

THE CORPORATION OF THE MUNICIPALITY OF WEST ELGIN

BY-LAW 2000-50

BEING A BY-LAW TO AUTHORIZE THE ADOPTION OF A MUNICIPAL ALCOHOL POLICY FOR THE CORPORATION OF THE MUNICIPALITY OF WEST ELGIN

WHEREAS it is deemed expedient that the Corporation of the Municipality of West Elgin adopt a policy regulating the use of alcohol in facilities owned by the Municipality.

NOW THEREFORE the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. That the Corporation of the Municipality of West Elgin adopt the Municipal Alcohol Policy which is attached hereto as Schedule "A".
2. That this by-law will come into force and effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON THE 12th day of October, 2000.

"Duncan McPhail"  
MAYOR

"Rita DeWild"  
CLERK

SCHEDULE "A"

FORMATION OF THE MUNICIPAL ALCOHOL POLICY COMMITTEE

In October of 1999 the following community groups were invited to attend a presentation conducted by the Centre for Addiction and Mental Health and to send a representative from their organization to be part of the above noted committee.

- Rodney/Aldborough Fair Board
- Tiny Tots Cooperative Nursery School -  
West Elgin Skating Club
- West Lorne Portuguese Community -  
West Lorne Minor Hockey
- West Elgin Men's Hockey League -  
Kiwanis Club of West Lorne
- Optimist Club of West Lorne
- Rodney Kiwanis Club
- Rodney Lions Club
- Ontario Provincial Police

Volunteers from these various organizations, members of the West Elgin Parks & Recreation Committee along with Municipal Staff formed the Municipal Alcohol Policy Committee. These members are:

Brad Bandeen, Trudy Balint, Tony Eyre, Jeff Slater, Rita DeWild and Sharon Burd. This Committee under the guidance of Janet McAllister of the Centre for Addiction and Mental Health, Traci Linn-Wells from the Elgin-St. Thomas Health Unit developed the Municipal Alcohol Policy for the Municipality of West Elgin. A special thank you is extended to these individuals for their contributions toward this policy.

(1)

## MISSION STATEMENT

"PREVENTION" is our goal and if we can achieve that we will not need a "CURE".

## GOALS

The Municipality of West Elgin and its Parks and Recreation Committee want residents and visitors to enjoy the various facilities and parks available. In order for the Municipality to ensure the health and safety of its participants and the protection of municipal facilities, a policy for the orderly use of alcohol during events and functions has been developed. The following document outlines these regulations.

## OBJECTIVES

1. To ensure proper operation and supervision of Special Occasion Permit events by providing education in prevention and intervention techniques and in effective management procedures. This will lower the risk of liability to event organizers, participants, volunteers, the Municipality and its staff.
2. To reinforce responsible drinking practices for consumers through appropriate operational procedures, controls, training and education.
3. To honour the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative, non-alcoholic beverages.
4. To provide a balanced use of alcohol through Special Occasion Permits so that alcohol becomes a responsible part of a social function, rather than the reason for it.
5. To provide a balance of licensed and non-licensed programs to ensure that consumers, abstainers, adults, youth and families will be adequately serviced and protected.

(2)

MUNICIPALITY OF WEST ELGIN

MUNICIPAL ALCOHOL POLICY

REGULATION #1

MUNICIPAL FACILITIES ELIGIBLE FOR SPECIAL OCCASION PERMITS

- A. West Elgin Community Centre — Arena

Rationale:

The Arena is suitable for holding Special Occasion Permit Events. The Arena holds approximately 650 persons and is wheelchair accessible.

- B. Rodney Recreation Centre — Auditorium and Meeting Room

Rationale:

The Recreation Centre is suitable for holding Special Occasion Permit Events. The Recreation Centre is wheelchair accessible and holds approximately 350 people.

EXCEPTIONS

Any person wishing to hold a Special Occasion Permit event in a location not listed in this policy, must appeal to Municipal Council for approval.

REGULATION #2

EVENTS NOT ELIGIBLE FOR SPECIAL OCCASION PERMITS

- A. Street Parties

- B. Beer Tents

Rationale:

It is very difficult to monitor the alcohol consumption of patrons in such situations; also crowd control is difficult when the boundaries are so large.

(3)

## REGULATION #3

### SIGNS

#### A. Statement of Intoxication

These signs supplied by the Municipality of West Elgin posted in a highly visible area.

"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 alcohol beverages."

"It is against the law to serve a minor. Please cooperate with our staff."

#### Rationale:

Having these signs visible to participants eliminates any confusion on who to contact for information or to lodge complaints regarding an event.

#### B. No Last Call

This sign supplied by the Municipality of West Elgin posted in a highly visible area.

"Last Call Will Not Be Announced", is to be placed in the bar area. This sign to be a minimum size of 10" x 16".

#### C. Unused Tickets

This sign supplied by the Municipality of West Elgin posted in a highly visible area.

"This bar closes at 1:00 a.m., unused tickets will be refundable up to 15 minutes after the Special Occasion Permit expires". This sign will be placed in the bar area and will be a minimum size of 10" x 16".

(4)

REGULATION #4

SAFE TRANSPORTATION

Only individuals, groups or organizations implementing a safe transportation strategy will be permitted rental/use privileges of facilities for Special Occasion Permit functions.

Possible Strategy:

- a) Designated Drivers Program — to be advertised at the event so that all patrons are aware this program is available.

The designated driver should be supplied with low cost or free soft drinks/coffee during this function.

Rationale:

The risk of liability is high when an impaired driver leaves an event where alcohol is served. Event organizers must assume responsibility for promoting safe transportation for all patrons consuming alcohol.

REGULATION #5

YOUTH ADMISSION TO ADULT EVENTS

Each rental group will be responsible to select a strategy on allowing youth to their event. In all cases the following guidelines must be adhered to:

1. All I.D. must be checked before anyone is allowed into the event/facility.
2. Two (2) extra floor monitors will be required if persons under the age of majority are allowed to enter the event.
3. Individuals under the age of majority will not be allowed to consume alcohol beverages. Any one serving individuals under the age of majority will be required to leave the event.
4. All participants over the age of majority will receive a bracelet before entering the event. The Municipality of West Elgin will provide these bracelets.

Rationale:

To ensure that persons under the age of majority do not consume alcohol.

REGULATION #6

ALCOHOL SERVICE

A. Low Alcohol Drinks

In order to be eligible for a facility rental involving a Special Occasion Permit, the renter must demonstrate to the satisfaction of the Parks and Arena Superintendent, or designate, that a minimum of the low alcohol beverages available at the event are of low alcohol concentration level. Sales receipts should be made available to the Parks and Arena Superintendent if requested to verify this percentage. Non-alcohol beverages should be made available at a significantly lower price or free. Free non-alcohol beverages will be at the discretion of the permit holder.

Rationale:

Low alcohol beverages help prevent intoxication by providing consumers with an opportunity to consume less alcohol. An individual consuming a regular beer (at 5% alcohol) could drink two "extra light beers" (at 2.5% alcohol) and ingest the same amount of alcohol. Similarly, "light beer" (at 4% alcohol) represents a 20% reduction in alcohol intake.

B. Control of Alcohol Service

- 1) All drinks to be served in plastic or paper cups and all bottles to be retained in the bar area.
- 2) A sign will be posted at the Bar stating "No Last Call Will Be Announced."
- 3) Renters will agree not to use marketing practices such as: availability of oversized drinks, double shots, pitchers of beer, drinking contests, volume discounts or tickets including a free bar, as these practices encourage increased alcohol consumption.
- 4) Tickets for alcohol must be purchased from designated ticket sellers and must be redeemed at the bar. A maximum of 5 tickets per purchase only thereby encouraging people to move around and avoiding the possibility of one person supplying drinks to the whole table. This gives individuals an opportunity to monitor participant's alcohol consumption.

(7)

- 5) Unused tickets may be redeemed for a cash refund at any time during the event and up to 15 minutes after the bar closes. A sign will be placed at the bar stating "This bar closes at 1:00 a.m., unused tickets will be refundable up to 15 minutes after the Special Occasion Permit expires." The Municipality of West Elgin will supply this sign.
- 6) Consumption of food should be encouraged throughout the event.
- 7) There will be no self-serve events; even "Wine and Cheese" functions require a bartender.

Rationale:

By following the above guidelines we will reduce the risk that sponsors automatically assume when running an event. These practices are designed to discourage heavy alcohol consumption.

C. Advertising Events:

Renters must follow the Liquor Licence application regulations regarding alcohol advertising, which states that groups cannot advertise the brands or the cost of the alcohol to be served unless application is made to the Liquor Licence Board.

Rationale:

Alcohol advertising is designed to encourage and promote the consumption of alcohol. Since it is illegal for people under the age of 19 to consume these products, it is preferred that alcohol advertising is not used. It is also the desire of the Municipality to provide a positive example to underage patrons.

REGULATION #7

CONTROLS PRIOR TO EVENTS

RENTERS OF MUNICIPAL FACILITIES WILL BE REQUIRED TO UNDERSTAND THE MUNICIPAL ALCOHOL POLICY PRIOR TO RENTING.

1. A copy of the Municipal Alcohol Policy will be available from the Municipal Representative at the time of booking. If any questions or concerns arise from this policy contact the Municipal Representative for clarification.
2. A "Checklist for Renters" form will be provided by the Municipality at the time of booking. This form is to be completed by the Renter and returned to the Municipal Representative at least two (2) weeks prior to the event. Signatures from both the Renter and the Municipal Representative are required on this form. Please see "Appendix A".
3. The Municipal Representative will maintain a current list of persons whom have successfully completed a Server Training Program recognized by the Liquor Licence Board of Ontario and have indicated that they may be available to assist at events where the Renter does not have the required trained personnel.
4. The signatory of the Special Occasions Permit must attend the event, and be responsible for decisions regarding the actual operation of the event. **THIS PERSON AND ALL EVENT WORKERS MUST REFRAIN FROM ALCOHOL CONSUMPTION DURING THE EVENT.**
5. The Renter must provide liquor liability insurance information at least two (2) weeks prior to the event.
6. The Renter must provide proof of confirmation of (off duty) Police Officers availability (at least two) for any event expected to exceed 351 people in attendance as well as any Stag and Doe or any such like event.
7. The Parks and Arena Superintendent has the option of specifying if Police Officers must be in attendance based on the past history of an event.
8. Any exception to Regulation #6 must be approved by the Council of the Municipality of West Elgin.

Rationale:

The above is to ensure that there are no misunderstandings of the regulations contained in the Policy.

REGULATION #8

EVENT WORKERS/SERVING TRAINING PROGRAM

THE FOLLOWING GUIDELINES ARE TO BE FOLLOWED REGARDING THE RATIO OF SERVING TRAINING PROGRAM PERSONS TO UNTRAINED SERVER TRAINED PROGRAM PERSONS.

1. A minimum of one server trained person at each location. (Locations include the entrance and exit area, bar area, ticket sale area, floor area)
2. Numbers of server-trained persons to be available may vary at the discretion of the Parks & Arena Superintendent and/or the Municipal Representative.

REGULATION #9 CONTROLS

DURING EVENT

ALL CONTROLS AND SERVICE MUST BE CONSISTENT WITH THE PROVISIONS OF THE LIQUOR LICENCE ACT OF ONTARIO AND ITS REGULATIONS.

1. The entrance to the event must be monitored by at least two responsible persons meeting the age of majority requirements.  
  
These persons shall further observe for individuals that may be attempting to enter the premises and that appear to be impaired.
2. Only identification bearing a photograph, and issued by the Province of Ontario, the Government of Canada or photographic identification issued by another Province, State or Country shall be accepted as bona-fide proof of age.
3. The holder of the Special Occasion Permit and the person renting the facility are responsible to ensure that the event is properly supervised and will provide enough staff to fulfill this obligation.
4. In the event of a masquerade party taking place in any premise owned by the Municipality of West Elgin the permit holder is responsible to check ALL patrons I.D. to ensure they are of appropriate age. Any person under the age of majority will not be allowed into a masquerade event.
5. The type of identification to be worn by the event workers must be stated on the "Checklist for Renters" form. See Appendix "A".
6. The bar area within the premises shall be closed promptly at 1:00 am. and NO service of alcoholic beverages will be allowed after this time.
7. All entertainment within the facility shall cease at 1:00 a.m.
8. All signs of consumption and service of alcohol including empty glasses shall be removed from sight within 45 minutes of the expiry of the Special Occasion Permit or by 1:45 a.m., whichever time is earliest.
9. To assist arena staff and ensure that no incidents occur within the premises, the facility must be vacated by patrons by 2:00 a.m.

(11)

Failure to comply with the above could prevent the Licence Holder or Organization from further renting any Municipal facility and where appropriate, the Police will be advised and charges could be laid.

The only exception to the 1:00 a.m. closing time would be during a New Years event when the Special Occasion Permit indicates the expiry time of 2:00 a.m.

Rationale:

To ensure the safety of all persons and to promote orderly conduct during events.

REGULATION #10

INSURANCE

That the sponsor(s) of a Special Occasion Permit event being held in a municipally owned facility be required to provide proof, at least fourteen (14) days prior to the event, that they have purchased a minimum of one million dollars in liquor liability insurance naming the Municipality as West Elgin as co-insured.

The amount of liability insurance may be increased at the discretion of the Parks & Arena Superintendent or the Municipal Representative

Rationale:

- i) Special Occasion Permit holders, hall owners, club executives and volunteers could all be named in a lawsuit.
- ii) Municipalities can be held jointly liable and could end up paying the predominant share of an award to a plaintiff should the sponsor be uninsured.

REGULATION #11

POLICY MONITORING AND REVISIONS

The Municipal Alcohol Policy for the Municipality of West Elgin as submitted by the Municipal Alcohol Policy Committee will be reviewed annually from the date initially approved by the Council of the Municipality of West Elgin and by the West Elgin Recreation Committee or designate. Recommendations to be made by the Parks and Arena Superintendent for any required changes.

A form will be given to all renters soliciting comments on their rental in relation to this policy. See Appendix "B".

Rationale:

- i) Policy to be monitored and reviewed on an annual basis which will ensure that the policy remains up to date and effective.
- ii) This will ensure that the public will remain involved in the process of review and revamping of the existing policy.

CONSEQUENCES FOR FAILURE TO COMPLY

Individuals and/or groups who fail to comply with the Municipal Alcohol Policy shall be subject to the following consequences:

1. It is the responsibility of the Special Occasion Permit Holder to ensure the proper management of an event.
2. Where any minor infraction occurs the staff should notify the sponsor of the event. If the infraction continues, staff is to notify the Parks and Arena Superintendent or designate.
3. Should a situation arise where an event may have to be shut down, the Parks and Arena Superintendent or designate shall evaluate the situation on behalf of the Municipality of West Elgin.
4. Any infraction of the Municipal Alcohol Policy will be reviewed at the following West Elgin Recreation Committee meeting and the following West Elgin Community Centre Board of Management meeting. A registered letter describing the problem will be sent by the Parks & Arena Superintendent to the sponsor. The Committee may refuse future rental privileges to the sponsor.
5. Any infractions deemed inappropriate by the West Elgin Recreation Committee or the West Elgin Community Centre Board of Management will result in the Special Occasion Permit Holder being banned from the facility for a minimum of one (1) year at the discretion of the Parks and Arena Superintendent.

APPENDIX "A"

MUNICIPALITY OF WEST ELGIN

MUNICIPAL ALCOHOL POLICY

"CHECKLIST FOR RENTERS"

1. Date of Event(s): \_\_\_\_\_
2. Number in Attendance: \_\_\_\_\_
3. Will persons under 19 years of age be attending this event?  
\_\_\_\_\_ Yes \_\_\_\_\_ No
4. Name of person and/or group sponsoring this event:  
\_\_\_\_\_
5. Type of Identification for event workers  
\_\_\_\_\_
6. Has proof of Special Occasion Permit been provided \_\_\_\_\_ ?
7. Has proof of Liability Insurance naming the Municipality of West Elgin as  
Co-insured been provided \_\_\_\_\_
8. Has proof of confirmation of at least two Ontario Provincial Police Officers  
been provided \_\_\_\_\_
9. The names and certification numbers of our Server Training Program

event workers are:

Name	Certification #
1) _____	_____
2) _____	_____
3) _____	_____

- 4) \_\_\_\_\_
- 5) \_\_\_\_\_
- 6) \_\_\_\_\_
- 7) \_\_\_\_\_
- 8) \_\_\_\_\_

10. I have reviewed the Municipal alcohol Policy with a municipal representative.

\_\_\_\_\_ Yes \_\_\_\_\_ No

Signature of Municipal Representative: \_\_\_\_\_

11.

I understand all the policy regulations and I and my group will observe and obey all policy regulations during the event.

\_\_\_\_\_  
Signature of Special Occasion Permit holder

\_\_\_\_\_  
Signature of Municipal Representative

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

APPENDIX "B"

MUNICIPALITY OF WEST ELGIN

MUNICIPAL ALCOHOL POLICY COMMENT FORM Please

comment on the affects that this policy had relating to your rental.

---

---

---

---

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

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

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

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

---

---

---

---

---

---

---

**THANK YOU FOR YOUR COOPERATION!**