

The Corporation of the Township of Brock
Municipal Alcohol Policy



**Created by the Brock Township
Municipal Alcohol Policy Advisory Committee**

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The Corporation of the Township of Brock

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History/Background

In the fall of 1993, Brock Township Council passed a resolution requesting that a Municipal Alcohol Policy be developed. It was further identified that the Chairman of Parks & Recreation, in consultation with the Public Works Superintendent, identify a method to create such a policy. As a result, it was agreed to include the Addiction Research Foundation and the Durham Region Health Department for consultation purposes.

It was further agreed, as the result of a deputation to Council, that a committee be created which would comprise the Chairman of the Parks & Recreation Committee, a representative from the Addiction Research Foundation and also the Durham Region Health Department, and members of the general public. A staff member from the Township of Brock would be present at all committee meetings to record and file the minutes.

The main goals of the policy were to protect the municipality from future liability suits, to ensure the health and safety of community groups and citizens, to provide for the enjoyment of municipal parks and recreation facilities, and to provide responsible leadership in the community regarding the use of alcohol.

Participation in the process was requested by Council and received from facility user groups, service groups and interested agencies and citizens in Brock Township by means of public meetings which were chaired by Ward 3 Councillor Reg Starr who was then the Chairman of the Parks & Recreation Committee. These meetings were held in each of the Township arenas during the month of July 1994.

Approximately 47 service groups, facility user groups and individuals were contacted to attend. As well, local newspaper advertisements were placed to inform the public of Brock Council's intentions.

From these public meetings, a working group of eight people representing the whole of the Township was created, and the committee was named the Township of Brock Municipal Alcohol Policy Advisory Committee.

Terms of Reference were adopted by the committee which included a list of proposed meeting dates and a mandate to create a Municipal Alcohol Policy by December 1994.

It was never the intent of Brock Township Council to impose a Municipal Alcohol Policy on the users of public facilities without public consultation, therefore, this cross section of Township citizens has taken on a great deal of responsibility and commitment of volunteer time in creating a useful and workable policy.

The Municipal Alcohol Policy has most recently been reviewed, amended and updated in 2012 with a number of dedicated volunteers, councillors and staff contributing to the process.

Legal Liability

Since the late 1970s, the enforcement of the law with respect to the duty of one to control the behaviour of another has changed significantly. There has been an increase in alcohol-related damage awards, an increase in the use of the breathalyzer and changes in public attitudes related to the use and abuse of alcohol.

Potentially, legal liability may result from two major areas. Anyone who sells, serves or gives alcohol to a person past the point of intoxication is known as a provider of alcohol. Providers would likely include service clubs and their members, private family function organizers, and generally, anyone obtaining a Special Occasion Permit to run an event. The other area of potential liability relates to the owner/occupier of the premise upon which alcohol is being served. The owner/occupier is responsible for the condition of the premises, the conduct of the entrants and the activities permitted on the premises. The Township of Brock, its officials and employees are the owner/occupiers in this case.

The Liquor Licence Act is very clear in setting its standards around alcohol service to the public. If you do serve alcohol, this legislation dictates your rights, responsibilities and obligations in order to ensure a minimum standard of conduct and care. Without these regulations, you may be held liable for damages, injuries or harms to people participating in your events or others who may be negatively impacted by participants once they leave your event.

The development of a comprehensive Municipal Alcohol Policy can help in greatly reducing the likelihood of an incident ever occurring. It will assist the citizens of Brock Township in being more aware of their legal and moral responsibilities. It will assist all servers, bartenders, service clubs, the Corporation, its officers and employees in preventing legally liable situations and will help make alcohol-related events in Brock safe and enjoyable for adults and children alike.

We encourage you to join us in viewing this Municipal Alcohol Policy as a positive way in safeguarding our community.

Mission Statement

The Township of Brock wishes to provide a policy for responsible management practices at Special Occasion Permit functions held in or on Township recreational facilities. The Township also wishes to reduce alcohol-related problems that could result in litigation being directed toward the Corporation, its staff, community organizations, volunteers and participants.

Our goal is to encourage the responsible use of alcohol during Special Occasion Permit functions to ensure the enjoyment, health and safety of the participants and the protection of parks and recreation facilities.

Goals/Objectives

- 1) To provide appropriate procedures and education to individuals or groups wishing to hold events in municipally owned facilities in order to ensure that all Liquor Licence Board of Ontario legislation pertaining to Special Occasion Permits is properly understood and strictly complied with.
- 2) To ensure proper supervision and proper operation of Special Occasion Permit events in order 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.
- 3) To encourage and reinforce responsible, moderate drinking practices for consumers through the development of appropriate operational procedures, controls, training and education.
- 4) To honour the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative, non-alcohol drinks.
- 5) To provide for a balanced use of alcohol through Special Occasion Permits so that alcohol becomes a responsible part of a social function rather than the reason for it.
- 6) To provide a balance of wet and dry facilities and programs in order to ensure that consumers, abstainers, adults, youth and families will be adequately serviced and protected.

A. Areas/Facilities Eligible for Special Occasion Permit Events

The following areas and facilities are currently designated for alcohol use under the authority of a Special Occasion Permit. The Township of Brock may change the designation of any site at its discretion.

Areas/Facilities Eligible for Special Occasion Permits

- | | | |
|----|---|---|
| 1) | Beaverton-Thorah Community Centre
176 Main Street
Beaverton | -upper auditorium
-ice surface (when ice removed)
-tiered seating |
| | Cannington Community Centre
91 Elliot Street
Cannington | -upper auditorium
-ice surface (when ice removed)
-tiered seating |
| | Sunderland Memorial Arena
20 Park Street
Sunderland | -upper auditorium
-ice surface (when ice removed)
-tiered seating |

Rationale:

The community centres were designed to be used for a wide range of community functions from small private parties to large fundraising events. The bar areas are well situated to serve and view patrons.

The community centres are equipped with kitchen and bar facilities upstairs.

These community centres provide rental space capable of accommodating a large group of participants. In order to prevent harmful events, the **ground floor areas are not to be rented for Special Occasion Permit events when the ice surface is present.**

2) Beaverton, Cannington, Manilla and Sunderland Baseball Parks

Rationale:

Most baseball tournaments are fundraising events with adult participation. Because the entire community benefits from the funds raised, these events should not be discouraged. However, groups **must** fully comply with the Procedures for Outdoor Special Occasion Permit Holders as outlined in the Township of Brock Municipal Alcohol Policy.

3) Grandstands at the Beaverton and Sunderland Fairgrounds

Rationale:

Events held at the fairgrounds contain spectator sports or entertainment activities and as such the serving of alcohol may be an important fundraising component for the organizations operating said events. Patrons would be required to remain in the grandstands or in the serving area when consuming alcohol and, therefore, will be subject to supervision by event staff.

Any requests for municipal approval of a Special Occasion Permit for a community festival or significant event will be considered by the municipality on its own merit and will be subject to Liquor Licence Board of Ontario guidelines and the Township of Brock Municipal Alcohol Policy.

B. Areas/Facilities Not Eligible for Special Occasion Permit Events

All municipal facilities and parks not specifically identified above are not eligible for a Special Occasion Permit. These facilities and parks are to include:

- 1) All arena dressing rooms, lobbies and the ice surface when the ice is in.

Rationale:

While these areas have never been eligible for Special Occasion Permit events, there is a history of alcohol consumption in dressing rooms and other areas by teams using the facilities. This specific notation is intended to serve notice that illegal consumption of alcohol will not be tolerated. Refer to 'K. Failure To Comply'.

- 2) All municipally owned parking lots, waterfront parks, accesses and lots.
- 3) All municipal facilities, parks and green spaces not identified above, including:
 - Wilfrid Community Hall
 - Manilla Community Hall
 - Beaverton Harbour
 - Brock Soccer Park
- 4) Alcohol is not permitted at street parties/street dances unless a Special Occasion Permit and Council approval is obtained.

Rationale:

Outdoor events carry an increased risk since they are more difficult to supervise. Mixing alcohol and outdoor recreational activities carries dangerous risks, and it is difficult to ensure that consumers of alcohol refrain from participating in sports activities.

C. Procedures for Outdoor Special Occasion Permit Holders

The Township of Brock will consider requests from groups to set up outdoor beverage areas, such as beer gardens, in eligible Township parks outlined above. These formal beverage areas will discourage the illegal use of alcohol at these events.

Applicant groups must comply with the Township of Brock Municipal Alcohol Policy. They must also meet the specific requirements of Procedures for Outdoor Special Occasion Permits as outlined below:

- 1) The outdoor beverage area must be in conjunction with an adult sports tournament or other event to be held in a Township park.
- 2) The setup and operation of an outdoor beverage area should not adversely affect other park users of the adjacent neighbourhood and should not conflict with other events scheduled for that park.

- 3) Outdoor beverage area requests must meet Township standards for space, parking, washrooms, water and electricity.
- 4) The operation of all outdoor beverage areas should conform to the Township of Brock Noise By-Law Number 2389-2011-PP, and any amendments made thereto.
- 5) The Liquor Licence Board of Ontario requires that the outdoor beverage area be clearly defined and separated from unlicensed areas by a partition that is at least 0.9 metres high and is readily distinguishable from adjacent premises to which the permit does not apply, e.g., snow fence. The use of rope and pigtailed for this purpose is inadequate to provide the necessary control and does not meet Liquor Licence Board of Ontario requirements (O. Reg. 389/91, section 12 (1), as amended).
- 6) The applicant group must be in good standing with the Township, based on its success with previous projects or programs held in Brock parks or elsewhere.
- 7) The hours of operation of the outdoor beverage area shall fall within the hours stipulated by Part H Section 12 of the Township of Brock Municipal Alcohol Policy and, in the case of a tournament/festival, must coincide with the playing schedule with alcohol services to stop within one hour after the completion of the last game.
- 8) Food is to be available, either free of charge or for sale. Food minimally consists of sandwiches, cheese, vegetables and dip (O. Reg. 389/91, section 27, as amended).
- 9) The applicant group is responsible for cleaning up the outdoor beverage area at the conclusion of the event. Charges may be assessed if the area is left in an inappropriate condition.
- 10) The event sponsor will assign three or more workers to monitor the alcohol service area perimeter **in addition to** the number of event workers required at an inside Special Occasion Permit event. The event sponsor will ensure that both genders are represented.
- 11) Prior to final approval from the Township and the issuance of the rental permit, the applicant group must submit:
 - a copy of its Special Occasion Permit for the event,
 - a schedule of games and/or activities to the facility representative,
 - any payment required (clean-up deposit),
 - certificate of liability insurance adding the Township of Brock as an additional insured in an amount not less than two million dollars.

D. Events Not Eligible for Alcohol Use

- 1) Family day events.
- 2) All youth events where the primary audience is underage persons and all minor sports events, including banquets, are designated as not suitable for alcohol use.

Associated adult evening social events commencing after 8:30 p.m. will be allowed, however, minors will not be allowed into these licensed events.

- 3) At the discretion of the event sponsor, persons under the legal drinking age may be admitted to adult social events being held in municipally-owned facilities where alcohol is available if so indicated on the Special Occasion Permit application and community centre rental agreement.

Rationale:

Most events are family events such as weddings and anniversaries, therefore, it is not possible to prohibit youth admission to these events.

Youth should not be excluded from attending community events with adults, however, it is understood that it is illegal to provide underage participants with alcohol (Liquor Licence Act of Ontario, R.S.O. 1990, c. L.19, section 30, as amended).

- 4) At the discretion of the Township, persons under the legal drinking age may be excluded from adult social events being held in municipally-owned facilities.

Rationale:

Some events, e.g., gambling, are not suitable for a youth audience.

E. Signs

The following signs will be posted in all municipal facilities in appropriate locations, and the event sponsor is responsible for ensuring the display of these signs during Special Occasion Permit events. All signs are to be identified with the heading "Township of Brock Municipal Alcohol Policy."

Rationale of Signage:

Message indicates that the sponsor is aware of the Liquor Licence Act and of the Municipal Alcohol Policy.

Signs can reinforce the authority of servers and supervisors should they have to refuse service to consumers approaching the point of intoxication. Signs can assist in establishing an environment of moderate responsible alcohol consumption.

Signs:

- 1) A sign will be posted at the bar and at the ticket counter stating the law on serving to intoxication.

Statement of Intoxication Sign:

“Servers are required by law not to serve an intoxicated person nor to serve anyone to the point of intoxication (Liquor Licence Act, R.S.O. 1990, c. L.19, section 29, as amended).

Servers are required by law not to serve persons under the age of 19 years. The only acceptable proof of age is photo identification (Liquor Licence Act, R.S.O. 1990, c. L.19, section 30, as amended).”

- 2) “No Alcohol Beyond This Point.”
- 3) “Alcohol Is Not Permitted In This Area.”

- 4) Ticket Sales Sign:

“The only acceptable proof of age is current government-issued photo identification. Maximum 5 tickets per purchase per person. Ticket sales end at 12:30 a.m. There will be no last call.”

- 5) Fetal Alcohol Syndrome Sign:

“Warning: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby. (R.R.O. 1990, Reg. 718, as amended)” This sign must be prominently displayed where alcohol tickets are sold and where alcohol is served. The sign must be 8 by 10 inches.

- 6) Sober Driver Spot Check:

“Durham Regional Police thank you for helping to Reduce Impaired Driving Everywhere. We look forward to personally thanking you at one of our roadside spot checks for leaving this event as a Sober Driver.”

- 7) “Guests are forbidden from bringing alcohol to this event.
 - We reserve the right to search bags.
 - Those not complying will be refused entry or required to leave.”

- 8) Standard Size Drinks Posters

These posters will be prominently displayed in the bar area and will allow individuals to better gauge their tolerance to avoid intoxication.

F. Provision of Food and Low/No Alcohol Beverages

- 1) The event sponsor is required to provide food at all Special Occasion Permit events.

Rationale:

The Liquor Licence Act of Ontario requires that food be served during a Special Occasion Permit event (O. Reg. 389/91, section 27, as amended).

Food minimally consists of sandwiches, cheese, vegetables and dip.

High carbohydrate foods help slow down the absorption of alcohol into the bloodstream; therefore reducing the risk of intoxication.

- 2) Non-alcoholic and low-alcohol drinks are to be available at all times. A minimum of 25% of the total available alcohol shall consist of low-alcohol beverages (O. Reg. 389/91, section 28 (1) and (2), as amended).

Rationale:

The availability of nonalcoholic drinks recognizes the participants' rights to abstain and supports the designated driver program.

The availability of low-alcohol drinks reduces the likelihood of impaired driving and permits participants to socialize throughout the evening without becoming intoxicated.

- 3) No energy drinks will be permitted to be sold.

Rationale:

Consumption of energy drinks may mask signs of intoxication and should not be mixed with alcohol.

- 4) No shooters or jelly shots will be permitted for sale. The sale of extra strength beer and extra strength coolers is discouraged.

Rationale:

These drinks are not the standard serving size and, therefore, intoxication may occur at a faster rate.

G. Safe Transportation

It is recommended that Special Occasion Permit holders promote a safe transportation strategy including a designated driver program. The strategy could include the following guidelines:

- a designated driver program to be advertised at event, including regular announcements being made throughout the event,
- a designated driver to be identified to servers and monitors,
- a designated driver to receive free or low-cost nonalcoholic drinks,
- an intoxicated person to be driven home by a sober friend,
- an intoxicated person to be urged to call a friend, relative or taxi to assist.

Rationale:

The greatest risk of liability is presented by the impaired driver leaving an alcohol-related event. Ensuring that event participants have safe transportation when leaving a social event reduces the risk of liability.

Example: Schmidt v. Sharpe (1983)

“Less than 15 minutes after finishing his last beer and leaving the Arlington House Hotel, Sharpe failed to negotiate a curve in the road. Sharpe suffered only minor injuries in the ensuing accident, but his 16 year-old passenger, Schmidt, was rendered a quadriplegic. Schmidt and his family sued both Sharpe and Arlington House Hotel for \$13 million.” (Addiction Research Foundation Server’s Manual)

H. Controls

1) Special Occasion Permit

The event sponsor must obtain a Special Occasion Permit from the Liquor Licence Board of Ontario and must show proof of this to the facility representative prior to the event. In addition, the event sponsor must also provide a copy of the Special Occasion Permit application along with the proof of the actual permit to the facility representative. The event sponsor shall post the Special Occasion Permit in a conspicuous place on the premises to which the permit applies (O. Reg. 389/91, section 33, as amended).

Rationale:

Alcohol may not be served in public areas without a Special Occasion Permit or a commercial liquor licence.

2) **Supervisor's Responsibility**

- a) The event sponsor and event workers must abide by the rules of the Municipal Alcohol Policy.

Rationale:

The event sponsor and the facility owner are jointly responsible for the safety and sobriety of those attending the event. It is, therefore, important that the licensee complies with the Municipal Alcohol Policy and that the facility representative be authorized to enforce the policy.

This policy will help to reduce and/or avoid alcohol-related problems that could result in litigation being directed towards the Corporation, its staff, community organizations and participants.

- b) The event sponsor shall be required to attend the event and be responsible for making decisions regarding the operation of the event.
- c) Either the permit holder or supervisor will refrain from consuming alcohol during the event.

Rationale:

Although police will be called if a situation becomes risky, it is the responsibility of the event sponsor to ensure the proper management of an event. If the permit holder or supervisor has been drinking and an incident occurs, he or she would be less likely to identify and respond to a problem making it difficult for investigators, trial lawyers or jurors to ascertain whether he/she was in control of the event.

3) **Event Workers**

- a) All event workers must not consume alcohol before and while the event is in progress. Workers may consume alcohol after their work responsibilities have ended for the entire event.

Rationale:

If event workers are consuming alcohol and an incident were to occur, it would be difficult to demonstrate control.

- b) All event workers must wear highly visual identification approved and provided by the Township of Brock.

Rationale:

This enables participants to quickly contact an event worker should problems occur.

4) Lists of Event Workers

The event sponsor must provide a list of event workers to the facility representative at least five days prior to the event along with each worker’s Server Intervention Program/Smart Serve registration number (O. Reg. 389/91, section 22, as amended).

Rationale:

This permits the facility representative to verify that the designated number of event workers have received Liquor Licence Board of Ontario recognized server training.

5) Ratios of Event Workers

The ratio of event workers designated by the lessee and by the facility representative for inside Special Occasion Permit events will be as follows:

Entrance Monitors

The entrance will be monitored at all times by at least two people 19 years of age or over who should, when possible, represent both genders and one of whom must have received Liquor Licence Board of Ontario recognized server training.

When the number of attendees exceeds 100, the following ratio shall apply:

101 – 300 attendees	3 entrance monitors
301 – 500 attendees	4 entrance monitors
501 – 750 attendees	6 entrance monitors
751 – 1,300 attendees	8 entrance monitors

Rationale:

Controlling the door to prevent underage, rowdy or intoxicated people from entering an event considerably reduces the likelihood of problems occurring. Female monitors have shown to deescalate violence and deter rowdy behavior. Smart Serve training provides education on signs of intoxication and will assist in the important task of preventing problems before they occur.

When two people monitor the door, entrance monitors have the required backup should someone be refused admission.

A lone entrance monitor could feel personal pressure to admit a close friend or relative who should be refused admission.

Floor Supervisors (at all times)

Up to 50 attendees	1 floor supervisor
51 - 100 attendees	2 floor supervisors
101 - 400 attendees	3 floor supervisors
401 – 500 attendees	4 floor supervisors
501 – 750 attendees	6 floor supervisors
751 – 1,300 attendees	8 floor supervisors

Servers

Up to 50 attendees	1 server
51 – 200 attendees	2 servers
201 – 400 attendees	3 servers
401 – 500 attendees	4 servers
501 – 750 attendees	6 servers
751 – 1,300 attendees	8 servers

A summary of ratios of event workers is shown in the chart below:

Number of Attendees	Servers	Floor Supervisors	Door Supervisors		Ticket Sellers
			Entrance Monitors	Exit Monitors	
Under 25	1	1	2	1 per exit	2
25-50	1	1	2	1 per exit	2
51-100	2	2	2	1 per exit	2
101-200	2	3	3	1 per exit	2
201-300	3	3	3	1 per exit	3
301-400	3	3	4	1 per exit	3
401-500	4	4	4	1 per exit	5
501-750	6	6	6	1 per exit	6
751-1,300	8	8	8	1 per exit	8

6) **Server Training/Smart Serve**

All facility representatives supervising Special Occasion Permit events must be trained in the Smart Serve educational program which is recognized by the Liquor Licence Board of Ontario.

In addition to the required number of event workers who have received Liquor Licence Board of Ontario recognized server training, it is also recommended that all event workers be trained in the Smart Serve program which is recognized by the Liquor Licence Board of Ontario. However, a minimum of 60% of event workers at a Special Occasion Permit event must be Smart Serve trained. Server Intervention Program training will be grandfathered until December 1995.

Rationale:

Reducing the risk of litigation requires not only the components of policy and procedures but also the recruitment of appropriately trained supervisors and servers.

The municipality is morally obliged to inform volunteers of the potential for litigation and to provide them with the tools to avoid such action.

7) **Exits**

The event sponsor is responsible for ensuring that all exits be monitored by event workers.

Rationale:

This practice is necessary in order to ensure that:

- those attending the event have been monitored at the door and are not underage, intoxicated or known troublemakers,
- those attending the event do not leave or arrive through an unsupervised access area in order to consume alcohol in another location.

8) **Safe Environment**

- a) All bottles and cans must be retained within the bar area; all drinks must be served in plastic or paper cups.

Rationale:

Should a drink be dropped, paper and plastic cups do not break. Should a patron become belligerent, a broken beer bottle cannot be used as a weapon.

- b) The event sponsor, event workers and facility representative must ensure that the physical setting is safe for both drinkers and non-drinkers.
- c) The event sponsor, event workers and facility representative must prevent patrons from engaging in activities that can harm themselves or others.

Rationale:

The law clearly states that the sponsor of an event has a “duty to control,” that is to protect participants from foreseeable harm to themselves or others.

Example: Jacobson v. Kinsmen Club of Nanaimo (1976)

“The defendant’s club sponsored a beer party in a large arena. During the party, some patrons began climbing one of the support beams and ‘mooning’ the crowd below. One individual lost his grip and fell about 10 metres onto the plaintiff, knocking him unconscious. Although there were 30 Kinsmen volunteers supervising the event, the only steps taken to discourage the climbers were shouts from certain members. The court found that the club had breached its statutory obligation as an occupier by failing to prevent the I-beam climbing.” (Addiction Research Foundation Server’s Manual, 1986)

Section 3(1) of the Ontario Occupiers’ Liability Act provides that an occupier owes a duty to take such care as in all of the circumstances of the case is reasonable to see that the entrants are reasonably safe while on the premises.

9) **Police**

- a) A minimum of two (2) paid duty police officers or two (2) uniformed security personnel are required to be present at a Special Occasion Permit event where 300 or more people are expected to attend, the cost of which will be borne by the event sponsor. These personnel must remain present at the event until one half hour after the event has concluded.

Rationale:

This is a requirement of the existing Township of Brock Rental Permit and the Durham Regional Police Service requires their officers to come in pairs.

- b) The facility representative has the authority to require the presence of a paid duty police officer(s) for any event, the cost of which will be borne by the event sponsor.

Rationale:

The presence of paid duty police officers in uniform could act as a deterrent to potential troublemakers.

- c) Whenever possible, the police will be notified of a potentially risky situation before the situation is out of control.

Rationale:

Although the police will be called if a situation becomes risky, it is the responsibility of the permit holder to ensure the proper management of an event.

Early notification of potential problems will facilitate the ability of the police to plan their availability should they be required.

10) **Masks**

At masquerade events, participants shall be required to identify themselves to event staff upon entry and at any other time during the event as deemed appropriate.

Rationale:

By unmasking, the participant enables the event worker at the door to properly identify them.

By unmasking, the participant enables the event worker to request photo identification if necessary.

Masquerade events can encourage participants to behave inappropriately since they might not be recognized.

Standards of behaviour are less likely to change if participant has unmasked.

11) **Sale of Alcohol**

- a) Tickets must be purchased from a designated ticket seller and redeemed at the bar.

Rationale:

This provides another line of defense for the municipality in the prevention of intoxication.

Slows down the rate of consumption as people are required to make two stops before getting their drinks.

- b) A minimum of two people will be designated to sell tickets at all times, one of whom must have received Liquor Licence Board of Ontario recognized server training.

When the number of attendees exceeds 200, the following ratio shall apply:

201 – 400 attendees	3 ticket sellers
401 – 500 attendees	5 ticket sellers
501 – 750 attendees	6 ticket sellers
751 – 1,300 attendees	8 ticket sellers

Rationale:

Selling tickets slows down the rate of consumption as people are required to make two stops before getting their drinks.

This provides ticket sellers and bartenders with the opportunity to look for signs of intoxication and to read the climate of the event.

A lone ticket seller could feel personal pressure to sell tickets to a close friend or relative who should be refused any further purchase of alcohol.

- c) Unused tickets to be redeemed for cash on demand at any time during the event.

Rationale:

This practice could help avoid a confrontation with a patron who may be nearing intoxication but who wishes to purchase additional drinks in order to get his/her money's worth.

- d) When tickets are sold for alcoholic beverages, there will be a limit of five per person at one time. Discounts will not be offered for the volume purchase of tickets.

Rationale:

By limiting the number of tickets per purchase, event workers are provided with additional opportunities to verify the sobriety of patrons.

- e) A person must be 19 years or older to consume alcohol at a Special Occasion Permit event. The only acceptable proof of age is current government-issued photo identification as follows:
- a driver's licence issued by the Province of Ontario with a photograph of the person to whom the licence is issued.
 - a Canadian passport.
 - a Canadian citizenship card with a photograph of the person to whom the card was issued.
 - a Canadian Armed Forces identification card.
 - a secure certificate of Indian status issued by the Government of Canada.
 - a photo card issued by the Liquor Control Board of Ontario.
 - a permanent resident card issued by the Government of Canada.
 - a photo card issued under the Photo Card Act, 2008 (O. Reg. 389/91, s. 29 (5); O. Reg. 561/96, s. 1; O. Reg. 66/98, s. 7, O. Reg. 182/11, s. 13, as amended).

No expired identification will be accepted as proof of age. Parents or age of majority escorts are prohibited from purchasing, giving or sharing alcoholic drinks with underage guests.

12) **Time Restrictions**

- a) There will be no last call.

Rationale:

Last call usually results in high and rapid consumption and results in high blood alcohol levels which may peak after an event and lead to impaired driving.

- b) Ticket sales must end at 12:30 a.m.
- c) The bar area will close no later than 1:00 a.m.
- d) All entertainment must be completed by 1:15 a.m.
- e) All lights must be turned on at 1:15 a.m.

Rationale:

This will facilitate premises being vacated by 1:30 a.m. (and discourage participants staying to consume alcoholic drinks at a rate which is conducive to intoxication).

- f) Facilities must be vacated by patrons by 1:30 a.m.

Rationale:

This will enable time restrictions for vacating facilities at 1:45 a.m. as set out in the Liquor Licence Act to be met (O. Reg. 389/91, section 35, as amended).

- g) All alcoholic beverages must be cleared from the facilities immediately following the event.

Rationale:

The removal of all alcoholic beverages will ensure that remaining alcohol cannot be sold illegally following an event as required under the Liquor Licence Act (O. Reg. 389/91, section 35, as amended).

13) **Marketing Practices**

Marketing practices which encourage increased consumption, such as oversize drinks, double shots of spirits, shooters, pitchers of beer, drinking contests, ticket draws for alcohol, and volume discounts are prohibited.

Rationale:

Sections 18-20 of O. Reg. 389/91 set out marketing practices which are prohibited with respect to the serving of liquor.

14) **Advertising**

In all municipal facilities where children and youth are allowed entry, advertising and posters that promote alcohol products or brand names are prohibited.

I. Accountability

- 1) At least one facility representative with authority to demand correction and/or to shut down an event on behalf of the municipality will be responsible and available for all Special Occasion Permit events.

Rationale:

The Special Occasion Permit application states that the permit holder and the facility owner are jointly responsible for the safety and sobriety of those attending the event.

- 2) At least two people appointed by the event sponsor shall remain with the facility representative until the building is closed down and the area is clear.

Rationale:

This will help to ensure the safety of the facility representative when closing up alone.

- 3) An incident report form will be provided to the event sponsor with the facility rental package and must be completed if an incident occurs.

Rationale:

A written report is important to determine liability and will help mitigate future incidents.

J. Insurance

The sponsor(s) of a Special Occasion Permit event being held in a municipally owned facility is/are required to provide proof, at least five days prior to the event, that they have purchased a **minimum** of two million dollars in liability insurance per permit. This proof of liability insurance must be in the form of a Certificate of Insurance with the Township of Brock being included as an additional insured.

Rationale:

Case law indicates that judges and juries are sympathetic towards the injured plaintiff. Special Occasion Permit holders, facility owners, club executives and volunteers could all be named in a lawsuit.

By insisting on insurance, potentially risky groups may be discouraged from sponsoring events since they may be unable to obtain insurance.

Including the Township of Brock as an additional insured on the event sponsor's liability insurance policy potentially provides the municipality with defense in the event of a lawsuit which arises from the event sponsor's function and/or negligence. The municipality's own liability insurance would come into effect in the event that the municipality was negligent or in the event that the judgment against the defendants exceeded the event sponsor's limit of liability insurance.

K. Failure to Comply

Special Occasion Permit Event

The facility representative may report any infraction of this policy to legal authorities whenever they believe such action is required.

Any infraction will be reviewed by arena staff, the arena manager and the Director of Public Works. The Director of Public Works will send a registered letter describing the problem to the permit holder, informing the group that their rental privileges shall be reviewed by Council and may be revoked.

Future rental privileges to penalized groups will depend on their convincing Council that they will follow all policy regulations at future functions.

When individuals are found to be consuming alcohol in restricted areas, police will be called to enforce the law.

Rationale:

It is important that a clear set of guidelines be developed and that the penalties for failure to comply to the policy be consistently applied.

This practice ensures that user groups and participants recognize the policy as being fair, consistent and enforced when required.

Arena Dressing Rooms

Alcohol consumption in dressing rooms and other areas by teams using the facility is prohibited and will not be tolerated.

Should arena staff see evidence of alcohol use in the dressing room they shall document all findings and report this to the Director of Public Works as soon as practical.

The Director of Public Works shall contact the user group by registered letter advising them that there has been evidence of alcohol consumption.

Further, should this continue, the police will be notified. The user group will be required to explain why the violation occurred and provide assurances that this violation will not take place again. Any future alcohol violation will result in immediate expulsion of the violator(s) from all three arenas and possibly the user group.

L. Policy Monitoring and Revisions

To monitor effectiveness of the Brock Municipal Alcohol Policy, Council shall initiate a review by the Municipal Alcohol Policy Advisory Committee every five years, based on information provided by the facility manager and other invited sources, and reported to Council with suggested policy changes if required.

Rationale:

This permits the policy to be changed to meet the changing community needs, the addition of new facilities and program demands.

As the policy is implemented, procedures requiring adjustments for improvement can be suggested.

This also allows adjustments to reflect any future changes made to the Liquor Licence Act.

M. Implementation Phase

Township staff will communicate amendments and updates made to the Municipal Alcohol Policy to event sponsors and user groups. Additionally, Township staff will indicate that user groups and event sponsors are responsible for reviewing the Policy in its entirety before holding an event in a municipal facility.

Rationale:

Without a publicity campaign, the policy will have no impact on community behaviour.

Publicizing the policy actually helps to affect public behaviour and compliance to the policy.

Appendix "A"

Glossary of Terms

"Entrance monitor" shall mean a person who is appointed by the event sponsor who shall be responsible for monitoring the entrance to an event. This definition shall also include the ticket sellers in order to recognize the fact that the entrance monitors at some events are also the ticket sellers.

"Event sponsor" shall mean that person or persons, group or groups responsible for organizing or promoting an event.

"Facility Board of Management" shall mean the board that is responsible for the day-to-day operation of a municipally owned facility or portion thereof.

"Facility representative" shall mean the same as municipal representative and shall include representatives or appointees from the various facility Boards of Management.

"Floor supervisor" shall mean a person who is appointed by the event sponsor who shall be responsible for reporting any potential problems to the event sponsor.

"Low-alcohol drink" shall mean a drink which contains less alcohol than a standard drink (as defined below).

"Occupier" shall include anyone who has control of the premises and the power to admit or exclude others.

"Standard drink" shall mean:

- 1-1/2 ounces of spirits (40% alcohol)
- 5 ounces of wine (12% alcohol)
- 3 ounces of fortified wine (18% alcohol)
- 12 ounces regular beer (5% alcohol)
- 12 ounces cooler (maximum 5% alcohol).