

APPENDIX B

Municipal Alcohol Management Policy



NOTE:

- In addition to the Town of Amherstburg's Municipal Alcohol Management Policy, there are provincial laws that need to be taken into consideration when serving alcohol.
- The Alcohol and Gaming Commission of Ontario (AGCO) is the provincial organization to refer to www.agco.ca .



POLICY: Municipal Alcohol Management Policy

SOURCE: Recreation

SECTION: Community Services

DATE ENACTED: April 8, 2013

**DATE OF
AMENDMENT:** February 19, 2014

1.0 POLICY STATEMENT:

The Town of Amherstburg is committed to providing an optimum number and variety of both passive and active leisure and cultural opportunities for all citizens of Amherstburg while protecting and enhancing Amherstburg's heritage. To fulfil this purpose, the Town of Amherstburg provides guidelines to staff and users of facilities that allow for the responsible consumption of alcohol, for the protection of property and for a safe and enjoyable experience.

2.0 SCOPE:

- 2.1 This policy acts as a provision of appropriate and reasonable procedures and education to those wishing to hold events in municipal facilities, to encourage and enforce responsible drinking practices and adherence to the Liquor Licence Act. The guidelines for staff and facility users will allow for the responsible consumption of alcohol and to mitigate the risk associated with the consumption of alcoholic beverages by managing the service of alcohol in facilities owned by The Town of Amherstburg.
- 2.2 This policy will honour the decision of abstainers of alcohol and encourage their participation by ensuring the provision of alternative, non-alcoholic drinks.
- 2.3 This policy will set parameters for the facilities used for events where alcohol is served.
- 2.4 This policy will be reviewed and adjusted from time to time to reflect changes to Provincial legislation, addition of new facilities and changing community needs. Rules and regulations within this policy are also subject to change without notice due to changes in the Liquor Licence Act.

3.0 RESPONSIBILITY:

- 3.1 The Town of Amherstburg's Department of Community Services is responsible for ensuring this policy is applied fairly, promptly and consistently. Additionally, the Department will review the Municipal Alcohol Management Policy with Legislative Services to ensure it adheres to current regulations found in the Liquor Licence Act.

4.0 DEFINITIONS:

- 4.1 "Director" means the Director of Community Services or designate.
- 4.2 "Public Events Committee" refers to the Committee for the Town of Amherstburg charged with assisting organizations in planning their public events.
- 4.3 "Event Sponsor" means the individual who is over the age of 18 years, seeking to hold an event involving the serving of alcohol. The Event Sponsor must be in attendance at the event.
- 4.4 "Event Staff" means the person(s) appointed by the Event Sponsor who are over the age of 18 years and who will act in accordance with the Municipal Alcohol Management Policy. Event Staff includes but not limited to Door Persons, Bartenders and Servers.
- 4.5 "Municipal Facilities" means all property owned and operated by the Town of Amherstburg.
- 4.6 "Special Occasion Permit (SOP)" means the required permit from the Alcohol and Gaming Commission of Ontario (AGCO) if planning to sell or serve liquor at an event.
- 4.7 "Town" means The Corporation of the Town of Amherstburg.

5.0 FACILITIES DESIGNATED FOR CONDITIONAL USE OF ALCOHOL:

- 5.1 Municipal Facilities that are designated as suitable for functions that include alcohol are listed in Appendix "A".
- 5.2 Each Municipal Facility that operates under the auspices of a Special Occasion Permit will be required to designate areas governed by the SOP.
- 5.3 Alcohol sales and/or service are prohibited at youth events at Municipal Facilities where the majority of attendees are under 19 years of age.

5.4 The sale/servicing of alcohol at Municipal Facilities will only be permitted between the hours of 11:00 am to 1:00 am under a SOP. The Director may change the permitted time at his/her discretion.

6.0 EVENT SPONSOR RESPONSIBILITIES:

6.1 The Event Sponsor will be the SOP holder and must be in attendance at the event at all times and shall assume responsibility for any incident and/or violation of this policy.

6.2 The Event Sponsor is prohibited from consuming alcohol at the event.

6.3 The Event Sponsor must show proof of the SOP from the AGCO at least one week prior to the event. Failure to provide the document will result in no alcohol service at the event.

6.4 The Event Sponsor will provide proof of insurance at least two weeks prior to the event as outlined in Section 10 of this policy.

6.5 The Event Sponsor will ensure that all the conditions of the Liquor Licence Act are adhered to for the event as outlined by the AGCO. The Director reserves the right to impose any restrictions he/she feels appropriate for the event.

6.6 The Event Sponsor will post the SOP and liquor receipts in an area that is visible and easily accessible.

6.7 The Event Sponsor will provide the Town with the list of Event Staff and present their Smart Serve Certifications at least two weeks prior to the event. The certification must be from a recognized Ontario based server program. The ratio of staff per attendees is outlined in Appendix "B" and must be adhered to.

6.8 The Event Sponsor will ensure that Event Staff are checking identification of those wishing to purchase/consume alcohol and ensure they are 19 years or older. Acceptable forms of photo identification include:

- a) Valid Driver's Licence with photo;
- b) Valid Canadian Passport with photo;
- c) Canadian Citizenship card with photo;
- d) Canadian Armed Forces identification card;
- e) Photo card issued by the board of the Alcohol & Gaming Commission of Ontario
- f) Photo card issued by the Liquor Control Board of Ontario
- g) Secure Certificate of Indian Status (Canadian)
- h) Permanent Resident Card (Canadian)

- 6.9 The Event Sponsor will ensure that Event Staff are wearing visible identification (eg. shirts, badges, or other apparel). Event Staff must remove their identification at the completion of their shift.
- 6.10 The Event Sponsor will ensure that Event Staff encourage legal and moderate drinking behaviour, ensure that no one consumes alcohol in an unauthorized location, and ensure that any problems that arise are dealt with appropriately.
- 6.11 The Event Sponsor is responsible for promoting safe transportation options, this includes but not limited to promoting designated drivers, providing taxi or shuttle services.
- 6.12 The Event Sponsor must provide security that is sufficient to ensure that unauthorized persons do not attend the event and to ensure that the SOP conditions and requirements are met. Security can include Door Monitors, Floor Monitors, Security Officers and/or Paid Duty Police Officers. The Event Sponsor is also responsible for any costs associated to Security or Paid Duty Police Officers required for the event.

7.0 CONTROLS:

- 7.1 All entrances and exits to the event must be supervised, Event Staff have the right to refuse entrance to persons they believe are intoxicated or for public safety.
- 7.2 If minors are attending the Event they must be distinguished from other participants by a visible means. (eg. Those who are of drinking age will be given wristbands).
- 7.3 The ratio of Event Staff to attendees shall be maintained at all times.
- 7.4 A limit of 5 drink tickets is permitted to be purchased by an individual at a time.
- 7.5 A limit of 2 drinks may be served to an individual at a time. Bottles of wine will be permissible provided the event is sufficiently monitored.
- 7.6 Alcoholic beer or coolers of the standard 5.0% or less should be served rather than beer or wine coolers with greater alcohol content.
- 7.7 Beverages shall not be served in glassware or bottles unless approved by the Director.
- 7.8 Non-alcoholic beverages and food shall be available at all times. The non-alcoholic beverages shall be sold at a lower cost than drinks containing alcohol.

- 7.9 The following activities are prohibited at Municipal Facilities:
- Alcohol raffles
 - Drinking Games
 - Discounting the price of drinks
 - Alcohol as a prize for any game
 - Marketing practices which encourage increased consumption (i.e. oversized drinks, double shots.)
- 7.10 The serving of alcohol will cease one hour before the end of the event, as regulated in the AGCO Special Occasion Permit or rental booking whichever is earlier.
- 7.11 Patrons may redeem unused tickets for reimbursement at any time; this must be advertised at the event.
- 7.12 Alcohol consumption is prohibited by all Event Staff, until they have completed their shift and have removed all identification.

8.0 SIGNAGE:

8.1 A variety of signage must be visibly posted for the patrons at the event. Facility rules, including maximum person capacity, the time that alcohol sales will cease and contact information where the public can forward any concerns shall all be included in the signage.

8.2 The Town will provide signage that must be posted at the bar and at the ticket selling stations at the event that reads as follows:

“It is against the Liquor Licence Act of Ontario for licensed establishments to serve customers to intoxication. For this reason, servers in our facilities are required to obey the law and not serve anyone to intoxication. We are also pleased to offer non-alcoholic beverages”

8.3 Transit or Taxi Contact Information must be posted.

9.0 SAFETY PLAN:

9.1 The Town of Amherstburg may require the Event Sponsor to attend a meeting with the Events Management Committee to review and discuss the event Safety Plan as it relates to the sale or consumption of alcohol at the event. The Public Events Committee will determine if a police presence will be required as well as other requirements relating to the safety for the event.

10.0 INSURANCE

10.1 Insurance is required for all public events.

10.2 The Town of Amherstburg does not provide personal property, injury and/or host liquor liability coverage to the Event Sponsor or Event Staff. The Event Sponsor and their staff should ensure that they have adequate property/liability insurance in force for themselves.

10.3 Event Sponsors are required to obtain and submit the appropriate proof of insurance (Certificate of Insurance) and Hold Harmless Agreement to the Town of Amherstburg 2 weeks prior to the date of the scheduled event.

a) Certificate of Insurance:

The event organizer must provide an original copy of a Certificate of Insurance completed only by the insurer or its authorized representative including the following information:

- Name, address and telephone number of insured
- Location and activity of the named insured for which the certificate is issued
- Description of coverage detailing type of insurance (MUST include liquor liability), policy number, effective date, expiry date and limit of liability
- Name, address and telephone number of insurance company writing each Policy
- All certificates confirming general liability insurance must add the Corporation of the Town of Amherstburg as an additional insured
- Notice of cancellation or reduction in coverage as outlined on the certificate must be provided to the Town within thirty (30) days

10.4 Minimum Insurance Requirements:

a) For events including the serving of alcohol, Commercial general liability insurance with a minimum limit of \$2,000,000 per occurrence including bodily injury including death, personal injury, property damage, tenants legal liability, non-owned automobile, host liquor liability and a cross liability/severability of interest clause is required.

11.0 ENFORCEMENT PROCEDURE FOR POLICY VIOLATIONS

11.1 If alcohol is sold or consumed in a Municipal Facility without authorization from the Town or if the Event Sponsor fails to comply with any of the provisions of this

Policy and or the Liquor Licence Act of Ontario it will be deemed a violation of this policy.

11.2 The enforcement procedure for a policy violation is as follows:

- a) Any person may notify the Event Sponsor and/or Town staff of suspected violations of this policy.
- b) The Director will inform the offending individual(s) that they are in violation of the policy and/or provincial law and ensure the violation ceases.
- c) Police or an AGCO Inspector may lay charges against the offending individual(s) at their discretion.
- d) Individuals found in contravention of this policy are subject to removal from Municipal Facilities and cancellation of their event.
- e) The Town will send a registered letter advising the Event Sponsor of the violation and indicate that no further violations will be tolerated. If future violations occur the Event Sponsor will be prohibited from holding Events with alcohol at any Municipal Facilities.
- f) The Organization or group may appear before the Public Events Committee to appeal the suspension or have their privilege reinstated.

12.0 EFFECTIVE DATE OF POLICY

12.1 This policy shall take effect on the date approved by Council of the Town of Amherstburg.

Appendix “A”

Special Occasion Permit Licensed Facilities

The following Recreation and Culture facilities and areas are designated as suitable for Special Occasion Permit functions subject to the event sponsor obtaining a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario and agreeing to conditions as set out by the Town of Amherstburg.

- Centennial Park *
- Toddy Jones Park *
- WFCU Field House (Libro Credit Union Centre)
- Community Room (Libro Credit Union Centre)
- Multi-Purpose Room (Libro Credit Union Centre)
- Dry Floor Rink (Libro Credit Union Centre)
- Outdoor Turf Field (Libro Credit Union Centre)
- Indoor Soccer Field (Libro Credit Union Centre)
- Centre Lobby (Libro Credit Union Centre)
- Malden Park and Pavilion *

* Caterer’s endorsement

Facilities Not Suitable For Special Occasion Permit Events

King’s Navy Yard Park, Lions Pool, work sites and change rooms are not suitable for Special Occasion Permit (S.O.P.) events.

Special Event Permit sites must meet the requirements set out in the Liquor Licence Act.

Appendix “B”

Required Number of Event Staff

The following table represents the minimum number of Event Staff that must be adhered to at the Special Event and their responsibilities.

	Minimum Staff	Certificate Required	Responsibilities
Bartenders/Servers	1 to every 100 patrons	All must have a Smart Serve Certificate	-Accept tickets for the purchase of drinks and serve responsibly. -Refuse service when patron appears to be intoxicated.
Door Monitors	1 for 101 to 200 patrons 2 for 201 to 1000 patrons	At least 1 Door Monitor must possess a Smart Serve Certificate	-Verify Identification. -Deny entry to intoxicated or underage patrons. -Monitor patrons for intoxication when leaving the event & recommend safe transportation options.
Floor Monitors	1 for 101 to 200 patrons 2 for 201 to 1000 patrons	Smart Serve Certificate not required.	-Monitor patrons for intoxication. -Respond to problems and complaints. -Remove intoxicated patrons.
Ticket Sales Staff	1 for every 200 patrons	All must have a Smart Serve Certificate	-Sell alcohol tickets to patrons. -Monitor and refuse sale to patrons at or near intoxication. -Refund money for tickets at patron’s request.
Security Staff and/or Police Service	As determined by AGCO and the Events Management Committee	Smart Serve Certificate not required	-Patrol the event. -Assist Event Staff in handling any issues or disturbances that may arise.

*The Public Events Committee and/or Director reserve the right to require additional staff at the event.