



## **REPORT**

**TO:** Mayor Avis & Council

**FROM:** Jason Kabel, Community Services Division Manager

**DATE:** July 4, 2018

**RE:** **Municipal Alcohol Policy – Draft Revision**

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At the April 16, 2018 meeting of the Community Services Executive Committee, the committee reviewed and made recommendations for subsequent revisions to the Municipal Alcohol Policy (MAP). The Community Services Division also sought input from the Northwestern Health Unit (NWHU) to determine if the current draft would meet the 'Blue Ribbon Standard' for their policy evaluation. The previous draft did achieve 84 points on the Blue Ribbon scale (70 points minimum achieves Blue Ribbon status) but there were a few recommendations from the NWHU for consideration for an even stronger policy.

The Community Services forwarded the revised version of the Municipal Alcohol Policy for all other executive committees to evaluate the draft the week of July 2, 2018 with recommendations incorporated herein.

Please find attached the updated draft of the Municipal Alcohol Policy for consideration.

### **RECOMMENDATION**

The Community Services Division recommends to Mayor & Council to endorse and adopt the attached Municipal Alcohol Policy.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "J. Kabel".

Jason Kabel

<p><b>Council approval of this report will</b> endorse and adopt the attached Municipal Alcohol Policy.</p>
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# THE TOWN OF FORT FRANCES

## Section: Community Services

### Policy: Municipal Alcohol Policy

**Creation Date: FEBRUARY 1995**

**Resolution Number:**

**Revision Date: JULY 2018**

**Policy Number: 2.1**

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#### **1. POLICY OBJECTIVES**

- A. To develop appropriate procedures and provide education to individuals or groups wishing to hold events in municipally-owned facilities to ensure that all legislation pertaining to Special Occasion Permits is properly understood and strictly complied with.
- B. To ensure proper supervision and operation of Special Occasion Permit events to protect the organizers, the participating public, volunteers, the Corporation and its staff from liability by providing education in prevention and intervention techniques and through effective management procedures.
- C. To encourage and reinforce responsible, moderate drinking practices for consumers through the development of appropriate operational procedures, controls, training and education.
- D. To respect the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative non-alcoholic drinks.
- E. To provide for a balanced use of alcohol and no-alcoholic beverages through Special Occasion Permits so that alcohol becomes a responsible part of a social function rather than the reason for it.

#### **2. MUNICIPAL FACILITIES ELIGIBLE FOR SPECIAL OCCASION PERMITS (SOP) OR CATERER'S ENDORSEMENT**

- A. Arena Auditorium
- B. Arena Main Floor when ice is out
- C. East End Hall
- D. Museum
- E. Library
- F. Council Chambers
- G. Committee Room (Town Hall)
- H. Airport Grounds
- I. Sorting Gap Marina
- J. Sunny Cove Camp (non-youth events)
- K. Rainy Lake Square (By Caterer's Endorsement ONLY – No SOP – Stop serving alcohol by 11pm)

### **3. MUNICIPAL FACILITIES NOT ELIGIBLE FOR SPECIAL OCCASION PERMITS OR ALCOHOL CONSUMPTION**

- A. St. Francis Sports Fields
- B. Memorial Sports Centre Grounds
- C. Point Park
- D. Arena Seating Area
- E. Arena Change Rooms
- F. Fort Frances Seniors Centre (Formerly Sister Kennedy Centre)

#### **\* EVENTS NOT ELLIGIBLE FOR SPECIAL OCCASION PERMITS**

All youth events and all minor sports events, including banquets, are designated as events not suitable for alcohol use. Associated adult evening social events commencing after 8:30 pm will be allowed, however, minors will not be allowed into these licensed events.

### **4. SERVER TRAINING**

In order to be eligible to rent a municipal facility for a Special Occasion Permit event, the renter must demonstrate to the facility representative that a minimum of 60% of event workers and 100% of event servers have been trained in responsible serving techniques (see 6.2). The Smart Serve Responsible Alcohol Beverage Service Training Program is approved by the Alcohol and Gaming Commission of Ontario (AGCO) as a responsible server training program.

### **5. PROVIDE FOOD AND NON-ALCOHOLIC BEVERAGES**

In order to be eligible to rent a municipal facility for a Special Occasion Permit event, the renter must demonstrate to the satisfaction of the facility representative that a quantity of non-alcohol beverages be displayed and available at no charge or at a cost much lower than that of drinks containing alcohol. Fresh drinking water must be available for those in attendance.

Food must be provided beginning no later than 8 pm and must not be removed until the bar closes. Chips, peanuts, popcorn and other snacks do not qualify as food on their own. At the very least food consists of sandwiches, cheese and vegetables with dip.

### **6. CONTROLS**

6.1 In order to be eligible to rent a municipal facility for a Special Occasion Permit event, the renter must demonstrate to the satisfaction of the facility representative that the municipal alcohol policy is understood, that the regulations will be strictly observed and that sufficient controls are in place that will assist in ensuring compliance with the policy. The renter **MUST** sign the rental agreement, failure to do so will result in the rental application being denied, even if a Special Occasion Permit has been obtained from AGCO (Alcohol and Gaming Commission of Ontario).

6.2 The event sponsor must provide a list of event workers that have been trained in a responsible server training course to the facility representative at least two weeks prior to the event. This applies whether alcohol will be sold or provided at no charge.

6.3 The event sponsor must obtain a Special Occasion Permit from the Liquor License Board of Ontario and must show proof of this to the facility representative at least one week prior to the event.

6.4 Each entrance will be diligently supervised by a minimum of two server-trained people 19 years of age or over.

6.5 Ensure that no one under the age of majority is served alcohol. Anyone who appears to be under 25 years will be required to show identification before they are allowed into the event

- 6.6 Event staff are to check the identification of all participants at masquerade events.
- 6.7 The only acceptable form of identification will be in compliance with the Ontario Regulation 389/91 s. 29 (5) of the Liquor License Act which includes:
- (a) a driver's licence with photograph;
  - (b) a Canadian passport;
  - (c) a Canadian citizenship card with photograph;
  - (d) a Canadian Armed Forces Identification Card;
  - (e) a permanent resident card issued by the Government of Canada;
  - (f) a Secure Certificate of Indian Status card issued by the Government of Canada; or,
  - (g) a photo card issued by the Liquor Control Board of Ontario.
- 6.8 At events where youth under nineteen (19) years of age are permitted entry, the Event Organizer shall not allow promotional advertising of alcoholic beverage names, brands or manufacturers outside the designated alcohol service area.
- 6.9 The person who signs the Special Occasion Permit Application and the Rental Agreement must attend the event and be responsible for making decisions regarding the operation of the event. A person may be appointed as a designate to attend the event and assume the responsibility in the permit holder's place.
- 6.10 Before the event starts, the event sponsor and facility staff must ensure that the physical setting is safe for both drinkers and non-drinkers.
- 6.11 The event sponsor and facility staff must prevent patrons from engaging in activities that can harm themselves or others.
- 6.12 All exits must be monitored.
- 6.13 A floor supervisor will be available upon request to event workers who require assistance.
- 6.14 During a Special Occasion Permit event being held at Fort Frances facilities, all bottles, with the exception of wine bottles, must be retained within the bar area and all drinks must be served in paper or plastic cups.
- 6.15 The Sorting Gap Marina & Airport Grounds Special Occasion Permit event area must be fenced appropriately.
- 6.16 Marketing practices which encourage increased consumption, such as oversize drinks, double shots of spirits, pitchers of beer, drinking contests, and volume discounts are not permitted. Shooters are prohibited.
- 6.17 Alcoholic beverages are to be served in accordance with the standard drink measurements. No energy drinks (with or without alcohol in them) shall be sold, served or consumed.
- 6.18 No extra strength beer allowed (over 5%)
- 6.19 A variety of no-alcohol and low-alcohol beverages must be available for purchase (30% of the total drinks available must be no-alcohol or low-alcohol).
- 6.20 There will be no last call. When entertainers/DJs arrive, they must be informed that there is to be no "last call".
- 6.21 The licensee must abide by the rules of the Municipal Alcohol Policy as enforced by the facility representative.
- 6.22 If applicable, a minimum of two server-trained people will be designated to sell tickets. Tickets will no longer be on sale after 12:30 a.m.
- 6.23 A Special Occasion Permit event must have sixty percent of the servers and floor supervisors trained in a server training program. There must be at least one trained server behind the bar at all times.
- 6.24 All event workers must wear highly visible identification provided by the permit holder.

- 6.25 Whenever possible, police will be notified by the permit holder or his/her representative of a potentially risky situation before the situation is out of control.
- 6.26 The bar area will close no later than 1:00 a.m. and all entertainment must be completed by 1:05 a.m. (except where otherwise specified).
- 6.27 Facilities must be vacated by patrons by 1:30 a.m. and the permit holder shall remove all evidence of the service and consumption of liquor by 1:45 a.m.
- 6.28 Patrons must purchase drink tickets from a designated ticket seller to a maximum of four (4) tickets or drinks per purchase per person.
- 6.29 Patrons indicating they wish to submit pre-purchased alcohol tickets for a full refund will have the option to do so, during the event to the time bar closes at 1:00 a.m., up to a maximum of four (4) tickets per person. Guests cannot be required to purchase a minimum number of drinks (or drink tickets) to enter or remain at the event.
- 6.30 Event workers must report any infraction of this policy to the Town within 24 hours or the start of the next business day.
- 6.31 Event workers must report any infraction that requires police involvement to the OPP and Town staff immediately. If the permit holder does not correct the infraction(s), and the police are in attendance, the police may close down the event.
- 6.32 All reported infractions will be reviewed by the Town. If determined that infractions were mismanaged, a letter will be sent describing the infraction to the permit holder informing that rental privileges may be revoked.
- 6.33 The Town of Fort Frances, at the sole discretion of Council or designate, reserves the right to require two (2) security officers for a minimum of four (4) hours at an outdoor event where there will be more than 300 patrons, the cost of which will be borne by the sponsoring group or individual.
- 6.34 Groups who fail to comply with the Municipal Alcohol Policy are subject to the consequence of not being allowed to rent a Town facility for a minimum period of 12 months.

Note: Closed Private Functions (such as weddings, anniversaries, etc. are exempted from 6.4 and 6.23.

## **7. INSURANCE**

The renter(s) with a Special Occasion Permit event being held in a municipally owned facility is required to provide proof of third party liability insurance (\$5 million minimum) or obtain third party liability insurance through the Town of Fort Frances at least fourteen (14) days before the event.

## **8. GUIDELINES FOR SPECIAL OCCASION PERMIT HOLDERS**

- 8.1 As the contact person for a Special Occasion Permit, you and your group can be held liable for injuries and damages arising from failure to adhere to the Liquor Licence Act of Ontario. These infractions include serving someone to intoxication, serving someone who is already intoxicated, serving minors, and failing to prevent impaired individuals from driving.
- 8.2 In order to reduce your group's risk of liability, the following guidelines shall be followed:
  - (a) The event sponsor is responsible for decision-making during the event and therefore shall refrain from consuming alcohol while the event is in progress.
  - (b) All event workers shall refrain from consuming alcohol while the event is in progress. Workers may only drink alcohol if they have completed their shift and their work responsibilities have ended for the entire event.

- (c) At least one municipal representative **with authority to demand correction and/or shut down an even on behalf of the Town** will be available and/or on call, and may check all Special Occasion Permit Events.
- (d) The event sponsor shall take reasonable steps to prevent impaired people from driving.
- (e) The event sponsor will be held responsible for any damages arising during the event.

## 9. SIGNAGE

- 9.1 Serving Practices signs will be provided by the Town of Fort Frances to be placed in the bar area. The signs will state: "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 also pleased to offer non-alcohol beverages."
- 9.2 Accountability signs will be supplied by the Town of Fort Frances. These signs will be posted at the bar and main entrance of all Liquor Licenced Events. These signs will inform patrons where to direct concerns regarding the manner in which the function has been operated. In addition, to naming the sponsor of the event, these signs should include the name and address and phone numbers of the Municipal Office, Police Service and the Alcohol & Gaming Commission of Ontario.  
Having these signs visible to participants eliminates any confusion on who to contact for information or to lodge complaints regarding an event.
- 9.3 No Last Call sign stating "Last Call will not be announced" to be placed in the bar area. This sign will be provided by the Town of Fort Frances.
- 9.4 A sign must be posted at the alcohol ticket sales tables stating "ALCOHOL TICKET SALES: No more than four (4) tickets per person may be sold at a time".
- 9.5 Unused Tickets sign stating "The bar closes at 1:00 am. Unused tickets will be refundable up to the time the Liquor Licenced Event expires." This sign will be provided by the Town of Fort Frances. This sign to be placed at bar or ticket sale area.
- 9.6 Proof of age signs must be posted near entrances and in bar areas designated as eligible for alcohol use which read "You must be 19 years or older to consume alcohol at a Special Occasion Permit Event. The only acceptable proof of age is government-issued photo identification".
- 9.7 Restricted areas in Town facilities will be clearly posted "Alcohol is not permitted in this area".

## 10. SAFE TRANSPORTATION

The risk of liability is high when an impaired driver leaves an event where alcohol is served. The Event Organizer is responsible to take the necessary steps to reduce the possibility of impaired driving. The Event Organizer is responsible for promoting safe transportation options for attendees of the event or contacting police as appropriate, including for persons who may be denied entry or are removed from the event.

As a condition of rental, the Event Organizer must have a Safe Transportation Strategy in effect. Examples of a Safe Transportation Strategy include:

- Providing non-alcohol 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 (e.g. 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 drivers that will use a vehicle to transport intoxicated persons to a place of safety. This program should include announcements made periodically throughout the event to those in attendance encouraging the use of a designated driver or alternate means of transportation; program information posted prominently in the licensed/alcohol service area; and plans for backup transportation options that include those for whom the intoxicated person may be responsible.
- Advertise the Use of Taxi Service – The event organizer shall advertise or announce the availability of a taxi service to attendees of the event. If not required to provide a taxi service, the liquor licence event organizer shall ensure that appropriate signage is erected at the facility, which includes the telephone number and/or use their best efforts to obtain any attendee a taxi upon request.

## **11. POLICY IMPLEMENTATION / REVIEW**

The Municipal Alcohol Policy will be reviewed as necessary, at least every three years, by the Community Services Executive Committee with revision recommendations made to Council. After revisions to the Municipal Alcohol Policy are adopted by Council, the municipality shall orient pertinent staff on the revised policy & any potential new requirements and promote the policy to the community by posting to the Town website.

## APPENDIX “A” - AGREEMENT FORM FOR SPECIAL OCCASION PERMIT HOLDER

1. I have read and understand the Town of Fort Frances Municipal Alcohol Policy.
2. I understand that I must adhere to the conditions of the Municipal Alcohol Policy and the Liquor Licence Act of Ontario.
3. I understand that if I or other individuals at the event fail to adhere to the Municipal Alcohol Policy, Fort Frances staff will take the appropriate action. This action may include eviction from the premises, revoking of the Special Occasion Permit, and the notification of local authorities.
4. I understand I can be held liable for injuries and damages arising from failure to adhere to the Liquor Licence Act of Ontario.

\_\_\_\_\_  
Signature – Permit Holder/Event Sponsor

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Signature – Facility Representative

\_\_\_\_\_  
Date

### Event Workers (please print)

Bartenders	Floor Supervisors	Door Supervisors	Ticket Sellers

**Special Security** (if required) \_\_\_\_\_, \_\_\_\_\_



## APPENDIX “B” – JOB DESCRIPTIONS AND RESPONSIBILITIES FOR EVENT STAFF

**Permit Holder/Event Sponsor:** Signs the alcohol permit, is the general manager of the event and assumes responsibility and liability for the operation of the event. She or he must attend the event, ensure that there are enough server-trained staff available, co-ordinate and help staff, and ask for help from security if needed.

**Bartender:** Accepts tickets for the purchase of alcohol drinks, serves drinks, monitors for intoxication, refuses service when patron appears to be intoxicated or near intoxication and offers no-alcohol substitute.

**Floor Supervisor/Monitor:** Chats with participants, monitors patron behaviour, monitors for intoxication. Responds to problems and complaints, refuses service, removes intoxicated persons, suggests safe transportation options.

**Door Supervisor/Monitor:** Checks identification and for signs of intoxication, keeps out intoxicated and troublesome individuals, monitors for those showing signs of intoxication when leaving the event, recommends safe transportation options and arranges for coat checking.

**Ticket Seller:** Sells alcohol tickets to a maximum of four (4) per person per purchase, monitors for intoxication, refuses sale to patrons at or near intoxication, refunds tickets on request.

**Special Security:** Patrols the room, scans for potential trouble, notifies event staff and permit holder of potential incidents, helps event staff to handle disturbances.

### Suggested Ratio of Event Workers

Number of Participants	Bartenders	Floor Supervisors	Door Supervisors	Ticket Sellers
Under 25	1	0	1	0
25 to 50	1	1	1	1
51 to 100	2	2	2	2
101 to 200	2	3	3	2
201 to 300	3	3	3	3
301 to 400	3	3	4	3
401 to 500	4	4	4	5
501 to 750	6	6	6	6
751 to 1300	8	8	8	8