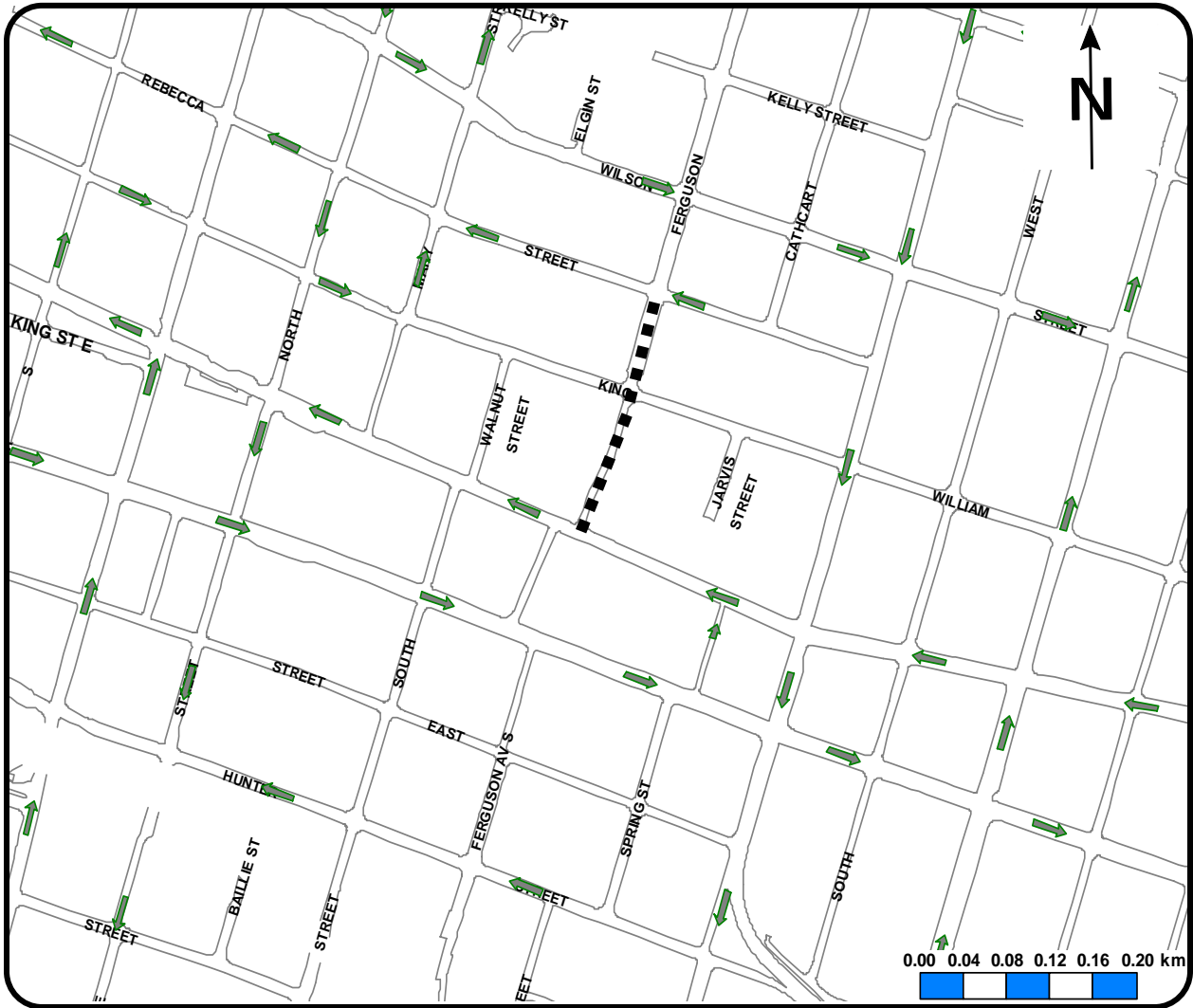
**Economic Well-Being is enhanced.**  Yes  No

**Does the option you are recommending create value across all three bottom lines?**

Yes  No

**Do the options you are recommending make Hamilton a City of choice for high performance public servants?**

Yes  No



### LOCATION PLAN

**TEMPORARY CLOSURE:**

**FERGUSON AVE  
KING WILLIAM TO REBECCA STREET**

CITY OF HAMILTON  
PUBLIC WORKS DEPARTMENT

### LEGEND

**ROAD CLOSURE LIMITS:**

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SCALE	DATE
<b>NOT TO SCALE</b>	<b>2008-07-29</b>

REFERENCE FILE NO: **PW08088**