

## Raves – By-law Effectiveness

### Other Jurisdictions Survey

Purpose To determine the effectiveness of By-laws in place (or other legislation used to regulate Raves) in other jurisdictions in order to inform our review of Calgary's Extended Dance By-law.

Process A number of Canadian cities were contacted to determine:

- If they have a specific By-law in place?
- If so or if not, how are Raves made safe for participants?
- If so or if not, how is disruption to surrounding neighbours dealt with?
- How effective is whatever regulation is in place and being used? (Do officials believe that their regulations are working well?) (What, if any, significant incidents have occurred at Raves?)

Scope Cities contacted were:

Victoria, B.C.	Vancouver, B.C.	Burnaby, B.C.
Surrey, B.C.	Chilliwack, B.C.	Edmonton, Ab.
Saskatoon, Sk.	Regina, Sk.	Winnipeg, Mb.
Toronto, On.	Ottawa, Ont.	Montreal, Que.
Halifax, N.S.	Moncton, N.B.	Fredericton, N.B.
Saint John, N.B.	St.-John's, Nf.	

### Process Qualification

A consideration of safety of attendees and level of community disruption at Raves should include consultation with all stakeholders involved in those aspects of Raves. That consultation is incomplete at the time of preparation of this document.

## **Findings**

- Use of illegal drugs continues to be the major concern at Raves.
- Relations between the Rave community and Authorities seem to be improved in instances where Authorities engage the Rave community in efforts to govern their own events and to communicate directly with communities in which Raves are (to be) held.
- Relaxation of arbitrarily imposed requirements has occurred with the successful operation of Raves over time by particular promoters.
- The presence of Paid Duty Officers, Paramedic personnel, and Security Officers is a requirement in all jurisdictions with Rave-specific legislation in place. The cost to the Promoter of Paid Duty Officers has been a deterrent to the operation of Raves, especially smaller ones.
- The overall number, the frequency, and attendees at Raves appears to be declining.
- The occurrence of three (likely overdose) deaths at Raves in 2002 indicates that continued vigilance regarding safety of Rave participants is a worthwhile endeavour.
- A number of jurisdictions have outright banned Raves. While successful in curtailing the events in one place, Raves may be moving to the next available location (...Burnaby...Surrey...Chilliwack...Aggasiz...).
- Noise, traffic, litter, and vandalism were not mentioned as significant issues.

## **Investigation Specifics**

### **Victoria**

The City of Victoria enacted a Dance (All Night Event) By-law, a Dance Club By-law, and a Zoning Regulation By-law on January 24, 2002. As of May 29, 2002, no licenses have been issued for holding an all night Dance Club event.

### **Vancouver**

The City of Vancouver enacted a Late Night Dance Event section (19 – 2) to their License By-law on December 2, 1999.

A result of the implementation of legislation has been that larger (> 500 attendees) illegal (unlicensed) Raves have virtually disappeared in Vancouver. Illegal smaller events (40 – 400 attendees) continue to occur irregularly.

For approximately one year following the enactment of the By-law Raves were held approximately twice a month. Since then they have decreased to an average rate of one a month.

Promoters are required to contact adjacent neighbours before their event takes place. Addresses (and maps) of places they must visit and inform and content of information to be shared are provided by the City. Both promoters and City officials deal with complaints lodged.

Third party insurance is required, including the City as a named insured. This is both increasingly cost prohibitive and decreasingly available.

Harm reduction services are present at Raves. One group that provided drug safety checks has been prohibited from attendance because Police could not condone this activity at a site where they were present.

One interesting quirk seen since the introduction of the By-law has been that Vancouver's gang element do seem to be attending Raves. Because of the security checks and surveillance on site they feel safe from attack from other gangs while at a Rave.

There is some indication that (alcohol) licensed Night Clubs are taking over a portion of the Rave business in Vancouver. This is witnessed by the change in music played at these clubs.

"Booze Cans", illegal events where persons unknown accumulate and sell liquor at various places are on the increase in Vancouver. The common thread is the techno-music played at the event.

Vancouver authorities are cognizant of the fact that prohibition of Raves will result in illegally held events that will be less safe than those currently held, and could lead to multiple deaths due to either or both drugs and fire. This "trade off" is evident in their continuing allowance of Raves in the face of dangers that seem to be inherent in them.

The main issues of concern in Vancouver at this time are drug use and the lack of smaller venues in which Raves can be safely held. There is presently both talk and interest in determining whether some (alcohol) licensed facilities might be used to hold smaller events after hours, with the license to sell liquor suspended during those events. The Province is involved in these considerations. The reason for this consideration is that such venues have the safety features and capacity to accommodate smaller Rave events. Vandalism, noise, traffic, and litter are not great concerns at Vancouver Raves.

- Major Incident – In October, 2001, two Rave attendees died of drug overdose at a large (approximately 4,500), licensed (PNE Coliseum) Rave. Trained First Aid personnel (off-duty Paramedics) were on site and the victims were transported to Hospital by ambulance. The victims were conscious at the Hospital but nothing could

be done by the time they arrived. Speculation exists that with Rave Entrance security personnel effectively limiting drugs entering venues, attendees may ingest greater than normal quantities before entering the Rave, so as to avoid detection of drugs on their person. Coroner Inquests were not held. Since this incident Vancouver is requiring the presence of an Ambulance at events. Since this occurrence there have been no similar incidents at Raves.

### **Burnaby**

The City of Burnaby does not have a By-law at this time. Their zoning By-law has been used in control of such events when they have occurred. Popular venues will not accommodate Raves any more, as they have had bad experiences with them (nuisance related – traffic, noise, litter - mostly).

Raves have been held in rented premises and some owned premises. When they have been discovered, authorities (mainly Police and License Inspectors) have informed building owners that they will be held liable for incidents occurring at Raves, and threatened them with court action in cases where the events are not a permitted use for the building. This action seems to have been effective as a deterrent.

The number and frequency of Raves have been diminishing in Burnaby over the last couple of years.

### **Surrey**

Surrey had a brief experience with Raves; consequently the Council of the City of Surrey passed a By-law prohibiting late night events in Surrey. Surrey officials report no problems with Raves since the By-law was adopted.

### **Chilliwack**

The City of Chilliwack does not have a By-law dealing with Raves as they all occur on First Nations Lands over which they have no control. Any control in these situations is handled by the R.C.M.P.

The Regional District of Cilliwack Chem has legislation in place whereby holding an illegal Rave could result in a fine of \$20,000. This amount may increase in the near future to \$100,000.

The number of Raves on First Nations Land near Chilliwack have declined. There is concern that they may next appear on First Nations Land near Agassiz.

## **Edmonton**

The City of Edmonton enacted a Late Night Dance Event section (521) to their License By-law on August 28, 2001. Only two "pure" Raves have been licensed under this legislation, and in both cases the events have been well operated, with promoters being in compliance with requirements. No significant incidents have been noted by Licensing or by Police. There is no indication that unlicensed events have been held in Edmonton.

Nightclubs also hold after hours events, from 2:00 – 6:00 a.m., in the downtown area of the city. Noise complaints have occurred regarding these events.

## **Saskatoon**

The City of Saskatoon does not have a By-law at this time. Current lobbying and other efforts at regulating Raves in Saskatchewan are presently directed at the Provincial more than at the Municipal level.

- Major Incident - Approximately three weeks ago a teenager died from an apparent drug overdose at a Rave in Saskatoon. An autopsy has yet to reveal the cause of death.

Lobbying intensified as a result of this incident but has died down. It is likely to intensify again when the cause of death is made public.

## **Regina**

No response.

## **Winnipeg**

The City of Winnipeg does not have a By-law at this time. A 10% entertainment tax has been applied to the price of tickets to these events.

## **Toronto**

The Protocol for the Safe Operation of a Rave was adopted by Toronto City Council in December, 1999.

As a collaborative effort this Protocol seems, to an extent, to have fallen apart. Required ratios of P.D.O.'s to Rave attendees (as high as 1:50) have forced Raves out of City-owned venues.

Raves continue to occur in private venues, as there are no legal restrictions that apply to them. Some reputable Promoters are hiring private medical personnel for their events. Paramedical personnel from the City of Toronto will not attend events at which the police are not present.

Raves are currently attracting 5,000 attendees at the most, whereas more than 10,000 had been attending some Raves over the last 3 – 5 years. Raves may no longer be the “thing to do” in Toronto. Those who would call Raves an expression of their community or way of life are still involved, but those who attended more for interest sake are now gone.

### **Ottawa**

The City of Ottawa is presently in the process of amalgamation with three other civic entities in the National Capital Region.

A By-law (drafted based on the Vancouver By-law and others in Canada) has been approved by Ottawa City Council but not put into operation because of the ongoing amalgamation, whereby many By-laws will be integrated consolidated. The All Night Dance By-law (or whatever it is finally named) will contain regulations similar to those in place in other By-laws (insurance, security, P.D.O.'s and EMS on site, etc.)

Raves, which were being held 3 or 4 times a week in Ottawa, are now being held less often.

In Ottawa Nightclubs can obtain permits to provide entertainment after hours (2:00 – 6:00 a.m.). These events are occurring more frequently in Ottawa. While there is no alcohol served after 2:00 a.m., a mix of alcohol and drugs seems to have resulted in increasing numbers of incidents needing both police and medical attention.

### **Montreal**

No response.

### **Halifax**

The City of Halifax does not have a by-law at this time.

### **Moncton**

The City of Moncton does not have a by-law at this time. They have authority under their Municipalities Act to “regulate and license” dance halls. Raves have occurred in Moncton from time to time but Council has not determined to take legislative action.

### **Fredericton**

The City of Fredericton does not have a by-law at this time. They have not had a super-abundance of Rave events. When they have occurred their major concern has been fire and public safety rather than police security.

One recent event took place in an industrial warehouse used for construction purposes. There was both the problem of crowd control plus the presence of large quantities of glue, paint, and equipment. The Fire Chief, anxious to ensure he had enough personnel available should a call come in, considered cutting off electricity and evacuating the building. This was not done. Had they been aware of the potential problems, they would have been more actively involved in screening the site and anticipating difficulties the event might produce.

### **Saint John**

No response.

### **St.-John's**

The City of St.-John's does not have a by-law at this time.

## **Sources of Information**

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