

THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA



Municipal Alcohol Policy

April 25

2019

Municipal Alcohol Use Policy to govern all events held on municipal property under the municipality's permanent liquor licence and/or Caterer's Endorsement.

Appendix A to
Alcohol By-
Law 2008-29

Municipal Alcohol Policy

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Section 1: Introduction

Purpose

1. This Municipal Alcohol Policy (MAP) is intended to promote a safe, enjoyable environment and ensure the health and safety of participants, volunteers and staff. This policy is in place to reduce alcohol-related problems such as injury, violence and liability which may arise from alcohol consumption on municipal property. It also serves to provide a reference tool for event organizers to successfully operate events which include the service of alcoholic beverages.

Policy Objectives

2. To provide procedures and education to individuals or groups wishing to hold events on municipally owned property in order to ensure that all *Liquor Licence Act* of Ontario legislation is properly understood and strictly complied with.
3. To ensure appropriate supervision and operation of licensed events in order to protect the event organizers, participating public, volunteers, United Townships of Head, Clara & Maria and its staff and volunteers from liability by providing education in prevention.
4. To encourage and reinforce responsible drinking practices through the development of operational procedures, controls, training and education.

Scope

5. The municipality has obtained a permanent liquor licence, and therefore, Special Occasion Permits are no longer accepted.
6. All events that allow the sale of alcohol are to be regulated by the municipality and through recreation committee and its assigned volunteers. Private groups or individuals who wish to host an event that allow the sale of alcohol shall do so with the assistance and regulation of the municipality and recreation advisory committee.
7. The Municipal Alcohol Policy outlines various stipulations and controls for events that involve sales and consumption of alcohol in the municipality's permanently licensed facility and/or under a caterer's endorsement.
8. The municipality is legally responsible for ensuring compliance with this Municipal Alcohol Policy, the *Ontario Liquor Licence Act* and regulations and Alcohol and Gaming Commission of Ontario policies and guidelines.

Section 2: Definitions

Alcohol and Gaming Commission of Ontario (AGCO) Definitions.

For more information - www.agco.on.ca/en/about/index.aspx

1. Caterer's Endorsement - A liquor sales licence authorizing the sale and service of alcohol for an event held on premises other than which the permanent liquor sales licence applies to.
2. Event - For the purposes of this policy, an event is any gathering held at the municipality's licensed facility at which alcohol will be sold, including weddings, showers,

dances, barbeques, birthday parties and any other event where alcohol will be served. The duration of the event includes event setup, operation and cleanup. Events involving alcohol must be in the licensed municipal facility, as authorized by the permanent licence or Caterer's Endorsement.

3. Event Organizer - Any person, who is 19 years of age or over, seeking to hold an event that involves the sale of alcohol on municipal premises. The Event Organizer may also be the Recreation Advisory Committee, in their role of providing social and recreational programming. The event organizers, along with municipal representative(s), are responsible for the safety and sobriety of event attendees as well as compliance with this Municipal Alcohol Policy and the Liquor Licence Act of Ontario.

4. Event Worker - A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. All event workers have a responsibility in the operation of the event and shall not consume or be under the influence of alcohol for the entire duration of their shift. They assume responsibility and liability for the operation of the event in conjunction with the Event Organizer.

Event workers may have one or more of the following roles:

- Floor monitor
- Door monitor
- Server/bartender
- Ticket seller

5. Liquor Licence Act - Each province or territory has a *Liquor Licence Act* which outlines the laws regarding the sale and service of alcohol.

6. Municipality – The municipality of the Corporation of the United Townships of Head, Clara & Maria, also referred to as “Head, Clara & Maria” or “HCM”.

7. Municipal Alcohol Policy (MAP) - A local policy for municipalities to manage events held at municipally-owned facilities and properties when alcohol is sold and/or served.

9. Municipal Representative – A Head, Clara & Maria volunteer, staff or designate who attends and monitors the event on behalf of the Municipality and ensures all components of the Municipal Alcohol Policy are met.

10. Outdoor Event - An outdoor event is one at which any alcohol is consumed in an outdoor space (including pavilions, tents or other temporary structures).

11. Private Event – A private event is one which is not open to the public.

12. Public Events - A public event is one which is open to the public to attend and is conducted by a registered charity or not for profit entity or an event of municipal, provincial, national or international significance.

13. Religious Function - A religious occasion does not include events like a “stag and doe”, anniversaries or birthdays.

14. Smart Serve - The Smart Serve training program offered by Smart Serve Ontario (<https://www.smartserve.ca>) is designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as in bars, restaurants, banquet halls and other public facilities. The Smart Serve Program is the only server training program that is recognized by the Alcohol and Gaming Commission of Ontario and approved by this policy.

15. Special Occasion Permit (SOP) - A liquor licence issued by the Alcohol and Gaming Commission of Ontario for one-time social events where alcohol will be sold and/or served.

16. Standard Drink - The minimum price for a standard drink must be two dollars. The *Liquor Licence Act* of Ontario defines a standard drink as a serving of liquor by volume and type, as follows: 12 oz. or 341 ml. of beer with 5% alcohol, OR 5 oz. or 142 ml. of wine with 12% alcohol, OR 3 oz. or 85 ml. of fortified wine with 14.9 or more % alcohol, OR 1.5 oz. or 44 ml. of spirits with 40% alcohol.

Section 3: Designation of Roles and Responsibilities

Role of Municipal Representatives

1. Municipal representatives are responsible for ensuring the event organizer is provided with written information outlining the conditions of the Municipal Alcohol Policy and ensuring that they comply with the Municipal Alcohol Policy, *Liquor Licence Act* of Ontario and its regulations at their event.
2. Municipal representatives and volunteers have the authority to demand correction and/or to shut down an event on behalf of the United Townships of Head, Clara & Maria and will have ultimate authority regarding decision-making on the part of the event organizer.
3. Municipal representatives (staff and/or volunteers) monitoring a liquor-licensed event shall be Smart Serve trained and competent in facility procedures.

Role of Event Organizer

4. The event organizer is responsible for the conduct and management of the event, including, but not limited to:
 - a. Compliance with the Municipal Alcohol Policy and facility rental agreement in addition to all applicable federal, provincial and municipal laws, policies, guidelines, regulations and by-laws, including, without limitation, the *Liquor Licence Act* of Ontario and its regulations;
 - b. Organization, planning, set up, management and clean-up of the event;
 - c. Providing a sufficient number of event workers as needed to monitor, manage and control the event;
 - d. Training of their designates and other event workers (all of whom must be 18 years of age or older);
 - e. Being readily available for inspection.
 - f. Ensuring that no one consumes alcohol in unauthorized locations;
 - g. The safety and sobriety of people attending the event including those persons asked to leave to ensure control of the event;
 - h. Safe transportation options (e.g., designated drivers, taxis);
 - i. Appropriate and immediate response to emergencies.

5. The event organizer **MUST** read and sign the Checklist for Liquor Licensed Event Organizers (Schedule A) to indicate that they understand their responsibilities.
6. The event organizer must attend the event for the entire duration including clean up after the event and be responsible for decisions regarding the actual operation of the event.
7. The event organizer is responsible for the behavior of event participants and guests and must ensure the physical setting is safe at all times.

Section 5: Conditions for Events Involving Alcohol

Event Worker Training and Staffing Levels

1. Event workers must wear an identification (I.D.) name tag and/or clothing so that they can be easily identified in crowds that are expected to have 60 or more attendees. (Provision of this identification and clothing is the responsibility of the event organizer).
2. It is mandatory that all Bartenders are Smart Serve trained.
3. The municipal representative(s), door monitors, floor supervisors, and servers shall not consume or be under the influence of alcohol or any other substance during the shift that they are working, but may consume alcohol after their shift is over.
4. The event organizer has the right to deny entry to any individual.
5. Monitoring all access points to the licensed area is necessary to prevent underage, disruptive or intoxicated people from entering an event and considerably reduces the likelihood of problems occurring.

Number of Guests	Minimum Number of Event Workers	Bartenders (All to be Smart Serve Trained)	Ticket Sellers (All to be Smart Serve Trained)
Up to and including 50	2	1	0
51-100	3	2	0
101-205	4	2	1
Special arrangements are required for events with more than 205 people due to facility size and maximum capacity. Please contact municipal staff.			

Enforcement Procedures

6. If drunkenness, underage drinking, riotous, quarrelsome, violent, and aggressive and/or disorderly conduct or unlawful gaming is observed at the event, the organizer and their event workers shall first ask the offending person to leave and if the individual refuses to leave, call the Police. The event organizer and workers must seek any necessary assistance to maintain control and management of the event and ensure the safety and protection of persons, including event workers. The event organizer, event worker or

municipal representative must immediately notify the Police if they observe signs that a situation is getting out of control.

7. There shall be a log kept of all incidents and decisions made regarding service during the course of an event including: requests for ID not provided, refusals to serve, incidents involving warnings or request to discontinue a behaviour or action, request to leave the premises, requests to surrender keys due to impairment, emergency calls for police or ambulance assistance, etc. It is the responsibility of the event organizer to ensure that all such incidents are recorded accurately in the event log book.

Prevention Strategies

8. The following controls and prevention strategies related to selling and serving alcohol shall be in place:

- a. The serving of alcohol shall not be permitted at any events where the focus of the event marketing is for youth under 19 years of age.
- b) Alcohol shall not be served to anyone under the age of 19 (minors). Outdoor public events which allow admittance to minors must implement a wrist band policy or have a fenced licensed area where alcohol is only served to and consumed by those 19 years of age and older. Additional floor monitors are recommended if alcohol is being served in the presence of minors.
- c) Alcohol shall not be served to anyone who appears intoxicated.
- d) Closing time is 1:00 a.m. unless hours of operation for the facility are posted differently. Ticket sales and alcohol service shall cease at least 15 minutes prior to the end of the licensed period of the event. All alcohol and its containers (including empty cups/glasses) shall be cleared away no more than 45 minutes after the end of the event.
- e) Last call shall not be announced.
- f) Ticket sales for alcohol shall be limited to 4 tickets per person at one time. Unused tickets for alcoholic beverages can be redeemed at any time during the event for the full cost of the ticket.
- g) Alcoholic service shall be limited to two drinks per person at one time. Alcohol cannot be left available for self-serving.
- h) Event workers are to encourage patrons to consume food, non-alcoholic and low alcohol beverages. Non- alcoholic drinks must be available at a cost much lower than that of drinks containing alcohol.
- i) Identified designated drivers receive free non-alcoholic drinks (such as coffee, pop, juice, water).
- j) No fortified drinks or extra-strength drinks shall be sold. Beer products with more than 5% alcohol, wine products with more than 12% alcohol and spirits with more than 40% alcohol, are considered "fortified" alcohol products. Beer and coolers are not to exceed 5% alcohol content (standard drink measure).

- k) Pre-made alcoholic drinks, such as jello shooters and punches, etc. are prohibited.
- l) There must be sufficient food available for those in attendance.
 - i) Food must be available beginning no later than 8:00 p.m. and must not be removed until the bar closes.
 - ii) Food available is not satisfied by snack foods such as chips, peanuts and/or popcorn.
- m) No energy drinks (with or without alcohol in them) shall be sold.
- n) Homemade alcohol shall not be allowed at any function.
- o) No persons shall be allowed to bring in their own alcohol to the event or allowed to pour their own alcoholic drinks.
- p) Alcohol shall not be offered as a prize in a contest. A lottery licence is required if raffling alcohol (charities only).
- q) Marketing practices which encourage increased consumption of alcohol (e.g., oversized drinks, double shots, pitchers, drinking contests, jello shooters, volume discounts) are not permitted.

Safe Transportation

- 9. Event organizers are responsible to take the necessary steps to reduce the possibility of impaired driving. As a condition of rental, the event organizer must have a Safe Transportation Strategy in effect. Elements of a Safe Transportation Strategy could potentially include:
 - a) Providing alternate means of transportation for those who are suspected to be intoxicated (i.e., call a friend, relative, or taxi);
 - b) Calling police if someone who is suspected to be impaired cannot be convinced to use alternate transportation;
 - c) Providing a designated driver program which encourages and identifies designated driver.
- 10. The designated driver program and relevant local taxi phone numbers must be prominently posted. Alternate means of transportation shall be provided for all those suspected of being intoxicated. All advertising for the event should indicate that a designated driver program is in effect.

Signage

- 11. During events where alcohol is served, the following signage, which is approved and provided by the Municipality, shall be displayed in prominent locations
- 12. Signage at one or more prominent places in the licensed/bar area:

**Licenced Events in Head, Clara & Maria
Municipal Facilities.**

It is against the law in Ontario to serve customers to intoxication. For this reason, servers are required to obey the law and not serve anyone to the point of intoxication.

Non-alcoholic beverages are available. Please drink responsibly.

Bartenders reserve the right to refuse service.

Bartenders cannot serve alcohol to anyone under 19 years of age or anyone serving another person under 19 years of age. Proper I.D. must be presented to event staff when requested.

You can only be served a maximum of two alcoholic drinks per person at any one time.

You may redeem unused tickets for cash anytime during the event.

There will be no "LAST CALL".

13. Signage at one or more prominent places in the licensed/bar area.

If there is an emergency call 9-1-1

For a non-emergency, please call the OPP at (613) 735-0188.

You are at 15 Township Hall Road in Stonecliffe, K0J 2K0.

Kitchen phone number: 613-586-2619

Office phone number: 613-586-2526

14. Signage to be posted at the boundaries of the licensed/bar area:

No alcohol beyond this point!

Thank you for not drinking and driving.

Call a friend, relative or taxi.
Use a designated driver. Just ask staff or volunteers.

15. Other Signs to be posted in one or more prominent places in the licensed/bar area include:

- a) Sandy's Law sign (regarding alcohol and pregnancy); and
- b) "What is a standard drink?" sign; and

Section 6: Infractions and Violations

Duty to Report

16. The event organizer has the duty to report to the municipal representative issues with details of any incident that:
- a) The event organizer and/or designate are aware of or has been made aware of any *Liquor License Act* of Ontario or Municipal Alcohol Policy violations;
 - b) Where an Alcohol and Gaming Commission of Ontario Inspector under the *Liquor License Act* of Ontario has reported any incident or violation;
 - c) Involves bodily injury or property damage.
17. Police shall be informed as appropriate. Reports shall be made no later than two days after the conclusion of the event, but shall be made immediately when repairs or other action is required to make municipality property secure or safe for use.
18. On duty Head, Clara & Maria representatives (staff or volunteers) shall report any infraction of this policy to the police and/or Alcohol and Gaming Commission of Ontario whenever they believe such action is required.

Failure to Comply and Penalties

19. Where there has been a failure to comply with the *Liquor License Act* of Ontario, the police or the Alcohol and Gaming Commission of Ontario inspector may intervene for enforcement purposes and may, at their discretion or other authority, terminate the event. The Municipality may similarly cancel, intervene or terminate the event for violations of the MAP. It remains the responsibility of the event organizer and/or designate to manage the event and to take appropriate actions, including ending the event, vacating municipal property, maintaining insurance, any conditions of insurance, and providing safe transportation options.

20. Regardless of the reason for termination of the event, the Municipality will not be responsible for any compensation to the event organizer and/or designate or affected persons of their resulting financial, or other losses.
21. Head, Clara & Maria shall subsequently inform the event organizer and any organization they represent, that there has been a violation of the policy and any imposed consequences or penalties.
22. Additional short term and longer term penalties for failure to comply may include, but are not limited to:
 - a) Loss of privilege to hold an event involving alcohol in a municipal property or facility;
 - b) Loss of any future use or rental of any or all municipal properties;
 - c) Individual ban or suspension of persons involved in the infractions from any or all municipal properties for any term.

Section 7: Policy Review

23. The Municipal Alcohol Policy shall undergo an annual review based on change within the industry standards and shall be updated as required.
24. Reviewing this policy regularly permits policy changes to meet changing community needs, the addition of new facilities, new program demands, as well as any future changes to the *Liquor Licence Act* of Ontario and its regulations.
25. The Municipality of the United Townships of Head, Clara & Maria reserves the right to make discretionary changes to this Municipal Alcohol Policy at any time, and will advise the event organizer of any such changes prior to the event.

Although various resources were relied on, this document was borrowed considerably from the City of Hamilton MAP - <http://www.hamilton.ca/NR/rdonlyres/FDB8ADAC-98D5-40B6-BADA-BA68BF0EF3E1/0/MunicipalAlcoholPolicy.pdf> ; along with information from BC's A LOCAL GOVERNMENT GUIDE to CREATING MUNICIPAL ALCOHOL POLICY – <http://bchealthycommunities.ca/res/download.php?id=1084> and Ontario's Making the Case: Tools for Supporting Local Alcohol Policy in Ontario http://www.publichealthontario.ca/en/eRepository/Making_the_Case_2013.pdf .

Schedule A

Event Organizer Checklist for Liquor Licensed Events

(This checklist must be signed and submitted to the Municipality of the United Townships of Head, Clara & Maria with all supporting information, at least 5 days before the event.)

1. Name of Event: _____

2. Location of Event: _____

3. Date and Time of Event: _____

4. Estimated Attendance: _____

5. Will persons under 19 years of age be attending this event? Yes ☐ No ☐

6. Name of event organizer (the person and/or group sponsoring/hosting this event): _____

Official Designates Name: _____ Phone: _____

Name: _____ Phone: _____ Cell: _____

7. The safe transportation strategies that will be used at this licensed event are:
(Check all that apply.)

- a) Providing alternate means of transportation for those who are suspected to be intoxicated (i.e., call a friend, relative, or taxi); _____
- b) Calling police if someone who is suspected to be impaired cannot be convinced to use alternate transportation; _____
- c) Providing a designated driver program which encourages and identifies designated driver. _____

8. Type of identification for event workers being utilized (please describe):

11. The undersigned (event organizer) has received the Municipal Alcohol Policy and has read and understood the information and requirements contained therein.

Please note that if there is anything that you do not understand with respect to this Policy it is your responsibility to contact municipal staff (phone: 613-586-2526) to obtain clarification and understanding prior to signing this Event Organizer Checklist.

By signing this Event Organizer Checklist, the undersigned hereby agrees, on behalf of himself/herself and on behalf of his/her partners, employees, volunteers, agents, executors, administrators and assigns, as the case may be, to comply with all of the obligations, terms and conditions of the Municipal Alcohol Policy.

Signed at the Municipal Office of Head, Clara and Maria on this _____ day of _____ 20____

United Townships of Head Clara and Maria

Event Organizer