

CORPORATE POLICY AND PROCEDURE



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| POLICY | Municipal Alcohol Risk Management |
| CATEGORY | Operations |
| AUTHORITY | Council |
| RELATED POLICIES | N/A |
| APPROVED BY | Council |
| EFFECTIVE DATE | December 4, 2007 |
| REVISION DATE | Reviewed Annually |

POLICY STATEMENT

The Corporation of the Municipality of Meaford owns and manages facilities where alcohol consumption is not permitted, and other facilities where alcohol consumption is permitted under the authority of a Special Occasion Permit. The Municipality of Meaford has developed an Alcohol Risk Management Policy in order to prevent alcohol related problems that arise from excessive alcohol consumption within its facilities and to promote a safe, enjoyable environment for those who use these facilities.

A range of problems can arise from alcohol consumption. These problems can affect not only the drinkers but other people who use the facilities. These problems include but are not limited to:

- Vandalism and destruction of property;
- Police being called to Municipal property;
- Injuries to drinkers or other individuals;
- Liability action and increased insurance rates arising from alcohol related injuries or death;
- Loss of insurability should the insurer's risk assessment escalate;
- Charges laid against the Municipality or the Special Occasion Permit holders under the *Liquor Licence Act*;
- Suspension or loss of alcohol permit privileges by the Alcohol and Gaming Commission;
- Loss of enjoyment by non-drinkers and moderate drinkers;
- Complaints lodged by offended parties;
- Loss of revenue due to reduced participation; and
- Increased public concern about alcohol consumption.

In many instances, these problems will not be attributable to moderate drinkers or to those who respect the rules regarding alcohol consumption. The majority of these problems will arise from drinkers who engage in four specific drinking practices:

- a) drinking to intoxication;
- b) drinking and driving;
- c) underage drinking; and

d) drinking in prohibited areas.

To the extent that these four drinking practices can be reduced, the likelihood of alcohol related problems will correspondingly diminish. For those who do not engage in these targeted drinking practices, the policy will be minimally intrusive.

PURPOSE OF THE POLICY

The Alcohol Risk Management Policy consists of a range of measures designed to prevent alcohol related problems and increase the enjoyment of those who use the facilities. By reducing the potential for alcohol related problems, the Municipality of Meaford concurrently increases users' enjoyment of the facilities, reduces the risk of death and injury, and reduces its risk of liability actions. In this context, policy measures introduce methods that promote responsible drinking barriers which impede the adoption of the targeted drinking practices.

POLICY REQUIREMENTS

The policy is divided into four sections:

1. designation of facilities where alcohol use is prohibited;
2. designation of facilities where alcohol use is permitted;
3. specification of conditions under which alcohol use is permitted; and
4. enforcement procedures for violations of the policy.

SECTION 1. AREAS DESIGNATED WHERE ALCOHOL USE IS PROHIBITED

The Alcohol and Gaming Commission prohibits the consumption of alcohol in public places unless a licence or a Special Occasion Permit has been issued. In accordance with the *Liquor Licence Act*, the consumption of alcoholic beverages is prohibited in the majority of parks, gardens, sports facilities and service facilities in the Municipality of Meaford. The Municipality of Meaford Council may change the designation of any site at its discretion. Users who seek permission to use these facilities will be asked to sign a form agreeing that people included in the activity or event will not be intoxicated or consume alcohol.

SECTION 2. AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL

There are facilities and areas currently designated for alcohol use under the authority of a Special Occasion Permit. Meaford Council may change the designation of any site at its discretion.

Designated Properties and Facilities Eligible for Alcohol Service

1. Community Centre
Arena Floor
Dance Hall
Meeting Room
Main Lobby
2. Memorial Park
Kinhall

3. Riverside Community Centre
Main Hall
4. Woodford Community Centre
Main Hall - Upper and Lower Levels
5. Bognor Community Centre
Main Hall
6. Meaford Harbour
Pavilion & Connecting Pad
7. Wm. Croft Athletic Field
Designated Area
8. Annan Ball Park
Designated Area
9. Meaford Hall
Whole Building
10. Meaford Public Library
Events Room (3rd floor)
11. Meaford and District Fire Station
Whole Building

Council, at its discretion, may grant permission or designate any other Municipal area as a facility eligible for alcohol service 21 days prior to an event. Meaford Hall, being a fully licenced facility, will not require a special occasion permit for any function.

RATIONALE

These areas have been designated for eligibility for Special Occasion Permits.

Designated Events not Eligible for Alcohol Service

1. youth events
sports banquets
sports activities
youth dances

RATIONALE

Minor sports banquets and Family Day events are intended for young people and families. Adults supervise and drive young people to and from these events and should not be drinking and driving. If adults present don't drink, this sets a positive example for young people.

SECTION 3. CONDITIONS FOR SPECIAL OCCASION PERMITS

Anyone who wishes to serve alcohol at a designated site must obtain a Special Occasion Permit from the Alcohol and Gaming Commission. The Special Occasion Permit holder must ensure that all the conditions of the *Liquor Licence Act* and this policy are adhered to at the event. The Municipality of Meaford is under no legal obligation to allow licensed events to be held on its property. If the Municipality of Meaford so chooses, it may impose on the event whatever restrictions it deems appropriate in the circumstances.

ALL SPECIAL OCCASION PERMIT HOLDERS ARE REQUIRED TO ADHERE TO THE FOLLOWING CONDITIONS:

3.1 CATEGORY: CONTROL

3.1.1 The monitors, permit holders, bartenders and servers will not consume alcohol during the event while they are on duty, nor will they be under the influence of any alcohol consumed before the event.

(a) At least 60% of the proposed bartenders must hold a certificate in the Smart Serve program.

3.1.2 The permit holder will provide to the Municipality of Meaford a list of the proposed bartenders, servers and monitors, two weeks prior to any event being held on Municipal property that is not staffed by Municipal employees.

3.1.3 The Municipality of Meaford reserves the right to determine who can serve as bartenders, servers or monitors.

3.1.4 The permit holder will ensure that the bartenders and servers do not serve alcohol to underage, intoxicated, rowdy or unauthorized people at the event.

3.1.5 There will be at least 1 (one) monitor per 100 (one hundred) participants at the facility or area, for the entire duration of the event. For an event with over 301 people, it shall be a requirement to hire off-duty police officers to monitor such event. Monitors will supervise the event, encourage legal and moderate drinking behaviour and ensure that any problems that arise are dealt with appropriately. When hiring off-duty police officers the ratio shall be,

2 officers – 301 to 500

4 officers – 501 to 1000

3.1.6 The permit holder will accept only a Proof of Age Card, a photo driver's licence, or a passport as identification for alcohol purchase or consumption. Identification will be demanded at the door and rowdy or intoxicated individuals will be refused entrance. All minors attending an event must be clearly identified with a wristband or some other source that is clearly identifiable during the event.

3.1.7 The permit holder will assist the bartenders in determining when assistance is needed and requesting it from the appropriate authorities. The Municipality of Meaford will install appropriate signage listing all rules and defining all alcohol services.

RATIONALE

The Special Occasion Permit holder and the facility owner need to be alerted to the potential liability and attendant responsibility to prevent participants from becoming intoxicated and protect them from foreseeable harm.

In order to provide a safe environment and control behaviour, event organizers must supervise entrances and exits. By controlling entry, underage, intoxicated, rowdy or unauthorized people can be prevented from entering an event. This will considerably reduce the likelihood of a problem occurring.

By providing the facility owner with a list of bartenders, servers or monitors, those who previously have served minors, and served intoxicated patrons can be asked not to participate in the event. A facility owner who failed to take such steps would be in a far more precarious legal position in any subsequent suit.

3.2 CATEGORY: SALE OF ALCOHOL

- 3.2.1 When tickets are sold for alcoholic beverages, there will be a limit of 4 per person at one time. Discounts will not be offered for the volume purchase of tickets. A sign will be posted advising of this policy.
- 3.2.2 When tickets are not sold, each person will be limited to 4 (four) drinks at a time.
- 3.2.3 A sign will be posted at the bar and at the ticket counter stating the law on serving to intoxication.
- 3.2.4 The permit holder will refund any unused tickets at any time during the event.
- 3.2.5 The sale of tickets will cease ½ hour before the bar closes, and will open back up 15 minutes after the bar closes. Drink tickets will be refundable at any time during the event.
- 3.2.6 It is a requirement that all beverages will be served in plastic cups. Glass bottles **or cans** will not be permitted outside the bar area.
- 3.2.7 There will be NO last call announcement.

RATIONALE

By limiting the number of tickets or drinks participants can purchase at one time, the ticket sellers, monitors, bartenders and servers are provided with more opportunities to observe participants for signs of intoxication. Table consumption can be moderated by not selling rounds of large numbers of tickets – strip of twenty, for example.

3.3 CATEGORY: ACCOUNTABILITY

- 3.3.1 The Lessee must have a minimum of 2 (two) million dollars liability insurance to be obtained 2 (two) weeks prior to the event. The insurance policy shall name the Municipality of Meaford as an additional insured. A copy of the insurance policy is to be given to the Municipality two weeks prior to the event.

RATIONALE

If an individual is injured, and if the Municipality of Meaford were to be found “jointly and severally” liable, the Municipality of Meaford could end up paying the total judgment should the Special Occasion Permit holder be uninsured or inadequately insured. In addition to costing the municipality to settle the award, a municipality might have difficulty obtaining continued insurance coverage.

3.3.2 Entrances and exits are to be monitored by two people of legal drinking age.

RATIONALE

Controlling the doors ensures that those attending the event are not underage, intoxicated or known troublemakers and therefore makes it less likely that problems will occur. Controlling the door ensures that the event is not overcrowded and meets fire department regulations. When two people monitor the door, each worker has a backup if someone is refused admission. A lone door supervisor could feel personal pressure to admit a close friend or relative who should be refused admission.

3.3.3 Floor Supervision

Floor supervisors must be of legal drinking age, and they must monitor the activity on the floor.

3.3.4 Providing Food and Non-Alcoholic Drinks

As stated by the Liquor Control Board of Ontario, chips, peanuts and other snacks do not qualify as food. At the very least, food consists of sandwiches, cheese, and vegetables with dip.

Event workers are to encourage patrons to consume food, non-alcoholic and low alcoholic beverages.

Non-alcohol drinks must be available at no charge or at a cost much lower than that of drinks containing alcohol.

Where wine is provided with a meal, a non-alcohol substitute, such as ginger ale or sparkling fruit juice, must be provided to ensure that children and abstainers are included in toasting the celebrants.

3.3.5 Signage

Signs will be posted in all facilities stating the name of the event licence holder and telephone number of the O.P.P., fire and ambulance.

3.4 **CATEGORY: SAFE TRANSPORTATION**

The permit holder will be responsible for promoting safe transportation options for all the drinking participants. A sign shall be posted advising all participants of a contact name and phone number to call for a ride home.

RATIONALE

The risk of liability is high when an impaired driver leaves an alcohol related event. Event organizers must assume responsibility for promoting safe transportation for all drinking participants. Safe transportation options are essential since the only way to sober up an impaired person is with time. Coffee provided at the end of the evening only turns a sleepy drunk into a wide awake drunk and still unable to drive.

3.5 CATEGORY: OTHER

SECTION 4. ENFORCEMENT PROCEDURES FOR POLICY VIOLATION

4.1 AREAS WHERE ALCOHOL IS PROHIBITED

- 4.1.1 A violation of this policy occurs when individuals consume alcohol in a facility or area where alcohol consumption is prohibited. Group members, staff and the local authorities may intervene if there is a policy violation.
- 4.1.2 A group may intervene by informing the offending individual(s) that the alcohol policy prohibits alcohol consumption and asking that the violation stop. Group members should feel encouraged to intervene in this way because intervention at other levels could result in a loss of privileges and legal charges.
- 4.1.3 A staff member of the Municipality of Meaford will take steps to ensure the policy violation stops. Staff members can ask that the consumption of alcohol stop, or they can ask the individual or organized group to leave the facility or area, depending on the circumstances and the nature of the violation (especially if there is the potential for harm, for loss of enjoyment by non-drinkers, or for the complaints). Should the individuals or group members fail to comply, the staff can call the police for enforcement.
- 4.1.4 Where a member(s) or organized group(s) have violated the policy, and have been notified of the violation, they may receive a registered letter stating the violation and indicating no further violations will be tolerated. Some violations are serious enough to warrant denial of access immediately. This decision may be made by the Alcohol and Gaming Commission inspector, the police or at the Council's discretion.
- 4.1.5 Should members of a group violate the policy after receiving a warning, the security deposit will be forfeited and they may be required to appear before Council or its representative.
- 4.1.6 If a violation occurs after a group's security deposit is forfeited, the group will be suspended from use of the facility for a minimum of one year. A registered letter will be sent and the group will be required to appear before Council or its representative for reinstatement.
- 4.1.7 A member of the O.P.P. may intervene in a violation of this policy on his or her initiative or in response to a request either from any staff member or a member of the general public. The police officer may ask that the alcohol consumption stop, or can order the individuals or organized group to leave the facility area. In addition the officer may, at his own discretion, lay charges against the offending individuals under the Alcohol and

Gaming Commission or any other relevant legislation. The police have the right to seize any alcohol that is used in the commission of an offence under the *Liquor Licence Act*.

4.2 AREAS WHERE ALCOHOL IS PERMITTED

- 4.2.1 A violation of this policy occurs when the Special Occasion Permit holders fail to comply with the conditions of the Alcohol and Gaming Commission or the Alcohol Policy. Participants, staff, local authorities and an Inspector of the Alcohol and Gaming Commission may intervene if there is a policy violation.
- 4.2.2 A member of the organizing group or the designated monitor may intervene by informing the offending individual(s) of the policy violation and ask that it stop. Group members should feel encouraged to intervene in this way because intervention at other levels could result in loss of privileges and legal charges.
- 4.2.3 A Municipal staff member will take steps to ensure the policy violation stops. Depending upon the severity of the policy infraction, the organizers of the event may be asked to stop the violation or they may be closed down. Should the organizers fail to comply, the police may be called for enforcement.
- 4.2.4 Where the Special Occasion Permit holders have violated the alcohol policy, and have been notified of the violation, they may receive a registered letter advising of the violation, and indicating that no further violations will be tolerated. Some violations are serious enough to warrant immediate shut down or denial of access. This decision may be made by the Alcohol and Gaming Commission Inspector, police or at Council's discretion.
- 4.2.5 Should members of a group violate the policy after receiving a warning, the security deposit will be forfeited and they may be required to appear before Council or its representative.
- 4.2.6 If a violation occurs after a group's security deposit is forfeited, the group will be suspended from use for a minimum of one year. A registered letter will be sent and the group will be required to appear before Council or its representative for reinstatement.
- 4.2.7 A member of the O.P.P. or an Inspector from the Alcohol and Gaming Commission may intervene in a violation of the policy on his or her initiative, or in response to a request from either a staff member or a member of the general public. Depending upon the severity of the infraction, charges may be laid under the Alcohol and Gaming Commission or any other relevant legislation. The police have the right to seize any alcohol used in commission of an offence under the Alcohol and Gaming Commission.
- 4.2.8 Where the Municipality owns a harbour facility and/or a camping facility, alcohol shall be permitted on **your** designated camp site and/or **your** designated boat slip. Boats must be tied to a dock or mooring. Alcohol will not be permitted to leave your designated campsite or boat slip.

This policy is to be reviewed at the end of each fiscal year.