



# Council Policy

Council Policy No.:	CP2018-004
Council Policy Name:	Alcohol Management on Municipal Premises
Date Approved by Council:	January 10, 2005
Date revision approved by Council:	March 27, 2012; April 24, 2018 (Updated Policy No.) <b>May 16, 2019</b>
Related SOP, Management Directive, Council Policy, Forms	

## Policy Statement and Rationale:

The City of Kawartha Lakes recognizes that events and/or activities are held on municipal properties where the serving of alcohol is desired by the renter and/or by the City.

To allow the full enjoyment of such events by renters and/or participants, and to ensure the health and safety of all residents, the City recognizes its responsibility to make renters aware of the potential liability of operating alcohol-related events and to reduce the City's exposure to alcohol-related liabilities.

The City also recognizes its responsibility to make renters aware of situations where alcohol, while traditionally or historically present for such events, is not acceptable under this policy.

This policy has been developed to establish responsible management practices for all functions or occasions where alcohol is served, at, in, or on City of Kawartha Lakes facilities or properties.

## Scope:

This policy applies to renters of City facilities or properties at, in, or upon which alcohol may be served.

## Policy:

### 1.0 Eligible Facilities and Areas

- A Special Occasion Permit (SOP) is required for all events held in and/or on municipal premises where alcohol is being served and where a Catering Endorsement or other alcohol sales license authorizing the sale and service of alcohol for consumption on that premises is not in effect.
- A Public SOP may be issued by the Alcohol and Gaming Commission of Ontario (AGCO) to organizations or events meeting the requirements below:
  - A. A Not-for-profit organization.
  - B. Hold a current restaurant/caterer license that allows for Special Occasion Permits.
  - C. Qualify as a Municipally Significant Event as declared by Council.
    - A one time, annual or infrequently occurring event that is open to the public, has a predetermined opening and closing date and time and which:
    - Has a local, regional, national or international historical or cultural significance,
    - Builds awareness of diverse cultures, or
    - Benefits the community at large.

#### 1.01 The following is a list of eligible facilities:

- A. All Municipal Arenas including related Community Halls
  - B. All Municipal Community Recreation Centres/Halls
  - C. The Lindsay Branch Library
  - D. City Hall and all Service Centres
- The following is a list of additional eligible facilities:
    - A. Bolsover Community Centre Park
    - B. Burnt River Community Centre Park
    - C. Cameron Park
    - D. Carden Community Centre Park
    - E. Coboconk Legion Park
    - F. Dalton Community Centre Park
    - G. Emily Omemee Community Centre Park
    - H. Fenelon Township Community Centre Park
    - I. Janetville Park
    - J. Little Britain Community Centre Park
    - K. Logie St. Park
    - L. Memorial Park
    - M. Oakwood Community Centre Park

- N. Old Mill Park
- O. Ops Community Centre Park
- P. Palestine Community Centre Park
- Q. Russ Baptiste Park
- R. Tommy Anderson Park
- S. Victoria Park
- T. Ward Park
- U. Wilson Fields (East/West)
- V. Woodville Baseball Park

- 1.02 A SOP authorizes individuals to serve beverages containing alcohol during an occasion that is judged unique or does not occur on a regular basis. Recognizing that it is possible for any number of individual SOP's to be granted to different permit holders for the same facility, the City reserves the right to refuse an applicant permission to run a licensed event on its property.
- 1.03 Notwithstanding Article 1.01, Council may authorize an event on city-owned properties not outlined within this article, but only through permission of Council.
- 1.04 Trailer Parks located on City property, specifically Centennial Park, shall not be permitted to apply for a SOP. The trailer park sites at these locations shall be deemed to be residential in nature and permit holders of such sites shall be entitled to have alcohol on their site only.
- 1.05 Consumption of Alcohol is prohibited in the following areas:
- A. All arena dressing rooms.
  - B. All arena bleachers.
  - C. All arena ice surfaces except when floor covering is in place, or when ice has been removed.
  - D. All municipally owned parking lots, trails and walkways
  - E. All municipally owned sports playing fields including children's playground areas.

Persons found consuming or allowing the consumption of alcohol in any of these prohibited areas will be reported to the Police and these persons/groups may be prohibited from further use of City facilities/property.

## **2.0 Events and Persons Not Eligible**

- 2.01 Youth events and minor sports events including youth banquets and community picnics are not eligible to host events where alcohol is served.

- 2.02 Where a SOP has been issued, underage youth (persons not yet nineteen years of age) may enter licensed areas as long as they are easily identifiable (i.e. wristband ) and accompanied at all times by an adult. Measures shall be taken to ensure that underage attendees are not provided with alcohol, in accordance with AGCO guidelines.

### **3.0 Agreement and Responsibilities**

- 3.01 Every person (the applicant) wishing to serve or to provide alcohol at any designated City of Kawartha Lakes property or facility must enter into a Permit Holder Agreement in the form appended as Schedule "A" and forming part of this policy. The Permit Holder Agreement outlines the conditions under which alcohol may be served. The applicant is responsible for obtaining a SOP issued by the AGCO and shall provide a copy of that permit to facility booking staff not less than 10 business days in advance of the event.
- 3.02 The applicant shall be in attendance during the entire event and shall be responsible for making decisions regarding the operation of the event during the license period.
- 3.03 The applicant may designate in writing, an eligible person or persons to be "his/her" agent or representative for the entire event or any portion thereof. The information regarding the designation, including time frames must be provided to the facility booking staff and shall be attached to the SOP.
- 3.04 The applicant and any person to whom the responsibility has been designated must refrain from the consumption of alcohol prior to and during the time that they have been designated as being responsible for the event.

### **4.0 Enforcement**

- 4.01 Where an applicant fails to comply with the terms of this policy, the procedures for regulation of SOP events or any of the terms or conditions imposed by the Permit Holder Agreement, consequences could include but shall not be limited to:
- A. issuance of a warning;
  - B. closure of the event and the suspension of facility/area rental privileges;
  - C. suspension of rental privileges for a minimum of 15 months for the applicant, the related organization, if applicable, their designate and/or the event organizer;
  - D. forfeiture of deposit;
  - E. additional restrictions/requirements relating to future events of a similar nature (i.e. additional paid duty police officers, security, etc.)

### **5.0 Server Training, Ratios and Identification**

- 5.01 Applicants wishing to rent a municipal facility must demonstrate to the municipality that the prerequisite number of event workers have taken certified training through an AGCO recognized server intervention training program. All event workers must have proof of certification with them and available at the event.
- 5.02 The name and certificate number of licensed event workers shall be documented on the Permit Holder Agreement. This information shall be provided not less than 10 business days in advance of the event.
- 5.03 A list of all security staff and security license numbers shall be documented on the permit holder agreement.
- 5.04 It is also recommended that trained persons be required to take a refresher course should the program be updated.
- 5.05 The minimum number of event workers required for safe alcohol service is defined below. The City reserves the right to increase the minimum requirements stated below if, in its discretion, the circumstance of the event warrant additional support. Door Monitors are required at each access point.

Number of Guests	Servers	Floor Supervisors	Ticket Sellers	Licensed Security Workers
Up to 100	1	1	0	0
101-200	2	2	1	0
201-300	2	3	2	0
301-400	3	3	2	0
401-500	3	4	2	1
501-600	4	5	3	1
Over 600	4	6	3	2

- 5.06 During the event, the applicant and workers shall be required to wear highly visual "Event Staff" identification, supplied by the applicant.
- 5.07 All SOP events shall be staffed by an appropriate number of event workers in accordance with approved facility/area procedures as described the Permit Holder Agreement. These workers must be 19 years of age or older.
- 5.08 Certain municipal properties do not have regularly scheduled City staff. Should an event be scheduled for one of these properties, staff or community centre volunteers may be scheduled on site for the duration of the event at the expense of the organizer. Such scheduling is at the discretion of the Manager of Parks, Recreation and Culture.
- 5.09 All SOP events should provide information on alternate transportation for event participants.



## Council Policy

- 5.10 The applicant, other than Committees of Council, shall ensure that the organization carries a minimum of \$2,000,000.00 liability insurance and “The Corporation of the City of Kawartha Lakes” is named as an Additional Insured.
- 5.11 Council shall formally review the Municipal Alcohol Policy in consultation with the Municipal Administrative staff on a regular basis.

### Revision History:

Proposed Date of Review:

Revision	Date	Description of changes	Requested By
0.0	24/04/18	Initial Release	
<u>1.0</u>	<u>04/06/19</u>	<u>First Revision</u>	<u>Shelley</u> <u>Cooper</u> <u>Craig</u> <u>Shanks</u>



# Council Policy

## Schedule "A", Alcohol Management on Municipal Premises

	<b>PERMIT HOLDER AGREEMENT</b>
--	--------------------------------

Name of Event: \_\_\_\_\_

Location of Event: \_\_\_\_\_

Date and Time of Event: \_\_\_\_\_

Estimated Attendance: \_\_\_\_\_

Will persons under 19 years of age be attending this event: \_\_\_\_\_

Event Organizer (person hosting):

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

Special Occasion Permit Holder:

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

Official Designates:

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

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

List the name and certification number of the AGCO recognized trained event workers for this licensed event.

Name	Server-Identification Number

List the name and security license number for security staff for this licensed event.

Name	Security Licence Number



# Council Policy

## Applicant Certification:

1. I have received and reviewed a copy of the City of Kawartha Lakes policy "Alcohol Management on Municipal Premises";
2. I have read the Permit Holder Agreement Conditions;
3. I agree to adhere to the conditions of the policy "Alcohol Management on Municipal Premises" and Permit Holder Agreement Conditions defined in sections 1 and 2 below and any and all requirements of the AGCO as amended from time to time;
4. I understand that if any infraction of the policy or procedures occurs, The City of Kawartha Lakes will require immediate compliance and may administer authorized penalties, including but not limited to:
  - a) issuance of a warning;
  - b) immediate closure of the event and the suspension of facility/area rental privileges;
  - c) suspension of rental privileges for a minimum of 15 months for the applicant, the related organization, if applicable, their designate and/or the event organizer;
  - d) forfeiture of deposit;
  - e) additional restrictions/requirements relating to future events of a similar nature (i.e. additional paid duty police officers, security, etc.).
5. 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. SOP events must be certified through an AGCO recognized server-training program.
7. I understand the City of Kawartha Lakes Police Service (or its successor), the Ontario Provincial Police (or its successor) and/or a Liquor Board Inspector can lay charges for infractions of the Liquor License Act of Ontario or other relevant legislation.
8. I understand that the City requires that I/our organization obtain a minimum of \$2,000,000 liability insurance to cover the event; that The Corporation of the City of Kawartha Lakes is named as an additional insured on the policy; and, that a copy of the policy endorsement is provided to the facility booking staff not less than 10 business days prior to the event date. Insurance coverage may be obtained through the City's insurer or through the insurance company of my choice.

By signing this permit holder agreement the undersigned hereby agrees, on behalf of itself/himself/herself and on behalf of its/his/her partners, employees, volunteer, agents executors, administrators and assigns, as the case may be, to comply with all of the obligations, terms and conditions of the Alcohol Management of Municipal Premises Policy.

Signature \_\_\_\_\_  
Signatory/Renter/Organizer

Date: \_\_\_\_\_





# Council Policy

## Permit Holder Conditions

### 1.0 Signatory

- 1.01 The signatory shall be in attendance at the event, and shall be responsible for making decisions regarding the operation of the event during the period the particular license is in effect.
- 1.02 In case of a long running or multi-day event the signatory may appoint, in writing, designates whose names shall be provided to City staff prior to their assumption of responsibility.
- 1.03 The municipality may appoint a municipal representative to attend any SOP event. In the event of such appointment the signatory shall be responsible for such staffing costs.
- 1.04 The signatory must ensure that the facility/area is safe for workers and for participants, which includes both those consuming alcohol and those not consuming alcohol. The signatory/event sponsor must ensure that participants do not engage in activities that could result in harm to them or others.
- 1.05 The signatory must refrain from consuming alcohol **prior to and during the period they are responsible for the SOP**. If the responsibility of the event has been designated, those to which the responsibility has been designated should not consume alcohol prior to or during the period they are designated as being responsible for the SOP.
- 1.06 In the event of an emergency, which affects the signatory or signing agent, the organization responsible for the event will be responsible for appointing a substitute-signing agent.

### 2.0 Recognized Server Training and Event Workers

- 2.01 In order to be eligible to rent a municipal facility, the signatory of the event must demonstrate to the municipality the event workers have taken certified training through an AGCO recognized server-training course.
- 2.02 The term "Event Worker" includes servers, door monitors, floor supervisors and other persons who have been assigned by the signatory to work at the SOP event.

- 2.03 Event Worker ratio requirements:  
 Door Monitors are required at each access point.  
 The City reserves the right to increase the minimum requirements stated below if, in its discretion, circumstances warrant additional support/

Number of Guests	Servers	Floor Supervisors	Ticket Sellers	Licensed Security Workers
Up to 100	1	1	0	0
101-200	2	2	1	0
201-300	2	3	2	0
301-400	3	3	2	0
401-500	3	4	2	1
501-600	4	5	3	1
Over 600	4	6	3	2

- 2.04 During the event, all event workers shall wear visible identification approved and provided by the signatory. Monitors will supervise the event, encourage legal and moderate drinking behaviour and ensure any problems that arise are dealt with appropriately.
- 2.05 All event workers shall refrain from consuming alcohol before and while performing their assigned duties at the event.

### 3.0 No Sale Special Occasion Permit Events

- 3.01 No Sale events must have trained servers and floor supervisors present in the same ratio as outlined in 2.03 with the exception of a ticket seller.

### 4.0 Sale of Beverages Containing Alcohol

- 4.01 If participants are asked to show proof that they are of legal drinking age only government issued photo identification is an acceptable proof of age. Alcohol shall not be served to anyone under the age of 19. Minors are not allowed to consume alcohol on the premises.
- 4.02 Alcohol shall not be served to anyone who may appear intoxicated.
- 4.03 All containers (glass bottles/cans) are to be retained within the bar area. Drinks should be served in disposable cups. Wine bottles would be permitted at a table where a sit down meal is being served and only until the meal is completed.
- 4.04 When tickets are used, they must be purchased from a designated ticket seller only and redeemed at the bar.
- 4.05 A maximum of **5** tickets per purchase by one individual is allowed. **Exceptions may be permitted on occasions where the host/organizer wishes to provide guests with a complimentary ticket. These arrangements will require the approval of the facility booking staff in advance of the event.**

- 4.06 Unused tickets shall be redeemable for cash at any time tickets are being sold during the event.
- 4.07 The signatory shall ensure that an event worker is available at all times to ticket sellers who require assistance in managing a person who is refused a sale.
- 4.08 Non-alcoholic beverages must be made available for consumption. It is strongly recommended they be made available at either no charge or significantly lower than alcoholic beverages.
- 4.09 No marketing practices shall be permitted which encourage increased consumption i.e. oversized drinks, double shots, pitchers of beer, drinking contests, volume discounts, etc.
- 4.10 Permanent alcohol brand/manufacturers advertising is prohibited from all municipal facilities and properties. Restrictions can include, but are not limited to: clocks, scoreboards, coasters, cups, banners, signs, and posters. An exception is allowed for the use of temporary advertising only, restricted to the hours of the SOP and for events that are considered adult events. (Youth/family events are not included.)
- 4.11 Signs/displays shall be highly visible at the permit event to encourage the consumption of food, low alcohol and non-alcoholic beverages.
- 4.12 There shall be no last call for alcohol service.
- 4.13 The following activities are not permitted at Municipal Facilities
- Consumption of alcohol outside of designated areas
  - Alcohol raffles
  - Drinking games
  - Discounted drinks
  - Alcohol offered as a prize
  - Novelty alcohol items
  - Homemade alcohol will not be allowed at any function with the exception of homemade wine or beer at weddings or religious functions listed under a private No Sale SOP as defined by the AGCO.

## 5.0 Signage

- 5.01 A "Statement of Intoxication" sign conveying the following information shall be posted at each Permit event.
- WARNING: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby (Sandy's Law).
- No persons will be served to the point of intoxication or beyond.
- No person suspected of being under the age of 19 will be served alcohol.
- Low alcohol, non-alcoholic beverages and food are available.
- The local police are informed of all Special Occasion Permit (SOP) events.
- Local Police telephone number
- City of Kawartha Lakes telephone number
- Event sponsor's name and telephone number



# Council Policy

- 5.02 The signatory shall ensure that servers, ticket sellers, and all other workers are aware of their personal responsibility to adhere to conditions outlined in section 8.

## **6.0 Alternate Transportation**

- 6.01 All signatories must make information on alternate transportation available for event participants who choose to drink alcohol.
- 6.02 Designated drivers should identify themselves to the bartenders. This would allow non-alcoholic beverages only to be served to these individuals.
- 6.03 In the case of patrons who are intoxicated to the point that they must be cut-off, the permit holder or designate must make every effort to ensure the patron does not drive.
- 6.04 Free access to a phone should be available for calling a taxi and the telephone number of a taxi company should be prominently displayed.

## **7.0 Event Closing**

- 7.01 The bar area is to close after the last patron is served beyond 12:30 a.m., and no later than 1:00 a.m.
- 7.02 On New Year's Eve the closing time of the bar is extended to 2:00 a.m.
- 7.03 All entertainment is to be completed by 1:15 a.m. On New Year's Eve, entertainment must be completed by 2:15 a.m.
- 7.04 Facilities must be vacated by 2:00 a.m. with the exception of New Year's Eve, when the facilities must be vacated by 3:00 a.m.

## **8.0 Policy Enforcement**

- 8.01 Signatories shall ensure that all entrances to and exits from permit events are monitored to ensure that proper proof of age is determined and to ensure that no alcohol is being brought onto the premises, or taken off the premises.
- 8.02 Entry must be denied to intoxicated or unruly individuals, individuals carrying beverages containing alcohol, and individuals previously turned away from the event.
- 8.03 The signatory holder shall ensure that event workers do not serve alcohol to underage, intoxicated, rowdy, or unauthorized people at the event.
- 8.04 The signatory shall be responsible for recognizing the need for assistance during the event and requesting it from the designated City of Kawartha Lakes attendant or local police.
- 8.05 The signatory shall be responsible to ensure that the capacity does not exceed the maximum occupancy load for the designated space.
- 8.06 At masquerade events, those in attendance should be prepared to remove their masks, and provide proper identification upon the request of an event worker.



## Council Policy

- 8.07 The Police shall be informed and kept advised by the event workers (or any other person) of any problem, or potential problem, occurring at SOP events, and before the situation is out of control.
- 8.08 The City of Kawartha Lakes representative shall reserve the right to require the presence of police officers for the duration of an event, the cost to be borne by the sponsor group or signatory.
- 8.09 Signatories, other than City committees, shall ensure that the organization carries a minimum of \$2,000,000 liability insurance and that The Corporation of the City of Kawartha Lakes is added as an additional insured.
- 8.010 The signatory is required to report in writing to the Parks, Recreation and Culture Division within the next business day, all incidents including injury to an attendee, participant, or member of the public, damage to City property or the property of a third party, if patrons are ejected from an event, or local police or EMS are called.