

The Corporation of the Town of New Tecumseth

Municipal Alcohol Policy – Town Facilities and Properties

Policy Type: Corporate Policy

Policy No.: PR-POL-001-2020

Name of Dept: Parks, Recreation and Culture Department

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1 Policy Statement

The Corporation of the Town of New Tecumseth is committed to providing a safe, secure, and enjoyable environment for its staff residents and visitors, by ensuring all Special Occasion Permit (SOP) related functions, within municipally owned facilities and properties, are properly managed in accordance with the requirements of the *Ontario Occupiers Liability Act*, the *Ontario Liquor License Act*, and the Alcohol & Gaming Commission of Ontario (A.G.C.O.) Legislation.

2 Purpose

The purpose of this Policy is to develop a cohesive and effective municipal alcohol policy and to:

- a) protect the municipality, its staff, community organizations, volunteers and participants from liabilities associated with SOP (licensed) events.
- b) ensure the effective management, supervision and operation of SOP (licensed) events within municipally owned properties, by the Event Organizer/Permit Holder.
- c) ensure that facility users adhere to the policy, and if they do not they are aware of the consequences and costs associated with not adhering to the policy.
- d) reduce the risk of alcohol related issues at SOP (licensed) events.
- e) educate council, municipal staff, event organizer/permit holders, SOP holders, patrons and the general public of the alcohol related risks and legal liabilities associated with special events.

- f) support and manage the responsible use and sales of alcohol as part of a social event within municipally owned and operated properties and facilities as well as the decision of those individuals who choose not to consume alcohol.
- g) provide access to safe parks, facilities and events for all community members.
- h) offer resources to educate and train staff, volunteers, groups and event organizer/permit holders so they have the knowledge and skills required to effectively manage events and enforce policy, and to consequences of non-compliance.

3 Scope

This policy is designed to meet the needs of the Corporation of the Town of New Tecumseth and shall be applied, without prejudice, to all SOP functions, events and activities hosted on, or within, municipally owned properties and facilities, and agreeing to facility permit conditions as set out by the Town of New Tecumseth.

4 Definitions

For the purposes of this Policy:

4.1 Paid Duty Officers

Refers to a “Paid Duty” work assignment arranged through the local Ontario Provincial Police, where an off-duty officer performs policing duties for an individual or organization other than the Ontario Provincial Police and is paid by the third party. (Example: Traffic, Security, Weddings, Special Events)

4.2 Prepared Snacks or Foods

As defined by the Ontario Liquor License Act, examples of substantive foods include sandwiches, hamburgers, pizza, steak, pasta, fish, etc.

4.3 Smart Serve

Refers to a provincially endorsed standardized method of delivering a responsible service training certificate program to all individuals in the province of Ontario who serve or work where alcohol beverages are sold and served. Although the Town of New Tecumseth recognizes that the Ontario Liquor License Act allows persons 18 years and older to serve liquor, the Town of New Tecumseth Municipal Alcohol Policy stipulates that only persons 19 years of age and older will be permitted to work at events utilizing Town of New Tecumseth properties.

4.4 Special Occasion Permit (SOP)

A liquor license issued by the Alcohol and Gaming Commission of Ontario for one-time social events where alcohol will be sold and/or served. All SOP's are managed and controlled by the AGCO.

There are three types of special occasions for which a permit may be issued:

i. Private Event

For events where only invited guests will attend. These events cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.

ii. Public Events.

For events that are open to the public. Public events can be advertised and allow for fundraising/profit from the sale of alcohol.

iii. Industry Promotional Events

For events held to promote a manufacturer's product(s) through sampling. There can be no intent to gain or profit from the sale of alcohol at the event.

All of these events as described above can be held indoor or outdoor (including pavilions or temporary structures).

There are two classes of SOP:

i. Sale SOP

Issued when money is collected for the sale of alcohol either directly or indirectly, for example:

- an admission charge to the event;
- the sale of alcohol (cash bar) or alcohol tickets sold to people attending the event; or
- the collection of money and/or other forms of payments for alcohol before the event.

ii. No Sale SOP

Permitted when:

- alcohol is served without charge;
- no money and/or other forms of payment is collected directly or indirectly for alcohol from guests (e.g. through admission charge or ticket sales); and

- the permit holder absorbs all alcohol costs.

For further information regarding types and classes of SOPs, please refer to the AGCO web site at this address: www.agco.on.ca.

5. Policy

5.1. Municipal Properties Where Alcohol Is Permitted Within Licensed Areas Under An SOP

Staff will review all requests to hold an SOP event on/in a Town property or facility to determine if it is an appropriate location for the event. Licensed areas are approved on an event-by-event basis and does not guarantee future approval. The Town reserves the right to remove a designated location at any time.

5.2. Event Hours

The event organizer/permit holder is required to stop serving alcohol a half-hour prior to the event closing. Events on/in town owned properties and facilities are required to end at 1:00 am and the premises vacated by 2:00 a.m.

5.3. Events and Municipal Properties Where Alcohol Is Not Permitted

- a) All events where the focus of the event marketing is for youth under the age of 16.
- b) Change rooms and dressing rooms, including where players attend the facility for a tournament or a regular scheduled event time (example: men or women's league hockey, baseball or ball hockey)

5.4. Youth Admittance To Licensed Events

- a) No person under the legal provincial drinking age shall be permitted admission or entry to a SOP event or designated facilities or areas where alcohol is sold, except in the case of family social events where alcohol is sold and the organizer has proper procedures in place to identify minors.
- b) In the case of a licensed function such as an adult tournament, special community event or entertainment venue (e.g. The Tottenham Bluegrass Festival) a person under the legal, provincial drinking age may be permitted admission to enter designated facilities or areas provided they are accompanied by a parent or guardian, and the organizer has proper procedures in place to identify minors.

5.5. Signage requirement and responsibility

a) Municipality:

- i. Permanent signage as follows shall be displayed prominently in designated recreation facilities and community centres, in sizes and quantities suitable to the space.
- ii. Temporary signage of same shall be displayed prominently in designated licensed areas associated in designated parks and/or streets during an event.

1. Statement on Intoxication

The Town of New Tecumseth strives to provide safe recreation facilities for all members of the community to enjoy.

We respect the rights of everyone, including those who choose to abstain, and welcome their participation in our social events.

Servers are required by law not to serve anyone who is intoxicated or appears to be intoxicated or to the point of intoxication.

Non alcoholic beverages and snack items must be made available by the renter.

2. Designated Consumption Areas

No Alcohol Beyond this Point

3. Sober Driver Spot Check / Alternate Transportation

Don't Drink & Drive! Please drink responsibly.

Ontario Provincial Police

thank you for helping to reduce impaired driving.

*We look forward to personally thanking you at one of the
Roadside Spot Checks for leaving this event as a Sober Driver.*

OPP: EMERGENCY # 911

OR #1-888-310-1122
705-434-1939

CALL A FRIEND, RELATIVE OR TAXI.

INSERT RELEVANT, LOCAL TAXI PHONE NUMBERS

4. Proof of Age

*Admission and/or serving of alcohol is
restricted to those of legal drinking age.
Government issued photo identification
is the only acceptable proof of age.*

b) The Event Organizer/Permit Holder:

The municipality will issue temporary signage that shall be displayed by the event organizer/ permit holder prominently in specific designated areas within the facility or property, in sizes and quantities suitable to the space.

i) Accountability Statement

A sign, as shown below will be provided by the Town of New Tecumseth. The event organizer/permit holder will insert relevant event information and prominently and temporarily display during the SOP event.

Town of New Tecumseth SOP Event

Name of Event Organizer/Permit Holder:

Date of Event:

In Case of Emergency: 911

Ontario Provincial Police (O.P.P.): 1-800-310-1122

Town of New Tecumseth Municipal Offices: 705-435-3900

After hours: 905-729-2291

Alcohol and Gaming Commission of Ontario: 1-800-522-2876

ii) Ticket Sales for Alcohol Statement

At events within Town facilities where alcohol is being sold, a sign shall be posted at the alcohol ticket sales table outlining the following regulation.

Ticket Sales

*No more than two (2) tickets
per person may be (redeemed) at a time.*

Important Note: Sales of alcohol shall be strictly monitored by Smart Serve bartenders at all SOP events. Bartenders shall limit the number of redeemable drinks at any one time to a maximum of two (2) per person.

iii) No "Last Call" Statement

There will be no "Last Call"

announcement prior to bar closing.

iv) Designated Drivers Statement

*We Strongly support the Designated Driver Program
and appreciate and thank our Designated Drivers for their contributions
to the safety of their families, friends and the community.*

NOTE: Special Event with Alcohol / SOP Holders are encouraged to offer alternative, non-alcohol beverages, to support and recognize Designated Drivers attending their function/event.

5.6. Event Organizer/Permit Holder Responsibilities

- a) The event organizer/permit holder must:
- i) Provide proof to the Town that the appropriate SOP has been secured thirty (30) days prior to the event date.
 - ii) Provide to the Town a copy of individual bartenders' Smart Serve Certificate(s) thirty days (30) days prior to the event date.
 - iii) Submit to the Town a copy of a valid Insurance Certificate for General Liability Insurance or Special Occasion Host Liquor Liability Insurance in the amount of not less than \$5,000,000.00 in addition to the mandatory facility rental insurance requirements clearly denoting the Town as "additional insured", thirty days (30) days prior to the event.
 - iv) Comply with all regulatory agencies having jurisdiction over the event, including the Town's Fire and Emergency Services, OPP and Simcoe-Muskoka District Health Unit.
 - v) Comply with all Business Licensing requirements as may be deemed appropriate by the Town.
 - vi) Be in attendance during the full duration of the event.
 - vii) As well as event workers, ensure all patrons entering the event are of legal drinking age. The only acceptable forms of identification will be valid government issued photo identification such as an Ontario Photo Card, a valid

Driver’s License with photo, a valid passport or military card. Indoor public events which allow admittance to minors must implement a wrist band policy. The wristband will indicate to the serving staff that the bearer of the wristband has been checked for ID upon entry to the licensed area and has been deemed ineligible to be sold or served alcohol.

- viii) Display signage as outlined in the Town’s Municipal Alcohol Policy.
- ix) Adhere to the minimum Guest to Event Worker Ratio as set out in the table below. The Town reserves the right to adjust the number or types of Event Workers on an event-by-event basis.

Regardless of the chart below, the Event Organizer/Permit Holder is required to consider the need for additional Event Workers above the specified minimums, provide additional training, limit attendance to ensure they meet their responsibilities, and ensure that all persons acting as Bartenders / Servers be certified and trained under Smart Serve.

Number of Guests	Bartenders/Servers	Door Monitors	Floor Workers	Ticket Sellers	Paid Duty Police Officers
Up to and including 100	2	1 Monitor for each access point.	1	0	Confirmed through discussion with Town Staff
101-200	2	1 Monitor for each access point.	1	1	
201-299	2	1 Monitor for each access point.	2 (+1 for an outdoor event)	2	
Over 300	Events which are expected to exceed an anticipated attendance of three hundred (300) or greater, specific Event Worker requirements will be evaluated on an event-by-event basis in consultation with Town Staff. Operational plans may be required at the Event Organizer/Permit Holder’s expense				

The Town reserves the right to require the Event Organizer/Permit Holder to have the presence of uniformed Police Officers (Paid Duty Police Officers) for the duration of the event, the cost of which will be borne by the Event Organizer/Permit Holder. The number of required officers shall be determined by Ontario Provincial Police. This will be confirmed through discussions with the Event Organizer/ Permit Holder and Town staff to determine which events require Paid Duty Police Officers.

- x) Ensure alcohol is only served by individuals who are Smart Serve trained and certified. It is required that Servers have their valid certificates or a copy of the same with them during the event.
- xi) Ensure that alcoholic beverages are not taken in or out of the licensed area.
- xii) Ensure non-alcoholic beverages and prepared snacks be available at all events with sufficient food available for those in attendance. Food must be made available during the hours the bar is open. Non-alcoholic drinks must be available at no charge or at a cost much lower than that of drinks containing alcohol.
- xiii) Ensure all event workers are of legal drinking age or older, visible and easily identifiable.
- xiv) Ensure all bottles are retained in the serving area. Drinks MUST be served in soft plastic cups and a different colour of soft plastic cup shall be used for non-alcoholic drinks. For formal dinner settings, glass vessels may be used for serving/consuming alcohol. Glass must be removed at the conclusion of the dinner
- xv) Ensure ticket sales and alcohol service will cease one half-hour prior to bar closing time. The Event Organizer/ Permit Holder will refund persons for unused alcohol beverage tickets. Closing time is 1:00 a.m.
- xvi) Ensure bartenders limit the number of redeemable drinks at any one time to a maximum of two (2) per person. Alcohol cannot be left available for self-serving.
- xvii) Ensure no pre-made alcoholic drinks, such as jello shooters and punches, etc. shall be sold.
- xviii) Ensure no energy drinks (with or without alcohol in them) shall be sold.
- xix) Ensure no homemade alcohol shall be sold, with the exception of homemade wine or beer at a private function listed under a NO SALE reception permit, as defined by the Alcohol and Gaming Commission of Ontario. Where wine is provided with a meal, a non-alcoholic substitute (such as water, pop or juice) must be provided to ensure that children and abstainers are included in toasting the celebrants.

Homemade wine and beer can only be served but not sold at a wedding, anniversary, or other family special occasion (e.g. a family reunion or other similar family gathering). The wine and/or beer must be made by a member of

the family hosting the event and the permit holder must have acquired it free of charge. The permit holder may not sell the wine and/or beer.

- b) The Event Organizer/Permit Holder must not:
 - i) Serve alcohol to anyone under the age of 19 (minors). Minors are not allowed to consume alcohol on the premises.
 - ii) Permit participants to engage in any activity that places themselves or others at risk of harm or injury.
 - iii) Employ marketing practices which encourage increased consumption of alcohol such as oversized drinks, drinking contests and volume discounts are not permitted.
 - iv) Allow a 'last call' to be announced before the closing of the bar. A sign, reflecting this statement, shall be posted by the Event Organizer/ Permit Holder at the bar area.
 - v) Allow patrons to bring in their own alcohol to the event or allowed to pour their own alcoholic drinks.
 - vi) Have alcohol offered as a prize in a contest. Gift cards for the LCBO are allowed as an exception. A lottery licence is required from the Town if raffling alcohol (charities only).

5.7 Event Organizer/Permit Holder Preventative Strategies

It is highly recommended that the Event Organizer/Permit Holder:

- a) Have additional floor monitors if alcohol is being served in the presence of minors.
- b) Ensure all alcohol and its containers (which include empty cups/glasses) shall be cleared away no more than 45 minutes after the end of the licensed event as listed on the SOP.
- c) Not consume alcohol before or during the event and ensure that all event workers do not consume alcohol before or during the event.

5.8 Outdoor Events:

- a) Outdoor public events which allow admittance to minors must implement a wrist band policy. The wristband will indicate to the serving staff that the bearer of the

wristband has been checked for ID upon entry to the licensed area and has been deemed ineligible to be sold or served alcohol.

- b) All outdoor licensed areas are required to have a barrier at least 0.9 metres high where alcohol is only served to and consumed by those 19 years of age and older. Higher barriers and additional criteria may be required at the discretion of the Town.
- c) The Event Organizer/Permit Holder must provide one portable restroom per fifty (50) patrons for outdoor events.

5.9 Event Personnel Job Descriptions and Responsibilities

Note: All event personnel work as a team to ensure support for all team members. This ensures that any potential problems are quickly identified and effectively handled. Should the Event Organizer/Permit Holder require further clarification on this policy and processes, Town staff are an excellent resource on event guidelines and municipal requirements.

The Event Organizer/Permit Holder, dependent on the scope, nature and complexity of the event, shall consider the following event volunteer / staffing structure requirements:

- a) **Event Organizer:**
Attends the event; ensures that adequate Smart Serve trained staff are available; coordinates and helps staff; asks for help from security if necessary.
- b) **Permit Holder:**
Signs the alcohol permit; is the General Manager of the event; attends the event, assumes responsibility and liability for the operation of the event.
- c) **Bartenders:**
Accept and may sell tickets for the purchase of alcohol drinks; serve drinks; monitor for intoxication; refuse service when a patron appears to be intoxicated or near intoxication or is under provincial drinking age; offer no-alcohol substitutes. Limits the number of redeemable drinks at any one time to two (2) per person.
- d) **Floor Supervisors / Monitors:**
Interacts with patrons; monitors patrons' behaviour; monitors for intoxication; responds to problems and complaints; refuses service; removes intoxicated persons; suggests safe transportation alternatives. These positions are optional based on the number of attendees at the event.

- e) Door / Entry Supervisors / Monitors:
Checks identification: ensures alcohol does not leave the permitted area(s); monitors for signs of intoxication; denies entry to intoxicated and/or troublesome individuals; monitors for patrons / guests showing signs of intoxication when leaving the event; recommends safe transportation options.

Note: At costume parties / masquerades, ALL patrons shall unmask at entry to verify age and/or that valid government issued proof of age required for events matches the patron.

- f) Ticket Sellers:
Sells alcohol tickets to a maximum of six (6) tickets per person per purchase, of which a maximum of two (2) can be redeemed for drinks at any one time from a bartender; check identification, monitors for intoxication; refuses sale to patrons at or near intoxication, refunds tickets on request. A sign, reflecting this shall be posted by the Event Organizer/Permit Holder at the ticket area / bar area.
- g) Special Security:
Patrols the room; scans for potential trouble; notifies event staff and Event Organizer/Permit Holder of potential incidents; helps event staff handle disturbances. Paid Duty Police Officers may be necessary at certain events. The Town reserves the right to require Paid Duty Police Officers to be in attendance at an event at the sole expense of the Event Organizer/Permit Holder.
- h) Purchase:
To acquire something by paying for it. For the purpose of this policy, patrons will be purchasing drink tickets from ticket sellers.
- i) Redeem:
To exchange one object for another. For the purpose of this policy, patrons will be redeeming drink tickets for drinks from a bartender.

5.10 Municipal Alcohol Policy Infractions

Town staff responsible for facility operations shall review and assess non-compliance issues and take the appropriate immediate actions and procedures, which may include immediate cancellation of the event. Town staff responsible for facility rental permits shall review and take the appropriate follow-up procedures, which may include written warnings, suspensions or cancellation of the event and/or future events. These infractions can be issued to any patron utilizing Town facilities and who did or did not purchase an SOP.

5.11 Enforcement Procedures and Penalties

The on-site Town staff have the authority to insist on corrective measures to infractions to this policy. Failure to comply will result in suspension or cancellation of the event for non-compliance with the Municipal Alcohol Policy.

Event Organizer/Permit Holders who fail to comply with the Town's Municipal Alcohol Policy shall be subject to the following consequences:

a) Immediate Procedures

- i. Event workers shall report any infraction of this policy to Town staff immediately and complete an incident report form. Where a facility is not staffed, notification shall be provided to Town staff within twenty-four (24) hours of the occurrence or by the start of the next working day.
- ii. Event staff and Town staff shall report any infraction of this policy to Police whenever they believe such action is needed.
- iii. When the Event Organizer/Permit Holder, despite requests, does not correct the Town's Municipal Alcohol Policy infractions, Town staff shall contact the Ontario Provincial Police and shut down the event.
- iv. When patrons are found to be drinking alcohol in restricted areas such as change rooms, parking lots or non-permitted areas, Town staff shall request that the illegal drinking cease and fill out an incident form. If the illegal drinking continues, staff will note this on the incident report, the incident report will be sent to the appropriate supervisor, the Ontario Provincial Police will be contacted and the event will be shut down.

b) Follow-Up Procedures (first time infraction)

When an Event Organizer/Permit Holder contravenes the Municipal Alcohol Policy:

- i. All reported infractions occurring within an authorized, designated area shall be reviewed by the respective Town staff or designate within two (2) business days of the occurrence.
- ii. Town staff shall send a registered letter describing the problem to the Event Organizer/Permit Holder, informing the Event Organizer/Permit Holder that the security deposit for the event will not be refunded and that the group/patron's rental privileges for the next scheduled rental or event may be (depending on the severity of the incident) revoked.
- iii. Future rental privileges to penalized groups will be at the discretion of Town staff.

5.12 Alcohol Advertising

Permanent advertising that promotes the use and/or consumption of alcohol products or brand names is prohibited in all Town owned facilities (exemption: special circumstances under separate, authorized agreement with the Town or otherwise sanctioned by Council).

5.13 Promotion of the Policy

- a) The Town's Alcohol Policy shall be identified and accessible electronically via the Town of New Tecumseth website.
- b) The Town's Municipal Alcohol Policy shall be incorporated into the Town's Parks, Recreation and Culture Department Procedure Manuals.
- c) All relevant on site SOP signage shall reference the Town's Municipal Alcohol Policy.
- d) All relevant Town Parks, Recreation & Culture staff shall be provided with a copy of the Municipal Alcohol Policy as a component of orientation.
- e) All Event Organizer/Permit Holders shall be provided with the Town's Municipal Alcohol Policy.

5.14 Monitoring and Reviewing the Policy

The Town's Municipal Alcohol Policy shall be reviewed on an annual basis by Town staff.

6 Implementation

This policy will come into effect upon the approval of Council.