

Recreation Facility – Municipal Alcohol Policy

Policy Statement

The Town of Prescott Municipal Alcohol Policy provides for responsible management practices at functions or events held at municipally owned facilities, parks, or areas where alcohol is available under the authority of a Special Occasion Permit (SOP) or Caterer's Endorsement.

The Town of Prescott has developed this policy as a means of enhancing and promoting the social enjoyment and physical safety of everyone who uses these facilities and areas, while at the same time mitigating risks to public safety and the public interest.

1. Objectives

- 1.1.** To ensure proper operation and supervision of SOP or Caterer's Endorsement events by providing education in prevention and intervention techniques and in effective management procedures. This will lower the risk of liability to event organizers, participants, volunteers, the Town of Prescott and its staff.
- 1.2.** To reinforce responsible drinking practices for consumers through appropriate operational procedures, controls, training and education.
- 1.3.** To honour the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative non-alcoholic beverages.
- 1.4.** To designate municipally owned facilities which are and are not suitable for SOP or Caterer's Endorsement events.
- 1.5.** To provide a balance of licensed and non-licensed programs to ensure that consumers, abstainers, adults, youth and families will be adequately serviced and protected.
- 1.6.** To provide a balanced use of alcohol through SOP so that alcohol becomes a responsible part of a social function rather than the reason for it.
- 1.7.** To comply with the provincial Liquor Licence Act and other applicable legislation.

2. Terms of Reference

- 2.1. "Alcohol"** means spirits, wine, beer and any combination thereof and includes any product or fermentation or distillation in a form appropriate for human consumption as a beverage, alone or in combination with another matter.
- 2.2. "AGCO"** means the Alcohol and Gaming Commission of Ontario.
- 2.3. "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.

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- 2.4. “Low Alcohol Beverages”** means any alcohol beverage with:
- a) less than 4.6% alcohol beer (lite);
 - b) less than 40% alcohol spirits;
 - c) less than 11% alcohol wine.
- 2.5. “MAP”** means the Municipal Alcohol Policy of the Town of Prescott where alcohol is available under the authority of a Special Occasion Permit or a Caterer’s Endorsement.
- 2.6. “Municipal Facility”** means all municipally-owned or municipally-leased facilities.
- 2.7. “Renter/Event Organizer”** means an individual, a group of individuals or an organization seeking to hold events in municipal facilities which may involve the serving and consumption of alcohol.
- 2.8. “SOP”** means the Special Occasion Permit issued by the Alcohol and Gaming Commission of Ontario.
- 2.9. “Town”** means the Corporation of the Town of Prescott.
- 3. Municipally run or sponsored events**
- 3.1.** Events involving alcohol which are run by the Town or are sponsored by the Town are permitted to take place at any municipally owned or leased facilities and within specific areas and under specific conditions are designated eligible to be considered for SOP or Caterer’s Endorsement events
- 4. All Other Eligible Events**
- 4.1.** In order to be eligible for an SOP, events which are not conducted by a registered charity or not for profit entity must be designated as an event of municipal significance by the Town of Prescott.
- 4.2.** The sale, consumption or service of alcohol at Town-owned facilities is prohibited without a permit issued by the Alcohol and Gaming Commission of Ontario and the Town of Prescott Facility User Agreement.
- 5. Event Approval**
- 5.1.** The request for use of any municipal public area (definition follows) for the purpose of holding a licensed event must be received, in writing, by the Manager of Community Services or designate for approval a minimum of 60 days prior to the event date.
- 5.2.** The Town of Prescott reserves the right to reject the application of a SOP in a municipally owned facility of any user.
- 5.3.** Consumption of alcohol at Town of Prescott events, or events sponsored by the Town of Prescott can occur at municipally owned properties.

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6. Public/Private Events at Town of Prescott Facilities Involving Alcohol Eligible for SOP Events

6.1. The following municipally owned or leased facilities and within specific areas and under specific conditions have been designated eligible to be considered for SOP or Caterer’s Endorsement events:

Public Events	Private Events
- Kinsmen Amphitheatre	- Fire Hall
- Fire Hall	- Town Hall
- Town Hall	- Leo Boivin Community Centre
- Leo Boivin Community Centre	- Seymour Recreation Complex
- Seymour Recreation Complex	
- Clock Tower Parking Lot	

6.2. The holder of the licence shall not sell, serve, or allow for the possession of liquor in the tiered seating section of any municipal facility.

7. Youth Admission to Special Occasion Permit Events

Each permit holder will be responsible to select a strategy on allowing youth to their event. In all cases the following guidelines must be adhered to:

7.1. Anyone who appears to be under the age of 25 years will be required to show photo I.D. before they are allowed into the licensed area for event/facility. As per the AGCO, acceptable forms of photo identification include:

- 7.1.1. Ontario Driver’s Licence with a photo of the person to whom the licence is issued
- 7.1.2. A Canadian Passport
- 7.1.3. Canadian Citizenship Card with a photo of the person to whom the card is issued
- 7.1.4. Canadian Armed Forces Identification Card
- 7.1.5. A photo card issued by the Liquor Control Board of Ontario (LCBO), entitled Bring Your ID (BYID)
- 7.1.6. A Secure Indian Status Card issued by the Government of Canada
- 7.1.7. A Permanent Resident Card issued by the Government of Canada

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- 7.1.8. A photo card issued under the *Photo Card Act, 2008*
- 7.2. Individuals under 19 years of age will not be allowed to consume alcoholic beverages. Anyone serving individuals under 19 years of age will be required to leave the event.
- 7.3. Events allowing youth to attend will be required to identify those persons 19 years of age or over. Sponsors shall choose either stamps or wristbands to identify persons age 19 years or over.

8. Signage

The following signs shall be prominently displayed in designated facility where alcohol is served.

The following statement will appear on signs measuring a minimum of twenty four (24) by thirty six (36) inches and be located in the bar areas:

1. **Statement of Intoxication**

All servers are required by law not to serve an intoxicated person or to serve anyone to the point of intoxication.

2. **Identification**

You must be 19 years of age or older to attend a special occasion permit event. The only acceptable proof of age is photo identification.

3. **Warning sign — fetal alcohol spectrum disorder**

A prescribed sign warning of the dangers of fetal alcohol spectrum disorder is displayed in accordance with the regulations.

Signs shall be provided by the Town to Renter/Event Organizers for display by them in the bar area of the licensed function. The Special Occasions Permit or licence must be displayed in a prominent manner. Signs stating “no alcohol beyond this point” must be display at all exits of the licensed area.

9. Server Training

It is required that at least one “Smart Serve” trained bartender be behind the bar at all times during any event involving a bar. In order to be eligible to rent a municipal facility, the Renter/Event Organizer must demonstrate to the satisfaction of the Town of Prescott that the event servers have successfully completed a municipally recognized and approved server training course.

It is also recommended that trained personnel be required to take refresher courses to remain current with the rules and regulation of the *Ontario Liquor Licence Act*. The

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municipality’s maximum requirements concerning the number of trained personnel is set at the following minimum and may be adjusted at the discretion of the Manager of Community Services. Self-serve bar events are not permitted.

Requirements

1. All personnel must be clearly identifiable (i.e. Name tags, t-shirts, ball cap, etc.)

Smart Serve Trained Staff	
Criteria	# of staff required
0-100 Expected patrons	2
200 Expected patrons	3
400 Expected patrons	4
600 Expected patrons	6

This is a general guide. If more exits exist than do supervisors the number of supervisors must increase to match the number of exits.

Security Door and Floor Supervisors	
Criteria	# of staff required
0-100 Expected patrons	Minimum of 1
200 Expected patrons	2
400 Expected patrons	3
600 Expected patrons	5

This is a general

guide. If more exits exist than do supervisors the number of supervisors must increase to match the number of exits.

10. Controls

In order to be eligible to rent a municipal facility for a Special Occasion Permit event, the Renter/Event Organizer must demonstrate to the satisfaction of the Town of Prescott that the Municipal Alcohol Policy is understood, that the Regulations will be strictly observed, and that sufficient controls are in place which will assist in ensuring compliance to the Policy.

- 10.1.** The Renter/Event Organizer must obtain a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario (AGCO) and show proof to the Manager of Community Services or designate at least fourteen (14) days prior to the event.
- 10.2.** The Renter/Event Organizer must comply with the Liquor Licence Act and this policy.
- 10.3.** In order to be eligible to rent a municipal facility, the Renter/Event Organizer

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must demonstrate to the satisfaction of the Town of Prescott that low-alcohol (i.e. 2.4%, 4%) and non-alcohol drinks will be available during the entire event. Non-alcohol drinks must be available at no charge or at a cost significantly lower than that of drinks containing alcohol. In addition, prepared foods must be available throughout the event.

- 10.4.** All drinks to be served in plastic or paper cups and all bottles to be retained in the bar area. Alcoholic and Non-Alcoholic drinks are to be served in different coloured cups.
- 10.5.** Permit Holders shall ensure that the price of liquor or a drink containing liquor is the same during all hours of operation of the event.
- 10.6.** Permit Holders shall not require a person to purchase a minimum number of drinks in order to gain entry to, or remain on, the premises to which the licence or permit applies.
- 10.7.** Permit Holders shall not permit contests on the premises to which the permit applies that involve the purchase or consumption of liquor.
- 10.8.** Permit Holders shall not permit free liquor to be offered or given as a prize in a contest.
- 10.9.** The person who signs the Special Occasion Permit and Rental Agreement must attend the event and be responsible for making decisions regarding the operation of the event.
- 10.10.** The Renter/Event Organizer is responsible for the event and therefore must refrain from consuming alcohol while the event is in progress.
- 10.11.** All event workers must refrain from consuming alcohol prior to and while on duty at the event.
- 10.12.** The municipality must ensure the physical setting is safe for drinkers and non-drinkers.
- 10.13.** The Renter/Event Organizer and the municipality will ensure that patrons do not engage in activities that could harm themselves or others.
- 10.14.** All exits must be supervised. This is the responsibility of the Renter/Event Organizer.
- 10.15.** Tickets for alcohol must be purchased from designated ticket sellers and must be redeemed at the bar. When tickets are sold for alcoholic beverages, there will be a limit of four (4) per person sold at one time until 11:00 p.m. Maximum of two (2) sold per person at one time after 11:00 p.m. Ticket sales must stop at 12:45 p.m. Discounts will not be offered for volume purchase of tickets.
- 10.16.** Refunds for drink tickets should be available while the bar is open and 30 minutes after closing. Signage advising of the above shall be visibly posted at each sales location.
- 10.17.** When tickets are not being sold, each person will be limited to four drinks served at a time until 11:00 p.m. Maximum two drinks per person after 11:00 p.m.
- 10.18.** All bar areas must close at 1:00 a.m. regardless of if there are persons waiting

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to be served. There will be no “last call” All patrons will vacate the premises by 1:30 a.m.

10.18.1. Note: the only exception to this rule shall be New Year’s Eve where all time shall be extended one hour.

10.19. A requirement of all SOP and Caterer’s Endorsement events is that an adequate supply of food must be served/available to persons attending the event. Snacks are not acceptable as food under the AGCO. It is recommended that all event organizers take steps to encourage food consumption to help reduce the risk of intoxication.

10.20. The organizer must complete and submit Appendix ‘A’ (Checklist for Liquor Licensed Renter/Event Organizers) and Appendix ‘B’ (Agreement Form for Special Occasion Permit (SOP) Holder) and submit to the Manager of Community Services or designate at least two (2) weeks prior to the event.

11. Alcohol Marketing Practices

11.1. Marketing practices such as oversized drinks, double shots or spirits, drinking contests, volume discounts and unlimited free alcohol which encourages increased consumption, are not permitted.

11.2. As indicated in the Liquor Licence Act, advertising and posters which promote the use of alcohol are prohibited in all municipal facilities, except in the case of a specific event sponsored by a Brewery/Winery/Distillery.

11.3. Advertising and posters which promote the use of alcohol are prohibited in any and all youth events. Youth being any person under the legal drinking age.

12. Accountability

12.1. It is mandatory that the person signing the application for the SOP or Caterer’s Endorsement be present for the duration of the event.

12.2. The Town of Prescott reserves the right to have a municipal representative attend any and all events held on Town owned property to protect the best interest of the Corporation. This person will have complete authority to close any event not complying with the Liquor Licence Act, the Town of Prescott Municipal Alcohol Policy, and/or Facility Permit Terms and Conditions.

12.3. The Town of Prescott reserves the right to request security or police paid duties to the satisfaction of the Town to be present at any event with costs for same being borne by event organizers.

13. Insurance & Indemnification

13.1. All events/activities on municipal property which will involve the consumption of alcohol must obtain a SOP or have a Caterer’s Endorsement issued by the Alcohol and Gaming Commission of Ontario and ensure that all conditions

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associated with the issuance of that permit are met throughout the term of that activity.

13.2. In addition, the permit holder must provide proof, at **least fourteen (14) days prior** to the event, that the following forms of coverage have been bound for the full term of the activity:

13.2.1. Public liability and property damage insurance with an insurer satisfactory to the Town in an amount not less than **two million dollars (\$2,000,000.00)**. This insurance shall name the Town of Prescott as an additional insured and shall also state that coverage will respond to all claims relating to the A.G.C.O. licensed activities held on the premises and shall not exclude participants. The Town of Prescott reserves the right to request higher limits of insurance.

13.2.2. The permit holder agrees to indemnify and save the Town of Prescott, its elected officials, public officials, and employees, harmless from all claims, damages, losses and expenses which might arise as a result of this event taking place.

13.2.3. The insurance certificate shall include cross liability and severability of interest clauses.

13.2.4. Documentation confirming that required security or police paid duties are arranged and in place.

14. Safe Transportation

The Town of Prescott supports the “No Drinking & Driving” philosophy. The permit holder will be responsible for promoting safe transportation options for all the drinking participants and ensure that details of these options are made available to the events patrons (i.e., signs, announcements). These options can include driving intoxicated participants home, calling a friend, relative or taxi to assist the intoxicated participant, and/or having a designated driver provided by the sponsoring group.

15. Consequences for Failure to Comply

15.1. *First Infraction* – A registered letter from the Manager of Community Services or designate outlining the breach and its unacceptability.

15.2. *Second Infraction* – No further rentals for a period of 12-months for the individual and/or applicable group.

15.3. *Third Infraction* – No further rental to be permitted until proof of compliance can be given to the satisfaction of the Manager of Community Services.

15.4. *Appeal* – A first, second or third infraction consequence may be appealed in writing to the Manager of Community Services. The appeal will be heard within

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two weeks of notification with a decision being made immediately.

16. Unauthorized Alcohol Consumption

Alcohol consumption without a SOP or Caterers Endorsement is prohibited at any municipally owned facility. Any persons under the legal drinking age are found to have consumed or to be consuming alcohol at SOP and Caterer's Endorsement events and non-SOP events, will be turned over to the police. The individual could be banned from attending any public function held in any municipal facility for a period of up to one year. A registered letter will be sent to parents/guardians.

In addition, any persons found in possession or bringing alcohol in an unlicensed area will be required to leave the premises immediately. The individual or group will be subject to the Consequences for Failure to Comply (see above) and/or may be subject to charges under the *Liquor Licence Act* or *Trespass to Property Act*.

In addition, if someone is intoxicated and disorderly, the problem should be reported to the permit holder. The permit holder should safely remove this person from the premises and must supply transportation for them. If a person refuses to leave the premises, security and/or police paid duties will be informed by the permit holder.

17. Policy Monitoring & Revisions

17.1. The Municipal Alcohol Policy shall be reviewed annually by the Town Clerk based on updated legislative changes.

18. Implementation of Municipal Alcohol Policy

18.1. The Town of Prescott will be implementing the Policy immediately, following Council approval.

18.2. The Town of Prescott Municipal Alcohol Policy will:

18.2.1. Be made available at the Manager of Community Services Office, the Clerk, and online

18.2.2. All Special Event Permit Holders will be given a copy upon signing their facility agreement.

18.2.3. Be given to the local Ontario Provincial Police

18.2.4. Be given to the LCBO retail outlet in the Town of Prescott

18.2.5. Be given to all organizations/individuals making bookings for use of the Town's recreational facilities



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APPENDIX "A" CHECKLIST FOR LIQUOR LICENSED EVENT ORGANIZERS

- 1. Name of Special Occasion Permit Holder: _____
- 2. Location of SOP Event: _____
- 3. Will persons under 19 years of age be attending this event? _____
- 4. How will event workers be identified? _____
- 5. Copy of Smart Serve Certificate provided no less 14 days prior to the event.
- 6. Proof of Insurance (as detailed under Insurance section of this Policy)
- 7. The safe transportation strategy(s) that will be used at this function are:

- 8. I have provided a sketch with dimensions of the licensed area of the event facility and copies of notification letters to police, fire, health unit, Manager of Community Services.
- 9. I understand all of the Policy requirements and will adhere to them.
- 10. I have been advised that if there is something that I do not understand with respect to this Policy, I will contact the Manager of Community Services.
- 11. Security and/or police paid duties have been agreed to in consultation with the Chief of Police and the Manager of Community Services.

I, _____, certify the above information is true, I understand my legal obligation as a permit holder and I have attained 19 years of age.

Signature SOP Permit Holder

Signature of Manager of Community Services or Delegate

Date

The personal information on this form is collected under the authority of the Municipal Freedom and Protection of Privacy Act, as amended. The information is used for the purpose of processing the application. Questions regarding the collection of this information should be directed to the Town Clerk at 613-925-2812