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# Township Of Southgate Alcohol Risk Management Policy

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## **ALCOHOL RISK MANAGEMENT POLICY**

### **SCHEDULE "A"**

#### **PREAMBLE**

The Corporation of the Township of Southgate 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 Township of Southgate 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:

- 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 deaths;
- loss of insurability should the insurer's risk assessment escalate;
- charges laid against the Township of Southgate or the Special Occasion Permit holders under the Liquor License Act;
- suspension or loss of alcohol permit privileges by the Liquor License Board of Ontario;
- 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. The policy is not intended to stand in opposition to legal and moderate drinking.

### **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 Township of Southgate concurrently increases user's enjoyment of the facilities, reduces the risk of death and injury and reduces its risk of liability actions. In this context, policy measures introduce barriers which impede the adoption of the targeted drinking practices.

The policy is divided into four sections:

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

### **SECTION 1. AREAS DESIGNATED WHERE ALCOHOL USE IS PROHIBITED**

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The Liquor License Act of Ontario prohibits the consumption of alcohol in public places unless a license or a Special Occasion Permit has been issued. In accordance with the Liquor License Act, the consumption of alcoholic beverages is prohibited in the majority of parks, gardens, sports facilities and service facilities in the Township of Southgate. Southgate Council may change the designation of any site at its discretion. A complete list of these areas can be obtained from the municipal office.

### **SECTION 2. AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL**

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There are facilities and areas currently designated for alcohol use under the authority of a Special Occasion Permit. Southgate Council may change the designation of any site at its discretion. A complete list of these areas can be obtained from the municipal office.

Municipal Facilities designated for users with a Special Occasion Permit are:

- Dundalk and District Community Centre
- Frank Macintyre Building
- Holstein Pavilion

### **SECTION 3. CONDITIONS FOR SPECIAL OCCASION PERMITS**

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A responsible person must obtain a Special Occasion Permit from the Liquor Board of Ontario. The Special Occasion Permit holder must ensure that all the conditions of the Liquor License Act and this policy are adhered to at the event. The Township

of Southgate is under no legal obligation to allow licensed events to be held on its property. That person must review the Alcohol Risk Management Policy, and sign the form on Appendix A.

***If the Township of Southgate 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.**

**3.0 CATEGORY: CONTROL**

**3.1 Special Occasion Permit Specific**

3.1.1 Applicant must be 19 years of age or older to apply for SOP.

3.1.2 You may serve liquor only during hours specified on your permit. See Control Township of Southgate Specific Section 3.4.1 for Hours of Service permitted.

3.1.2 An adequate supply of food must be available to persons attending event. Snacks such as chips, peanuts, or popcorn are not an acceptable substitute.

3.1.3 A permit holder may advertise a Public Special Occasion Permit event only in accordance with the Registrar's Advertising Guidelines. **Reception Special Occasion Permits cannot be advertised.**

3.1.3 The permit holder must provide security sufficient to ensure that the conditions of the permit and requirements of the Liquor License Act are observed. (See Control Township of Southgate Specific Section 3.2.1 for Required Security)

3.1.4 A sale permit is required for events where money is collected for liquor:

- An admission charge to event;
- Admission or liquor tickets sold to people attending to event; or
- The collection of money for liquor before the event.

3.1.5 A no sale permit is issue when:

- Liquor is served without charge;
- No money is collected directly or indirectly for liquor from guests; and
- The permit holder absorbs all the cost.

3.1.6 Outdoor events are those events which take place outdoors or in a temporary structure. The outdoor area must be clearly defined and separated from unlicensed areas by a minimum 36"(0.9m) high partition. Outdoor applications must include:

- Notification letters to the police, fire, health and municipal clerk's departments; and
- A detailed sketch showing the dimensions of the area for which the permit will apply.

3.1.7 Receptions are private events for invited guest only. Notification is limited to invited guests only and must not mention the availability of liquor. The general public must not be admitted to a reception event. No profit shall be directly or indirectly made from the sale of liquor.

(Notification may be a reminder notice in the Newspaper; cannot mention admission or the sale of alcohol – May accept admittance donation, this is not shown as profit to event)

3.1.8 Public Event permit can be issued:

- To a registered charity;
- To non-profit organizations; or
- For an event of municipal, provincial, national or international significance.

A municipal resolution must be obtained if permit holder is not a register charity or a non- profit organization. (See Category Township Resolution Section 3.8 for municipal resolution)

3.1.9 The permit holder is responsible for the safety and sobriety of people attending the event as well as compliance with the Liquor License Act and regulations.

## **3.2 Township of Southgate Specific**

3.2.1 Permit holder will provide security sufficient to ensure no minors will be consuming alcohol in area designated in the Special Occasion Permit. Licensed security staff and/or police capable of ensuring compliance with the gaming control act and the Liquor License Act and Regulations shall be maintained at licensed events as per appendix B. Police shall be given a minimum of 30 days notice in advance of licensed events to assess security requirements.

3.2.2 The permit holder will accept only a proof of age card, or a photo driver's license. This allows staff to ensure underage, intoxicated, rowdy or troublesome individuals are not allowed entrance.

3.2.3 The permit holder will provide to the Township of Southgate a list of the proposed bartenders, servers and monitors, two weeks prior to the event.

3.2.4 The Township of Southgate reserves the right to determine who can serve as bartenders, servers or monitors.

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

3.2.6 There will be at least 1 floor monitor per 100 participants and 1 door monitor for each additional entrance and exit other than the main entrance for the duration

of the event. This allows you to take reasonable steps to prevent impaired persons from driving. (See Appendix D for duties of monitors)

3.2.7 The monitors, bartenders and servers will not consume alcohol during the event while they are serving, nor will they be under the influence of any alcohol consumed before the event.

3.2.8 The permit holder will be responsible for determining when assistance is needed and requesting it from the appropriate authorities.

3.2.9 Ensure the facility is adequately lit, signs are visible, and stairs are clear. As the occupier of the premises, your group is required to ensure the physical setting is safe for both drinkers and non-drinkers. Your group may be held liable if an accident occurs due to the physical set-up of the facility or area.

3.2.10 No "last call" is to be announced.

3.2.11 All event workers (monitors, bartenders, servers, and ticket sellers) must be the age of majority, and certified by a Board/AGCO approved training program, and must refrain from consuming alcohol prior to and during the event. A list of Smart Serve workers is to be provided to the Township prior to the event with AGCO/Smart Serve certificate numbers.

3.2.12 A list of monitors, bartenders, servers and ticket sellers is to be made available to the Township at least 2 weeks prior to the event and that said list shall be posted with the groups Special Occasion Permit.

3.2.13 The person whose name is on the permit must be certified by a Board/AGCO approved training program, must be present at the event and must refrain from alcohol consumption prior to and during the event.

3.2.14 For any reason the person who is named on the Special Occasion Permit is unable to attend, then a replacement designate will be named in writing who must also have a certification from a Board/AGCO approved training program (ie: Smart Serve) and must follow all the controls set out for the initial SOP holder.

3.2.14 The SOP permit holder or their designate have the right to refuse admittance to persons who are underage, or to any individuals who appear intoxicated or rowdy.

3.2.15 All areas designated for alcohol consumption must be kept separate and clearly identified as separate from any and all other activities. Ie: ball diamond separate from beer gardens, dance floor separate from consumption area, unless so approved by the municipality.

3.2.16 If an alcohol related violation occurs, act promptly to rectify the situation and restore adherence to the Liquor License act. Whenever the Act is violated at your event, you are at risk of being charged. Even if no charge is laid, the fact that

the Liquor License Act has been violated can be used to undermine your defense in any civil suit.

3.2.17 Security personnel must wear identifiable clothing (such as having "security" or "staff" printed on their clothing) and be present on the licensed premises during all hours of alcohol service and one hour past the time sale and service of alcohol cease.

3.2.18 Ensure that security is assigned to monitor the property adjacent to and in the vicinity of the licensed premises to deter disorderly conduct and to deter persons from consuming alcohol outside the licensed premises.

3.2.19 Ensure adequate lighting is present at all entrances/exits to the licensed areas, ticket sellers table, alcohol service bar, and washroom areas, to facilitate accurate inspection of identification and monitoring of premises.

### **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 behavior, 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 and monitors, those who previously have over served, 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.

If injuries result from an event, the facility owner can be held liable and prosecuted under the Liquor License Act, regardless of any agreement with the permit holder.

### **3.3 CATEGORY: MINORS**

3.3.1 Any event on Municipal property expected to have attendance over 300 is not allowed to permit minors, except family functions and closed parties such as weddings unless otherwise approved by council.

### **3.4 CATEGORY: SALE OF ALCOHOL**

- 3.4.1 Permits on Municipal property; The Township of Southgate authorizes the hours of service specified on permit to be no later than 1pm, unless written approval by council. Council may impose reduced hours of service if deemed necessary.
- 3.4.2 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.
- 3.4.3 When tickets are not sold, each person will be limited to a purchase of 2 drinks at a time.
- 3.4.4 A sign will be posted at the bar and at the ticket counter stating the law on serving to intoxication.
- 3.4.5 The permit holder will refund any unused tickets at any time during the event. To do otherwise, encourages increased consumption and intoxication.
- 3.4.6 That no marketing practices which encourage increased consumption, i.e., oversized drinks, double shots, pitchers of beer, drinking contests, volume discounts, will be permitted.
- 3.4.7 Ensure that liquor sales occur a minimum of 25 feet from the alcohol service bar.

#### **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.

### **3.5 CATEGORY: LOW ALCOHOL AND NON-ALCOHOLIC OPTIONS**

- 3.5.1 The permit holder will ensure that 20% of the alcoholic beverages offered consist of low alcohol options (i.e., low alcohol beer, light wine, and low alcohol spirits).

#### **RATIONALE:**

Low alcohol beverages help prevent intoxication by providing responsible consumers with an opportunity to consume less alcohol and avoid becoming



intoxicated while providing servers with a substitute drink for those nearing intoxication. A patron consuming a regular beer (at 5% alcohol) could drink two "extra light" beers (at 2.5% alcohol) to ingest the same amount of alcohol. Similarly "light" beer (at 4% alcohol) represents a 20% reduction in alcohol intake.

### **3.6 CATEGORY: ACCOUNTABILITY**

3.6.1 The Permit holder will obtain a minimum of one million dollars liability insurance, two weeks prior to the event. The insurance policy shall name the Township of Southgate as an additional insured. A copy of the insurance policy to be given to the municipality two weeks prior to the event.

#### **RATIONALE:**

If an individual is injured, and if the Township of Southgate were to be found "jointly and severally" liable; the Township of Southgate could end up paying the total judgement 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.

### **3.7 CATEGORY: SAFE TRANSPORTATION**

3.7.1 The permit holder will be responsible for promoting safe transportation options for all the drinking participants. Examples of safe transportation options are:

- a) designated drivers selected from non-drinking participants at the event;
- b) designated drivers provided by the sponsoring group; or
- c) taxis paid either by the sponsoring group or the participant.

#### **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.

### **3.8 CATEGORY: MUNICIPAL RESOLUTION/ NOTIFICATION**

3.8.1 To obtain a Municipal Resolution/Notification for permits:

- Notification must be made in writing to the Clerk's Department minimum 60 days prior to Event for less than 5000 attending or 90 days for more than 5000 attending;

- Municipality will not process notification to police, fire, and health departments. The permit holder must obtain notification letters from these departments personally:
- Municipality may impose other conditions at its discretion.

## **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 member 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 Township of Southgate 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 complaints). Should the individuals or group members fail to comply; the staff member 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 Inspector for Liquor Enforcement Section, the police or at 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 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 Ontario Provincial Police 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 or area. In addition, the officer may, at his or her discretion, lay charges against the offending individuals under the Liquor License Act of Ontario 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 License 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 Liquor License Act of Ontario or the Alcohol Policy. Participants, staff, local authorities and an Inspector of the Liquor Enforcement Section 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 and monitors should feel encouraged to intervene in this way because intervention at other levels could result in a loss of privileges and legal charges.
- 4.2.3 A Southgate 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 Inspector for the Liquor Enforcement Section, 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 Ontario Provincial Police or and Inspector from the Liquor Enforcement Section may intervene in a violation of this policy on his or her initiative, or in response to a request from either any staff member or a member of the general public. Depending upon the severity of the infraction,

charges may be laid under the Liquor License Act of Ontario or any other relevant legislation. The police have the right to seize any alcohol used in the commission of an offence under the Liquor License Act of Ontario.

**APPENDIX A**

**AGREEMENT FORM FOR SPECIAL OCCASION PERMIT HOLDERS**

1. I have received and reviewed a copy of the Township of Southgate Alcohol Risk Management Policy.
2. I agree to adhere to the conditions of the Policy and the Liquor License Act of Ontario.
3. I understand that if an infraction of the Policy occurs, the Township of Southgate may warn or forfeit the security deposit or suspend my organization from using the facilities for a minimum period of one year.
4. I understand that I can be held liable for injuries and damages arising from failing to adhere to the Liquor License Act of Ontario, or from otherwise failing to take action that will prevent foreseeable harm from occurring.
5. I understand that the Ontario provincial Police and the Inspector from the Liquor Enforcement Section can lay charges for infractions of the Liquor License Act of Ontario or other relevant legislation.
6. I agree to obtain the appropriate insurance at least two weeks prior to the event.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**APPENDIX B  
RATIO OF WORKERS FOR SPECIAL OCCASION PERMITS  
ON MUNICIPALLY OWNED PROPERTY**

<b>Attendance</b>	<b># Of Bartenders</b>	<b># of floor monitors</b>	<b># Of Entrance Monitors</b>	<b>Security Police Recommendation</b>
Up to 100	1 Trained	1 Trained	2 Trained	At the OPP discretion
101-225	2 Trained	2 Trained	2 Trained	At the OPP discretion  ( If Minors are Admitted 2 Police Only)
226-399	3 trained	3 Trained	2 Trained	2 Police Only
400-599	4 Trained	4 Trained	2 Trained	2 Police/ 2 Other (Security or Police)
600-1200	6 Trained	6 Trained	2 Trained	2 Police/ 4 Other (Security or Police)

\*\*\* Numbers may change at the discretion of the OPP and /or the Township of Southgate

“Trained” refers to a person certified under the Smart Serve Program of Ontario/Server Intervention Program

## **APPENDIX D**

### **JOB DESCRIPTIONS AND DUTIES**

#### Permit Holder:

- Signs the alcohol permit
- is the general manager of the event
- assumes responsibility and liability for the operation of the event
- Must be 19 years of age or older

#### Bartenders:

- Accepts tickets for the purchase of alcohol drinks
- serves drinks
- monitors for intoxication
- refuses service when patron appears to be intoxicated or near intoxication
- offers non-alcoholic substitutes.
- Must be 19 years of age or older

#### Floor Monitor:

- Chats with participants
- monitors patron behavior and crowd control
- monitors for intoxication
- responds to problems and complaints
- refuses service
- removes intoxicated persons
- suggests safe transportation alternatives
- Must be 19 years of age or older.

#### Door Monitor:

- Two monitors should be at the entrance during main arrival time, one will be sufficient when it is felt that most people have arrived.
- One monitor must be present at each additional entrance/exit for the duration of the event.
- Checks identification and verifies age
- Checks for signs of intoxication
- Limits entry to hall capacity
- Refuses admission to intoxicated and troublesome individuals
- Ensures that minors are clearly marked different from age of majority where applicable
- monitors for those showing signs of intoxication when leaving the event
- recommends safe transportation options
- Must be 19 years of age or older.

#### Ticket Seller:

- Sells alcohol tickets upon receipt of proper identification
- monitors for intoxication
- refuses sale to patrons at or near intoxication

- may refund tickets on request
- Must be 19 years of age or older

Special Security:

- Must be duly bonded and registered
- Patrols the room, scans for potential trouble
- notifies event staff and permit holder of potential incidents
- helps event staff in handling disturbances
- Must be 19 years of age or older