

## **Municipal Alcohol Policy**



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Township of Wellesley Director of Recreation

# Common Municipal Alcohol Policy

This policy was drafted by the following:

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- Frank Cowan Company
- City of Waterloo
- Township of Woolwich
- Township of Wellesley
- Risk Management, Region of Waterloo
- Township of Wilmot
- Region of Waterloo Public Health
- Alcohol & Gaming Commission of Ontario
- City of Cambridge
- City of Kitchener
- Region of Waterloo Museum
- Township of North Dumfries
- Region of Waterloo

This policy template has been reviewed by Arlene Metz, Solicitor, Corporate, The Regional Municipality of Waterloo, Legal Services Division and Craig Smith, Manager Risk Management Services, The Regional Municipality of Waterloo.

It is intended as a common template for all municipalities in the Region of Waterloo and to be adapted as required for each municipality. This document has been compiled from various local and best-practices Municipal Alcohol Policies (MAPs). Policy examples included local MAPs, policy examples from Goderich, Grey-Highlands, and Hamilton, as well as policies reflecting best practice compiled by the Ontario Recreation Facilities Association and the Centre for Addictions and Mental Health.

## Table of Contents

<b>Section 1: Introduction .....</b>	<b>4</b>
1.1 Purpose .....	4
Policy Objectives.....	4
Scope .....	4
1.2 Designation of Roles and Responsibilities .....	4
Role of Municipal Representatives.....	4
Role of Event Organizer and/or Designate .....	4
1.3 Definitions.....	5
<b>Section 2: Designation of Properties and Events .....</b>	<b>7</b>
2.1 Designation of Properties .....	7
2.2 Designation of Events .....	8
<b>Section 3: Conditions for Events Involving Alcohol .....</b>	<b>8</b>
3.1 Insurance.....	8
Rentals up to and including 500 people .....	8
Rentals for more than 500 people and all outdoor events .....	9
3.2 Advertising .....	9
3.3 Event Worker Training and Staffing Levels .....	9
Guest to Event Worker Ratios .....	10
3.4 Enforcement Procedures .....	11
3.5 Prevention Strategies.....	11
3.6 Safe Transportation .....	12
3.7 Signage .....	13
<b>Section 4: Infractions and Violations.....</b>	<b>14</b>
4.1 Duty to Report .....	14
4.2 Failure to Comply and Penalties .....	14
<b>Section 5: Policy Review .....</b>	<b>15</b>
<b>Appendix A: Event Organizer Checklist for Liquor Licensed Events.....</b>	<b>16</b>

## Section 1: Introduction

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### ***1.1 Purpose***

This Municipal Alcohol Policy is intended to promote a safe, enjoyable environment and ensure the health and safety of participants and staff. This policy is in place to reduce alcohol-related problems such as injury, violence and liability which arise from alcohol consumption on municipal property.

### ***Policy Objectives***

- To provide procedures and education to individuals or groups wishing to hold events in and/or on municipally owned facilities/properties in order to ensure that all Liquor Licence Act of Ontario legislation that pertains to Special Occasion Permits or liquor licensing is properly understood and strictly complied with.
- To ensure appropriate supervision and operation of Special Occasion Permits and liquor licensed events in order to protect the event organizers, the participating public, volunteers, the Township of Wellesley, and its staff from liability by providing education in prevention and intervention techniques and through effective management procedures.
- To encourage and reinforce responsible drinking practices for consumers through the development of operational procedures, controls, training, and education, and to honour the decision of abstainers not to drink alcohol and encourage their participation by providing alternative, non-alcoholic drinks.

### ***Scope***

The Municipal Alcohol Policy outlines various stipulations and controls on events involving alcohol, including Special Occasion Permits, liquor licensed events under a caterer's endorsement, and/or events in a municipally licensed facility.

The event organizer and/or designate are legally responsible for ensuring compliance with the Municipal Alcohol Policy, Liquor Licence Act of Ontario and Alcohol and Gaming Commission of Ontario policies and guidelines.

### ***1.2 Designation of Roles and Responsibilities***

#### ***Role of Municipal Representatives***

Municipal representatives are responsible for ensuring the event organizer and/or designate are provided with written information outlining the conditions of the Municipal Alcohol Policy and ensuring that they comply with the Municipal Alcohol Policy, Liquor Licence Act of Ontario, and its regulations at their event. The Township of Wellesley representatives have the authority to demand correction and/or to shut down an event on behalf of the Township of Wellesley and will have ultimate authority regarding decision-making on the part of the event organizer. The Township of Wellesley representatives monitoring a liquor-licensed event shall be Smart Serve trained and competent in facility procedures.

#### ***Role of Event Organizer and/or Designate***

The event organizer and/or designate is responsible for the conduct and management of the event, including, but not limited to:

- Compliance with the Municipal Alcohol Policy in addition to all applicable federal, provincial, and municipal laws, policies, guidelines, regulations, and by-laws, including, without limitation, the Liquor Licence Act of Ontario and its regulations
- Organization, planning, set up and clean up of the event
- Sufficient number of event workers
- Training of their designates and other event workers (all of whom must be 18 years of age or older)

- If applicable, posting the Special Occasion Permit (with any updates) in plain sight on the premises to which the permit applies or keep it in a place where it is readily available for inspection
- Alcohol sales and service including the choice of beverages to avoid the supply of fortified or extra strength drinks
- Ensuring that no one consumes alcohol in unauthorized locations
- The safety and sobriety of people attending the event including those persons asked to leave to control the event
- Safe transportation options (e.g., designated drivers, taxis)
- Response to emergencies

The event organizer **MUST** read and sign the Checklist for Liquor Licensed Event Organizers (Appendix A) to indicate that they understand their responsibilities.

The event organizer must provide a copy of the Special Occasion Permit (if applicable) and any updates to the Township of Wellesley prior to the start of the event.

**The event organizer and/or designate must attend the event for the entire duration** including clean up after the event and be responsible for decisions regarding the actual operation of the event

*Rationale: The event organizer is responsible for the behaviour of event participants and guests. The Liquor Licence Act of Ontario and its regulations and the Alcohol and Gaming Commission of Ontario's policies are established to ensure sensible and safe use of alcohol. The Township of Wellesley regulations are established to ensure safety of participants and responsible use of the facility.*

The event organizer and the Township of Wellesley must ensure the physical setting is safe at all times.

## 1.3 Definitions

### Alcohol and Gaming Commission of Ontario (AGCO)

For more information [www.agco.on.ca/en/about/index.aspx](http://www.agco.on.ca/en/about/index.aspx)

### Caterer's Endorsement

A liquor sales licence authorizing the applicant to sell and serve liquor for an event held on premises other than the premises to which the liquor sales licence applies.

### Event

For the purposes of this policy, an event is any gathering held at a municipal facility at which alcohol will be served and/or sold. They may include weddings, showers, dances, barbeques, birthday parties and any other event where alcohol will be served. The duration of the event includes event setup, operation, and cleanup. Events involving alcohol may be in a licensed municipal facility or under a Special Occasion Permit.

**Public Events** - A public event is one which is open to the public to attend and is conducted by a registered charity or not for profit entity or an event of municipal, provincial, national, or international significance.

**Private Event** – A private event is one which is not open to the public.

**Outdoor Event** - An outdoor event is one at which any alcohol is consumed in an outdoor space (including pavilions or temporary structures).

### Event Organizer

Any person, who is 19 years of age or over, seeking to hold an event that involves the sale and/or service of alcohol at municipal premises. The event organizer (which term shall include the SOP permit holder and any designate) are

responsible for the safety and sobriety of people attending the event as well as compliance with this Municipal Alcohol Policy and the Liquor Licence Act of Ontario and its regulations at the event. They assume responsibility and liability for the entire operation of the event. The event organizer MUST read and sign the Event Organizer Checklist for Liquor Licensed Events (Appendix A) to indicate that they understand their responsibilities.

### **Event Worker**

Any person, who serves or sells liquor, or is involved in an event where alcohol is served on municipal property. All event workers have a responsibility in the operation of the event and shall not consume or be under the influence of alcohol for the entire duration of the event. In addition to the event organizer and permit holder, event workers may include the following:

**Floor supervisor** - A paid/volunteer person(s) appointed by the event organizer, who is over the age of 18 and who has satisfactorily proven to the event organizer that she/he will act in accordance with the MAP. A floor supervisor talks with participants, monitors patron behavior, monitors for intoxication and underage drinkers, responds to problems and complaints, assists door monitors, when necessary, removes intoxicated persons, arranges safe transportation.

**Door monitor** - A paid/volunteer person(s) appointed by the event organizer, who is over the age of 18 and who has satisfactorily proven to the event organizer that she/he will act in accordance with the MAP. A door monitor checks identification and for signs of intoxication, keeps out intoxicated and troublesome individuals, arranges for coat checking, monitors for those showing signs of intoxication when leaving the event, arranges safe transportation.

**Server/bartender** - A paid/volunteer person(s) appointed by the Township or event organizer, who is over the age of 18 and who has satisfactorily proven to the event organizer that she/he has been trained by a recognized alcohol server training course to include Smart Serve and/or the Server Intervention Program. A server accepts tickets for the purchase of alcoholic drinks, serves drinks, monitors for intoxication and underage drinkers, refuses service when patron appears to be intoxicated or near intoxication, offers a non-alcoholic substitute, and co-ordinates with event staff.

**Ticket seller** - A paid/volunteer person(s) appointed by the event organizer, who is over the age of 18 and who has satisfactorily proven to the event organizer that she/he will act in accordance with the Municipal Alcohol Policy. A ticket seller sells alcohol tickets to a maximum of four per person per purchase, monitors for intoxication and underage drinkers, refuses sale to patrons at or near intoxication, refunds tickets on request.

### **Licensed Security**

Security personnel monitoring entrances and patrolling licensed areas must be licensed under the Private Security and Investigative Services Act, to ensure the safety and security of the establishment, its employees, and patrons. For more information go to - [www.agco.on.ca](http://www.agco.on.ca)

### **Liquor Licence Act**

Each province or territory has a Liquor Licence Act which outlines the laws regarding the sale and service of alcohol. (<http://www.agco.on.ca/en/whatwedo/index.aspx>)

### **Municipal Alcohol Policy**

A local policy for municipalities to manage events held at municipally owned facilities and properties when alcohol is sold and/or served.

### **Municipal Properties**

All municipally owned or leased lands, buildings, and structures.

### **Municipal Representative**

The Township of Wellesley staff or a designate that attends and monitors the event on behalf of the Township of Wellesley and ensures all components of the Municipal Alcohol Policy are met.

### Religious Function

A religious occasion does not include events like a “stag and doe”, anniversaries or birthdays.

### Smart Serve

The Smart Serve training program offered by Smart Serve Ontario (<https://www.smartserve.ca>) is designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as in bars, restaurants, banquet halls and other public facilities. The Smart Serve Program is the only server training program that is recognized by the Alcohol and Gaming Commission of Ontario and approved by this policy.

### Special Occasion Permit

A liquor licence issued by the Alcohol and Gaming Commission of Ontario for one-time social events where alcohol will be sold and/or served [http://www.agco.on.ca/en/services/permit\\_special\\_gpb.aspx](http://www.agco.on.ca/en/services/permit_special_gpb.aspx)

**SOP Holder (Permit Holder)** – is the individual who signs the application for a Special Occasion Permit to sell and/or serve alcohol. A special occasion permit holder can assign a designate. A designate is a person(s) appointed by the special occasion permit holder, and acceptable to the Township of Wellesley who is over the age of 19 and who has satisfactorily proven to the special occasion permit holder that she/he will act in accordance with the Municipal Alcohol Policy. The event organizer, the special occasion permit holder and/or designate are responsible for the safety and sobriety of people attending the event as well as compliance with the Municipal Alcohol Policy and the Liquor Licence Act of Ontario and its regulations at the event. They assume responsibility and liability for the entire operation of the event.

### Standard Drink

The minimum price for a standard drink must be two dollars. The Liquor Licence Act of Ontario defines a standard drink as a serving of liquor by volume and type, as follows:

- 12 oz. or 341 ml. of beer with 5% alcohol, OR
- 5 oz. or 142 ml. of wine with 12% alcohol, OR
- 3 oz. or 85 ml. of fortified wine with 14.9 or more % alcohol, OR
- 1 oz. or 29 ml. of spirits with 40% alcohol

## Section 2: Designation of Properties and Events

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### 2.1 Designation of Properties

The following municipal facilities and areas are either licensed or designated as **suitable** for events involving alcohol subject to the event organizer obtaining a Special Occasion Permit or a Liquor Licence through a caterers' endorsement issued by the Alcohol and Gaming Commission of Ontario and agreeing to conditions as set out by the Township of Wellesley:

- Linwood Recreation Centre/Picnic Shelter
- St Clements Community Centre/Arena/Pavilion
- Wellesley Community Centre/Arena/Picnic Shelter
- Wellesley Township Council Chambers
- Wellesley Township Administration Building

\*\* Some in-house policies and guidelines apply

The following municipal facilities and areas are **not** licensed or suitable for an event involving alcohol:

- Athletic and playing fields
- Parking lots
- Spectator areas of arenas

- Open Park areas, trails, and woodlots
- Playground areas

*Rationale: Alcoholic beverages are only allowed in licensed municipal facilities or facilities designated as being suitable for conducting a Special Occasion Permit function. Many of the areas noted as not suitable are regarded as inappropriate to provide approval for a permit by the Alcohol and Gaming Commission of Ontario.*

## 2.2 Designation of Events

The serving of alcohol shall not be permitted at any events where the focus of the event marketing is for youth under 19 years of age.

*Rationale: The deciding factor for events involving alcohol will be determined by the focus of the events. Those events where the primary focus involves minors will not be allowed. Non-consumption by participating adults provides a positive example for young people.*

# Section 3: Conditions for Events Involving Alcohol

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## 3.1 Insurance

The event organizer must provide proof of insurance by way of submitting an original Certificate of Liability Insurance to the Township of Wellesley before occupying municipal premises for the event. Liability insurance is available for purchase through the Township of Wellesley central booking office. The Certificate of Liability Insurance must be in effect for date(s) where municipal property is being used or occupied by the event organizer including, without limitation, set-up and take-down. Failure to provide proof of liability insurance will void the rental.

*Rationale: Case law indicates that judges and juries are sympathetic toward the injured plaintiff. Special occasion permit holders, the Township of Wellesley, the event organizer, and volunteers could be named in a lawsuit. Municipalities can be jointly liable and could end up paying the predominant share of an award to a plaintiff should the event sponsor be uninsured.*

*By requiring the renter to obtain insurance coverage, the municipality is clearly communicating to the event organizers that risks are involved in operating alcohol related events and that they require additional insurance coverage and risk management strategies to prevent problems from developing that could result in a lawsuit.*

### Rentals up to and including 500 people

The Certificate of Liability Insurance shall:

- Provide proof of a minimum of **two million dollars to five million depending on size of the event** general liability insurance issued by an insurance company satisfactory to the Township of Wellesley that is licensed to carry on business in Ontario and which must at a minimum include the following:
  - a) The Township of Wellesley shown as an additional insurer to the policy
  - b) Coverage for bodily injury and property damage liability
  - c) A liquor liability endorsement
  - d) Tenants' liability endorsement
  - e) Products and completed operations liability
  - f) Personal injury liability
  - g) Advertiser's liability
  - h) Thirty (30) day notice of cancellation provision
- Show that coverage is in effect on the date(s) of the event
- Be delivered to the supervisor having operational jurisdiction at the event location at least **30 days** prior to the start of the event. The following information must be provided:



- Certificate of liability insurance
- Policy number
- Company name
- Expiry date
- Amount of Insurance coverage
- An endorsement from the insurance company that they are aware of the Special Occasion Permit event and that coverage is in place including date and location of the event

### ***Rentals for more than 500 people and all outdoor events***

The Certificate of Liability Insurance shall include all the above requirements and proof of a minimum of **five million dollars** general liability insurance issued by an insurance company satisfactory to the Township of Wellesley that is licensed to carry on business in Ontario.

The Township of Wellesley reserves the right to amend the insurance and provisions required at any time.

## ***3.2 Advertising***

All advertising must comply with the Alcohol and Gaming Commission of Ontario advertising policies and guidelines. Alcohol and Gaming Commission of Ontario policy states that, a permit holder for a private event special occasion permit is not permitted to advertise or promote liquor or the availability of liquor.

At events where children and youth are allowed entry, the event organizer shall not allow promotional advertising of alcoholic beverages' names, brands, or manufacturers.

*Rationale: Alcohol advertising influences people of all ages (including youth) to consume alcohol.*

## ***3.3 Event Worker Training and Staffing Levels***

The event organizer is responsible to:

- Ensure event workers are in attendance and as needed to monitor, manage, and control the event
- Ensure event workers wear an identification (I.D.) name tag and/or clothing which are highly visible in a crowd so that they can be easily identified. (Provision of this identification and clothing is the responsibility of the event organizer and/or designate. The type of identification worn by the event workers must be stated on the Checklist for Liquor Licensed Event Organizers form (Appendix A.)

It is mandatory that all event workers are Smart Serve trained and recommended they have Safer Bars training or de-escalation of violence training.

The event organizer shall provide a list, at least 30 days prior to the event, of:

- A) All servers and proof of Smart Serve certification (including their certification numbers)
- B) Security staff and security licence numbers

The event organizer, door monitors, floor supervisors, and servers **shall not consume alcohol** during or after the event is concluded, nor shall they be under the influence of any alcohol or other substance during the event.

*Rationale: Event workers must be adequately trained, prepared, available, and monitoring for the duration of the event. Having clearly identifiable event workers ensures that participants can quickly contact an event worker should problems occur. Smart Serve training provides education on signs of intoxication and will assist in the important task of preventing problems before they occur. The law clearly states that the special occasion permit holder has a "duty to control" - that is, to protect participants from foreseeable harm to themselves or others. Event workers **must not consume alcohol** since, if an incident were to occur, it would be difficult to demonstrate control.*

It is the responsibility of the event organizer to ensure there are sufficient door monitors (monitoring all entrance and access points to ensure controls are properly managed) and floor supervisors (assisting in managing a person who is refused sale, crowd control and de-escalations of violence):

- The entrance to the event must be monitored by responsible person(s) meeting the age of majority requirements at all times. These persons shall further observe individuals that may be attempting to enter the premises that appear to be intoxicated or have a history of causing problems at events.
- The event organizer has the right to deny entry to any individual.
- When persons under the age of majority are found to have consumed or to be consuming alcohol at an event where alcohol is served, the authorities may be called.

*Rationale: Monitoring all access points to the licensed area is necessary to prevent underage, disruptive or intoxicated people from entering an event and considerably reduces the likelihood of problems occurring. It is best practice to have the entrance to the event monitored by responsible person(s) meeting the age of majority requirements at all times as this requires someone some one mature.*

Minimum event worker numbers are required on an event worker versus guest ratio basis as described in the table "Guest to Event Worker Ratios". The Township of Wellesley reserves the right to adjust the minimum number or types of event workers on an event-by-event basis. This includes the provision of both police and/or licensed security.

### ***Guest to Event Worker Ratios***

Number of Guests	Minimum Number of Event Workers				Minimum Number of Security
	Bartenders	Door Monitors*	Floor Supervisors**	Ticket Sellers	Licensed Security Workers
Up to and including 100	1	Monitor at each access point	1	0	
101 to 200	2	Monitor at each access point	2 (+1 for outdoor events)	1	
201 to 300	2	Monitor at each access point	3 (+1 for outdoor events)	2	(1 for outdoor events)
301 to 400	3	Monitor at each access point	3 (+1 for outdoor events)	2	(1 for outdoor events)
401 to 500	3	Monitor at each access point	4 (+1 for outdoor events)	2	1 (+1 for outdoor events)
501 to 600	4	Monitor at each access point	5 (+2 for outdoor events)	3	1 (+1 for outdoor events)
601 to 700	4	Monitor at each access point	6 (+2 for outdoor events)	3	2 *** (+1 for outdoor events)
701 to 800	5	Monitor at each access point	7 (+2 for outdoor events)	3	2 *** (+1 for outdoor events)
801 to 900	5	Monitor at each access point	7 (+2 for outdoor events)	4	3 *** (+1 for outdoor events)
901 to 1,000	6	Monitor at each access point	8 (+2 for outdoor events)	4	3 *** (+1 for outdoor events)

\* All access points to the licensed area must be monitored. Each venue will require a varying number of door monitors depending on the layout of the venue.

\*\* The event organizer or official designate can be a floor supervisor.

\*\*\* For events over 600 guests, at least 50% of the required licensed security workers shall be paid duty police officers.

- For any event that allows admittance to minors, additional floor monitors may be required.
- For every additional 150 guests over 1,000, an additional bartender and an additional floor monitor are required. For every additional 300 guests over 1,000, an additional ticket seller is required. For every additional 200 guests over 1,000, an additional licensed security worker is required.

- For all outdoor events and all events with more than 1,000 guests, an operational plan must be developed with the Alcohol and Gaming Commission of Ontario and the Township of Wellesley in order to ensure that all aspects of public safety are addressed (including Emergency Medical Service [ambulance], fire, security, etc.). The operational plan must be submitted to Township of Wellesley at least 30 days prior to the event. (e.g., Emergency Medical Service [ambulance], fire, security, etc.) All costs associated with preparing and complying with security and operational plans shall be borne by the event organizer and/or designate unless otherwise agreed upon in writing by the event organizer and Township of Wellesley representative.

Required licensed security or paid duty police officers for any events are the responsibility of the event organizer and all costs associated therewith shall be borne by the event organizer.

*Rationale: The presence of security and/or paid duty police officers can act as a deterrent to potential disruptive behaviour.*

### **3.4 Enforcement Procedures**

If drunkenness, riotous, quarrelsome, violent, and aggressive and/or disorderly conduct or unlawful gaming is observed at the event, the organizer and their event workers shall:

- First ask the offending person to leave, and
- If the individual refuses to leave, call the Police
- Seek any necessary assistance to maintain control and management of the event and ensure the safety and protection of persons, including event workers.

The event organizer, event worker or municipal representative must notify the Police if they observe signs that a situation is getting out of control.

*Rationale: The law clearly states that the event organizer has a "duty to control" - that is, to protect participants from foreseeable harm to themselves or others.*

### **3.5 Prevention Strategies**

The following controls and prevention strategies related to selling and serving alcohol shall be in place:

- Alcohol shall not be served to anyone under the age of 19 (minors). Minors are not allowed to consume alcohol on the premises. Outdoor public events which allow admittance to **minors** must implement a wrist band policy or have a fenced licensed area where alcohol is only served to and consumed by those 19 years of age and older. Additional floor monitors are recommended if alcohol is being served in the presence of minors.
- Alcohol shall not be served to anyone who may appear intoxicated.
- Closing time is 1:00 a.m. unless hours of operation for the facility are posted differently. Ticket sales and alcohol service shall cease at least 45 minutes prior to the end of the licensed period of the event. All alcohol and its containers (which include empty cups/glasses) shall be cleared away no more than 45 minutes after the end of the licensed event as listed on the Special Occasion Permit.
- Last call shall not be announced.
- Separate tickets for alcohol must be sold at all public events. Ticket sales for alcohol shall be limited to 4 tickets at one time per person. Unused tickets for alcoholic beverages can be redeemed at anytime during the event.
- Alcoholic service shall be limited to two drinks per person at one time. Alcohol cannot be left available for self-serving.
- Drinks **MUST** be served in soft plastic cups and a different colour of soft plastic cup shall be used for non-alcoholic drinks. For formal dinner settings, glass vessels may be used for serving/consuming alcohol. Glass must be removed at the conclusion of the dinner.
- All outdoor licensed areas are required to have a barrier at least 0.9 metres high. Higher barriers and additional criteria may be required at the discretion of the Township of Wellesley.

*Rationale: Last call usually results in high and rapid consumption and results in high blood alcohol levels which may peak after an event and lead to impaired driving. Selling tickets slows down the rate of consumption as people are required to make two stops before getting their drinks. Selling tickets provides ticket sellers and bartenders with the opportunity to look for signs of intoxication and to read the climate of the event. By limiting the number of tickets per purchase, event workers are provided with additional opportunities to verify the sobriety of patrons. Redeeming unused tickets could help avoid a confrontation with a patron who may be nearing intoxication but who wishes to purchase additional drinks in order to get his/her money's worth. Should a drink be dropped, plastic cups do not break. If a patron becomes belligerent, a broken beer bottle could be used as a weapon.*

The following controls and prevention strategies related to types of available drinks shall be in place:

- Event workers are to encourage patrons to consume food, non-alcoholic and low alcohol beverages. Non-alcoholic drinks must be available at no charge or at a cost much lower than that of drinks containing alcohol.
- Identified designated drivers receive free non-alcoholic drinks (such as coffee, pop, juice).
- At least 30% of the available alcohol consists of low-alcohol beverages (e.g., 4% and 2.5% beer).
- No fortified drinks or extra-strength drinks shall be sold. Beer products with more than 5% alcohol, wine products with more than 12% alcohol and spirits with more than 40% alcohol, are considered “fortified” alcohol products. Beer and coolers are not to exceed 5% alcohol content (standard drink measure).
- Pre-made alcoholic drinks, such as jello shooters and punches, etc. are **NOT** allowed.
- There must be sufficient food available for those in attendance. Food must be available beginning no later than 8:00 p.m. and must not be removed until the bar closes. Food available is not satisfied by snack foods such as chips, peanuts, popcorn.
- No energy drinks (with or without alcohol in them) shall be sold.
- Homemade alcohol shall not be allowed at any Special Occasion Permit function, with the exception of homemade wine or beer at a religious function listed under a NO SALE reception permit, as defined by the Alcohol and Gaming Commission of Ontario. Where wine is provided with a meal, a non-alcoholic substitute (such as water, pop or juice) must be provided to ensure that children and abstainers are included in toasting the celebrants.
- No persons shall be allowed to bring in their own alcohol to the event or allowed to pour their own alcoholic drinks.
- Alcohol shall not be offered as a prize in a contest. A lottery licence is required if raffling alcohol (charities only). Gift cards for the LCBO are allowed as an exception.
- Marketing practices which encourage increased consumption of alcohol (e.g., oversized drinks, double shots, pitchers, drinking contests, jello shooters, volume discounts) are not permitted.

*Rationale: The availability of non-alcoholic beverages supports designated driver initiatives and a safe transportation strategy. Low alcohol drinks can reduce the consumption of alcohol and reduce the likelihood of intoxication and impaired driving while permitting participants to socialize throughout the evening without becoming intoxicated. Consumption of energy drinks may mask signs of intoxication and should not be mixed with alcohol. Jello shooters may not be standard serving size and intoxication may occur at a faster rate.*

### **3.6 Safe Transportation**

Event organizers are responsible to take the necessary steps to reduce the possibility of impaired driving. As a condition of rental, the event organizer must have a Safe Transportation Strategy in effect. Elements of a Safe Transportation Strategy could potentially include:

- Providing non-alcoholic beverages either at no charge or at a cost much lower than that of drinks containing alcohol
- Providing alternate means of transportation for those who are suspected to be intoxicated (i.e., call a friend, relative, or taxi)

- Calling police if someone who is suspected to be impaired cannot be convinced to use alternate transportation.
- Providing a designated driver program which encourages and identifies designated driver.

The designated driver program and relevant local taxi phone numbers must be prominently posted. Alternate means of transportation shall be provided for all those suspected to be intoxicated. All advertising for the event should indicate that a designated driver program is in effect.

*Rationale: A Safe Transportation Strategy helps to ensure that no one who is the driver of a motorized vehicle is impaired when leaving an event from a municipal facility. An impaired driver leaving an alcohol related event is one of the greatest risks of liability.*

### 3.7 Signage

During events where alcohol is served, the following signage, which is approved by the Township of Wellesley shall be displayed in prominent locations:

Signage at one or more prominent places in the licensed/bar area:

**Please drink responsibly.**

- Bartenders reserve the right to refuse service. Bartenders cannot serve alcohol to anyone who is intoxicated or appears to be at the point of intoxication.
- Bartenders cannot serve alcohol to anyone under 19 years of age. Proper I.D. must be presented to event staff when requested.
- You can only be served a maximum of two alcoholic drinks at any one time.
- You may redeem unused tickets for cash anytime during the event.
- There will be no "LAST CALL".

**Thank you for not drinking and driving.**

Call a friend, relative or taxi. Local taxi phone numbers are:

**Waterloo (519) 888-7777**

**New Hamburg (519) 662-3240**

The R.I.D.E. program is in effect in our community.

Use a designated driver.

Signage at one or more prominent places in the licensed/bar area:

**If there is an emergency call 9-1-1**

For a non-emergency, please call Waterloo Regional Police at (519) 570-3000

You are at: \_\_\_\_\_

Signage to be posted at the boundaries of the licensed/bar area:

**No alcohol beyond this point.**

**Thank you for not drinking and driving.**

Call a friend, relative or taxi. Local taxi phone numbers are: \_\_\_\_\_

The R.I.D.E. program is in effect in our community.

Use a designated driver.

Other Signs to be posted in one or more prominent places in the licensed/bar area:

Sandy's Law sign (regarding alcohol and pregnancy)

"What is a standard drink?" sign

Low Risk Drinking Guidelines sign

Where applicable, the event organizer shall post the Special Occasion Permit (with any updates) in plain view on the premises to which the permit applies or shall keep it in a place where it is readily available for inspection.

*Rationale: Signs provide direction to guests and provide support to servers and supervisors. Servers are required by law not to serve an intoxicated person, nor to serve anyone to the point of intoxication.*

## **Section 4: Infractions and Violations**

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### **4.1 Duty to Report**

The event organizer has the duty to report to the municipal representative issues with details of any incident that:

- The event organizer and/or designate are aware of or has been made aware of any Liquor License Act of Ontario or Municipal Alcohol Policy violations
- Where an Alcohol and Gaming Commission of Ontario Inspector under the Liquor License Act of Ontario has reported any incident or violation
- Involves bodily injury or property damage

Police shall be informed by the event organizer and/or designate as appropriate. Reports shall be made no later than two days after the conclusion of the event but shall be made immediately when repairs or other action is required to make municipality property secure or safe for use. Township of Wellesley representatives shall report any infraction of this policy to the police and/or Alcohol and Gaming Commission of Ontario whenever they believe such action is required.

*Rationale: The law clearly states that the permit holder has a "duty to control" - that is, to protect participants from foreseeable harm to themselves or others. Although police will be called if a situation becomes risky, it is the responsibility of the event organizer to ensure proper management of an event.*

### **4.2 Failure to Comply and Penalties**

Where there has been a failure to comply with the Liquor License Act of Ontario, the police or the Alcohol and Gaming Commission of Ontario inspector may intervene for enforcement purposes and may, at their discretion or other authority, terminate the event. The Township of Wellesley may similarly cancel, intervene or terminate the event for violations of the MAP. It remains the responsibility of the event organizer and/or designate to manage the event and to take appropriate actions, including ending the event, vacating municipal property, maintaining insurance, any conditions of insurance, and providing safe transportation options.

Regardless of the reason for termination of the event, the township of Wellesley will not be responsible for any compensation to the event organizer and/or designate or affected persons of their resulting financial, or other losses.

The Township of Wellesley shall subsequently inform the event organizer and/or designate and any organization they represent, via registered letter, that there has been a violation of the policy and any imposed consequences or penalties.

Additional short term and longer-term penalties for failure to comply may include, but are not limited to:

- Loss of privilege to hold an event involving alcohol in a municipal property or facility
- Loss of any future use or rental of any or all municipal properties
- Individual ban or suspension of persons involved in the infractions from any or all municipal properties for any term

*Rationale: The event organizer needs to be aware of the consequences of not following the Municipal Alcohol Policy or Liquor License Act of Ontario regulations.*

## **Section 5: Policy Review**

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The Municipal Alcohol Policy shall undergo an annual review based on change within the industry standards and shall be updated as required. Region of Waterloo Public Health will facilitate an annual opportunity to review and discuss municipal alcohol policies in Waterloo Region.

*Rationale: Reviewing this policy regularly permits policy changes to meet changing community needs, the addition of new facilities, new program demands, as well as any future changes to the Liquor Licence Act of Ontario and its regulations.*

The township of Wellesley reserves the right to make discretionary changes to this Municipal Alcohol Policy at any time and will advise the event organizer of any such changes prior to the event.

**On behalf of the Township of Wellesley, we wish you a successful and enjoyable event.**

## Appendix A: Event Organizer Checklist for Liquor Licensed Events

(This checklist must be signed and submitted to the township of Wellesley with all supporting information, at least 30 days before the event. (See the Municipal Alcohol Policy for additional information).)

1. Name of Event: \_\_\_\_\_
2. Location of Event: \_\_\_\_\_
3. Date and Time of Event: \_\_\_\_\_
4. Estimated Attendance: \_\_\_\_\_
5. Will persons under 19 years of age be attending this event? Yes ☐ No ☐
6. Name of event organizer (the person and/or group sponsoring/hosting this event): \_\_\_\_\_  
\_\_\_\_\_

7. Name of Special Occasion Permit holder (if applicable) and all official designates:

SOP Holder

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Official Designates

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

8. If applicable, a copy of the SOP permit has been provided? Yes ☐ Date Received: \_\_\_\_\_
9. Proof of liability insurance has been provided. Yes ☐ Date Received: \_\_\_\_\_
10. The safe transportation strategies that will be used at this licensed event are:
  - a) \_\_\_\_\_
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
11. Type of identification for event workers (please describe): \_\_\_\_\_  
\_\_\_\_\_

12. List the names and certification numbers of the Smart Serve trained event workers for this licensed event: *(Proof of certification may be required)*

Name

Certification Number

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



13. List the names and security licence numbers for security staff for this event: *(Proof of certification may be required)*

Name	Security Licence Number
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

14. The undersigned (event organizer) has received the Municipal Alcohol Policy and has read and understood the information and requirements contained therein. Yes ☐

Please note that if there is anything that you do not understand with respect to this Policy **it is your responsibility** to contact Township of Wellesley staff (phone :519 699 9369) to obtain clarification and understanding prior to signing this Event Organizer Checklist.

*By signing this Event Organizer Checklist, the undersigned hereby agrees, on behalf of itself/himself/herself and on behalf of its/his/her partners, employees, volunteers, agents, executors, administrators, and assigns, as the case may be, to comply with all of the obligations, terms and conditions of the Municipal Alcohol Policy.*

Signed at \_\_\_\_\_, Ontario this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Name of Corporate Event Organizer

Per: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

I have authority to bind the corporation.

OR

\_\_\_\_\_  
Name of Individual Event Organizer

\_\_\_\_\_  
Signature of Event Organizer

\_\_\_\_\_  
Name of Witness

\_\_\_\_\_  
Signature of Witness