

The Corporation of the Township of Huron-Kinloss



BY-LAW No.

2023 - 134

Being a By-Law to Adopt a Alcohol-Risk Management Policy for the Township of Huron- Kinloss

WHEREAS Section 8(1) and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

AND WHEREAS the Council of the Township of Huron-Kinloss passed By-law 2022-40 to adopt an Alcohol-Risk Management Policy;

AND WHEREAS the Council of the Township of Huron-Kinloss desires to make updates to the policy to promote a safe, enjoyable environment, ensure health and safety or participants, staff and community, reduce alcohol related problems and to provide a fair equitable process for the distribution of the proceeds from the sale of alcohol and quality of service to the community as per Report CS-2023-12-58.

AND WHEREAS the Council of The Corporation of the Township of Huron-Kinloss deems it expedient to adopt the Alcohol-Risk Management Policy by By-law;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss **ENACTS** as follows;

1. That The Corporation of the Township of Huron-Kinloss Council hereby adopts the Alcohol-Risk Management Policy as contained in Schedule "A" attached hereto and forming a part of the by-law.
2. That By-law No. 2022-40 be repealed.
3. That this by-law shall come into full force and effect upon its final passage.
4. That this by-law may be cited as the "Alcohol-Risk Management 2023 Policy By-law".

READ a FIRST and SECOND TIME this 18th day of December, 2023

READ a THIRD TIME and FINALLY PASSED this 18th day of December, 2023

Mayor

Clerk

Schedule A By-Law 2023-134



Township of Huron-Kinloss

Alcohol Risk Management Policy

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1. Section 1 Overview

1.1. Goals

The goals of this policy are to:

- Promote a safe, enjoyable environment.
- Ensure the health and safety of participants, staff and community.
- Reduce alcohol related problems such as injury, violence and liability which arise from alcohol consumption on municipal property.
- To provide a fair and equitable process for the distribution of the proceeds from the sale of alcohol and quality service to the community.

1.2. Risks

The Liquor Licence Act is very clear in setting standards around alcohol service to the public. If alcohol is served on a Township designated property, the Liquor Licence Act and this Alcohol Risk Management Policy (ARMP) dictate the rights, responsibilities and obligations of the event holder in order to ensure that a minimum standard of conduct and care is met. Without these regulations, participants in the event might be exposed to danger, and the event holder could be held responsible.

Potentially, legal liability may result from two major areas:

1. The provider who sells, serves or gives alcohol to a person past the point of intoxication (providers may include service clubs and their members, private family function organizers, and generally, anyone obtaining a Special Occasion Permit to run an event).
2. The occupier of the premise upon which alcohol is being served (e.g., the renter and/or the Township).

1.3. Objectives

- To provide appropriate procedures and education to individuals or groups wishing to hold events in municipally owned facilities to ensure legislation pertaining to Township of Huron-Kinloss Liquor Sales licence or SOP is properly understood and strictly complied with.
- To ensure proper supervision and proper operation of licensed events in order to protect the organizers, the participating public, volunteers, the municipality and its staff from liability by providing education in prevention and intervention techniques and through effective management procedures.

- To encourage and reinforce responsible, moderate drinking practices for consumers through the development of appropriate operational procedures, controls, training and education.
- To honour the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative, non-alcoholic drinks.
- To provide for a balanced use of alcohol through licensed events so that alcohol becomes a responsible part of a social function rather than the reason for it.
- To provide measures designed to prevent alcohol related problems, reduce liability and risk of injury, while allowing enjoyment to those who use the Township of Huron-Kinloss facilities and land

1.4. Definitions

Alcohol and Gaming Commission of Ontario (AGCO): www.agco.on.ca

Alcohol Risk Management Policy: A coordinated plan of actions to prevent and control potential risks.

Catering Endorsement: As holders of a valid liquor sales licence with a catering endorsement, the Municipality is permitted to sell and serve beverage alcohol at events that are held in unlicensed areas other than a licensed establishment, or that are held in unlicensed areas within a licensed establishment (for example, an unlicensed hall). Through a catering endorsement, private events can continue to operate through the Township of Huron-Kinloss permanent liquor licence, allowing compliance at all facilities in the Township of Huron-Kinloss.

Catering endorsements will not be hosted outside the boundaries of the Township of Huron-Kinloss. Hosting catering endorsements is a service and a privilege and can be denied.

A Catering Endorsement provision is mandatory and will be operated for all other Municipal Facilities. See Section 2.4 Designation of Properties for Catering Endorsement locations.

Event: For the purposes of this policy, an event refers to any licensed event held at a municipal facility at which alcohol will be served and/or sold. Such events may include but are not limited to Stag and Does, weddings, showers, dances, barbeques, and birthday parties. The duration of the event encompasses the setup, operation and cleanup.

Public Events: A public event is one which is open to the public to attend and is conducted by a registered charity or not-for-profit entity. An individual or business may host a public event if the event is (a) being held in a licensed facility, or (b) has been deemed of municipal, provincial, national or international significance (see Appendix A). A Public Event SOP may be issued to registered charity organizations, not-for-profit entity for the advancement of educational, religious or community objectives or for events that are municipal, provincial, national or international significance. These events require municipal designation/resolution. Any other person or groups that do not fall into the above categories may hold a Public Event SOP with a municipal designation/resolution by completing the Special Occasion Permit Application Exemption (Appendix B).

In summary, Public Events in Township of Huron-Kinloss can operate their event through the permanent liquor license or under an SOP upon approval of Council.

Private Event: Examples of a private event would be Buck & Does, Weddings, Anniversary. All private events operating in Township of Huron-Kinloss facilities no longer have the option to operate under the auspices of a Special Occasion Permit (SOP). All such events must operate under the Township of Huron-Kinloss Permanent Liquor Licence.

Outdoor Event: An outdoor event is one at which any alcohol is consumed in an outdoor space (including pavilions, tents or temporary structures). Outdoor events will only be permitted at Catering Endorsement locations and will be classified as either a private or public event.

Event Organizer: Refers to the individual(s) who have signed the facility rental agreement for an event that will involve the selling and/or serving of alcohol at municipal premises. The Event Organizer and Township of Huron-Kinloss staff and/or designate are responsible for the safety and sobriety of people attending the event as well as compliance with this Alcohol Risk Management Policy (ARMP) and the Liquor License Act and its regulations. They assume responsibility and liability for the entire operation of the event. See section 4.1 Insurance Special Occasion Permit.

Municipal Event Worker: A paid person(s) and volunteers appointed by the Township of Huron-Kinloss, who are over the age of 18 and who have satisfactorily proven that they will act in accordance with this ARMP and monitors the event on behalf of the municipality and ensures all components of the Alcohol Risk Management Policy is met.

Licensed Security

Security personnel monitor entrances and patrol licensed areas to ensure the safety and security of the establishment, its employees and patrons. Security must be licensed under the [Private Security and Investigative Services Act, 2005](#) (PSISA) or as may be amended from time to time.

Liquor License Act (LLA): Outlines the laws regarding the sale and service of alcohol. (<http://www.agco.on.ca/en/whatwedo/index.aspx>)

Minimum Drink Price: Township of Huron-Kinloss has established a minimum drink price as per the recreation fees by-law in order to qualify for a Net Profit Share.

Alcohol Risk Management Policy (ARMP): A local policy for municipalities to manage events held at municipally-owned facilities and properties when alcohol is sold or served.

Municipal Properties: All municipally owned or leased lands, buildings and structures.

Server Training Program: A certificate training program for serving alcohol that is approved by the AGCO. Server training is required by staff and volunteers who work in areas where alcohol is sold and/or served. An example is the training program offered by Smart Serve Ontario (smartserve.ca). Standard Drink means: 12 oz or 341 ml. of beer with 5% alcohol OR 5 oz or 142 ml. of wine with 12% alcohol OR 1 ½ oz or 43 ml. of spirits with 40% alcohol The municipality may set a minimum price point for each drink sold at events held on municipal properties.

2. Section 2 Municipal Liquor Licence

2.1. Gross Revenue Share (Municipal Licence)

- Please reference the Township of Huron-Kinloss Permanent Liquor Sales License Policy.

2.2 Wine Service Procedure (Municipal Licence)

- The renter must provide the Licensee staff with a list of wine brands and quantity no less than one month before function
- Licensee staff will order, pickup and stock the wine in a cooler or storage
- A fee of 20% over LCBO price plus applicable taxes will be invoiced to the renter.

- A fee of 30% over retail from non-LCBO Brewery or Winery outside of Huron-Kinloss (unless delivered)
- Licensee staff will open 2 bottles of wine per table and the remaining wine will be placed in the cooler or box
- The Licensee staff will be responsible for placing the opened bottles of wine on the tables.
- The renter will be invoiced for all wine purchased whether used or not and the remaining wine will be removed by the renter.
- Wine glasses will be supplied by the facility at no charge under the Municipal Licence

2.3 Designation of Properties (Municipal Licence)

Alcohol consumption is strictly prohibited on all Municipal Property including sports facilities unless under the Municipal Liquor Licence or a Special Occasion Permit. Sports teams using Municipal facilities shall complete an Appendix C Sports Activity Agreement.

The following municipal facilities and areas are designated as suitable for events that will sell/serve alcohol under the Township of Huron Kinloss Permanent Liquor License Catering Endorsement issued by the AGCO and agreeing to conditions as set out by the Municipality:

Point Clark Community Centre
 Point Clark Pavilion
 Ripley Fire Hall
 Ripley Municipal Office
 Ripley-Huron Community Centre
 Sports Field
 Point Clark Community Centre
 Pavilion
 Lions Park Pavilion
 Point Clark Lighthouse Park
 Lucknow Fire Hall
 Lewis Park Pavilion
 Lucknow Town Hall

2.4 Designation of Events (Municipal Licence)

Youth Focused Event

It is not recommended that alcohol be served or sold at a youth focused event (i.e minor sports tournament). High Risk Event the Municipality, AGCO and/or police, at their own discretion, may deem an event to be high risk. These events will require additional staffing and may require a Risk Management Plan.

2.5 Security

The Township of Huron-Kinloss as licensee is responsible for providing security or paid on-duty OPP for the following situations:

- Any Functions that involves alcohol beverages may require security at the discretion of the Licensee Staff
- All Stag & Does regardless of attendance
- Special outdoor events
- Renter will be invoiced for all costs relating to the provision of security officers or paid on-duty OPP
- Ratio of Security is a minimum of 2 for up to 400 attendees plus 1 for every 100 attendees over 400

Exception: If a Risk Assessment Plan is required, security will be determined by the Plan.

Table 4.2 Ratio of Security, Bartenders and Monitors to number of event attendees, and add one security to each category if it is an outdoor event.

Attendance/Capacity	Number of Bartenders	Number of Door Monitors/Ticket Sellers/Floor Monitors	Number of Certified Security or Paid Duty Police
0-225	2 Trained	4	2 Licensed Security/Paid Duty Police
226-399	3 Trained	5	2 Licensed Security/Paid Duty Police
400-599	4 Trained	6	2 Licensed Security and an additional Licensed security for every 100 people over 400 people.
600-999	8 Trained	8	2 Licensed Security and an additional Licensed security for every 100 people over 400 people.

1000+	TBD based on Operational Plan	TBD based on Operational Plan	TBD based on Operational Plan
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2.6 Roles and Responsibilities (Municipal Licence)

All event workers have a responsibility in the operation of the event and shall not consume or be under the influence of alcohol for the entire duration of the event. They assume responsibility and liability for the entire operation of the event in conjunction with the Event Organizer. Event workers may have one or more of the following roles:

- Floor monitor
- Door monitor
- Server/bartender
- Ticket seller if required

Detailed roles and responsibilities for each type of event worker can be found in Appendix F of this Policy.

Stag & Does

- The Ripley-Huron Community Services Department will provide bartenders. Alcohol ticket sellers will be supplied if required. The number of bartenders will depend on the estimated attendance as per the facility contract agreement.
- Minors will not be allowed. "Age of Majority Only" will be printed on ticket
- The Ripley-Huron Community Services Department will schedule security as required.
- The Ripley-Huron Community Services Department will purchase the alcohol prior to the event. Staff will also track the inventory of alcohol before and after the event.
- **Event is open to the public – guests not required to be invited.**
- The renter is responsible for **all advertising, admissions, and food supply**. Every event will have distinctive alcohol tickets. Alcohol tickets from past events will not be accepted, all costs will be included in expenses of Gross Revenue Share.
- Staff will fill out the bar inventory sheet before and after the event to show how much alcohol was sold. Staff will also record the starting and ending

inventory amount of mix (juice, pop, non-alcoholic beverages) and cups used at the event.

- Staff will fill out the deposit sheet with all of the cash received at the event minus the float and deposit that amount into the night deposit box.
- Staff will return all alcohol, mix, cups, alcohol tickets that were not used at the event to the locked bar storage room
- Staff will put all empty beer and liquor bottles and/or cans from the event in the locked bar storage room.
- The Facility and Recreation Supervisor will determine the cost of all of the expenses associated with the sale and service of alcohol for the event.

Ripley Wolves Game

- The Ripley-Huron Community Services Department will provide one bartender for the sale and service of alcohol at Ripley Wolves games. Volunteer bartenders are eligible to bartend during Wolves games if they are listed on our Smart Serve bartender list. Volunteer bartenders can donate their wages back to the Ripley Wolves to a maximum of 8 hours for 7:30PM games or 7 hours for 8:30PM games.
- The Ripley-Huron Community Services Department will purchase the alcohol prior to the event. Staff will also track the inventory of alcohol before and after the event.
- Staff will fill out the bar inventory sheet before and after the event to show how much alcohol was sold. Staff will also record the starting and ending inventory amount of mix (juice, pop, non-alcoholic beverages) and cups used at the event.
- Staff will fill out the deposit sheet with all of the cash received at the event minus the float and deposit that amount into the night deposit box.
- Staff will return all alcohol, mix, cups, alcohol tickets that were not used at the event to the locked bar storage room
- Staff will put all empty beer and liquor bottles and/or cans from the event in the locked bar storage room.
- The Facility and Recreation Supervisor will determine the cost of all of the expenses associated with the sale and service of alcohol for the event. Bartender Shifts will be determined by Facility and Recreation Supervisor prior to event, and hours may be adjusted during event.

Service Clubs Events or Identified Users

- Every event will have distinctive alcohol tickets. Alcohol tickets from past events will not be accepted.
- The Ripley-Huron Community Services Department will purchase the alcohol prior to the event. Staff will also track the inventory of alcohol before and after the event.
- Staff will fill out the bar inventory sheet before and after the event to show how much alcohol was sold. Staff will also record the starting and ending inventory amount of mix (juice, pop, non-alcoholic beverages) and cups used at the event.
- Staff will fill out the deposit sheet with all of the cash received at the event minus the float and deposit that amount into the night deposit box.
- Staff will return all alcohol, mix, cups, alcohol tickets that were not used at the event to the locked bar storage room
- Staff will put all empty beer and liquor bottles and/or cans from the event in the locked bar storage room.
- The Facility and Recreation Supervisor will determine the cost of all of the expenses associated with the sale and service of alcohol for the event.

2.6 Gambling

Games of chance, luck or mixed chance and skill such as raffles, 50/50 draws or wheel of fortune are not permitted unless the proper licence has been obtained from the Municipality or Province of Ontario. Licenses are only issued to eligible organizations with charitable, educational, religious or community betterment purposes. Visit www.agco.ca for further information.

3.0 Section 3 - Special Occasion Permit

3.1 Designation of Properties for Special Occasion Permits

The following municipal facilities and areas are designated as suitable for events that will sell/serve alcohol under a Special Occasion Permit issued by the AGCO and agreeing to conditions as set out by the Municipality: Ripley Ball Field for Annual Mush Ball Tournament.

Lucknow Soccer Fields for Music in the Fields Exemptions for Special Occasion Permits will be considered by Council. Application for exemption must be completed and submitted on form "Appendix B Special Occasion Permit

Application Exemption” to the Director of Community Services 90 days prior to event.

3.2 Designation of Events for Special Occasion Permits

Youth Focused Event

It is not recommended that alcohol be served or sold at a youth focused event (i.e minor sports tournament).

High risk event

The Municipality, AGCO and/or police, at their own discretion, may deem an event to be high risk. These events will require additional staffing and may require an operational plan.

3.3 Security

The Township of Huron-Kinloss as licensee is responsible for providing security for the following situations:

- All Stag & Does regardless of attendance • Special outdoor events
- Renter will be invoiced for all costs relating to the provision of security officers.
- For ratio of Security guards see Table on page 8.

Exceptions: If a Risk Management Plan is required, security will be determined by the Plan.

3.4 Roles and Responsibilities for Special Occasion Permits

Role of Municipal Representatives

Municipal representatives are responsible for ensuring the Permit Holder, Event Organizer and/or designates are provided written information outlining the conditions of the ARMP and ensure that they have been informed of their responsibilities. Municipal representatives have the authority/responsibility to demand correction and/or to cease the sale and service of alcohol and will have ultimate authority regarding decision-making on the part of the Permit Holder. Municipal representatives monitoring a liquor-licensed event shall be certified by a server training program recognized by the AGCO.

Role of Permit Holder, Event Organizer and designates for Special Occasion Permits

The Permit Holder and designates must be 19 years of age or older. The Event Organizer and designates must be 18 years of age or older. All are responsible and liable for the conduct and management of the event, including, but not limited to:

- compliance with the ARMP and facility rental agreement, in addition to the LLA and its regulations
- organization, planning, set up and cleanup of the event
- arranging event workers
- provide server training program certified ticket sellers, bartenders, floor monitors, door monitors and security
- in the case of the Permit Holder and/or the Event Organizer, training their designates, if applicable
- training of other event workers
- posting the Special Occasion Permit or Caterer's Endorsement in a conspicuous place on the premises to which the permit applies or keep it in a place where it is readily available for inspection
- alcohol sales and service - including the choice of beverages so as to avoid the supply of fortified or extra strength drinks
- ensuring no one consumes alcohol in unauthorized locations
- the safety and sobriety of people attending the event including those persons turned away to control the event
- organizing safe transportation options (e.g. designated drivers, taxis)
- responding to emergencies
- Provide pop, mix, cups, and ice
- The permit holder and event organizer will assume the responsibility of ensuring all event workers abstain from consuming alcohol during the event and will not be under the influence of any alcohol prior to the event.

The Permit Holder and Event Organizer (or designates) must read and sign "Appendix B Special Occasion Permit Application Exemption" to indicate that they have read this policy and understand their responsibilities. The Permit Holder must provide a copy of the Special Occasion Permit and any updates to the Municipality prior to the start of the event.

The Permit Holder and Event Organizer (or designates) must attend the event for the entire duration – including the post event clean up and be responsible for decisions regarding the actual operation of the event.

Event Staff & Responsibilities

All event workers have a responsibility in the operation of the event and shall not consume or be under the influence of alcohol for the entire duration of the event. They assume responsibility and liability for the entire operation of the event in

conjunction with the Event Organizer. Event workers may have one or more of the following roles:

- Floor monitor
- Door monitor
- Server/bartender
- Ticket seller if required

Detailed roles and responsibilities for each type of event worker can be found in Appendix F of this Policy.

- A minimum of one event worker must be Smart Serve certified and present among all of the positions of floor monitor, door monitor, server / bartender, ticket seller
- Event personnel must wear identifiable clothing (such as "event staff" printed on clothing) or wear clearly identifiable name tags and be present on the licensed premises during all hours of alcohol service and at least one hour past the time sale and service of alcohol ceases. Event personnel must ensure all patrons have vacated the premises and ensure that the premises are secured prior to leaving.
- All signs of the sale and service of alcohol must be cleared within 45 minutes of the end of the event.

4.0 Section 4 Management Practices Special Occasion Permits

4.1 Insurance for Special Occasion Permits

The Permit Holder and Event Organizer must provide proof of insurance by way of submitting an original Certificate of Insurance naming the Township of Huron-Kinloss additionally insured, in accordance with the last statement of this paragraph. The Certificate of Insurance must be in effect for date(s) where Municipal property is being used or occupied by the Event Organizer and Permit Holder. Failure to provide proof of insurance in accordance with this Section will void the rental.

Proof of General Liability Insurance coverage in an amount of not less than five million dollars (\$5,000,000.00) must be provided to the Municipality prior to rental of the facility. The insurance must be issued by an accredited insurance company that is licensed to carry on

business in Ontario and that is satisfactory to the Municipality. The insurance coverage must at a minimum include the following:

- Coverage for bodily injury and property damage liability
- A Liquor Liability endorsement
- The Municipality shown as an additional insured on the policy
- The Event Organizer (facility renter) and Permit Holder must be included as additional insured. Check with your insurance provider to ensure all appropriate parties are included on the policy.
- The Municipality or hosting organization reserves the right to request even higher limits of insurance should the event be deemed as higher risk.
- Completed Insurance Certificate, Special Occasion Permit, and Rental Agreement must be provided to the Municipality at least 2 weeks prior to the event. Failure to submit any of these documents may result in cancellation of having alcohol at the event and/or cancellation of the rental itself.

4.2 Recommended Minimum Staffing Rations for Special Occasion Permits

The Municipality, AGCO, and/or the applicable police service involved reserve the right to adjust these requirements as deemed necessary.

Attendance/Capacity	Number of Bartenders	Number of Door Monitors/Ticket Sellers/Floor Monitors	Number of Certified Security or Paid Duty Police
0-225	2 Trained	4	2 Licensed Security/Paid Duty Police
226-399	3 Trained	5	2 Licensed Security/Paid Duty Police
400-599	4 Trained	6	2 Licensed Security and an additional Licensed security for every 100 people over 400 people.
600-999	8 Trained	8	2 Licensed Security and an additional Licensed security for every 100 people over 400 people.

1000+	TBD based on Operational Plan	TBD based on Operational Plan	TBD based on Operational Plan
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Trained – means certified by a server training program recognized by the AGCO

Licensed Security – licensed under the [Private Security and Investigative Act, 2005](#)

Operational Plan – For events over 1000, the AGCO requires a security meeting. The permit holder must submit an operational plan for the event which includes a site plan, schedule, and security plan. For events under 1000, AGCO may still request this process.

**If the event includes youth admittance, is outdoors, in a tent or pavilion, any other temporary structure, or a fenced area, the ratio of monitors and security should be increased by one additional workers.*

4.3 Youth Admittance for all Ages Events for Special Occasion Permits

Depending on the level of event risk, minors may not be permitted to attend an event. In all cases, no one under the age of 19 shall be served alcoholic beverages at licensed events. At licensed events where the permit allows patrons under the age of 19, all age of majority patrons will be wrist banded, identifying them as eligible to be served. Event workers shall ask anyone who appears to be under the age of 30 for valid photograph identification (see Appendix D).

If events are expected to have a youth presence, there should be a designated alcohol-free zone within the facility that is proportionate to the ratio of youth expected. As an example, if the event is expected to have 50% minor attendance, then only half of the space should be licensed for alcohol. There shall be physical separation between these two spaces.

Age of majority patrons (19 years of age and older) at all ages events shall be marked with wristbands in permitted area.

4.4 Gambling for Special Occasion Permits

Games of chance, luck or mixed chance and skill such as raffles, 50/50 draws or wheel of fortune are not permitted unless the proper licence

has been obtained from the Municipality or Province of Ontario. Licenses are only issued to eligible organizations with charitable, educational, religious or community betterment purposes. Visit www.agco.ca for further information.

5.0 Section 5 - Actions to Enforce for Special Occasion Permits

5.1 Duty to Report

Any person may notify the Event Organizer, Special Occasion Permit Holder, municipal staff or security personnel of suspected violations of this ARMP.

- Event workers should not attempt to rectify a violation that could lead to a confrontation resulting in personal injury or property damage. In such cases, the police and/or on-site security shall be alerted.
- A police officer or AGCO Inspector may inform the Permit Holder, Event Organizer or person in charge that they are in violation of the *Liquor Licence Act* and/or provincial law. Charges may be laid against the offending individual(s) at the officer's or inspector's discretion.
- The Permit Holder, Event Organizer and/or designates shall inform the Municipality when repairs or other actions are required to make municipal property secure or safe for use.
- Municipal staff on duty at the time of the event reserve the right to ensure this Alcohol Risk Management Policy is being adhered to at all times.

A violation of this policy occurs when the Permit Holder or Event Organizer fails to comply with all the AGCO policies, the LLA and its regulations, and/or this policy.

5.2 Consequences for Failure to Comply with Alcohol Risk Management Policy

First Infraction: Where the Permit Holder or Event Organizer has violated this ARMP, the group may be sent a registered letter from the

Municipality advising them of the violation and indicating that no further violations will be tolerated.

Second Infraction: Should the Permit Holder or Event Organizer violate this policy within one year of receiving notice of their first violation – both parties will be subject to a suspension of facility privileges as defined by the municipality.

Where there has been a failure to comply with the Liquor License Act, the police or the AGCO inspector may intervene for compliance purposes and may, at their discretion or other authority, terminate the event. The municipality may similarly cancel, intervene or terminate the event at any time for violations of this ARMP or rental agreement. It remains the responsibility of the Permit Holder, Event Organizer and/or designates to manage the event and to take appropriate actions, including ending the event, vacating municipal property, maintaining insurance, adhering to any conditions of insurance, and providing safe transportation options.

Regardless of the reason for termination of the event, the Municipality will not be responsible for any compensation whatsoever to the Event Organizer or affected persons for any resulting financial losses that they may have suffered.

5.3 Consequences for Alcohol Consumption in Undesignated Areas

First Infraction: The municipal representative on duty will issue one verbal warning requesting the person or group remove the alcohol from the premises and advise them that a letter will be sent to their organization representative to inform them of this violation.

Second Infraction: A second violation within one year of the first infraction (verbal warning) will result in a suspension of facility privileges as defined by the municipality.

6.0 Section 6 - Prevention Strategies: Municipal Licence and Special Occasion Permit

6.1 Safe Transportation

The Event Organizer and Permit Holder are responsible to have a safe transportation strategy including a designated driver program to promote safe transportation options for all participants, in order to ensure participant safety. Examples of safe transportation options are:

- Designated drivers selected from non-drinking participants at the event;
- Designated drivers provided by the sponsoring group; or
- Taxis or buses paid either by the sponsoring group or the participant.

The options shall be advertised at the event so that all participants are aware of what is available. Non-alcoholic beverages must be made available.

6.2 Safe Environment

- All bottles must be retained within the bar area; all drinks must be served in plastic or paper cups or opened cans.
- There are no JELLO "shooters" allowed.
- Unsafe activities such as drinking contests, discounted drinks, dancing on tables, or other dangerous activities are strictly prohibited.
- Ensure the facility is adequately lighted, signs are visible, and stairs and emergency exits are clear. As the occupier of the premises, your group is required to ensure the physical setting is safe for both drinkers and non-drinkers. Municipal staff should be contacted should your group not be able to provide a safe setting.
- The Permit Holder, Event Organizer and/or the municipal staff member will be responsible for determining when assistance is needed and requesting it from the appropriate authorities. If an alcohol related violation occurs, act promptly to rectify the situation and restore adherence to the Liquor License Act (LLA).

Whenever the LLA is violated at your event, you are at risk of being charged. Even if no charge is laid, the fact that the LLA has been violated can be used to undermine your defense in any civil suit.

6.3 Low Alcohol Content

- The Permit Holder will ensure that beverages will be offered that consist of low or non-alcohol options (e.g. light beer, juice and water).
- The price of non-alcoholic beverages must be less than the price of alcohol sold on the premises.

6.4 No Alcohol Promotion to Youth

- No alcohol advertising is permitted at events where there will be youth attendance (e.g., beer company umbrellas, posters, flags, clocks).

6.5 General Rules, Guidelines and Responsibility of Licensee

- All shooters are prohibited
- No unlawful alcohol allowed on the licensed premises
- A list of alcohol products and prices must be posted
- Non-alcoholic drinks (i.e. Non-alcoholic beer or water) must be made available
- All drinks are to be poured into plastic cups at larger events (+300 attendees), unless authorized by Director of Community Services or designate and (cans only)
- Doubles to be in a large plastic Beer cup
- Bar closes at 1:00am sharp
- Bar ticket sales must stop 15 minutes before bar closing. Drink Ticket Refunds must be take place by 1:15 am.
- No more than 2 standard drinks will be served to an individual during last 15 minutes of bar operations. No last call.
- All signs of the sales and service of alcohol must be cleared from tables and event premises 45 minutes after the bar closes.

7.0 Section 7 - Signage for Municipal Licence and Special Occasion Permit

7.1 Required Signage Provided by Municipality

Ticket Sales (signage posted where tickets are being sold)

- "Number of Tickets Available for Purchase at One Time – 6"
- "Unused tickets may be refunded while the bar is open and up to 30 minutes after closing."
- "Ticket sales end 15 minutes before the bar closes."

Bar Area (posted within the licensed bar area)

- "Number of tickets available for redemption at one time – 2"
- "Bartenders reserve the right to refuse service. Bartenders cannot serve alcohol to anyone who is intoxicated or appears to be at the point of intoxication."
- Sandy's Law (Warning sign for pregnant women)
- "You can only be served a maximum of two alcohol drinks at any one time."
- "There will be no Last Call."
- Time bar will be closed
- "Low or non-alcohol drink options are available."
- "Bartenders cannot serve alcohol to anyone under 19 years of age. Proper ID must be presented to event staff when requested."
- "Servers are not allowed to consume alcohol prior to or during their shift(s)."

7.2 Required Signage Provided by Permit Holder

- The Permit Holder shall post the Special Occasion Permit in a conspicuous place on the premises to which the permit applies or shall keep it in a place where it is readily available for inspection
- A licensed caterer shall post their license, notice of catering, Sandy's Law and liquor menu at a catered event

Safe Transportation

- List of safe transportation options
- "The R.I.D.E. program is in effect in our community."

Restricted Areas

- “No alcohol beyond this point.”

7.3 Additional Recommended Signage

- What is a standard drink sign (Appendix E)
- Low Risk Drinking Guidelines sign (Appendix E)
- It is also recommended that the Permit Holder post their name and contact information at the entrance/exit to the venue

8.0 Section 8 Policy Review and Implementation

8.1 Policy Review

To monitor the effectiveness of this Alcohol Risk Management Policy, Council shall initiate a review of this policy every five years or earlier if needed. Such a review shall be based on information provided by the appropriate municipal representative and other invited sources, and then the outcome of the review shall be reported to Council with suggested policy changes, if required.

8.2 Implementation Plan

It is recommended The Municipality shall design and implement a strategy to orientate all municipal staff and community user groups to the policy requirements and to promote the policy to the community at large, including all licensed establishments, service clubs, community groups, etc. This can only assist these organizations with due diligence and accident prevention. It will also help to reduce potential insurance claims for both the organization and the Municipality.

Resources

Alcohol and Gaming Commission of Ontario

The Liquor License Act

Private Security and Investigative Services Act, 2005

Attachments

Appendix A: Municipal Significance

Appendix B: Request for Special Occasion Permit

Appendix C: Sports Activity Agreement

Appendix D: Checking Identification

Appendix E: Low-Risk Drinking Guidelines

Appendix A – Municipal Significance

A registered charity under the Income Tax Act or non-profit organization may take out a public event Special Occasion Permit (SOP), and no municipal designation is required. It is recommended that proof of charitable or not-for-profit status, in the form of a letter, be received at the time of the SOP application.

Any person or groups may request an SOP with a municipal designation/resolution by completing the "Special Occasion Permit Exemption Form Appendix B".

An individual or business may also apply for a public event SOP if organizing or conducting an event of:

- provincial, national or international significance (as agreed to by the Registrar of Alcohol and Gaming); or
- municipal significance for which a municipal resolution or letter from the municipal clerk or designated authority is required and indicates the event is one of municipal significance

The Township of Huron-Kinloss is under no obligation to provide this designation to an applicant for a public event SOP. Even with the designation of municipal significance, the AGCO Registrar ultimately decides if the necessary criteria have been met in order for a SOP to be issued.

Appendix B – Request for Special Occasion Permit

This application must be completed in full, signed and submitted to the Municipality, with all supporting information, at least 90 Days before the event. See the Alcohol Risk Management Policy for additional information.

1. Name of Event: _____
2. Location of Event: _____
3. Date and Time of Event: _____
4. Estimated Number in Attendance: _____
5. Will persons under 19 years of age be attending this event? Yes No
6. Name of person and/or group hosting this event:

7. Name of Event Organizer and all official designates:

Event Organizer

Name: _____ Home Phone: _____ Cell: _____

Official Designates

Name: _____ Home Phone: _____ Cell: _____

Name: _____ Home Phone: _____ Cell: _____

8. Name of Special Occasion Permit Holder and all official designates (if different from above):

Special Occasion Permit Holder

Name: _____ Home Phone: _____ Cell: _____

Official Designates

Name: _____ Home Phone: _____ Cell: _____

Name: _____ Home Phone: _____ Cell: _____

9. A copy of the Special Occasion permit application has been provided?
Yes Date received: _____
10. A Copy of insurance application has been provided?
Yes Date received: _____

11. Rental Agreement has been read and signed? Yes Date received:

Facility Rental Deposit? Yes Date received: _____

or Pending Approval

12. Copy of proof of security (Municipal Staff book security) has been completed?

Yes Date received: _____ OR Pending Name of Company or Police Service:

_____ Number of security personnel

attending: _____

14. Proof of Risk Management Plan? Yes Not Required

15. Copy of Guest List provided? Yes No Not Required

16. The safe transportation strategies that will be used at this function are:

a) _____

b) _____

c) _____

17. Type of identification for event workers (please describe):

18. Copies of certified server training program for event workers provided?

Yes Date received: _____

19. Schedule of event workers? (Door monitors, ticket takers, bartenders / servers)

Yes Date received: _____

20. Listing of certified server trained event workers provided?

Yes Date received: _____

I have received, read and understand all the Alcohol Risk Management Policy (ARMP) regulations AND I and my event workers will observe and obey all policy regulations during this event.

If there is anything that you do not understand with respect to this Policy it is your responsibility to contact Township of Huron-Kinloss staff to obtain clarification and understanding.

Phone: 519-395-2909 Huron-Kinloss Community Services Department

Phone: 519-528-3002 Lucknow and District Recreation Board

Print Name of Event Organizer

Signature of Event Organizer

Date

Print Name of SOP Holder

Signature of SOP Holder

Date

Print Name of
Municipal Representative

Signature of Municipality Representative

Date

Appendix C – Sports Activity Agreement

Name of Team/Group: _____

Name of Contact Person: _____

Email Address: _____

Phone Numbers: Home _____

Business _____

Certification:

1. I understand that alcohol cannot be served or consumed on Huron-Kinloss's properties or in facilities unless it is done within the terms of the *Liquor License Act* of Ontario and the Municipality of Huron-Kinloss's Alcohol Risk Management Policy.
2. I understand that if any member of the team or organization operating under my direction violates this policy or any of the regulations of the Liquor License Board of Ontario, that our team will receive a verbal warning and the violation will be documented.
3. I understand that if any member of my team or organization violates this policy or any of the regulations of the Liquor License Board of Ontario within one year of a previous violation that our group will be penalized as defined by the municipality.
4. It is my responsibility to ensure that all team captains and other supervisory personnel of the organization are aware of and understand the Municipality of Huron-Kinloss's Alcohol Policy.

Additional print copies of the Alcohol Risk Management Policy will be provided upon request.

Print Name : _____

Signature: _____ Date : _____

OFFICE USE

Agreement received by (print name): _____

Signature: _____ Date: _____

Appendix D – Checking Identification

In order to be valid, identification must:

- Have been issued by a government;
- Be current (expired ID is not valid);
- Include the person's photograph; and
- Include the person's birth date.

Note: By law, no one can be required to produce their Ontario Health Card, nor can their health number be collected. Some forms of acceptable ID include:

- Ontario Driver's Licence
- LCBO BYID card
- Canadian Armed Forces Identification Card
- Photo card issued under the Photo Card Act
- Canadian Citizenship Card with photograph
- Canadian Passport
- Permanent Resident Card (Canadian)
- Secure Indian Status Card (Canadian)

Tips for Checking ID

- Ensure you are in a well-lit area
- Take your time and examine the ID closely - check the photo, date of birth and the expiry date
- Never accept ID without a photo. Hold the ID in your hands, rather than allowing the patron to flash it at you. If it is in any sort of case, take it out.
- Feel for extra thickness around the photo and the edge of the lamination. This may be an indication of a second photograph placed on top of the original and re-laminated.

Effective January 1, 2013, a new identifier on Ontario driver's licences and photo ID cards issued to individuals aged 16 to 18 will clearly show when the cardholder turns 19. The cards will have an "AGE 19" banner followed by the exact date the card holder turns 19.

Appendix E – Low Risk Drinking Guidelines

Low Risk Alcohol Drinking Guidelines & Standard Drink Sizes

<https://www.canada.ca/en/health-canada/services/substance-use/alcohol/low-risk-alcohol-drinking-guidelines.html>

One serving of alcohol contains 13.45 grams of pure alcohol. Since the alcohol content varies from beverage to beverage, the size of a standard drink will be different for each type of beverage depending on its alcohol content.

1 standard drink equals:

- 341 ml (12 oz.) of 5% alcohol content (beer, cider or cooler)
- 142 ml (5 oz.) of wine with 12% alcohol content
- 43 ml (1.5 oz.) serving of 40% distilled alcohol content (such as rum, rye, gin or vodka)

Safer Drinking Tips

- Drink slowly. Have no more than 2 drinks in any 3 hours
- For every alcoholic drink, have one non-alcoholic drink. This is called a 'spacer' drink
- Eat before and while you're drinking alcohol
- Always consider your weight, age, body weight and health problems that might suggest lower limits

Drinking is a personal choice, and most people drink responsibly most of the time. These guidelines are intended to help people make smart choices about their alcohol consumption to reduce their risk of disease and injuries associated with alcohol consumption:

- Women: no more than 2 drinks per day, 10 drinks per week
- Men: no more than 3 drinks per day, 15 drinks per week
- Plan at least 2 non-drinking days per week to avoid developing a habit
- Reduce your risk by drinking no more than 3 drinks for women and 4 drinks for men on any single occasion.

Do not drink when you are:

- Driving a vehicle or using machinery and tools
- Taking medicine or other drugs that interact with alcohol
- Doing any kind of dangerous physical activity
- Living with mental or physical health problems

- Living with alcohol dependence
- Pregnant or planning to be pregnant
- Responsible for the safety of others
- Making important decisions