



Municipal Alcohol Policy

Policy Statement:

Municipal Alcohol Policies help to prevent the occurrence of alcohol related accidents and injuries on municipal property, as well as lessen the exposure of the municipality to liability arising out of the use of municipal facilities for alcohol related events.

The purpose of a Municipal Alcohol Policy is to ensure that there are clear and responsible guidelines to aid in the prevention of alcohol related problems and allow for the enjoyment of those renting municipal facilities. In reducing the potential for alcohol related problems, you will reduce the risk of injury and death to patrons, and loss of enjoyment of the patrons, as well as the risk of liability actions.

Legislation

Occupiers' Liability Act

According to the Occupiers' Liability Act of Ontario, Section 3 (1):

An occupier of premises owes a duty to take such care as in all the circumstances of the case is reasonable to see that persons entering on the premises, and the property brought on the premises by those persons are reasonably safe while on the premises.

Joint and Several Liability

Joint and Several Liability is a legal doctrine which makes each party to a claim both jointly and separately liable for any judgement of damages. Should one party not be able to fulfill their portion of the judgement, the plaintiff has the right to seek recovery from another party to the judgement who has the resources to contribute more than their portion, even if they were only found to be 1% liable. So consider the 20 year old organizing a Stag & Doe: what kind of financial resources does that young adult have to pay damages if they were to occur?

Alcohol Liability Policy

An Alcohol Liability Policy provides host liquor liability for the organizers of an event. In today's climate, any individual or group who hosts an alcohol related event should purchase host liquor liability insurance. The purchase of such insurance (such as a PAL – Party Alcohol Liability – Policy), and proof of the purchase is a condition of rental.

Liability of Occupiers

As an occupier, the Township has a liability for the people allowed to enter and remain on the premise, including intoxicated individuals and troublesome individuals. Reasonable steps to prevent foreseeable events from occurring will be taken.

PREMISES AND EVENTS WHERE ALCOHOL IS PROHIBITED:

Alcohol is prohibited at all Municipal Parks and Vacant lands unless otherwise authorized by the council of The Township of Georgian Bluffs and approved by the Alcohol and Gaming Commission of Ontario.

Alcohol is prohibited at:

- 1) All sporting events other than in an area specified such as the community centre hall and approved by the Alcohol and Gaming Commission of Ontario where it is separate from the participants and minors.
- 2) In dressing/locker rooms in municipal arenas.
- 3) At youth or minor aged focused events, to ensure underage children do not have access to alcohol.

SUITABLE PREMISES FOR SERVING ALCOHOL:

Alcohol is permitted at designated areas of the municipality's three arena facilities or as approved.

Alcohol is permitted at:

- 1) Shallow Lake & District Community Centre
- 2) Arena Floor area of the Shallow Lake & District Community Centre once the ice has been removed
- 3) Derby Community Centre and arena floor area
- 4) Kemble Community Centre

Permission is subject to prior approval by the Alcohol and Gaming Commission of Ontario and accompanied by a Special Occasion Permit.

CONDITIONS FOR SERVING ALCOHOL

The following must be completed as a condition of approval prior to a facility being rented for alcohol related events:

- 1) **Rental Agreement:** All renters of municipal facilities are required to fill out a rental agreement in which a copy of the Municipal Alcohol Policy will be given to the renter.
- 2) **Signed Checklist:** A signed Municipal Alcohol Policy and Rental Checklist must be signed and returned to the Township designate.
- 3) **Special Occasion Permit:** A Special Occasion Permit from the Alcohol and Gaming Commission of Ontario (formerly the LLBO) is required prior to the event. Permits need to be purchased 10-30 days prior to the event. Permits can be found online at the Alcohol and Gaming Commission website (www.agco.on.ca) or at select LCBO stores.
- 4) **Purchased Liquor:** All liquor must be purchased from an approved retailer as per the Liquor License Act R.S.O. 1990, CHAPTER L.19 as amended. Receipts for the alcohol must be available at the event, posted at the bar. Homemade alcohol is not permitted for sale. Homemade wine and beer may be permitted as per the Special Occasion Permit. Duty-free purchased alcohol is not permitted.

- 5) **Alcohol Liability Insurance:** A minimum amount of \$2 million "Host Liquor Liability Insurance (PAL)" naming "The Corporation of The Township of Georgian Bluffs" as an additional named insured is required prior to the facility being rented for any licensed event. (<http://www.palcanada.com/content/view/14/lang.en/>)

MANDATORY PERSONNEL

As a condition of rental, there are staff requirements for the event:

- 1) A municipal employee or appointed designate must be onsite during the event. Additional charges, if applicable will be charged to the permit holder for their time.
- 2) One bartender is required to be Smart Serve trained. Prior to the event, a list of Smart Serve trained bartenders, servers, and monitoring staff can be provided. Proof that personally hired bartenders and servers are certified will be required prior to the event. Training is mandated through the Alcohol and Gaming Commission of Ontario and can be found online at www.smartserve.org
- 3) At no point before or during the event should bartenders or servers consume alcohol.
- 4) There should also be sufficient staff over the age of 18 present to monitor entrances, exits, guest alcohol consumption, and liquor ticket sales. The chart below gives the suggested guidelines for staff per the amount of patrons.

Bartenders / Servers	1 to every 100 patrons
Door Monitors	1 for 101 to 200 patrons 2 for 201 to 1000 patrons (at least one to be <i>Smart Serve</i> certified)
Floor Monitors	Minimum of 2 Floor Monitors. Floor Monitors are not required to be <i>Smart Serve</i> certified. For every 100 patrons an additional 1 Floor Monitor is required.
Alcohol Ticket Sellers	1 for 1 to 300 patrons 2 for 301 to 600 patrons 3 for 601 to 900 patrons 4 for over 900 patrons

- 5) Formal security and/or an off-duty police presence paid by the renter will be required for alcohol related events exceeding 300 patrons or at the discretion of the Township.

ENTRY AND CONTROLS

Controls at the entry of the event help to prevent the admittance of minors, unless permitted by the Special Occasion Permit, to an event serving alcohol, as well as the entrance of already intoxicated persons to your event. Monitors are to be placed at the entrance of the event in order to turn away minors and intoxicated individuals, as well as anyone attempting to bring in their own alcohol. Persons exiting the designated areas will not be permitted re-entry to the facility to prevent alcohol consumption outside the facility. Smoking areas should be defined and can be

considered a non-alcoholic designated area. These areas are to be monitored.

Acceptable identification must be presented prior to admittance. The Liquor Licence Act Ontario Regulation 389/91 – Special Occasion Permits identifies the only valid forms of identification that can be used to gain entry to an SOP licensed event:

- 1) A driver's licence issued by the Province of Ontario with a photograph of the person to whom the licence is issued.
- 2) A Canadian Passport
- 3) A Canadian citizenship card with a photograph of the person to whom the card was issued.
- 4) A Canadian Armed Forces identification card
- 5) A photo card issued by the board of the Alcohol & Gaming Commission of Ontario;
or
- 6) A photo card issued by the Liquor Control Board of Ontario O.Reg. 398/91, s 29 (5); O.Reg. 561/96, s 1; O.Reg. 66/98, s 7.

This information must be posted at the entrance of the facility. It is the responsibility of the permit holder and monitors to ensure that no minors or intoxicated patrons are served, and that bartenders, servers, and personnel abstain from consumption.

SALE OF ALCOHOL AND SERVING PRACTICES

At municipal facilities a standard set of practices for the sale and serving of alcohol is in place.

All alcohol available must be purchased under the Special Occasion Permit at the LCBO or other sanctioned retailers.

All Alcohol is to be served in plastic cups

Receipts for the liquor purchased must be posted at the bar.

Rather than cash service, tickets are required to be sold for alcoholic drinks.

There can be no discount for purchasing more than one ticket. Patrons will be allowed to redeem unused tickets.

The sale of shooters should be controlled from the bar serving area and liquor for shooters must be from the stock purchased under the SOP.

Non-alcoholic beverages must be provided at a significantly reduced cost or at no charge. Low alcohol products must be available.

Food must be made available to patrons attending the event and snacks do not count.

Specific time constraints for the event are in place, they are:

- 1) The bar will be closed at 1:00 am and no announcement of "last call" will be made".

2) Entertainment will be completed by 1:15 am.

3) The facility must be vacated by 1:45 am. All alcohol must be removed from the premises immediately following the event.

PROCEDURES FOR DEALING WITH PATRONS

With regard to dealing with intoxicated or problem patrons, the protection and safety of all staff including the renters and municipal staff, as well as other patrons is the chief priority.

When dealing with intoxicated persons, the front door staff at an event has the right to refuse entry. Personnel at the event should monitor patrons' alcohol consumption and be aware of someone who is consuming excessively.

Any intoxicated individuals should be removed and placed in a cab. If they insist on driving, or become violent and unsafe, the police should be called.

When an individual is removed, an incident report must be completed.

Staff should be trained in how to deal with problem patrons. If a patron is proving to be disruptive, confrontational, or violent, the police should be called.

DESIGNATED DRIVERS/ SAFE TRANSPORTATION POLICY

The permit holder is responsible to ensure that there is safe transportation available for all drinking participants of their event.

Specific designated drivers shall be assigned and identified.

It is recommended that non-alcoholic beverages be provided free of charge for designated drivers.

SIGNAGE

A variety of signage must be visibly posted for the patrons of the event to see.

The Special Occasion Permit must be posted.

A sign at the entrance regarding valid proof of identification must be posted.

Inside the event, a sign for ticket sales as well as a sign identifying low alcohol and non-alcoholic beverages should be posted.

A Statement of Intoxication must be posted at the bar and ticket selling counter. An example of this sign is as follows:

"It is against the law (Liquor Licence Act of Ontario) to serve customers to intoxication. For this reason, servers are required to obey the law and not serve anyone to intoxication. Non-alcoholic beverages are available."

A warning sign containing the prescribed information that cautions women who are pregnant that the consumption of alcohol during pregnancy is the cause of Fetal Alcohol Spectrum Disorder must be prominently displayed at all times. (<http://www.agco.on.ca/en/b.alcohol/warningsign.html>)

Other required signage can be found on the AGCO website (www.agco.on.ca) or at LCBO stores.

WHAT IS NOT ALLOWED

The following activities should not be allowed at municipal facilities:

- 1) Alcohol raffles
- 2) Drinking Games
- 3) Discounting the price of drinks
- 4) Alcohol as a prize for any game
- 5) Personal gain due to the sale of alcohol at any private function having a Special Occasions Permit
- 6) Removal of alcohol beverages from the designated areas
- 7) Over consumption of alcohol
- 8) Under aged Drinking

The Special Occasion Permit holder is responsible for the safety and sobriety of people attending the event as well as compliance with the Act and Regulations



Municipal Alcohol Policy and Rental Checklist

The Special Occasion Permit holder is responsible for the safety and sobriety of people attending the event as well as compliance with the Act and Regulations

- 1) The permit holder or representative shall attend and be present throughout the Special Occasion Permit event. The permit (and levy receipt for Sale events) must be posted in a noticeable place during the event. The Liquor Licence Act, R.S.O. 1990, c. L.19 applies under any circumstance.
- 2) A warning sign containing the prescribed information that cautions women who are pregnant that the consumption of alcohol during pregnancy is the cause of Fetal Alcohol Spectrum Disorder must be prominently displayed at all times.
- 3) All licensed events shall provide one (1) bartender, who has successfully completed an approved Server Intervention Program course approved by the Alcohol and Gaming Commission of Ontario such as "Smart Serve" per 100 participants. (www.smartserve.org)
- 4) A minimum amount of \$2 million "Host Liquor Liability Insurance (PAL)" naming "The Corporation of The Township of Georgian Bluffs" as an additional named insured is required prior to the facility being rented any licensed event. (<http://www.palcanada.com/content/view/14/lang/en/>)
- 5) Acceptable identification must be presented prior to admittance. The Liquor Licence Act Ontario Regulation 389/91 – Special Occasion Permits identifies the **only** valid forms of identification that can be used to gain entry to an SOP licensed event:
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 - e) A photo card issued by the board of the Alcohol & Gaming Commission of Ontario; or
 - f) A photo card issued by the Liquor Control Board of Ontario O.Reg. 398/91, s 29 (5); O.Reg. 561/96, s 1; O.Reg. 66/98, s 7.

This must be posted at the entrance to the facility. It is the responsibility of the permit holder to ensure that no minors or intoxicated patrons are served, as well that bartenders, servers, and monitors abstain from consumption.

- 6) Reception events for stags, stag and does, bridal showers, etc. must be limited to invited guests only and the event must not be advertised to the public by way of flyers, newspaper or radio. Receptions are private events for invited guests only. Advertising is limited to invited guests only. Do not mention availability of liquor. The general public is not to be admitted.
- 7) The permit holder will ensure proper supervision and ensure no alcohol consumption occurs in an unauthorized location, or no patron leaves the facility intoxicated.

The permit holder must provide monitors or security sufficient to ensure that unauthorized persons do not attend the event and to ensure that the conditions of the permit and requirements of the Act are observed. In order to determine whether security is sufficient, the permit holder shall consider Municipal Alcohol Policy.

- 9) At least one municipal representative must be available for the duration of all S.O.P. events.

- 10) All event workers should wear a form of identification as supplied by the event sponsor.
- 11) Double shots of spirits, or volume discounts and self serve bars are not permitted. The maximum number of single drinks to be served per person at one time is 2. All alcoholic beverages must served through the bar.
- 12) Unused tickets must be redeemable for cash.
- 13) Last call must not be announced. Hours of operation of the bar must be posted.
- 14) Township of Georgian Bluffs Staff, reserves the right to close the bar for an infraction of any of the above items.

Facility Rental Regulations

The facility must be cleared of all persons, goods, and decorations etc. by 2:00 am or one hour after the S.O.P. expires. Time spent after 2am is subject to additional charges at a rate of \$100.00 per hour from 1:00 am unless other arrangements have been made.

The facility renter is responsible for having removed all evidence of the service and consumptions of liquor within forty-five minutes after the S.O.P. expires unless other arrangements have been made.

Only masking tape and ceiling grid hooks are allowed to be used when decorating the hall.

All tables must be cleared of all dishes, garbage and tablecloths etc & washed off.

Kitchen and bar must be left clean after you leave the hall. All counters washed and dishes done.

No confetti allowed in or outside the facility at all.

All candles must be self contained.

Overnight storage of goods, decorations, sound equipment, alcohol, etc. is not permitted unless other arrangements have been made.

The Township is not responsible for items left behind prior to or after an event.

I acknowledge that I have read and agree to abide by the above:

Date: _____ Permit #: _____

Signature of S.O.P. Holder: _____ / Designate _____

Staff Signature: _____