

# CITY OF ST. THOMAS



## Municipal Alcohol Policy

Revised November 2011

### **Goal Statement**

To provide the City of St. Thomas with a Municipal Alcohol Policy, to set rules and regulations to ensure that event organizers utilizing City facilities provide/consume alcohol in accordance with appropriate, liquor licensing laws. To endeavor to protect the organizers and the City from adverse situations, which may occur due to improper use of alcohol.

### **Objectives**

To ensure that event organizers of city facilities have a clear understanding of the City's position on appropriate and/or acceptable practice of serving alcohol during licensed functions held on City property. The policy is intended to lower liability and protect participants, event organizers, volunteers, the City and its staff.

### **As the organizer of a licensed event, you:**

- **can be held legally liable for the safety and sobriety of your guests.**
- **can be held responsible for injuries or damages that occur as a result of the alcohol you provide.**
- **are responsible for your guests at any function that you organize, either personally or professionally, such as family parties, outdoor festivals, including weddings, street parties and company parties.**
- **may be held responsible for the safety and behaviour of your guests until they're sober, not just until they leave the premises where the event was held.**

### **Acceptable Premises**

Acceptable premises suitable for serving alcohol include:

- Those premises for which the City has granted approval to a Special Occasions Permit (S. O. P.) hold and event.
- Those premises listed below under the heading of Municipal Facilities Eligible to be Alcohol Licenced.
- Those premises where a permanent liquor license, Catering Endorsement or a S. O. P. has been issued by the Alcohol Gaming Commission of Ontario.
- Premises which are not identified below, when a specialized event is scheduled to occur, provided the Director (or their delegate) of the Department having operational jurisdiction over the premises has granted permission to hold the specialized event exception

|                    |
|--------------------|
| Initials of Lessee |
|--------------------|

- Outdoor premises listed below, provided ~~the area~~ the area is defined by a barricade that is at least 0.9 metres (36") high and that makes the premises readily distinguishable from adjacent premises to which the permit does not apply. This does not apply to a professional sporting event of municipal, provincial, national or international significance at which spectators walk around large areas in order to follow the event if the event is held in an area that is kept separate from surrounding areas. A barricade at least 0.9 metres (36") high is required at an event involving the driving of motor vehicles, motorized snow vehicles or boats.

The following favorable park guidelines are provided to staff for consideration during the decision making process when a park is being considered as an acceptable location to serve alcohol.

- Adequate parking is provided to accommodate the nature of the event
- The temporary outdoor area used for the serving of alcohol is installed a minimum of 100 metres distance from any residential property
- The park is primarily used for community and citywide events
- The park offers special attractions and/or is the site of several major sporting facilities
- A city premise, with amenities to include a community centre, field house, comfort station, arena, etc., located on site
- The park location is easily accessible by Emergency Services in the event of an emergency

### **MUNICIPAL FACILITIES ELIGIBLE TO BE ALCOHOL LICENCED**

#### ***By approval of the Parks and Recreation Department Management:***

1. St. Thomas -Elgin Memorial Community Centre
  - a) Auditorium
  - b) Peter J. Lynch Room
  - c) Arena Floor (when ice is removed or covered)
  - d) Seating Areas (approval of the Director of Parks and Recreation or designate required)
2. St. Thomas Timken Community Centre
  - a) Multi-Purpose Room
  - b) Upper Mezzanine
  - c) Arena Floor (when ice is removed or covered)
  - d) Seating Areas (approval of the Director of Parks and Recreation or designate required)

|                    |
|--------------------|
| Initials of Lessee |
|--------------------|

3. Pinafore Park – outdoor (licenced areas to be specified)
4. Waterworks Park – outdoor (licenced areas to be specified)
5. Emslie Field – outdoor (licenced areas to be specified)
6. Douglas J. Tarry Sports Complex – outdoor (licenced areas to be specified)
7. Athletic Park – outdoor (licenced areas to be specified)
8. VA Barrie Park – outdoor (licenced areas to be specified)

***By approval of Council:***

1. Miscellaneous Parkettes, e.g., Hepburn Parkette (licensed areas to be specified)

**NON-MUNICIPAL FACILITIES ELIGIBLE TO BE ALCOHOL LICENCED**

***By approval of the Director of Parks and Recreation or designate:***

1. Gorman-Rupp Ball Park -outdoor

**MUNICIPAL FACILITIES NOT ELIGIBLE FOR ALCOHOL LICENCED EVENTS**

1. Various Public Parks and Parkettes, e.g., Optimist Park, New York Central Ball Park, Lions Park, Cannon Parkette, Green's Parkette, Sauvé Complex
2. Arenas
  - a. Dressing Rooms
  - b. Lobby

**EVENTS NOT ELIGIBLE FOR SPECIAL OCCASION PERMITS**

1. Council- approved street parties
2. Youth Activities
  - a. Dances
  - b. Concerts
  - c. Socials

**Youth Admission to Adult Events**

The applicable alcohol permit dictates who may attend the function. Rules as specified by the Alcohol and Gaming Commission of Ontario (AGCO) licencing laws will be in effect. Only those who have reached the age of nineteen and possess the proper identification will be served alcohol. Acceptable ID includes: Canadian BYID (Bring Your Identification), Ontario Driver's Licence, Passport, and Military Card. In events where youth are in attendance, it is mandatory that those who are eligible to consume alcohol wear ID wrist bracelets.

|                    |
|--------------------|
| Initials of Lessee |
|--------------------|

### Signs

The Municipality will post the following signs at all facilities where alcohol permits are in force.

1. **Statement of Intoxication** “By the authority of the Alcohol and Gaming Commission of Ontario, it is against the law for licenced 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 pleased to offer non-alcohol beverages.”
2. **Legal Age to Consume Alcohol** “You must be 19 years of age or older to purchase and/or consume alcohol.”
3. **Time Limits** “No alcohol will be sold after 1:00am and all alcohol must be removed from the tables by 1:30am, and the premises vacated by 2:00am. No last call.”
4. **R.I.D.E.** “The City of St. Thomas Police Department’s **Reduce Impaired Driving Everywhere** (R.I.D.E.) thanks you for helping to reduce impaired driving everywhere in St. Thomas and area. Random R.I.D.E. check(s) may be in place following this event.”
5. **Alcohol Ineligible Areas** “No Alcohol Beyond This Point.”
6. **Ticket Sales** “Sales of bar tickets will be limited to 4 per person per sale; No more than 2 drinks per person will be served per visit to the bar; As of 12:30am, a maximum of 1 drink per person will be served.”
7. **Acceptable Identification** – list of allowable ID will be in place at the bar location.
8. **Accountability** A sign will be posted at the bar and main entrance of all alcohol permitted functions and will inform patrons where to direct concerns regarding the manner in which the function has been operated. In addition to naming the sponsor of the event, the sign will include the name, address, and phone numbers of Parks and Recreation Department, Police Department, and AGCO

### Server Training

A training program is in place through the hospitality industry. The Smart Serve training program will give liquor servers the information they need to understand and implement the skills of responsible service. This program replaces the Server Intervention Program.

|                    |
|--------------------|
| Initials of Lessee |
|--------------------|

Qualified Smart Serve bartenders will know:

- their responsibilities and obligations under the law
- proactive approaches to preventing alcohol-related problems
- how to recognize signs of intoxication
- how to implement intervention strategies for aggressive customers

**It is mandated by the City that hosts have qualified individuals behind the bar who have attended this training course.**

**Further, it is understood that bar ticket sellers, floor monitors, and door monitors must be Smart Serve trained.**

For further information, contact:

**Smart Serve ® Ontario**

[www.smartserve.org](http://www.smartserve.org)

5405 Eglinton Avenue West, Suite 106

Toronto, Ontario, M9C 5K6

Tel: (416) 695-8737 | Fax: (416) 695-0684 | Toll-free: 1-877-620-6082

Email: [general@smartserve.ca](mailto:general@smartserve.ca)

### **Low Alcohol Drinks**

As a requirement for a facility permit involving an Alcohol Permit, the organizing group must ensure that a minimum of 30% of the alcohol beverages available must be of a low alcohol concentration level, (less than 5% alcohol).

### **Safe Transportation**

Only individuals, groups and/or organizations implementing a safe transportation strategy will be permitted the use of facilities for alcohol related functions.

### **Possible strategies:**

- a) Designated Drivers Program - to be advertised at the event so that all patrons are aware this program is available.
- b) The designated driver will be supplied with low cost or free soft drinks/coffee during the function.
- c) Impaired individuals will be driven home by a sober friend, and/or call a relative, or taxi.
- d) Inform patrons through advertising of the taxi service available.

Initials of Lessee

## **CONTROLS**

### ***Prior to the Event***

1. Where a Special Occasion Permit (Liquor Licence) applies, every organizing group must provide a list of “qualified” Smart Serve trained Alcohol Servers, at least two weeks prior to the event. The mandatory ratio is 1 Smart Serve Program trained staff per 50 people.
2. All parties must demonstrate to the Director of Parks and Recreation or designate that plans are in place to observe regulations as specified below, that all requirements are understood and that controls are in place to ensure compliance with the Municipal Alcohol Policy.
3. All parties must provide proof of insurance naming the City as additional insured. This insurance coverage will remain in effect for the duration of the event.
4. ***Off-duty uniformed police officers may be required.*** Please refer to the category list below:

#### ***Level One -Banquets/Receptions/Programmed Events***

A limited number of alcoholic beverages are served/sold to **invited** guests of a reception, sit-down dinner (including buffet-style dinners) or banquet. Examples include retirement dinners, service club dinner meetings, awards presentations, ballroom dancing events, wine and cheese functions, etc. These events may include **attendance up to the allowable capacity limits of the facility** in question (alcohol served no later than 1:00am).

#### ***Level Two -Affiliated Licenced Area***

A licenced area is established to serve/sell alcohol to participants or guests attending an event or tournament. There is no dancing and the maximum number of persons within the licenced area **does not exceed 100 persons at any time.**

#### ***Level Three -Social Events***

Alcohol is available throughout the event, which may include dancing, games of chance (within the applicable laws and regulations), and entertainment. These events may include **attendance up to the allowable capacity limits of the facility** in question and **may extend to 1am** (alcohol served no later than 1:00am). New Year’s Eve events **may not** extend beyond 1:00am.

***For Level Three Social Events, organizers are required to hire, at their own expense, uniformed off-duty police officers for the duration of the event to monitor the activities of the participants according to the following ratios***

**Up to 500 expected attendees -2 Officers**  
**501 or more expected attendees -4Officers**

|                    |
|--------------------|
| Initials of Lessee |
|--------------------|

**The ratio of paid duty uniformed officers to the number of persons in attendance is a minimum standard required by the Parks and Recreation Department. The St. Thomas Police Department, in reviewing an event may require additional officers to be present.**

**The Police will be given an opportunity to fill the paid duty for no fewer than 14 days. If for any reason the St. Thomas Police Service is unable to accommodate the request for paid duty officers within 30 days of the event, (45 days for December 31) the applicant (renter) then is responsible to hire a licensed private security firm at the following ratios:**

**1-299 expected attendees – 2 security guards  
300-399 expected attendees – 3 security guards  
400 + expected attendees – 4 security guards**

**It is important that the renter communicates with the Police Service that you have decided to utilize a private security firm and that you require the request for paid duty officers to be removed.**

**Ensure that the paid duty officers or security are aware that they are required to remain on the premises till the last attendee has vacated the property.**

### ***The Day of the Event***

1. Special Occasion Permit signatory must attend event and be responsible for making decisions regarding the operation of the event.
2. With permission of the Parks and Recreation Department, alcohol may be delivered to facility earlier in the day to allow time for refrigeration but must be received, unloaded, and secured by the organizing group. The City accepts no responsibility for loss or theft.

### ***During the Event***

1. Entrances must be monitored by Smart Serve trained volunteers to ensure acceptable identification is provided (depending upon the nature of the Special Occasion Permit), and to refuse access to patrons deemed undesirable.
2. Permit-holder is responsible for event and therefore, must not consume alcohol while event is in progress.
3. All Smart Serve trained Door and Floor Monitors must not consume alcohol while event is in progress.
4. You must deny entry to intoxicated individuals.
5. Smart Serve trained personnel must supervise all exits. No one may leave the licenced area with alcohol on his or her person.

Initials of Lessee



6. A Smart Serve trained floor supervisor must be available to assist as required with unruly patrons.
7. Event workers must not consume alcohol.
8. Event workers must be easily identified by attendees (e.g., name tags, unique hats or shirts, etc.)
9. Organizing group shall provide food (preferably unsalted) and non-alcohol beverages throughout the event. Snacks (chips, peanuts, pretzels, etc.) in and of themselves, are not sufficient. Foods such as pizza, subs, veggie trays, etc., are acceptable.
10. Complimentary bar must still have appropriate staff, and all listed controls in place.
11. Entertainment must be complete by 1:00am.
12. Facilities must be vacated by 1.30am, or additional fees will apply at the approved hourly rate.
13. Parks and Recreation Department staff may enter the event and are authorized to demand correction or shut down an event on behalf of the municipality. Police will be called for situations deemed to be a risk to the safety of staff or the facility.
- 14. For any and all infractions related to this event, staff are authorized to:**
  - a) call Police, if deemed necessary.
  - b) complete an incident report.
  - c) inform municipal officials within 24 hours of infraction.

#### **Bar Sales**

1. No special sale of alcohol will be allowed, e.g., oversized drinks, double shots, 2 for 1, discount prices, volume discounts, etc. No pitchers of beer will be allowed. "Extra-strength" beer (greater than 5% alcohol content) is not permitted.
2. Where a Special Occasion Permit applies, Smart Serve trained ticket sellers must be provided. Tickets must be presented at the bar to redeem for drinks and all unused tickets must be refundable.
3. Sales of bar tickets will be limited to 4 per person per sale. No more than two (2) drinks per person will be served per visit to the bar, and from 12.15am to 1:00am, a maximum of one (1) drink per person will be served.
4. No last call.
5. Bar to close at 1:00am, with all alcohol off tables by 1:30am.
6. Refer to signs on page 4 for additional information.

|                    |
|--------------------|
| Initials of Lessee |
|--------------------|

- 7. No glassware or bottles will be allowed to leave the bar unless prior approval has been obtained. All drinks are to be served to the customer in paper or plastic cups or containers.

**FAILURE TO COMPLY**

Failure to comply with the rules and regulations contained within the Municipal Alcohol Policy may result in cancellation of function and may affect the organizing group’s opportunity to host future alcohol permit functions in any St. Thomas Municipal facility.

**INSURANCE**

Proof of a minimum of \$2,000,000.00, or as determined by the City, in alcohol liability insurance naming the City as additional insured must be provided to the City fourteen days prior to the event.

The Event Organizer/Sponsor shall indemnify and save harmless the city of St. Thomas from any and all claims, in connection with the holding of an event involving the serving of alcohol on municipal facilities such claims include but are not limited to demands, causes of action, losses, costs or damages that the city of St. Thomas may suffer, incur or be liable for, resulting from the Event Organizer/Sponsors’, event workers’ and agents’ performance, actions and negligent acts of omissions.”

\_\_\_\_\_   
Event Name

\_\_\_\_\_   
Name of Event Organizer/Sponsor

\_\_\_\_\_   
Signature of Event Organizer/Sponsor

Parks and Recreation Department reserves the right to distinguish the nature, i.e., size and scope, of the event for insurance purposes.

**POLICY MONITORING AND REVISIONS**

Parks and Recreation Department will review the Municipal Alcohol Policy on an annual basis and any changes and/or updates due to new legislation, etc. will be incorporated.

The City of St. Thomas has the right to vary or introduce additional conditions or restrictions at its absolute discretion when deemed appropriate by the Director of Parks and Recreation (or their designate).

A copy of the revised document will be provided to Council for their approval.

**ALCOHOL ADVERTISING**

Since alcohol advertising (e.g., beer company umbrellas, posters, etc.) is designed to encourage and promote the consumption of alcohol, and it is illegal for people under the age of 19 to consume these products, alcohol advertising is not permitted

Facility permit-holders must follow the AGCO Special Occasion Permit regulations regarding alcohol advertising, which states that groups cannot advertise the brands or

Initials of Lessee

the cost of the alcohol to be served unless application is made to the Liquor Licence Board. This also applies to the dissemination of event details through information technology.

### **CONSEQUENCES FOR ALCOHOL CONSUMPTION IN MUNICIPAL RECREATIONAL FACILITIES**

There is no alcohol permitted in the dressing rooms, and hallways of Municipal recreational facilities.

The Police or authorized authority will be called to investigate all problem events. If an infraction occurs, the future use by the offending parties of Municipal recreational facilities will be affected.

#### ***Steps to be followed should an infraction occur:***

1. a) After being notified by the Parks and Recreation Department, first time offenders will be required to provide a letter to the Parks and Recreation Department within 48 hours of notification, acknowledging the infraction and detailing what action will be taken to prevent a repeat offence.  
b) If the required letter is not received by the Parks and Recreation Department within 48 hours of notification, Step 2 (below) will be enforced.
2. If a second policy infraction occurs, the offending permit-holder's facility privileges for the next scheduled rental/event will be cancelled.
3. All costs associated with the facility rental will be the responsibility of the offending group or team, whether or not the cancelled time/rental is re-rented.
4. Penalized permit-holders risk forfeiture of the remaining season, unless they demonstrate to municipal staff that they follow all policy regulations at future functions.

|                    |
|--------------------|
| Initials of Lessee |
|--------------------|

## Appendix A CHECKLIST

Date of Event: \_\_\_\_\_ Number of Persons attending: \_\_\_\_\_

Location: \_\_\_\_\_ Name of person/group hosting event: \_\_\_\_\_

Will persons under 19 years of age be attending this event?      9 YES      9 NO  
**\*\*must be indicated on the Special Occasion Permit\*\***

Type of Identification for event workers: \_\_\_\_\_

Has proof of Special Occasion Permit been provided?      9 YES      Date \_\_\_\_\_

Has proof of Insurance been provided? (Copy to be attached)      9 YES      Date \_\_\_\_\_

The safe transportation strategy/strategies that will be used at this function are:

a) \_\_\_\_\_ b) \_\_\_\_\_

The names and certification numbers of our Smart Serve event workers (Minimum **1:50 ratio**):

**Bartenders (Mandatory)**

- 1. Name \_\_\_\_\_ Certification # \_\_\_\_\_
- 2. Name \_\_\_\_\_ Certification # \_\_\_\_\_
- 3. Name \_\_\_\_\_ Certification # \_\_\_\_\_
- 4. Name \_\_\_\_\_ Certification # \_\_\_\_\_

**Floor Monitors**

- 1. Name \_\_\_\_\_ Certification # \_\_\_\_\_
- 2. Name \_\_\_\_\_ Certification # \_\_\_\_\_

**Door Monitors**

- 1. Name \_\_\_\_\_ Certification # \_\_\_\_\_
- 2. Name \_\_\_\_\_ Certification # \_\_\_\_\_

**Ticket Sellers**

- 1. Name \_\_\_\_\_ Certification # \_\_\_\_\_
- 2. Name \_\_\_\_\_ Certification # \_\_\_\_\_

**Off-Duty Uniformed Police Officers or Licensed Security** (for Level 3 Events)

- 1. Name \_\_\_\_\_ Badge #/License # \_\_\_\_\_
- 2. Name \_\_\_\_\_ Badge #/License # \_\_\_\_\_
- 3. Name \_\_\_\_\_ Badge #/License # \_\_\_\_\_
- 4. Name \_\_\_\_\_ Badge #/License # \_\_\_\_\_

*I have reviewed the Municipal Alcohol Policy with a municipal representative and I understand all the policy regulations and I, and my group, will observe/obey all policy regulations*

\_\_\_\_\_  
Signature Lessee

\_\_\_\_\_  
Signature Parks and Recreation Department

Initials of Lessee

**Appendix B**

COMMENT FORM

Please comment on the effects this policy had relating to your event.

Please state the date of your event: \_\_\_\_\_

Location of event: \_\_\_\_\_

Type of event:  
\_\_\_\_\_

Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Your comments are important to us - Thank you!***

Initials of Lessee

## **Appendix C**

# INCIDENT REPORT

Date: \_\_\_\_\_

**DETAILS OF INDIVIDUAL IN QUESTION**

Time: \_\_\_\_\_ am / pm

Name: \_\_\_\_\_

Weather: sun / cloud / wet / dry / snow / wind / rain

Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Staff on duty:

Eye Colour: blue / brown / black / green

\_\_\_\_\_

Hair: grey / blonde / brown / black / other - long / mid / short

\_\_\_\_\_

Clothes: \_\_\_\_\_

\_\_\_\_\_

Glasses: YES NO

Gender: male / female / moustache / beard / goatee / other

Age: 19-25 26-30 31-35 36-40 41-49 50-59 60-65 65+

**1. DENIAL OF ENTRY**

Time of denial \_\_\_\_\_ am / pm

Reason: intoxicated minor troublesome no I.D. previously barred false I.D. dress code other \_\_\_\_\_

**2. REFUSAL OF SERVICE**

Time of denial \_\_\_\_\_ am / pm By whom? \_\_\_\_\_

Reason: intoxicated minor troublesome impaired other \_\_\_\_\_

What was the patron drinking? beer / wine / spirits / fortified wine number of drinks \_\_\_\_\_

**3. EJECTING OF PATRON**

Time of departure \_\_\_\_\_ am / pm Estimated time of arrival \_\_\_\_\_ am / pm

Reason: fighting dispute drugs false I.D. trespassing minor swearing horseplay intoxication destruction of property other \_\_\_\_\_

**4. INJURY / ACCIDENT on premises \_\_\_\_\_**

Time of injury / accident \_\_\_\_\_ am / pm What part of the body was affected? \_\_\_\_\_

Was medical attention given? YES NO Hospitalization required? YES NO

Did patron contribute to his / her injury? \_YES NO \_\_\_\_\_

Describe incident: \_\_\_\_\_

|                    |
|--------------------|
| Initials of Lessee |
|--------------------|

**5. MINOR on premises**

Was minor caught drinking alcohol? YES NO If yes, who gave minor a drink? \_\_\_\_\_  
 Was identification checked? YES NO

If yes, indicate type of I.D: drivers licence / BYID / passport / other: \_\_\_\_\_

Was identification falsified? YES NO If yes, explain \_\_\_\_\_

**6. TRANSPORTATION**

Were alternate methods of transportation offered? YES NO

If yes, specify: \_\_\_\_\_

How did patron leave premises? Please circle

Taxi company \_\_\_\_\_ friend on premises police friend from home walking car motorcycle  
 Bicycle other - specify \_\_\_\_\_

If patron was driving, describe vehicle

colour: \_\_\_\_\_ Licence #: \_\_\_\_\_  
 make: \_\_\_\_\_ State / Prov: \_\_\_\_\_  
 damage: \_\_\_\_\_ other: \_\_\_\_\_

**7. POLICE**

Time of call: \_\_\_\_\_ am / pm Time of officer arrival: \_\_\_\_\_ am / pm  
 Time of departure of patron: \_\_\_\_\_ am / pm Badge #: \_\_\_\_\_  
 Name of Officer(s): \_\_\_\_\_

**8. WITNESS(ES)**

Witness name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone (home): \_\_\_\_\_ (Work): \_\_\_\_\_

Witness name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone (home): \_\_\_\_\_ (Work): \_\_\_\_\_

I, the undersigned, affirm that all the information recorded herein is factual, accurate and complete regarding the circumstances of this incident.

\_\_\_\_\_  
 Name of person completing report

\_\_\_\_\_  
 Signature of person completing report

\_\_\_\_\_  
 Address of person completing report

\_\_\_\_\_  
 Phone number

Initials of Lessee