



middlesex
centre

in the centre of it all

MUNICIPAL ALCOHOL POLICY



**MUNICIPAL ALCOHOL POLICY
JUNE 2013**

PURPOSE

To define the conditions for Special Occasion Permit (SOP) events and establish procedures to ensure a safe and managed approach for the consumption of alcohol at events held on municipal property and for enforcing violations of the Alcohol Policy and relevant procedure.

SCOPE

This procedure applies to all persons sponsoring an event (permit holders), occurring at a Municipality of Middlesex Centre facility or on municipally owned or leased property, Municipality of Middlesex Centre hosted events where alcohol is served and generally applies to any municipal facility that is fully licensed. In the case of a conflict between this procedure and the applicable Provincial rules and regulations, the Provincial rules and regulations take precedence.

PROCEDURE

Any municipal property for which a license has been obtained from the Alcohol and Gaming Commission of Ontario and for which the sponsor/permit holder of such event has signed a Facility Rental Agreement with the municipality, setting out the conditions of the municipality and the Alcohol and Gaming Commission of Ontario, is deemed suitable for Special Occasion Permit events, unless otherwise specified in this procedure.

The Director of Community Services having operational jurisdiction over a facility has the authority to approve or deny a proposed Special Occasion Permit event at a location(s) within or on the grounds of the municipal property under his/her jurisdiction.

Special Occasion Permit Events are NOT Permitted at the following locations:

- Parks and open space areas including children's playground areas, sport fields and related areas such as parking lots, unless a resolution from Council authorizes such an event, or the area is defined as an "outdoor beer garden" and the Director of Community Services having operational jurisdiction over the facility has authorized the event;
- Events targeted exclusively to youth under 19 years of age.

CONDITIONS FOR SPECIAL OCCASION PERMITS - MUNICIPAL FACILITIES

Rules and conditions for the provision/consumption of alcohol may vary, and are dependent upon the type of facility or event as well as conditions that the Municipality of Middlesex Centre may include from time to time. The municipality reserves the right to vary or introduce additional conditions or restrictions at its absolute discretion.

Controls - The permit holder must:

- a. Complete an 'Application for a Special Occasion Permit' form to the Alcohol and Gaming Commission of Ontario and pay the applicable fee. This application must be completed at an LCBO SOP Service store. Applications need to be completed at least 10 days prior to a 'Private SOP' and 30 days prior to all other events.
- b. Upon obtaining the required Special Occasion Permit, obtain the necessary Facility Rental Agreement from the Municipality.
- c. Sign and have witnessed the Agreement Form attached as Appendix "A".

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- d. Ensure that all Bartenders have obtained a Smart Service Certificate in serving alcohol and that the bartenders have proof of certification available at the event.
 - e. Attend the event and ensure the operation is in accordance with the rules of the *Liquor License Act*, applicable regulations, policy and procedures.
 - f. Be on duty to ensure the physical setting is safe at all times. Any unsafe condition must be reported to the facility representative and addressed appropriately.
 - g. Ensure that no-one under the age of 19 is served alcohol and that Government issued photo identification or identification in accordance with the *Liquor License Act* is shown when requested.
 - h. Remain accountable and maintain a responsible level of sobriety and ensure that bartenders abstain from consuming alcohol.
 - i. In the event that attendees are able to walk around the event with alcohol, ensure that the event area where alcohol is being served is secured on all sides by a single fence or wall of a minimum of three feet, so that no unauthorized person can access any stored alcohol.
 - j. In the event of an approved outdoor 'beer garden', fencing is required for the outdoor designated area. It shall be a single row of fencing which is 36 inches high and be securely erected. The cost and set up of fencing is the responsibility of the event organizer. Location of the designated beer garden is to be pre-approved by the Director of Community Services and/or designate prior to the Facility Rental Agreement being finalized.
 - k. Ensure the guests at the event are properly supervised and also ensure no one consumes alcohol in an unauthorized location.
 - l. Ensure that all entrances and exits to the event are adequately supervised.
 - m. Ensure that food and non-alcoholic drinks are available at all times. The cost of non-alcoholic drinks must be significantly lower than alcoholic drinks.
2. The following original documentation and one copy must be provided to the appropriate municipal representative, at least two (2) weeks prior to the event. Copies to be maintained by the appropriate municipal representative for file purposes:
- a. Special Occasion Permit
 - b. A list of bartender(s) serving at the event, who have completed the "Smart Serve" training along with a photocopy of the "smart serve" certificates of such bartenders, and assurance that there will be a minimum of one bartender for every 50 patrons.
 - c. Proof of insurance in accordance with criteria outlined in # 5 "Insurance and Indemnification"
 - d. In the case of a 'Stag & Doe Private SOP' a copy of the invited guest list.
3. Bar Rules
- a. A maximum of 4 drinks/tickets may be purchased by an individual at any one time. Alcohol shall not be left available for self service.
 - b. The permit holder shall allow the redemption of unused tickets for cash at any time during the event.

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- c. Bartenders reserve the right to refuse service and the permit holder has the right to refuse admittance to persons who are underage, or to an individual who appears intoxicated.
 - d. There will be no “last call”. Hours of operation of the bar must be posted.
 - e. The bar must close no later than 1:00 a.m. and all evidence of sale must be removed within 45 minutes of the bar closing. Any requests for a later closing must be filed and pre-approved by the Municipality of Middlesex Centre a minimum of seven (7) days in advance.
 - f. Non-alcoholic beverages must be provided for designated drivers free of charge.
 - g. All prices charged for alcohol must comply with the *Liquor License Act*.
 - h. Call police to report a driver who is suspected to be impaired.
 - i. All facilities must be vacated by 2:00 a.m. unless otherwise negotiated with the Director of Community Services. If a later closing time is pre-approved, the closing time will be adjusted accordingly.
 - j. All event workers are encouraged to wear a form of identification as supplied by the event sponsor/permit holder.
 - k. Marketing practices which encourage increased consumption, such as oversize drinks, double shots or spirits, drinking contests, and volume discounts are **not permitted**.
 - l. Free drinks **shall not** be advertised.
4. Security
- a. At least one municipal representative with authority to demand correction and/or to shut down an event on behalf of the corporation will be available for all Special Occasion Permit events.
 - b. Licensed security services may be required at the event. Security measures will be determined on a case by case basis in consultation with the municipality and the Ontario Provincial Police. The permit holder is responsible for any expenses incurred for security requirements.
5. Insurance & Indemnification
- a. Individuals or groups sponsoring a Special Occasion Permit event must show proof that they have a minimum of two million (\$2,000,000) liability insurance coverage and that the Municipality of Middlesex Centre is named as an additional insured, at least two (2) weeks prior to the event. Insurance can also be purchased through the municipalities ‘Facility Rental User Liability Program’.
 - b. The Sponsor shall indemnify and save harmless the Municipality of Middlesex Centre from any and all claims, in connection with the holding of an event involving the serving of alcohol at municipal properties. Such claims include but are not limited to demands, causes of action, losses, costs or damages that the Municipality of Middlesex Centre would otherwise suffer, incur or be liable for, resulting from the Sponsors’, event workers’ and agents’ performance, actions and negligent acts or omissions.

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6. Violations

- a. If the Municipal Alcohol Policy or Procedure is violated, or any law is broken, there will be consequences for the permit holder, up to and including withdrawal of privileges to hold future events at municipal facilities or properties. Municipal staff may at their discretion close down the event immediately and/or refuse to issue future facility permits to the event organizers.
- b. A violation occurs when the Special Occasion Permit holder fails to comply with the conditions of the *Liquor License Act*, or the Municipal Alcohol Policy and Procedure.
- c. Intervention can be initiated by a Municipality of Middlesex Centre staff designate, event staff, a member of the Ontario Provincial Police or an inspector of the Alcohol and Gaming Commission of Ontario.
- d. As a member of the organizing group, the permit holder is encouraged to intervene by informing the offending individuals of the policy violation and ask that it stop.
- e. Contravention of the Municipal Alcohol Policy and Procedure may result in prohibition of future use of Municipal property.
- f. Should a violation of the policy or procedure occur, municipal staff will follow the procedures as listed below:
 - First Minor Offence: The Director of Community Services will advise the event sponsor of the violation and that no further violation shall be tolerated and that charges/costs may be incurred (i.e. loss of security deposit).
 - First Serious Offence: Rental privileges shall be revoked immediately for any serious altercation (i.e. serving without a proper license, loss of control, total neglect of the facility etc.). An investigation will also take place to gather all information.
 - Second Offence: Should the Special Occasion Permit holder violate the policy a second time, the organizers and/or the organization will be suspended from Special Occasion Permit privileges at all municipal properties for a minimum of one year at the discretion of the municipality. The Special Occasion Permit holder will be advised in writing of the suspension.

7. Prohibited Activities

The following activities are not permitted at Municipal Facilities:

- Alcohol raffles
- Drinking games
- Discounted drinks
- Alcohol as a prize

8. Safe Transportation

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

- a designated driver selected from non-drinking participants at the event

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- a designated driver provided by the sponsoring group or
- a taxi paid either by the sponsoring group or the participant

RESPONSIBILITIES

A Special Occasion Permit holder or an event designate has the responsibility to fulfill requirements of the provincial legislation and regulations and the procedures and conditions established.

DEFINITIONS

Alcohol: spirits, wine or beer, or any combination thereof and includes any product of fermentation or distillation in a form appropriate for human consumption as a beverage, alone or in combination with another matter.

Event Area: the area identified by a permit from the property owner where the event will take place.

Licensed Event Area: the area identified by the Special Occasion Permit (SOP) where alcohol will be stored and served, as per the conditions of the permit(s) and the SOP.

Property/Properties: any Municipality of Middlesex Centre owned or leased lands, facilities, buildings and structures.

Smart Serve: the Smart Serve training program offered by Smart Serve Ontario, a division of the Hospitality Industry Training Organization of Ontario. The Smart Serve program is the only responsible beverage service training program that is recognized by the Alcohol and Gaming Commission of Ontario. It has been 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.

For Further Information, contact Smart Serve Ontario @ www.smartserve.org

Special Occasion Permit: a permit issued by the Alcohol and Gaming Commission or Registrar of Alcohol and Gaming. The Special Occasion Permit authorizes the holder to sell or serve liquor on a prescribed special occasion. Prescribed means prescribed by the regulations made under the *Liquor License Act*. A Special Occasion Permit does not allow consumption of alcohol on Municipality of Middlesex Centre properties except in accordance with this procedure.

Special Occasion Permit Event: any event held on Municipality of Middlesex Centre property at which alcohol will be served and/or sold under the authority of a Special Occasion Permit.

Unlicensed Event Area: the area identified by a permit from the Municipality of Middlesex Centre where alcohol will be allowed to be in possession by event participants, as per the conditions of the permit(s) and SOP.

Beer Garden: an outdoor area in which alcohol and food are served.

AGCO: Alcohol and Gaming Commission of Ontario for more information please visit www.agco.on.ca



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“APPENDIX A”

Special Occasion Permit Holder Agreement

1. I have received and reviewed a copy of the Municipality of Middlesex Centre’s “Municipal Alcohol Policy and Procedure” (attached)
2. I understand that I must adhere to the conditions of the Alcohol Policy and Procedure and the *Liquor License Act* of Ontario.
3. I understand that if I or other individuals at the event fail to adhere to the Municipality of Middlesex Centre’s “Municipal Alcohol Policy” and related Procedure(s), Middlesex Centre staff will take the appropriate action. This action may include eviction, revoking of the Special Occasion Permit and the notification of Police or Alcohol Gaming Commission of Ontario authorities.
4. I understand I can be held liable for injuries and damages arising from failure to adhere to the *Liquor License Act* of Ontario.
5. I understand that the Ontario Provincial Police and/or the Alcohol and Gaming Commission of Ontario authority may lay charges for infraction of the *Liquor License Act* of Ontario or other relevant legislation.

Date of Event: _____

Event Location: _____

Name: _____

Signature: _____

Date: _____

Staff: _____



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**“APPENDIX A”
(RETURN WITH SIGNED CONTRACT)**

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