



MUNICIPALITY OF NORTHERN BRUCE PENINSULA

MUNICIPAL ALCOHOL USE POLICY

Section 1 - OBJECTIVES

- 1.1 To provide clear guidelines relating to alcohol use in municipal facilities and municipal properties
- 1.2 To provide education and guidelines in order that the renter operates a safe and problem-free event
- 1.3 To educate individuals and/or groups who are operating a licensed event (under the auspices of a Special Occasion Permit, "SOP") in a municipal facility, park or land in accordance with the Municipality's Municipal Alcohol Use Policy and the Liquor License Board of Ontario ("LLBO")
- 1.4 To encourage the safe and legal use of alcohol thereby reducing possible injury or incident to persons and/or property which could result from alcohol consumption

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Section 3 - DEFINITIONS AND SHORT FORMS

- 3.1 "Alcohol" means spirits, wine or beer or any combination thereof and includes any product of fermentation or distillation in a form appropriate for human consumption as a beverage, alone or in combination with another beverage;
- 3.2 "Applicant" means an individual or group of individuals or a corporation or an organization making an application to hold an event, function, game on Municipal property, which may or may not involve the serving of alcohol;
- 3.3 "Chief Administrative Officer" (CAO) means the Chief Administrative Officer of the Municipality of Northern Bruce Peninsula;

- 3.4 "Clerk" means the Municipal Clerk of the Municipality of Northern Bruce Peninsula;
- 3.5 "Council" means the Council of the Corporation of the Municipality of Northern Bruce Peninsula;
- 3.6 "LLBO" refers to the Liquor License Board of Ontario;
- 3.7 "Policy" means the Municipal Alcohol Use Policy set out herein;
- 3.8 "Municipal", "Municipality" or "Municipal Corporation" means the Corporation of the Municipality of Northern Bruce Peninsula;
- 3.9 "Municipal Property" means all municipally owned or municipally leased property(ies), premises and facility(ies);
- 3.10 "Municipal Representative" means the staff person designated to oversee a particular event or his/her designate;
- 3.11 "Responsible Person" means the person designated under the Special Occasion Permit as being responsible for the event;
- 3.12 "Special Occasion Permit" (SOP) means a permit issued pursuant to the Liquor License Act;
- 3.13 "Sponsor/Agent" means an individual or group of individuals, a corporation or an organization seeking to hold or holding an event on Municipal property which may involve the serving of alcohol;
- 3.14 "Policy" means the Municipal Alcohol Use Policy set out herein;
- 3.15 "SSP" refers to the Smart Serve Program (training course).

Section 4 – APPLICATION PROCESS

- 4.1 Prior to the event, the applicant or designate shall:
 - a) Submit to the Clerk's Office a letter outlining the purpose of the event and requesting permission to have an LLBO licensed event;
 - b) Submit a signed copy of the Municipal Facility Alcohol Use Agreement;
 - c) Obtain confirmation from the Municipality that the municipal property is available for rental or use on the date(s) requested;
 - d) Submit to the Clerk's Office a list of all event staff along with each trained alcohol servers' registration number pursuant to the ratios established in Section 6 of this policy;
 - e) Provide the Municipality with the liability insurance certificate identified under Section 10 of this policy.
- 4.2 Upon receipt of a letter requesting permission to hold an LLBO event and other required information as set out in Section 4.1, the Clerk shall forward the request to the appropriate municipal department(s) for processing.
- 4.3 The CAO or Facility Operations Supervisor are delegated the authority to approve applications to hold an LLBO licensed event provided that the application meets all requirements of this policy.

4.4 Any exceptions to this policy must be approved by Council.

Section 5 – MUNICIPALLY DESIGNATED ELIGIBLE PROPERTIES FOR LLBO LICENSED EVENTS

5.1 The following municipal properties may be used for LLBO licensed events under the authority of a Special Occasion Permit:

	Capacity:
a) Lion’s Head Arena and Community Centre	_____
b) Rotary Hall	_____
c) Lion’s Head Beach Park	_____
d) Tobermory Community Centre	_____
e) Tobermory Ball Diamond	_____
f) Municipal Office	_____
g) Lion’s Head Friendship Club building	_____
h) Eastnor Ball Diamond	_____
i) Stokes Bay Community Centre	_____
j) Lion’s Head Fire Hall	_____
k) Tobermory Fire Hall	_____

5.2 Alcohol consumption is not permitted in any dressing and/or change room(s) in any municipal facility.

5.3 Parks Canada will determine alcohol use eligibility upon its lands not the Municipality.

Section 6 – LIABILITY INSURANCE REQUIREMENTS AND INDEMNIFICATION

6.1 Special Occasion Permits must be obtained from the LLBO for all events occurring on municipal properties and/or facilities where liquor will be offered.

6.2 All events must carry Commercial General Liability insurance and property damage insurance with an insurer satisfactory to the Municipality in an amount not less than Five Million (\$5,000,000.00) Dollars.

6.3 The insurance policy/certificate shall name the Corporation of the Municipality of Northern Bruce Peninsula as an additional insured for the period of the event as agreed upon with the Municipality.

6.4 The insurance endorsement shall also state that coverage will respond to all claims relating to the LLBO licensed event held on the subject municipal premises and shall not exclude participants.

6.5 The permit holder agrees to indemnify and save the Municipality of Northern Bruce Peninsula, its elected and public officials and employees

harmless from all claims, damages, losses and expenses which might arise as a result of this event taking place.

- 6.6 The permit holder agrees to provide complete copies of the insurance policies to the CAO at least three (3) weeks prior to the scheduled event.
- 6.7 The insurance policy/endorsement shall provide for cross-liability and severability of interest in favour of the Municipality of Northern Bruce Peninsula.
- 6.8 The insurance policy/endorsement shall contain a clause that the policies will not be amended or cancelled without the prior written consent of the Municipality of Northern Bruce Peninsula.
- 6.9 Permit holders may wish to obtain insurance coverage through the Municipal Insurers under the LCIS – Facility Users Program.

Section 7 – PERMIT HOLDER RESPONSIBILITY

- 7.1 The permit holder will comply with all relevant regulations of the Liquor Licence Act and related regulations in addition to all terms and conditions associated with the Special Occasion Permit.

Section 8 – POLICY SUPPORT AND IMPLEMENTATION

- 8.1 This policy will be implemented upon the date of approval by Council.
- 8.2 This policy will be provided to all event applicants.
- 8.3 The Municipal Alcohol Use Policy shall be available at the Municipal Office and on the Municipal website.
- 8.4 A review of this policy will be conducted every five (5) years from date of implementation.



**MUNICIPALITY OF NORTHERN
BRUCE PENINSULA**

MUNICIPAL ALCOHOL USE AGREEMENT

NAME OF GROUP/ORGANIZATION: _____

NAME OF PROPOSED LICENSE
HOLDER: _____

NAME OF CONTACT PERSON: _____

CONTACT ADDRESS: _____

CONTACT TELEPHONE #: _____

CERTIFICATION

1. I/We have received and reviewed the Municipal Alcohol Use Policy for Facilities and Properties;
2. I/We agree to adhere to the terms and conditions of this policy and the Liquor License Act of Ontario;
3. I understand that, if a violation of the Policy occurs, the Municipality of Northern Bruce Peninsula, will warn in writing and suspend the organization from the use of Municipal facilities/properties for a period of one (1) year;
4. I/We understand that we can be held liable for injuries and damage arising from failing to adhere to the Liquor License Act of Ontario or from otherwise failing to take precaution to prevent foreseeable harm from occurring;

5. I/We understand that the Ontario Provincial Police and a Liquor License Board Inspector can lay charges for infractions of the Liquor License Act of Ontario or other relevant legislation.
6. I/We agree to satisfy the liability insurance requirements and indemnification pursuant to Section 11 of this Policy.

I, _____, acknowledge
(please print name legibly)
that my signature affixed to this Agreement acknowledges my understanding of the Municipal Alcohol Use Policy and assurance that compliance will occur with respect to all provisions.

Date

Signature

FOR OFFICE USE ONLY:

Agreement Received by: _____

Date: _____

Copy provided to: _____

**THE CORPORATION OF THE MUNICIPALITY OF
NORTHERN BRUCE PENINSULA**

BY-LAW NO. 2010-50

BEING A BY-LAW TO ADOPT A MUNICIPAL ALCOHOL POLICY

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, as amended provides that the powers of a municipality confer broad authority upon the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS the Municipality deems it desirable to adopt a municipal alcohol policy relating to alcohol use in municipal facilities and on municipal properties;

NOW THEREFORE the Council of the Corporation of the Municipality of Northern Bruce Peninsula enacts as follows:

1. That a Municipal Alcohol Use policy is hereby adopted.
2. That a copy of said policy be attached hereto and form a part of this by-law as Schedule "A".
3. That this by-law shall come into force and effect upon the final passing thereof.

READ A FIRST AND SECOND TIME THIS 28TH DAY OF JUNE, 2010.

READ A THIRD TIME, FINALLY PASSED, SIGNED AND SEALED THIS 28TH DAY OF JUNE, 2010.

MAYOR – Milt McIver

CLERK – Mary Lynn Standen