

# THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER



## Alcohol Risk Management Policy

February 2011

## ALCOHOL RISK MANAGEMENT POLICY

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Council Resolution No. C 108 2011

# **Alcohol Risk Management Policy Township of Springwater**

Approved: April 6, 2010 Effective: April 6, 2010 Revised: February 22, 2011 Next Review: Every Term of Council	Department: Parks and Recreation Subject: Alcohol Risk Management Policy Number: A09 AL
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## **A. Policy Statement**

It is the goal of the Township to provide for orderly uses of alcohol during events and functions. This will allow as many people as possible to enjoy Township owned facilities in a manner that ensures the health and safety of the participants and the protection of the municipality.

## **B. Purpose**

The purpose of the Alcohol Risk Management Policy is to:

- ensure proper control, management and responsible use of alcohol during events and functions held in or at Township owned or operated facilities,
- reduce the risk of alcohol-related liability suits against the Township, and
- ensure public safety at all alcohol-related functions.

## **C. Scope**

This Policy pertains to all events held at Township or appointed Boards of Management owned or operated facilities.

## **D. Definitions**

“Booking Agent” includes Council appointed Recreation Hall Board representative(s) who have the authority to reserve facilities on behalf of the Township.

“Council” means the Council for the Corporation of the Township of Springwater.

“Director of Recreation, Parks & Properties” means the Director of Recreation, Parks & Properties for the Corporation of the Township of Springwater, or his/her designate.

“Facility” means a facility owned by the Township that is available for rent.

“Occupier” means anyone who has control of the premises and the power to admit or exclude others.

“Occupiers liability” arises from conditions of premises, conduct of entrants, and activities permitted on the premises.

“OPP” means the Ontario Provincial Policing, including the Huronia West Ontario Provincial Police.

“Permit Holder” means the applicant who completes the permit for a liquor licence.

“Private Events” include events held by invitation only such as weddings, anniversaries, wine and cheese receptions etc.

“Public Events” include events where the general public will be attending such as dances, open houses or outdoor events where the general public will be attending such as baseball tournaments and beer tents.

“Recreation, Parks and Properties Department” means the Recreation, Parks and Properties department for the Corporation of the Township of Springwater.

“Renter” means any person or organization who applies to rents the facilities in the Township.

“Township” means the Corporation of the Township of Springwater.

## **E. General**

This Policy shall be administered by the Recreation, Parks and Properties Department.

This Policy shall be referred to as the ‘Alcohol Risk Management Policy’.

The passing of this Policy will rescind Resolution No. C 169 2010.

This Policy shall come into force and effect on the day of effect.

This Policy shall be reviewed during each Council term.

## **F. Authority**

The authority for the Alcohol Risk Management Policy shall be by the approval of the Council of the Township of Springwater.

**ATTACHMENT A**  
**OBJECTIVES OF THE ALCOHOL RISK MANAGEMENT POLICY**

1. To provide appropriate and reasonable procedures and education to individuals or groups wishing to hold events in Township facilities.
2. To encourage and enforce responsible drinking practices and adherence to the *Liquor Licence Act* of Ontario.
3. To ensure proper supervision and operation of events in order to protect the Township and its staff from liability arising from events, and to assist event sponsors in doing so by providing guidelines for proper supervision and proper orientation of events.
4. To encourage and reinforce responsible, moderate drinking practices for consumers through the development of appropriate operational procedures, controls, training and education.
5. To honour the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative, non-alcoholic drinks.
6. To provide for a balanced use of alcohol so the alcohol becomes a responsible part of a social function rather than the reason for it.
7. To promote the safe and responsible use of the facilities and ensure that consumers, abstainers, adults, youth and families will be adequately serviced and protected.
8. To be proactive in the reduction of incidents including injury and death through the implementation of an Alcohol Risk Management Policy.
9. To develop an Alcohol Risk Management Policy that is easy to read and understand in order to maximize its use and adherence.

## **ATTACHMENT B PROCEDURES OF THE ALCOHOL RISK MANAGEMENT POLICY**

### 1. History

Municipalities inherently have an exposure to liability with respect to alcohol-related injuries due to the provision and rental of their facilities for events involving the use of alcohol. Essentially, the potential liability results from one of two areas:

- A. As a provider of alcohol (i.e. the municipality is involved in the sale of alcohol), or
- B. As an occupier of the premises upon which alcohol is being consumed (i.e. rental function and municipality controls the premises).

### 2. Conditions for Special Occasion Permits

The person/group responsible for an event must obtain a Special Occasion Permit from the Liquor Control Board of Ontario, and ensure that all the conditions of the *Liquor Licence Act* and the Township of Springwater are adhered to for the event. The Township reserves the right to refuse any applicant permission to run a licensed event on its property and to impose on the event whatever restrictions it deems appropriate to the circumstances. Permits will not be issued by the Township of Springwater for alcohol consumption at any youth focused event.

**All permit holders are required to adhere to the conditions as outlined in the following sections of this Policy.**

### 3. Controls Prior to Event

The permit holder and renter will receive a copy of this Policy, together with a Special Occasion Agreement Form. The agreement form is to be signed and returned to the Recreation, Parks and Properties Department or an appropriate booking agent at least two (2) weeks prior to the scheduled event.

The permit holder and renter will provide the Recreation, Parks and Properties Department or an appropriate booking agent with a list of bartenders and door and floor monitors that will be working at the event at least two (2) weeks prior to the event.

All bartenders must have completed the SMART SERVE program or equivalent and be qualified and aware of their responsibilities and legal liabilities. The permit holder must ensure that all conditions of the Alcohol and Gaming Commission and Township policies are adhered to. A copy of the bartender's SMART SERVE or equivalent shall be provided to the Recreation, Parks & Properties Department or the appropriate booking agent.

#### 4. Responsibilities and Requirements

##### All Events:

- A. The permit holder will ensure that the bartenders and servers do not serve alcohol to underage, intoxicated, rowdy or unauthorized people at the event. The permit holder will have intoxicated, rowdy or unauthorized persons removed from the event.
- B. The permit holder will ensure that all monitors will supervise the event, encourage legal and moderate drinking behaviour and ensure that any problems that arise are dealt with appropriately.
- C. The monitors, bartenders and servers will not consume alcohol during the event, nor will they be under the influence of any alcohol consumed before the event.
- D. The permit holder will be responsible for recognizing the need for assistance, during the event, and requesting it from the appropriate arena staff, hired security, or OPP.
- E. The permit holder or designate appointed on the Special Occasion Permit must attend the event and be responsible for making decisions regarding operation of the event. They must not consume alcohol while performing this role, nor be under the influence of any alcohol consumed before the event.
- F. The Township of Springwater reserves the right to require the presence of two or more paid duty police officers, security offers or both for the duration of an event with the cost to be borne by the sponsoring group or individual. Duties of the paid duty officers or security officers shall be communicated prior to the event.

##### Special Requirements for Public Events:

- A. Entrance to public events will be monitored by two (2) people 19 years of age or older who have preferably completed the Smart Serve program or equivalent. Acceptable identification will include photo identification such as age of majority card, Ontario driver's licence, passport or driver's licence from out of province is acceptable provided it includes a photo.
- B. Event workers must wear highly visible identification. Suggestions include shirts, hats, or badges.

#### 5. Staffing Requirements

##### Private Events:

- One Smart Serve trained bartender, one floor monitor who may be the permit holder

- Renter and permit holder must adhere to contract requirements

Public Events – Indoor events where the general public will be attending:

- Bartenders (100% SMART SERVE)
- Floor Monitors (50% SMART SERVE)
- Door Monitors (50% SMART SERVE)
- Ticket Sellers (50% SMART SERVE)
- Renter and permit holder must adhere to all contract requirements

Public Events – Outdoor events where the general public will be attending:

- Bartenders (100% SMART SERVE)
- Floor Monitors (50% SMART SERVE)
- Door Monitors (50% SMART SERVE)
- Ticket Sellers (50% SMART SERVE)
- Renter and permit holder must adhere to all contract requirements

<b>NUMBER OF STAFF REQUIRED</b>		
<b>Number of Persons</b>	<b>Number of Bartenders</b>	<b>Number of Monitors (in addition to permit holder)</b>
1 – 150 persons	1	1
151 – 200 persons	2	2
251+ persons	2 + 1 additional for every 100 persons	2 + 1 additional for every additional 100 persons

## 6. Persons Under the Age of Majority

Public Adult Events: It shall be that if persons who are the of age of majority and are attending a public event be distinguished from other participants by a visible means (i.e. stamps, wrist band).

Private Adult Events: It is recommended that if persons who are the age of majority are attending a public event that they be distinguished from other participants by a visible means (i.e. stamps, wrist band).

Youth Events: No alcohol or alcohol advertising will be permitted at youth events.

## 7. Elmvale Community Arena – Ice Surface

Public events that are held on the Elmvale Community Arena ice surface that will permit persons under the age of majority to be in attendance shall:

- create a separate area with a physical barrier where alcohol is only permitted and that only persons who have attained the age of majority will be permitted into this area, or

- the event holder shall provide monitors at all areas of entrance / egress into the alcohol area, or
- if erecting a physical barrier is not possible, all arena overhead lighting will be on during the event.

#### 8. Masquerade Events

Participants at masquerade events must be prepared to unmask and identify themselves with acceptable photo identification.

#### 9. Bar Area Closure and Premises Vacated

The bar is to be closed at 1:00 am with no last call. The facilities are to be vacated by 1:30 am (2:00 am on New Year's Eve). The only exception is for clean up after the event. This must be negotiated with the Recreation, Parks and Properties Department or appropriate booking agent in advance of the event.

#### 10. Consequences for Failure to Comply with Policy

A permit holder and / or renter who fails to comply with the Alcohol Risk Management Policy or the *Liquor Licence Act* of Ontario will be subject to the following consequences:

- A. **Serious Incident** – Rental privileges will be revoked immediately for any serious incidents (i.e. serving without a proper licence, serving minors, loss of control of an event, total neglect of facility).
- B. **First Offence** – Advise the renter in writing that any further incidents within a three (3) year period will result in rental privileges being revoked. This will be done by the Director of Recreation, Parks and Properties. Where infractions are related to the *Liquor Licence Act*, a copy will also be sent to the Alcohol and Gaming Commission.
- C. **Second Offence within a Period of Three Years** – the Director of Recreation, Parks and Properties will advise the renter in writing that the rental privileges have been revoked for a period of up to three (3) years. Where infractions are related to the *Liquor Licence Act*, a copy will be sent to the Alcohol and Gaming Commission.

The consumption of alcohol is prohibited in all public places unless a Special Occasion Permit or licence for the facility has been obtained.

The use of illegal substances is prohibited at all facilities owned and operated by the Township.

#### 11. Liability Insurance

Renters hosting public events must provide proof of a minimum \$1,000,000 in public liability insurance naming the Corporation of the Township of Springwater as an additional insured and a cross liability clause holding the Township harmless.

It is recommended that renters hosting private events obtain a minimum of \$1,000,000 in public liability insurance.

Proof of liability insurance must be provided to the Township two (2) weeks prior to the event.

## 12. Alcohol Service

Bartenders will not serve any one person at any one time more than two (2) alcoholic beverages. 'Doubles' and 'extra strength' beer over 5% will not be offered.

Discounts will not be offered for the volume purchase of tickets. No more than four (4) tickets will be sold to any one participant at a given time.

Signs outlining the above restrictions will be clearly posted.

All bottles will be retained in the bar area. Drinks will be served in disposable cups except at formal dinners where wine may be served at the table in glasses.

The renter and permit holder shall ensure that alcohol which is sold or served on the premises will not be removed from the premise by a person attending the event.

It is recommended that tickets for both alcoholic and non-alcoholic drinks be purchased from a designated ticket seller, and redeemed at the bar.

Unused tickets purchased at the event may be redeemable for cash at any time during the event.

The bar area is to close after the last person is served no later than 1:00 am with no last call. All patrons must vacate the facility by 1:30 am.

No person attending the event shall bring their own alcohol onto the premises.

Marketing practices which encourage increased consumption will not be permitted (i.e. oversized drinks, double shots, pitchers of beer, drinking contests, volume discounts on tickets, and events that include the bar).

Adequate supply of food must be served to persons attending the event. Items not considered 'food' are snacks such as peanuts, potato chips and other salty items.

## 13. Advertising

The following alcohol advertising regulations set out for establishments are the same for permit holders:

- A. Advertisements may state only the name of the establishment, that you have a liquor licence and the types of liquor you have available. You may not mention brand names or manufacturers in the advertisement. Liquor prices may not be advertised outside of the establishment. Advertisements that carry more information than the above must be approved by the Alcohol and Gaming Commission.
- B. Anyone involved in the sale and service of alcohol must know that no action, such as pricing or advertising, may promote or encourage excessive consumption. It is also a violation to require patrons, as a condition of entering or remaining on the premises, to purchase a minimum number of alcoholic beverages.

#### 14. Purchase of Alcohol

According to the *Liquor Licence Act*, no person shall purchase liquor except from a government store or from a person authorized by licence or permit to sell liquor.

#### 15. Signs

The following sign will be displayed at the bar indication that it is illegal to serve anyone to intoxication. The sign shall read:

**TOWNSHIP OF SPRINGWATER  
ALCOHOL RISK MANAGEMENT POLICY**

It is against the law to serve anyone to intoxication and/or to serve someone who appears to be intoxicated. Bartenders, servers and monitors in our facilities are required to obey the law.

We do not wish to harm our customers, nor do we wish them to harm others. People use our facilities for enjoyable social gatherings, and we are happy to provide these opportunities.

It is our policy that a maximum of two (2) alcoholic beverages per person may be served at any one time. Should you wish a non-alcoholic beverage, please request a soda pop, coffee or other alternative. If you would like a smaller than standard portion of alcohol, please request a low alcohol beer, wine or mixed drink.

At any time during the event unused tickets may be redeemed for cash.

The Township of Springwater supports the R.I.D.E. program. The OPP look forward to personally thanking you at one of their spot checks for leaving this event as a sober driver.

The renter and permit holder will be responsible for promoting safe transportation options for the drinking participants, such as but not limited to the following:

- Provide free non-alcoholic beverages for designated drivers
- Post the phone number of local taxi companies
- Provide an alternative means of transportation for those who are suspected to be intoxicated (i.e. call a friend, relative or taxi, call the police to warn or apprehend the driver who is suspected to be intoxicated)

#### 17. Table Tents

The use of table tents is recommended to remind event participants about the importance of not drinking and driving. Table tents should have messages such as:

*'The OPP thank you for helping to reduce impaired driving everywhere in the Township of Springwater and the County of Simcoe. We look forward to personally thanking you at one of our spot check from leaving this event sober.'*