

CORPORATE POLICY



Name of Policy:	Municipal Alcohol
Policy Number:	COMS - 004
Responsibility:	Manager, Recreation and Planning
Approval:	Mayor and Council
Approval Date:	February 8, 2021
Date of Next Review:	November 5, 2022

1.0 Purpose

The purpose of the Municipal Alcohol Policy (MAP) is to outline to event organizers and permit holders the various stipulations and controls on events involving alcohol including the Special Occasion Permit process and liquor licensed events under a Caterer's Endorsement ensuring that all Liquor Licence Act of Ontario legislation that pertains to Special Occasion Permits (SOP) or liquor licencing is properly understood and strictly complied with.

The MAP Policy will provide appropriate oversight and understanding of the approval process, applicant responsibilities and conditions of use and administration responsibilities for the distribution and consumption of alcoholic beverages as part of a permitted community festival and event.

The MAP will identify the roles and responsibilities of the City of Sarnia and event organizers and permit holders that protect the event organizers, the participating public, volunteers, the City of Sarnia and its staff from liability by providing education in prevention and intervention techniques and through effective procedures

The MAP will encourage and reinforce responsible drinking practices for consumers through the development of operational procedures, controls, and education. The MAP supports designated drivers, residents dealing with alcohol addiction and honors the decision of abstainers not to drink alcohol by providing alternative, non-alcoholic drinks.

2.0 Scope

This Policy shall apply to those individuals or groups organizing community festivals and events held in municipal facilities or on municipal land.

3.0 Definitions

"MAP" means Municipal Alcohol Policy.

"SOP" means Special Occasion Permit.

"AGCO" means Alcohol and Gaming Commission of Ontario.

“PASA” means Progressive Auto Sales Arena.

“EOAT” means Event Operations Advisory Team.

4.0 Policy

The City of Sarnia shall promote the safe and responsible management of alcohol at events held in municipal facilities or on municipal land.

The primary objective of the Municipal Alcohol Policy (MAP) is to provide parameters and guidelines to community organizations, event organizers, staff, businesses, service clubs and citizens to ensure the safest environment possible for consumption of alcohol and to limit the risk associated with the consumption of alcoholic beverages by consistently managing the service of alcohol in facilities and on land owned by the City of Sarnia.

Designation of Properties

The sale or consumption of alcohol, including the use of a licensed area (beer garden) shall not be permitted at any festival, event or function on municipal land and is prohibited in public spaces such as parks, swimming pools, beaches, arenas, sports fields, City streets, parking lots and facilities unless the facilities are previously licensed under the Liquor Licence Act of Ontario and Regulations or at the discretion and approval of the General Manager of Community Services. Approval is granted subject to obtaining an SOP, provided for an occasion that is judged unique or does not occur on a regular basis, or a Catering Endorsement License, issued for events who hire restaurant establishments or breweries to manage the liquor component, being issued to the event organizer/permit holder by the Alcohol and Gaming Commission of Ontario (AGCO).

In situations where licensed events are held within parks, later event times and provision of opaque fencing are recommended.

Licensed events at local parks may contribute to the normalization of alcohol consumption by vulnerable populations (e.g. youth, children), therefore licensed events at local neighborhood parks frequented by children and youth is discouraged. The City of Sarnia has developed a “Designated Properties” list, identifying City facilities or land where festivals and events serving alcohol under an SOP or a Caterer’s Endorsement and meet the conditions set out by the MAP and City of Sarnia *may* be granted approval. These Designated Properties include:

- *Progressive Auto Sales Arena (PASA) – event floor only
 - **Sarnia Arena – event floor only
 - Clearwater Arena – Event floor and Meeting rooms only
 - Clearwater Baseball Diamonds and Park
 - Norm Perry Park Fieldhouse – field house only
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- Strangway Centre
- Camp Saredaca
- Centennial Park – Suncor Agora and Open Field
- Canatara Park – Open Field, Bandshell, Kiwanis Wedding Pavilion
- Mike Weir Park
- Errol Russel Park
- Tecumseh Park – Event Space only
- Newton Centre and Park
- Kenwick Park
- McGibbon Park
- Other designated areas as determined by the City of Sarnia

*Sarnia Sting (Ontario Hockey League) hockey games and the PASA restaurant are licensed through the contracted Food and Beverage provider.

** Kiwanis Room at Sarnia Arena is licensed for Sarnia Legionnaire hockey games.

Approval by the City is required in advance of the issuance of an SOP or Caterer's Endorsement for the use of municipal property for a festival or event which includes the sale or service of alcohol. Separate agreements and approvals will be required to formalize the use of City properties or facilities under the MAP or otherwise depending on the nature of the event and location. The AGCO requires that an event of Municipal Significance receives such designation by the municipality in which the event will take place. Event organizers will request a letter of Municipal Significance in writing, to the General Manager of Community Services or Designate, not less than 30 days prior to the commencement of the festival or event. When applicable, the Municipal Significance letter will designate the event as municipally significant and is required prior to proceeding with the SOP process.

Arena Dressing Rooms

Alcohol is not permitted in this area as it encourages ice users to be on the ice surface under the influence of alcohol, posing safety concerns; while post game consumption encourages drinking and driving. Unauthorized and illegal consumption of alcohol is not tolerated in this area and will result in the loss of rentals and ability for future bookings.

Arena Ice Surface, Sports Fields, Baseball Diamonds & Dressing Rooms

Alcohol is not permitted in this area as it encourages users to be on the playing surface under the influence of alcohol, posing safety concerns. Unauthorized and illegal consumption of alcohol is not tolerated in this area and will result in the loss of rentals and ability for future bookings.

Downtown Streets and Municipal Parking Lots

Alcohol consumption in municipal parking lots is prohibited. Certain festivals and events within these spaces will be eligible to apply for a SOP or Catering Endorsement through the AGCO upon the approval of the General Manager of Community Services.

Mixed Age Events

Where patrons under 19 years of age may be present, there shall be a means to identify persons that are of legal drinking age (wrist band, stamp) on all persons 19 years or older. Mixed aged event are discouraged to reduce the risk of normalizing alcohol use in children and youth.

Stag & Doe

The City of Sarnia does not permit "Stag & Doe" events within its facilities or spaces.

Tailgating

A SOP for Tailgate events is a requirement of the AGCO. There is no requirement for approval or endorsement from the sporting event entity connected with the Tailgate events. Municipalities will be notified by the AGCO of all Tailgate event SOPs. Authorization from the General Manager of Community Services will be required for Tailgate Events on Municipal property and will be done so on a per request basis. The City reserves the right to implement and enforce established measures, including those identified in the MAP, for Tailgate events.

Exceptions

The City of Sarnia, through the General Manager of Community Services shall have the authority to make exceptions so long as requirements identified within the MAP are adhered too by the event organizer and that an SOP or Catering Endorsement is successfully applied for by the event organizer/permit holder and approval issued by the AGCO.

Security Plan

Event organizer/permit holders intending to sell alcohol as part of their event shall be required to hire paid duty police officers and / or licensed security personnel to ensure the safety and security of their patrons as identified by the AGCO and or the MAP as pre-determined by City staff and based on event expectations. City staff reserves the right to require the presence of police officers or security personnel, paid for by the event organizer. Specific numbers will be determined by the Community Policing Branch, General Manager of Community Services and the Event organizer. Detailed security and site plan are to be provided to the General Manager of Community Services.

Security personnel shall ensure patrons do not enter the event with alcohol containing beverages and ensure that no liquor sold at the event is removed from the event by a person attending the event.

Advertising & Signage

All advertising must comply with the AGCO advertising policies and guidelines. Signage must comply with the regulations set forth by the AGCO and Liquor License Act of Ontario. Sample signage can be found at www.agco.on.ca.

- Signage clearly outlining the licensed area and unlicensed areas in which signs specify no alcohol consumption is allowed.
- Safe Transportation options, posted at designated Bar & Entrance/Exit areas.
- Harms associated with co-using alcohol and cannabis.

Insurance

Event organizers must provide proof of insurance by way of submitting a minimum \$5million certificate of liability insurance, naming the City of Sarnia as an additional insured. The Policy shall show the date(s) of the event including the set up and take down if different from the event date, name of the event and location and shall be provided at minimum 14 days prior to the event. Failure to provide proof of insurance will void the rental;

Upon approval of provided certificate of insurance, the City legal Department shall issue an Indemnity Agreement to a representative with the authority to bind the organization and/or individual.

Safe Transportation Plan

Event organizers must assume responsibility for promoting safe transportation options for all drinking participants and must create and post specific transportation options available at the bar and entrance/exit areas. Safe transportation can include:

- Promote the use of Designated drivers and similar programs;
- Promote the use of a "taxi service" paid either by the sponsoring group or the participant;
- Promotion of City transit or alternative forms of transportation.

Duty to Report

The event organizer has the duty to report to City Staff any issues that arise and provide details of any incident that:

- The event organizer/permit holder are aware of or has been made aware of any Liquor License Act of Ontario or MAP violation;
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- Where an AGCO inspector under the Liquor License Act of Ontario has reported any incident or violation;
- Involves bodily injury or property damage;
- Reports shall be made no later than two days after the event, but shall be made immediately when repairs or other action is required to make the municipal property secure or safe for use.

Failure to Comply

Event organizers/permit holders who fail to comply with the MAP shall be subject to the following consequences:

- City staff will report any infraction of this Policy to legal authorities whenever they believe such action is required;
- Any infraction of the MAP will be reviewed by the General Manager of Community Services and/or the Event Operations Advisory Team (EOAT). The EOAT may refuse future rental privileges to the organizer;
- Where persons under the age of majority are found to have consumed or to be consuming alcohol at SOP and non-SOP events held at Municipal facilities or lands, the authorities should be called. The individual(s) under the age of majority that are found to have consumed or to be consuming alcohol at events held at municipal facilities could be banned from any public function held in a municipal facility or land for a period of up to one (1) year;
- Where anyone is engaged in disruptive behaviour as a result of alcohol consumption at social events, authorities will be called. The individual(s) engaged in disruptive behaviour could be banned from any public function held in any municipal facility for a period of one (1) year;
- If an alcohol-related violation occurs, act promptly to rectify the situation and restore adherence to the Liquor License Act of Ontario. When a violation occurs at an event, the SOP holder is at risk of being charged. Even if no charge is laid, the fact that the Liquor License Act of Ontario has been violated can be used to undermine the SOP holder's defense in any civil suit.

5.0 Roles and Responsibilities

General Manager

- Reserves the right to approve or deny requests for alcohol at events on municipal land.

Employees

- Ensure the event organizer and/or permit holder are provided with information outlining the conditions of the Municipal Alcohol Policy and to ensure compliance with the Municipal Alcohol Policy, Liquor Licence Act of Ontario and its regulations at their event;
- At minimum one City staff with authority to demand correction of Policy infractions or to shut down an event on behalf of the municipality must attend all events where alcohol is provided and will have the ultimate authority regarding decision making.

Event Organizer/Permit Holder

- In order to be eligible for a facility permit for a SOP function, the permit holder must demonstrate, to the satisfaction of the General Manager of Community Services or designate, that there are sufficient controls in place including but not limited to:
 - The event organizers are legally responsible for ensuring compliance with the Municipal Alcohol Policy, Liquor License Act of Ontario and AGCO, federal, provincial and municipal regulations, by-laws, policies and guidelines associated with such;
 - Organizers must convey to City staff understanding of the Policy and obligations and intention to comply with the regulations by signing the rental agreement and or event application. Failure to do so will result in the application being denied, even if a SOP has been obtained from the AGCO;
 - Ensure the guidelines identified on the AGCO website are followed;
 - To reduce the risk of impairment and associated harms, the sale of high alcohol by volume (ABV) products and “tallboys” (more than 1 standard alcoholic drink size) should be prohibited. Alcoholic beverages should be limited to a “standard drink” ABV and/or low ABV drinks.
 - Ensure sufficient level of SmartServe Ontario trained event personnel (bartenders, servers, door monitors, ticket sellers) are present with training as prescribed by the AGCO that includes education on impairment related to recreational cannabis use.
 - If applicable, obtaining and posting the SOP in plain sight on the premises to which the permit applies;
 - Ensure that no person consumes alcohol in unauthorized locations;
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- Ensure the safety and sobriety of people attending the event including those persons asked to leave the event.
- For outdoor events, fencing is required for the outdoor designated area. It shall be a single row of six (6) feet high fencing and must be securely erected. Opaque Fencing is recommended. The cost and set up of fencing is the responsibility of the event organizer;
- Permit holder must attend the duration of the event and be responsible for making decisions about the operation of the event based on the MAP and the Liquor Licence Act of Ontario
- Portable toilets and washing facilities must be provided within licensed area;
- Beverages sold in cans should be mandatory at all outdoor events as they eliminate the risk of broken glass and a possible injury (e.g. wildlife, pets, children and adults who may use the event space at a later time).
- Where municipal facilities are leased to an external management group, this group's employees must have SmartServe Ontario training.
- Must provide a copy of the Special Occasion Permit (if applicable) to the City of Sarnia **at least 14 days prior** to the start of the event.

6.0 Related Policies

None
