

THE CORPORATION OF THE TOWNSHIP OF DAWN-EUPHEMIA

SCHEDULE "A"
TO BY-LAW NUMBER 30 OF 2009

Township of Dawn-Euphemia



Municipal Alcohol Policy

Township of Dawn-Euphemia Municipal Alcohol Policy

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1. **PURPOSE**

The purpose of this policy is to provide a safe, enjoyable environment with our facilities for our users and to minimize the liability risk associated with alcohol-related events. This policy consists of a range of measures designed to prevent alcohol-related problems, reduce the risk to the Township and the general public and to assist in the reduction of risk for providers of alcohol that rent our facilities.

2. **MISSION STATEMENT**

The Township of Dawn-Euphemia wants residents and visitors to enjoy the various facilities and parks available while minimizing the risk and liability to the Township. In order for the Township 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.

3. **OBJECTIVES**

- To ensure proper operation and supervision of Special Occasion Permit (S.O.P.) events by providing education in prevention and intervention techniques and in effective management procedures in order to lower the risk of liability to event organizers, participants, volunteers the Township and its staff and agents.
- To reinforce responsible drinking practices for consumers through appropriate operational procedures, controls, training and education.
- To respect the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative non-alcoholic beverages.
- To provide a balanced use of alcohol through S.O.P.s so that alcohol becomes a responsible part of a social function, rather than a reason for it.
- 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.

4. **DEFINITIONS**

“Closed events” are events not opened to the general public and are by invitation only, such as weddings, christenings, anniversaries, family reunions, birthday parties

“Designated driver” is someone who abstains from drinking alcohol at an event and who will agree to drive other members of their party home safely.

“Event monitor” is a person who is appointed by the event sponsor to responsibly monitor the entrance or floor area at an event. This definition also includes tickets sellers who may also be an event monitor.

“Event Organizer/Licence Holder” is a person(s), or group responsible for organizing or promoting a Special Occasion Permit (S.O.P.) event and holding the S.O.P licence.

“Light Beer”: Light and extra-light beers are lower in alcohol and generally contain fewer calories. A light beer in Canada contains 2.6% to 4% alcohol by volume and an extra-light beer contains less than 2.5% alcohol by volume.

“Open Events” are for all public to attend. (i.e. community picnics, township celebrations)

“Outdoor Events” mean events held outdoors in tents, pavilions, marquees and on other structures that are programmed for the purpose of selling and consuming beer and other alcoholic beverages where a Special Occasion Permit has been issued pursuant to the Liquor Licence Act.

“Special Occasion Permit” (S.O.P.) is a liquor licence issued by the provincial licensing authority (Alcohol and Gaming Commission) for a one-time social event where alcohol will be sold or served.

5. **MUNICIPAL FACILITIES ELIGIBLE FOR SPECIAL OCCASSION PERMITS**

- Florence and District Community Centre-Auditorium
- Florence and District Community Centre-Grounds

6. **MUNICIPAL PARKS AND FACILITIES WHERE ALCOHOL IS PROHIBITED**

- All other Township facilities, outdoor areas and parks not listed in Section 5.

At any time, Council may change the list of buildings where special occasion permits can be issued. Any person or organization wishing to hold a S.O.P. event in a location not listed in Section 5, must apply to Township Council for approval.

7. **OUTDOOR EVENTS**

- The outdoor area must be clearly defined and separated from unlicensed areas by a 0.9 metre high barrier (may include the wall of a tent).
- The maximum capacity must be pre-determined by the Chief Building Official for the County of Lambton.
- The designated area shall have controlled entrances and exits.
- Washroom facilities must be available for use of patrons.
- A sketch of the outdoor area and the location must be provided to Township staff. The Township reserves the right to require that security officers be hired at outdoor events. The cost of the security will be borne by the Event Organizer/Licence Holder.

7. **SIGNS**

The following signs must be posted at all municipal facilities in appropriate locations. The event sponsor is responsible for ensuring the display of these signs during Special Occasion Permit events. The Township will provide all required signage.

- The S.O.P. must be prominently displayed at the event and all invoices for the alcohol should be available at the event.

- “Accountability” signs (provided by the Township) must be posted at the bar (2) and main entrance (2) of all S.O.P. events. The sign informs patrons where to direct concerns regarding the manner in which the event has been operated. In addition to naming the Event Organizer/Licence Holder of the event, the sign should include the name, address and phone numbers of the Township Office, Police Department and the Alcohol and Gaming Commission of Ontario.
- “Unused Tickets” signs (2) (provided by the Township) must be posted in the bar area: **“This bar closes at 1:00 a.m. Unused tickets will be refundable up to 15 minutes after the S.O.P. expires”**
- “No Last Call” signs (2) (provided by the Township) must be posted in the bar area: **“Last Call Will Not Be Announced”**
- **“No Alcohol Beyond this Point.”** and **“Alcohol is not permitted in this area”** signs (provided by the Township) are to be posted around the perimeter of the licensed area to remind patrons that certain areas including washrooms, kitchen areas are alcohol free.
- A “Ticket Sales” Sign (provided by the Event Organizer/Licence Holder) is to be posted at each bar saying that: **“The only acceptable proof of age is current government issued photo identification. Maximum 4 tickets per purchase per person. Ticket sales end at 12:30 a.m.”**
- A Fetal Alcohol Syndrome Sign (provided by the Township) is to be displayed in each bar area: **“Warning: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby”**, as required by the *Liquor Licence Act*.
- A Serving Practice Sign (provided by the Township) must be posted in each bar 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 pleased to offer non-alcoholic beverages.”** and **“Servers are required by law not to serve persons under the age of 19 years. The only acceptable proof of age is photo identification.”**
- A “Safe Transportation” Sign (provided by the Event Organizer/Licence Holder) shall be posted in each bar area. **“Safe Transportation is available for guests of this event. Contact any server for information/details.”**

8. SAFE TRANSPORTATION

- Individuals, groups and organizations making use of municipal facilities shall observe a “safe transportation strategy” satisfactory to the Township.
- The Event Organizer/Licence Holder shall identify the strategies which will be used on the “Checklist for Event Organizer/Licence Holder” form (See Appendix A attached). Examples of safe transportation options include designated drivers, taxi or shuttle service.
- Each server of alcohol at the event shall have ready access to a copy of the “Safe Transportation” strategy for the event.

- A safe transportation strategy shall, where appropriate, include the following:
 - i) Any designated driver shall be supplied with free soft drinks/coffee during the event; and
 - ii) The Event Organizer/Licence Holder shall advertise or announce the availability of the safe transportation options during the event.

9. **CONDITIONS FOR SPECIAL OCCASSION PERMIT EVENTS**

- The Event Organizer/Licence Holder will ensure that a proper Special Occasions Permit is purchased for all alcohol purchases and consumption. For the purpose of this Policy, the Event Organizer/Licence Holder shall be the S.O.P. permit holder and sponsor of the event.
- The Event Organizer/Licence Holder will ensure that all servers of alcohol have read and fully understand the requirements of this policy which are applicable to them.
- At least one (1) server/bartender with a Smart Serve designation for every 125 participants (or as required by the S.O.P. licence, whichever is higher), must be on duty at all times.
- The Event Organizer/Licence Holder must be in attendance at all times and be responsible for making decisions regarding the conduct of the event, based on the *Liquor Licence Act* and this policy.
- A minimum of one (1) floor monitor and one (1) entry door monitor must be provided for the event. Additional floor monitors must be provided at the rate of one (1) per two hundred (200) guests. Fractional requirements are to be rounded up. For example, an event which admits four hundred and fifty (450) guests, requires three (3) floor monitors.
- Each floor monitor and the entry door monitor shall be “Smart Service” certified.
- The Event Organizer/Licence Holder must provide a list of monitors with proof of their certification when application is made for the event to the Township. The list shall be posted next to the Event Organizer/Licence Holder’s Special Occasion Permit.
- The Event Organizer/Licence Holder cannot be listed as a Smart Serve monitor.
- All monitors, while on duty at the event must wear an I.D. name tag that states they are a “monitor”. The type of identification to be worn by monitors must be disclosed on the “Checklist for Event Organizer/Licence Holder” form. Monitor identifications must be removed while not on duty.
- The Event Organizer/Licence Holder, server/bartenders, ticket sellers and monitors will not consume alcohol or be under the influence of alcohol while on duty during the event.
- The Township reserves the right to require that security officers be hired at the event. The cost of the security will be borne by the Event Organizer/Licence Holder.

10. **ALCOHOL SERVICE**

- All alcoholic beverages are to be served in either aluminum cans, plastic cups or paper cups and all bottles are to be retained in the bar area. Exception: private events by invitation only.
- The Event Organizer/Licence Holder shall not use marketing practices such as: availability of oversized drinks; double shots; pitchers of beer; drinking contests; or volume discounts to encourage increased alcohol consumption.
- The Event Organizer/Licence Holder shall not provide bottled alcohol as a prize.
- Tickets for alcohol must be purchased from designated ticket sellers and must be redeemed at the bar.
- Unused tickets may be redeemed for a cash refund at any time during the event and up to 15 minutes after the bar closes.
- All events (including “Wine and Cheese” events) require a Smart Serve certified bartender/server. Self service of alcohol is prohibited.
- The Event Organizer/Licence Holder acknowledges Liquor Licence 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).
- Food must be available at all S.O.P. events. Chips and snacks are not sufficient to meet this requirement. Sandwiches, cold cuts, cheeses or vegetables are required as a minimum.

11. **LOW OR NON-ALCOHOLIC OPTIONS**

- In order to be eligible for a facility rental involving a S.O.P., the Event Organizer/Licence Holder must demonstrate to the satisfaction of the Facility Caretaker, or municipal representative, that a minimum of 30% of the alcohol beverages available for sale at the event are at a “low alcohol concentration level”. This includes de-alcoholized wine and beer, light beer and similar products.
- Non-alcoholic beverages should be made available at a significantly lower price than alcoholic beverages or provided free of charge.

12. **YOUTH ADMISSION TO ADULT EVENTS**

- The Event Organizer/Licence Holder renting a municipal facility for a S.O.P. event will be responsible for selecting a strategy on allowing youth (persons under the age of 19) to the event. In all cases the following guidelines must be adhered to:
 - i) Anyone who appears to be under the age of 25 years will be required to show I.D. before they are admitted into the event/facility.

- ii) Individuals under the age of majority will not be allowed to consume alcohol beverages. Anyone serving individuals under the age of majority and the individuals served will be required to leave the event.
- iii) Events allowing individuals under the age of majority will be required to identify those persons under the age of majority. Event Organizers/Licence Holders shall choose either stamps or wrist bands as the means to identify persons under the age of majority.
- iv) Individuals under the age of majority are not permitted at “stag and doe” events.

13. **CONTROLS PRIOR TO EVENTS**

- The Event Organizer/Licence Holder of municipal facilities where alcohol is to be served will be required to conform and acknowledge the Municipal Alcohol Policy in writing prior to renting.
- A copy of the complete Municipal Alcohol Policy will be provided to the Event Organizer/Licence Holder by a Township Staff person or designate at the time of booking. Any questions or comments about the municipal alcohol policy shall be directed to the Township Administrator-Clerk.
- A “Checklist for Event Organizer/Licence Holder” form and a “Rental Contract” form will be provided by the Township at the time of booking. These forms are to be completed by the Event Organizer/Licence Holder and returned to the Township staff person or designate at least two (2) weeks prior to the event. Signatures from the Event Organizer/Licence Holder and the Township staff person are required on the forms.
- The Township staff person or Facility Caretaker will maintain a current list of Smart Serve trained persons who have indicated that they may be available to assist at events where an Event Organizer/Licence Holder does not have the required Smart Serve trained personnel.
- The Event Organizer/Licence Holder of the facility must attend the event and be responsible for decisions regarding the actual operation of the event. If the event is more than 2 days in length, then a designate may be assigned and their name(s) must appear on the contract.

14. **CONTROLS DURING EVENTS**

- All controls and service must be consistent with the provisions of the *Liquor Licence Act* of Ontario, its regulations and conditions imposed on the S.O.P. Where there is a discrepancy between these and the policy regarding the service of alcohol, the more restrictive standard shall prevail.
- Smart Serve monitors shall keep a lookout for individuals who may be attempting to enter the premises and who appear to be impaired.
- Entry is to be refused to any person who has been banned from attending municipal facilities. (List to be provided by the Township.)

- 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, including an Ontario Driver's Licence, a Canadian Passport, a Canadian Citizenship Card, a Canadian Armed Forces Identification Card and a Liquor Licence Board of Ontario ID card.
- Expired identification will **NOT** be accepted as proof of age. OHIP cards are NOT acceptable forms of identification. Parents or age of majority escorts are prohibited from purchasing, giving or sharing alcoholic drinks with underage guests. Underage guests who consume alcohol, and/or individuals providing alcohol to underage guests will be asked to leave.
- The Event Organizer/Licence Holder is responsible for ensuring that the event is properly supervised and for providing adequate staff to fulfill the obligations of this policy.
- In the event of a "masquerade" (costume) party taking place in any facility owned by the Township, the Event Organizer/Licence Holder is responsible for checking ALL patrons and identification at the door to ensure they are of legal drinking age. Any person under the legal drinking age will not be allowed into a masquerade event.
- The type of identification to be worn by the event workers must be stated on the "Checklist for Event Organizer/Licence Holder" form.
- The bar shall be closed no later than 1:00 a.m. and **NO** service of alcoholic beverages will be allowed after this time, despite any provisions to the contrary in the S.O.P. licence.
- All entertainment within the facility and on the premises shall cease at 1:00 a.m.
- All signs of consumption and service of alcohol including empty glasses shall be removed from sight within 45 minutes of the expiry of the S.O.P. or by 1:45 a.m. whichever is the earliest.
- The facility must be vacated by patrons by 2:00 a.m.
- All requests for outdoor events shall be reviewed by the Township to ensure that adequate security and/or policing are provided.

15. **ENFORCEMENT PROCEDURES FOR POLICY VIOLATIONS**

- A violation of this policy occurs when the Event Organizer/Licence Holder fails to comply with the *Liquor Licence Act* or this Municipal Alcohol Policy.
- Individuals and /or groups who fail to comply with the Municipal Alcohol Policy shall be subject to the following consequences:
 - i) Police, fire, liquor licence (enforcement) officers or other authorities may be called at the discretion of the Township.

- ii) The event may be shut down.
- iii) The Township may refuse future rental privileges to the Event Organizer/Licence Holder.
- iv) Where persons under the legal drinking age are found to have consumed or to be consuming alcohol at S.O.P and non-S.O.P. events, the following procedure applies:
 - a. First Infraction: The individual will be turned over to the police. A registered letter will be sent by the Township Administrator-Clerk to the parents/guardians.
 - b. Second Infraction: The individual could be banned from attending any public event held in any municipal facility for a period of 6 months. A registered letter will be sent by the Township Administrator-Clerk to the parents/guardians.
- v) Where persons engage in disruptive behaviour, the following procedure applies:
 - a. First Infraction: The individual may be suspended from the event for its duration and in addition, shall not be permitted to attend the same event the following year.
 - b. Second Infraction: The individual could be suspended from all events for a period of years.
- vi) If a person refuses to leave the premises, then the police shall be called. Once the police arrive, the person should again be asked to leave the premises in front of the Police Officer. If they refuse to do so, the person can either be arrested by the Police Officer or taken home by the Police Officer.

16. **PROOF OF INSURANCE**

- The Event Organizer/Licence Holder of an S.O.P. event being held in a municipally owned facility or on municipally owned lands shall obtain and maintain in full force and effect during the term of the event, liability insurance in the amount of **two million dollars (\$2,000,000)**, naming the Township of Dawn-Euphemia as an additional insured. The policy shall cover all risks from the event including those caused by negligent acts, acts of omission or intentional conduct. Proof of such insurance is to be filed with the Township not less than 14 working days prior to the event.

17. **POLICY MONITORING AND REVISIONS**

- The municipal alcohol policy for the Township of Dawn-Euphemia will be reviewed annually.
- A “Municipal Alcohol Policy Comment” form will be given to every Event Organizer/Licence Holder soliciting comments on their rental experience in relation to the Municipal Alcohol Policy (See Appendix “B” attached).

- The Township of Dawn-Euphemia reserves the right to introduce other conditions from time to time at its discretion.

APPENDIX "A"

Township of Dawn-Euphemia Municipal Alcohol Policy

"CHECKLIST FOR EVENT ORGANIZER/LICENCE HOLDER"

All material to be supplied two weeks prior to event date:

1. Name of Event Organizer/Licence Holder sponsoring this event:

2. Will persons under 19 years of age be attending this event? Yes _____ No _____
3. Type of identification for event monitors
T-shirts _____ Vests _____ Hats _____ Other (please specify) _____
4. Has proof of S.O.P. permits been provided? _____
5. Has proof of Insurance been provided? _____
6. The Safe Transportation Strategy(s) that will be used at this function are:
 - a) _____
 - b) _____
 - c) _____
7. I have reviewed the Municipal Alcohol Policy with a Municipal Representative
Yes _____ No _____

Signature of Municipal Representative: _____
8. I understand all the policy regulations Yes _____ No _____
9. I and/or my group will observe and obey all policy regulations during the event
Yes _____ No _____

If No, explain: _____

Name of Event Organizer/Licence Holder

(Please print)

Signature of Event Organizer/Licence Holder: _____

Signature of Township Rep: _____

Date: _____

APPENDIX "B"

Township of Dawn-Euphemia Municipal Alcohol Policy

MUNICIPAL ALCOHOL POLICY COMMENT FORM

We would appreciate any comments you may have on your recent rental experience in relation to the Township's Municipal Alcohol Policy

Date of the Event: _____

Location of the Event: _____

Type of Event: _____

Comments:

Thank you for your input.

Township of Dawn-Euphemia
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