MUNICIPALITY OF SHUNIAH

MUNICIPAL ALCOHOL POLICY

January 1, 2017

MUNICIPALITY OF
SHUNIAH INC. 1873
A Superior Living Experience

This policy was developed to promote a healthy environment and establish procedures to ensure the safety of participants, citizens and staff through the responsible and managed consumption of alcoholic beverages at Municipal Properties and at Municipally authorized Events

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Policy Name: Shuniah Municipal Alcohol Policy

Approved by: Council by By-law No. 2922-17

Effective Date: January 2017

Date of Last Revision: _____

INTRODUCTION:

The Municipality of Shuniah owns and manages facilities where alcohol consumption is not permitted and other facilities where alcohol consumption is permitted under the authority of a Special Occasion Permit issued by the Alcohol and Gaming Commission of Ontario or AGCO. The Municipality of Shuniah has developed a Municipal Alcohol Policy in order to prevent alcohol-related problems that arise from alcohol consumption within its facilities and to promote a safe, enjoyable environment for those who use these facilities.

A range of problems can arise from the over consumption of alcohol and can affect not only the drinkers but other people who use the facilities. This policy is intended to help to facilitate a safe and enjoyable special occasion in which alcohol is intended to be consumed in moderation and to those who respect the rules regarding alcohol consumption. The majority of these problems will arise from drinkers who engage in four specific drinking practices:

- Drinking to intoxication.
- Drinking and driving.
- Underage drinking.
- Drinking in prohibited areas.

To the extent that these four drinking practices can be reduced, the likelihood of alcohol-related problems will correspondingly diminish. For those who do not engage in these targeted drinking practices, the policy will be minimally intrusive. The policy is not intended to stand in opposition to legal and moderate drinking.

PURPOSE OF THE POLICY:

The purpose of the Municipal Alcohol Policy is to promote the health and safety of participants, citizens and staff through the responsible and managed consumption of alcoholic beverages at Municipal Properties and at Municipal authorized Events.

The Municipal Alcohol Policy consists of a range of measures designed to prevent alcohol related problems and to increase the enjoyment of those who use the facilities. By reducing the potential for alcohol related problems, the Municipality of Shuniah concurrently reduces its liability and exposure to litigation. In this context, policy measures introduce barriers which impede heavy drinking practices.

The policy is divided into four sections:

1. Designation of facilities where alcohol use is prohibited.
2. Designation of facilities where alcohol use is permitted.
3. Specification of conditions under which alcohol use is permitted.
4. Enforcement procedures for violations of the policy.

1. Definitions:

AGCO - Means the Alcohol and Gaming Commission of Ontario.

Event – Means any gathering, of any kind, whether social business or otherwise, and includes the set-up, tear- down, cleanup and other activities including ancillary that occur in, on or around and Municipal properties related to the preparations for, conduct of or finalization of the event and use of Municipal property.

Event Organizer – Means any person or organization applying to hold an event at Municipal premises and includes the person or organization on whose behalf such persons apply or seek permission to hold the event, the person whose name is listed as the permit holder on a Special Occasion Permit.

Event Worker – Means any representative, agent, partner, employee, servant, contractor or other individual or entity working on the Event for the Event Organizer, and includes volunteers, the Event Organizer, an Event Organizers delegates, Servers and Monitors.

Facility Permit – The agreement between an individual or group and the Municipality of Shuniah for use of a designated facility or sports field for a defined period of time. It outlines the Terms and Conditions for the use of Municipal facilities and sports fields.

Food- Food shall minimally consists of sandwiches, pizza, vegetables and dip etc. Chips, peanuts and other snack foods do not qualify as food (salty foods increase thirst)

Liquor License Act – Refers to the Liquor License Act, R.S.O. 1990c. L.19 s amended and includes applicable Regulations passed pursuant to the Act.

Outdoor Beer Garden – An area within parkland or a parking lot that is specifically fenced and licensed to serve alcohol.

Server – An Event Worker serving or selling alcoholic beverages or who is acting as a bartender or who is monitoring the event.

Smart Serve – Smart Serve is a certification program for responsible service training to all individuals who serve alcoholic beverages or who work where alcoholic beverages are served in the Province of Ontario.

Special Occasion Permit – Is issued by the Alcohol and Gaming Commission of Ontario (A.G.C.O) **and is required for the sale and service of alcohol at special occasions**

Municipal Properties – Means those facilities, lands, buildings, structures, premises or other real property for which the Municipality of Shuniah is the legal owner or over which the Municipality has authority to grant use.

2. Scope:

This policy applies to all persons permitting an event at a Municipality of Shuniah facility or on Municipal owned property.

SECTION 1 – AREAS DESIGNATED WHERE ALCOHOL USE IS PROHIBITED

The Liquor License Act of Ontario prohibits the consumption of alcoholic beverages in public places unless a license or a Special Occasion Permit has been issued and in areas designated by The Municipality of Shuniah

SECTION 2 – AREAS AND EVENTS DESIGNATED WHERE ALCOHOL IS PERMITTED

The consumption of alcohol is prohibited in the majority of Municipal properties unless a resolution from Council authorizes such an event, or area is defined as an "Outdoor Beer Garden". As a condition of use for these facilities, responsible parties will be required to sign a Special Occasion Permit Holder Agreement form agreeing that people included in running or organizing the activity or event will not consume alcohol. The form is provided in Appendix A.

The top floor of the MacGregor Recreation Centre, 800 Lakeshore Drive is currently the only designated facility for alcohol use when under the authority of a Special Occasion Permit. The Municipality of Shuniah Council may change the designation of any site at its discretion. Those who seek permission to use Municipal facilities must obtain a Special Occasion Permit, and must abide to the guidelines for Special Occasion Permit Holders, found in Appendix A.

** The Event Organizer should be aware that all alcohol distributed under a Special Occasion Permit must be purchased from the Brewers Retail and/or the Liquor Control Board of Ontario (LCBO).

SECTION 3 – CONDITIONS UNDER WHICH ALCOHOL USE IS PERMITTED (SPECIAL OCCASION PERMIT)

Anyone who wishes to serve alcohol at a designated site must **complete an agreement form** that stipulates the conditions under which alcohol may be served. In addition, **the responsible person must obtain a Special Occasion Permit from the Liquor License Board of Ontario.** The Event Organizer must ensure that all the conditions of the Liquor License Act and the Municipal Alcohol Policy are adhered to at the event. The Event Organizer must supply the Municipality of Shuniah with a copy of the following, fourteen (14) days prior to the function:

- Special Occasion Permit
- List of Certified Servers and Event workers for the event plus schedule of work (see 3.1.3) – Appendix C
- Appropriate Liability Insurance on Municipal Insurance Form – Appendix E

CERTIFICATION TRAINING – SMART SERVE PROGRAM

In order to allow the use of Municipal Properties for a Special Occasion Permit, the Event Organizer must use Servers with certification from a recognized Ontario-based server program.

The Smart Serve Program has been developed by the Hospitality Industry Training Organization

of Ontario, and is recognized by the Alcohol and Gaming Commission of Ontario.

Hours of work for all Servers are not to exceed the Employment Standards Act requirement of no more than 13 hours per day.

3. Policy

The Municipality of Shuniah is under no obligation to allow licensed events to be held on its property. If the Municipality chooses to allow such events, it may impose whatever restrictions it deems appropriate. Accordingly all Event Organizers wishing to hold a licensed event on Municipal property are required to adhere to the policies set out in this section.

These policies have been developed in accordance with the A.G.C.O Regulations and represents "best practices" for managing the risks associated with alcohol related events in municipally owned facilities.

3.1. Control

3.1.1. Alcoholic beverages will not be sold to or consumed by persons under 19 years of age. The Event Organizer or designated staff person will ask for and confirm proper identification for all individuals who appear to be under the age of 19. The permit holder will accept all forms of identification recognized by the AGCO including;

- Driver's License
- Passport
- Citizenship card
- Canadian Armed Forces Card
- Identification card issued by LCBO
- A secure Indian Status Card
- A permanent Resident Card
- A photo card issued under the Photo Card Act, 2008

3.1.2. The Event Organizer will refuse individuals who appear to be rowdy or intoxicated. If a dispute arises from someone denied access and/or ejection, the Event Organizer holder or designate will make the final decision regarding who does, and does not gain admittance. The Municipality of Shuniah reserves the right to request that rowdy or disruptive patrons be ejected.

3.1.3. Special Occasion Permit will ensure the following Server and Event Worker ratios are in place at the event:

Indoor Facilities– Servers	Indoor Facilities Event Workers	Outdoor Beer Gardens Servers	Outdoor Beer Garden Event Workers
0 – 100 patrons = 1 101-200 patrons = 2 1 additional Server for every additional 100 patrons	> 25 patrons = 1 monitor at each usable entrance 1 additional monitor for every additional entrance	0 – 200 patrons = 1 201 – 400 patrons = 2 401 – 600 patrons = 3 1 additional Server for every additional 200 people or for every additional bar location	Each Entrance = 1

3.1.4. The Municipality of Shuniah reserves the right to determine and approve who can work as Servers, or Event Workers at its discretion.

3.1.5. All alcohol related functions are required to have SMART SERVE bartenders responsible for the serving of alcohol. The Event Organizer will provide to the Municipality of Shuniah a list, including names, and addresses and Smart Serve registration numbers, for all Servers and Event Workers a minimum of fourteen (14) business days in advance of the event. When unforeseen circumstances prevent a person on the submitted list from participating, substitutes may be used. Names, addresses and registration numbers of substitutes must be submitted prior to the event. For regular facility users, a standing list of Servers and Event Workers may be submitted, provided only those on the list will be used at any event.

3.1.6. The Servers and Event Workers will wear visible (i.e. name tags, group/event shirts) identification, and will not consume alcohol while on duty or during breaks, nor will they be under the influence of any alcohol consumed before going on duty. The Event Organizer is responsible to ensure compliance with provisions.

3.1.7. Event Workers will supervise the event, encourage legal and moderate drinking behavior and ensure that any problems that arise are dealt with appropriately. Alcohol can only be consumed in designated permitted areas.

3.1.8. The Event Organizer will post the Special Occasion Permit in the bar location or have it readily available for inspection.

3.1.9. The Event Organizer, if determined by the Municipal, shall submit a security/operational plan when the function is assessed as being high risk or a major event. Such a security/operational plan shall be approved by the Ontario Provincial Police Department, Shuniah Fire Department, Shuniah Ambulance Services, and the Liquor Control Board Inspector. All costs associated with the development and approval of the plan shall be paid by the Event Organizer.

3.1.10. The Event Organizer will be responsible for determining when external assistance is needed and requesting it from the appropriate authorities, including staff members of the Municipality of Shuniah, and members of Ontario Provincial Police.

3.1.11. The Event Organizer agrees to ensure there is food available to reduce the risk of intoxication. The food should be set up in a visible location and be available throughout the event.

3.1.12. The Special Occasion Permit holder (event sponsor) and/or designate is not to consume alcohol before or during the event.

3.2. Sale of Alcohol

3.2.1. When tickets are sold for alcoholic beverages, there will be a limit of 4 tickets per person at one time. This limit will be reduced to one ticket when a) Beer is sold in pitchers, or b) wine is sold in bottles. Discounts will not be offered for volume purchase of tickets.

3.2.2. When tickets are not sold, each person will be limited to a purchase of 2 drinks at a time. This limit will be reduced to the purchase of one pitcher or bottle of wine at a time.

3.2.3. Drinks will be sold only in plastic or wax-coated cups and will be limited to a single standard serving that is 12 ounces of a regular beer, (up to 16 ounces of draft beer),1 ½ ounces or less of spirits and 5

ounces or less of wine. In the event that pitchers of beer or bottles of wine are permitted to be sold/served, the limit will not exceed a 48 ounce pitcher of beer, or a 1 litre bottle of wine. Pitchers of beer or bottles of wine placed on the food tables are strictly prohibited. The CAO or designate may, at his or her sole discretion, exempt an event from the requirement of using plastic or wax-coated cups

3.2.4. All ticket sales are to close one half hour prior to facility rental permit end time (no later than 1:00 a.m.).

3.2.5. There will be no "last call" announced.

3.2.6. There will be no drink containing more than one standard drink size of 43 mL of spirits sold or served.

3.2.7. There will be no caffeinated energy drinks served.

3.2.8. There will be no "shooters" allowed including Jell-o or otherwise.

3.3. Low-Alcohol and Non-Alcohol Options-

3.3.1. The Event Organizer will ensure that 30% of the alcoholic beverages offered consist of low-alcohol options (i.e. light beer, wine and alcohol spirits). Low alcohol options will be highlighted by either displaying containers or by posting their availability.

3.3.2. The Event Organizer will ensure that the portion of spirits served (e.g. 1 ounce, 1/1/4 ounces, 1 ½ ounces) and the price per serving will be posted as the ticket and/or serving counter.

3.3.3. Designated drivers will be provided with free or discounted non-alcoholic beverages.

3.3.4. Non-alcoholic beverages must be made available free or at a cost that is reasonable to cover the cost. Water should be available at no cost.

3.4. Insurance- Mandatory

3.4.1. The permit holder will provide evidence of Commercial General Liability insurance in the amount of at minimum $2,000,000 per occurrence covering legal liability for bodily injury to or damage to property of others, in the form of a Certificate of Insurance submitted on the Municipal Form found in Appendix E.

3.4.1.1. The Certificate must include:

1) The Municipality of Shuniah as an additional insured.

2) Cross liability/severability of interest clause.

3.5. Alcohol Marketing Practices

3.5.1. No alcohol promotion such as beer companies, clocks, umbrellas, posters, etc. are permitted on any Municipal Properties without the approval of the Municipality of Shuniah. The provision of free alcohol for marketing promotion purposes is strictly prohibited. Event Organizers must follow the Special Occasion Permit application regulations regarding alcohol advertising which states that groups cannot advertise the brands or the cost of the alcohol to be served unless application is made to the AGCO.

3.6. Accountability

3.6.1. People with concerns regarding alcohol consumption during the event should be directed to the Event Organizer. Should those concerns not be addressed to their satisfaction, those with concerns should be encouraged to contact the local police. To assist with control of the event, the Event Organizer will post a sign stating the telephone numbers for the Community Services Department, the AGCO and the Ontario Provincial Police.

3.6.2. The Municipality of Shuniah reserves the right to require the presence of no less than two (2) police officers for the event with the full cost to be borne by the Event Organizer.

3.6.3. The Municipality of Shuniah staff, if called into an event, is authorized under the Municipal Alcohol Policy and reserves the right to demand correction or shut down an event on behalf of the municipality, upon approval of the on- call Supervisor.

3.7. Safe Transportation

3.7.1. The Event Organizer will be responsible for promoting safe transportation options for all the drinking participants. Examples of safe transportation options are:

a) Designated drivers selected from non-drinking participants.

b) Designated drivers provided by the permit holder; or

c) Taxis paid either by the permit holder or the participant.

d) Bus service organized by the permit holder event

3.8. Signage

3.8.1. The Event Organizer shall post signage for the event as required under the guidelines of the AGCO, Liquor License Act and this Municipal Alcohol Policy

- Special Occasion Permit
- Fetal Alcohol Spectrum Disorder "Sandy's Law Sign" is to be posted regardless of the requirements under the Liquor License Act.
- Signage clearly outlining the licensed area and unlicensed areas in which signs specify no alcohol consumption is allowed
- The portions of alcohol served and price per serving (i.e per ticket)
- AGCO and Ontario Provincial Police Contact Numbers

3.8.2. During events, where alcohol is served, an approved sign with the following wording shall be displayed in addition to the signs listed above, in a prominent location immediately within each licensed area.

SERVICE GUIDELINES

- **Servers are prohibited from serving alcohol to persons under the age of 19.**
- **Proper I.D must be presented to Event Staff when requested.**
- **Service is limited to 2 drinks per person at one time.**
- **Intoxicated persons or anyone who appears to be at the point of intoxication will be refused entry and/or service.**

ASK YOUR SERVER ABOUT SAFE TRANSPORTATION OPTIONS

3.9. Other

3.9.1. The Municipality of Shuniah reserves the right to introduce other conditions from time to time at its discretion.

4. Requirements For Outdoor Beer Gardens

4.1.1. Outdoor Beer Gardens held on Municipal Properties have additional requirements and a request form must be filled out in detail as found in Appendix F and a resolution of Council must be received approving the outlined request. The following is directly related to the designated areas of the parkland or parking lot that has been licensed to sell alcohol and approved by Shuniah Council.

4.1.2. It is important the permit request be forwarded to the Municipal by no later than 60 days prior to the event as a beer garden requires a resolution from Municipality of Shuniah Council. The permit holder must supply the Municipality of Shuniah with a completed copy of the Beer Garden Request Form at the time of the application

4.1.3. Once the permit request has been approved by Council, the Event Organizer must provide a copy of the following, fourteen (14) days prior to the function:

- Special Occasion Permit
- List of Certified Servers for the event (see 3.1.1)
- Appropriate Liability Insurance

4.1.4. All outdoor beer garden areas must be fenced with either a 36" portable or 48" modular fence. A

4.1.5. All Outdoor Beer Gardens are to operate between the hours of 11:00 a.m. and 11:00 p.m.

4.1.6. On many Municipal Properties there are underground utilities. Before installing any tents, poles, or pegs, utility locates may be required. Allow 3 weeks to obtain locates.

4.1.7. If a tent or marquee is utilized, the applicant must obtain a building permit from the Building and By-Law Division prior to erecting. Allow 2 weeks to obtain permit.

4.1.8. Event Organizers must strictly adhere to the A.G.C.O regulations with respect to location and types of events, as well as to the policies of the municipality regarding the size of beer garden, setups, tables, washrooms, tents, fencing, recycling containers, distribution methods, garbage clean-up, supervision, noise by-law, parking and entrance and exit access.

4.1.9. Concessions must be operated within/immediate surrounding area designated for the Outdoor Beer Garden.

4.1.10. Where food is being sold, served or prepared, a letter of permission is required from the Thunder Bay District Health Unit. Requests for concessions must be submitted with the application.

4.1.11. Fire extinguishers must be provided in the cooking/serving area. The number of fire extinguishers will be determined in consultation with the Fire Department.

4.1.12. When deemed necessary, security measures are to be implemented in consultation with the the OPP . Measures must be put into place for overnight security to prevent against theft and vandalism.

4.1.13. Event Organizer to ensure sufficient numbers of portable washrooms are rented. The CAO or designate will indicate the number required based on expected attendance. If number required exceeds what is provided normally on site, the cost of additional rentals will be borne by the Permit Holder.

4.1.14. The area capacity will be set by the Fire Department and will be clearly posted in the licensed area. It is the responsibility of the Permit Holder to ensure the posted capacity is maintained.

5. Enforcement Procedures For Violations Of The Municipal Alcohol Policy

5.1. Areas Where Alcohol is Prohibited

5.1.1. A violation of this policy occurs when individuals consume alcohol in a municipal facility or area where alcohol consumption is prohibited. Event Organizers or members, Municipal staff, or the Ontario Provincial Police are required to intervene if there is a policy violation.

5.1.2. The Event Organizer or member may intervene by informing the offending individual(s) that the Municipal Alcohol Policy prohibits alcohol consumption and ask that the violation stop. Event Organizers, Bartenders, Servers or other group members should feel encouraged to intervene in this way because a response by other authorities could result in a loss of privileges, deposit, fine and/or legal charges. Should difficulties arise from such interventions, the Event Organizer or group member should seek assistance from a municipal staff person or from the Ontario Provincial Police.

5.1.3. If Municipality of Shuniah staff observes a violation of the Municipal Alcohol Policy, staff will take steps to ensure that the violation stops. Staff can ask that the consumption of alcohol stop, or they can ask the individual or group to leave the facility or area, depending on the circumstances and the nature of

the violation (e.g. if there is the potential for harm, for loss of enjoyment by non-consumers, or for complaints). Should the individuals or group members fail to comply, the staff may elect to call the Ontario Provincial Police for enforcement.

5.1.4. Members or organized groups that have violated the Municipal Alcohol Policy, and have been so notified at the time of the violation, will receive a registered letter indicating that no further violations will be tolerated. The letter will specify penalties.

5.1.5. Should a second violation occur, the individual or team/league/organization will be suspended from the use of Municipal Property for a period of time determined by the CAO or designate. Should the group be a periodic or intermittent user of Municipal Property, the CAO may elect to impose an alternative suspension, consistent with actual patterns of use. The offending individual(s), team, league or organization will be notified of this second violation by registered letter.

5.1.6. Should a third violation occur, the individual(s), team, league or organization will have its contract for the permitted use of Municipal Property cancelled for the remainder of the current season and may impact future permits. The offending individual(s), team, league or organization will be notified of this third violation by registered letter. Any fees related to cancelled contracts will be non-refundable.

5.2. Areas Where Alcohol is Allowed

5.2.1. A violation of this policy occurs when the Event Organizer fails to comply with the conditions of the Liquor License Act or the Municipal Alcohol Policy. Intervention can be initiated by a participant at the event, a Municipality of Shuniah staff member, an inspector of the Liquor License Board of Ontario or the Ontario Provincial Police.

5.2.2. The Event Organizer or Event Worker shall intervene by informing the offending individual(s) of the policy violation and ask that it stop. Event members and monitors should feel encouraged to intervene in this way because intervention at other levels could result in loss of privileges and legal charges.

5.2.3. If a Municipality of Shuniah staff observes a violation of the Municipal Alcohol Policy, staff will take steps to ensure the violation stops. The Event Organizer will be asked to stop the violation, and should they fail to comply, the Ontario Provincial Police Service will be called for enforcement, as deemed necessary by municipal staff. If the infraction involves serious disregard for the Municipal Alcohol Policy, or involves a substantial risk of injury or damage, the staff member or Event Organizer may elect to close the event down, and the police may be called to enforce compliance.

5.2.4. Where the Event Organizer violated the Municipal Alcohol Policy, they will be sent a letter advising of the violation and indicating that no further violations will be tolerated. Some violations are serious enough to warrant immediate denial of future access. This decision will be made by the CAOor designate.

5.2.5. Should the Event Organizer violate the policy the second time, the organizers will be suspended from organized use of any Municipal facility or area for a period of time determined by the CAO or designate. A registered letter will be sent to the Event Organizer advising of the suspension.

5.2.6. Should a third violation occur, the individual(s), team, league or organization will have its contract for the permitted use of Municipal Properties cancelled for the remainder of the current season and may impact future permits. The offending individual(s), team, league or organization will be notified of this third violation by registered letter. Any fees related to cancelled contracts will be non-refundable.

5.2.7. A member of Ontario Provincial Police or an inspector from the Liquor License Board of Ontario may intervene in a violation of this policy on his or her initiative or in response to a request from either a Municipal staff member or a member of the general public. Depending upon the severity of the violation, charges may be laid under the Liquor License Act of Ontario or any other relevant legislation.

5.2.8. Police have the right to seize any alcohol used in the commission of an offense under the Liquor License Act of Ontario.

5.2.9. For alcohol events where youth are admitted, there will be no advertising of alcohol sales, and Event Workers must be clearly identifiable to those in attendance.

5.2.10. Any individual or group who wish to appeal an assessment of a permit cancellation or forfeit of permit fees shall do so in writing to the CAO within fourteen (14) days of receipt of permit cancellation notice.

5.3. Events Where Alcohol Is Not Allowed

5.3.1. Events not eligible for Special Occasion Permits under this Alcohol Policy are such things as youth events, water-related events, events requiring driving of any type of vehicle, bicycle, ATV, snowmobile, boat or other vehicle including any device propelled using muscular power.

6. Roles And Responsibilities:

6.1. Role of Municipal Staff

6.1.1. Municipal staff will provide written information or sources to the Event Organizer identifying the conditions and requirements of Municipal Alcohol Policy and its operating standards and procedures. Upon application, Municipal staff will review the event checklist to ensure the Event Organizer has submitted all required information.

6.1.2. The appropriate Manager or their designate will approve or reject the application and use of Municipal Property in question, will approve or reject the application and use of Municipal Property for the event based upon compliance with the Municipal Alcohol Policy requirements, and may add such conditions as in their sole discretion. Separate approvals may still be required depending on the location and event details.

6.2. Role of the Event Organizer

6.2.1. The Event Organizer is responsible for the management and control of the event in every aspect, including but not limited to organization, planning, set up of the event, training of their designates and other Event Workers, inspection of the Municipal Property, alcohol service and sales, the safety and sobriety of people attending the event including those persons turned away to control the event or because of intoxication, control of access to the event, response to emergencies including contacting police or other emergency services, the return of Municipal Property in vacant and proper condition, as well as compliance with the Liquor License Act and the Municipal Alcohol Policy, Municipal By-Laws and any other conditions of the permission for use of Municipal Property granted by the Municipal.

6.2.2. It is the Event Organizer's responsibility to ensure that Event Workers and patrons are following the conditions and requirements set out in the Municipal Alcohol Policy and other agreements for use of Municipal property, and that sufficient numbers of trained Event Workers are in attendance and applied as needed to monitor, manage and control the Event and use of Municipal property for the purposes of their responsibilities.

6.2.3. The Event Organizer has a duty to report to Municipal staff any incident that involves bodily injury or property damage, where Liquor Inspectors under the Liquor License Act have made a report, or where the Event Organizer is aware or has been made aware of any Liquor License Act or Municipal Alcohol Policy violations. The report will generally be provided after the event or event day and allow the Municipal to consider future requests for the use of Municipal Property by the Event Organizer, and to collect information on incidents occurring on Municipal property or carry out necessary repairs.

6.2.4. It is the Event Organizers responsibility to ensure that all Event Workers participating in the Event are at least 19 years of age, are familiar with and carry out the requirements of the Municipal's Municipal Alcohol Policy and Liquor License Act responsibilities, and that they are familiar with the Municipal premises or facility in use for the event.

6.2.5. The Event Organizer and all other Event Workers must not consume alcohol during their attendance on Municipal Property including specifically while working the Event, while the bar is closed or after the event is over.

6.2.6. The Event Organizer must attend the Event for the entire duration, including post-event clean-up, and remain in attendance until the Municipal Property is vacated, and be responsible for making decisions regarding the operation of the event and safe transportation.

6.2.7. Regardless of the chart provided, the Event Organizer is required to ensure the actual numbers and types of Event Workers or other security measures are at or above the minimums, and to provide for their training, supervision and instruction as necessary to manage and control the event.

6.2.8. The Event Organizer is responsible to ensure that all Servers are Smart Serve certified.

6.2.9. The Event Organizer shall provide a list of all Servers with proof of Smart Serve Certification.

RELATED DOCUMENTS:

Liquor License Act Regulations

Alcohol and Gaming Commission Regulations

Municipality of Shuniah Permit Rules & Regulations

APPENDIX

Appendix A: Special Occasion Permit Holder Agreement

Appendix B: Special Occasion Permit Holders Guidelines

Appendix C: Event Worker Schedule

Appendix D: Outdoor Beer Garden Request Form

Appendix E: Municipal Insurance Form

Appendix F: Required Signage

Municipal Alcohol Policy F.A.Q's

Appendix A

SPECIAL OCCASION PERMIT HOLDER AGREEMENT

Name of Group/Organization _____

Contact Phone Numbers _____

Contact email _____

Name of Contact Person _____

Contact Phone Numbers _____

Contact email _____

_____

Certification:

(please print)

1. I have received and reviewed a copy of the Municipal Alcohol Policy.
2. I have read the guidelines on the reverse of this agreement.
3. I agree to adhere to the conditions of this Policy and the Liquor License Act of Ontario.
4. I understand that if an infraction of the Policy occurs, the Municipality of Shuniah may warn or suspend my organization from using the facilities for a period of one year.
5. I understand that I can be held liable for injuries and damage arising from failing to adhere to the Liquor License Act of Ontario, or from otherwise failing to take action that will prevent foreseeable harm from occurring.
6. I understand that Ontario Provincial Police and a Liquor License Board Inspector can lay charges for infractions of the Liquor License Act of Ontario or other relevant legislation.
7. I agree to satisfy the liability insurance requirements and indemnification as per Section 3.5 of the policy.

Signature _____

(contact person)

Appendix B

GUIDELINES FOR SPECIAL OCCASION PERMIT HOLDERS

As the contact person for a Special Occasion Permit, your group can be held liable, among other things, for injuries and damages arising from failing to adhere to the Liquor License Act of Ontario. These conditions include serving someone to intoxication, serving someone who is already intoxicated, serving minors, and failing to prevent impaired individuals from driving. In order to help reduce your group's risk of liability, the following guidelines should be adopted:

1. Events greater than 25 persons - Monitor each entrance having a person aged 19 or over to screen for identification and to ensure underage, intoxicated, rowdy, or potentially troublesome patrons are not allowed entrance. It is easier to prevent problems if such people are not admitted to your event.
2. Cover each exit with an additional monitor, aged 19 or over. This allows you to take reasonable steps to prevent impaired people from driving. These reasonable steps can include using a designated driver either from the non-drinking participants at the event or from your group of helpers. Alternatively, it can consist of a taxi paid by either your group or the participants. If these efforts fail, staff will detain impaired drivers and call the police.
3. In order to reduce the levels of intoxication and the rate of consumption, staff should encourage patrons to consume food, low-alcohol beverages and non-alcoholic beverages.
4. In order to reduce the risk of intoxication, avoid serving oversized drinks, double shots of spirits, or beer in pitchers. Do not allow drinking contests, volume discounts, or other marketing practices which encourage increased alcohol consumption.
5. If tickets are purchased for drinks, a refund of any unused tickets must be offered. To do otherwise encourages increased consumption and intoxication.
6. Ensure the facility is adequately lighted, signs are visible, and stairs 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. Your group will be held liable if an accident occurs due to the physical set-up of the facility or areas.
7. Prevent patrons from engaging in activities that can harm themselves or others. As the organizer, you must take reasonable steps to prevent foreseeable harm whether patrons are intoxicated or not.
8. Do not contravene the Liquor License Act by serving minors, intoxicated patrons, or by serving to intoxication. Ensure that serving staff know the signs of intoxication and are prepared to "cut off' patrons.
9. Support servers/monitors in adhering to the Liquor License Act by allowing them the flexibility to offer discounts on food or non-alcoholic drinks. By allowing this discretionary power, staff can defuse potentially troublesome incidents when patrons should not be served any more alcohol.
10. If an alcohol-related violation occurs, act promptly to rectify the situation and restore adherence to the Liquor License Act. Whenever the Act is violated at your event, you are at risk of being charged and of having liability action launched against you.

Appendix C

The Corporation of the Municipality of Shuniah

Special Occasion Permit Holder and Smart Serve Event Workers

* Must be submitted to the Municipality at least two weeks prior to the tournament/event.

Please Print:

Tournament/Event:_____

Tournament/Event Date: _____

Tournament Event Location: _____

Special Occasion Permit Holder Name:_____

Name (Last Name, First Name)	Position Held	Certificate Number	Shift Date	Shift Start Time	Shift End Time

Alcohol Policy for the Municipality of Shuniah

* Ensure all appropriate ratios are followed in accordance with your event.

Appendix D

Outdoor / Beer Garden Request Form

PRIMARY CONTACT INFORMATION (*Please Print)*:

Name:	**Organization:**	
Address:	**City/Municipal:**	**Postal code:**
Phone #:	**Business #:**	
Cell #:	**Email:**	

SECONDARY CONTACT INFORMATION (*Please Print)*:

Name: _____

Phone #: _____ **Business or Cell #:** _____

Event Name: _____

Event Date(s): _____

Event Location and details:_____

MacGregor Recreation Centre (Top Floor only) ☐

Municipal Park_____ include Council Resolution No:_____

Start Time: _____ End Time: _____ Set Up Time: _____ Take Down Time: _____

If Tournament - How many teams participating: _ Estimated Attendance: _____

Fundraiser: (The Municipality reserves the right to request proof of not for profit status): ☐Yes ☐No

---

Event and Check List *Check all that are applicable* :

Site Map Attached
Tournament
Beer Garden
Tent/Sunshade
Amplified Sound/Music
Liability Insurance Provided
Food Provided

List of foods attached:
Fundraising Event:
Licensed Function:
BBQ: Propane Charcoal
Live Music
Security Supplied: Yes No

Locates Required for Tent spikes: Yes___ No___ Banners- Snow Fencing-Parking delineators

Additional Equipment/Requirements: _____

Additional Information or details about the event: _____

Fax, mail or drop off the completed application form 14 days prior to event to:

The Municipality of Shuniah Administration Office at: 420 Leslie Avenue Thunder Bay, ON P7B 1X8

Applicant Signature: _____ Date: _____

(must be 19 years of age or older - proof of age must be presented upon request)

NOTE: Personal information on this form is collected under the authority of the Municipal Act, 2001, S.O. 2001, C.25, and will be used for the purpose of booking facilities. Inquiries regarding this collection should be directed to the Office of the Clerk, at 807-683-4545.

Appendix E

Municipal Insurance Form

******* This form must be completed and signed by the Insurance Company. *******

Note: 1. Proof of insurance will be accepted ON THIS FORM ONLY (with no amendments).
2. Insurance Company must be licensed to operate in Canada and form must be signed by the UNDERWRITER

Name Insured:	Address of Insured:
Municipality of Shuniah **420 Leslie Ave** **Thunder Bay, ON P7A 1X8**	**Description of the Service/Work/Activity/Contract Agreement to which this Certificate applies:**

TYPE OF INSURANCE	POLICY NO.	EFFECTIVE dd/mm/yyyy	EXPIRY dd/mm/yyyy	LIMIT OF LIABILITY	DEDUCTIBLE(S)
Commercial General Liability • Products and Completed Operations • Property Damage • Bodily Injury • Personal Injury • Broad Form Contractual Liability • Owners and Contractors Protective • Occurrence Form Employees, volunteers, automatically added as Additional Insureds • Contingent Employers Liability • Employers Liability • Cross Liability and Severability of Interest • Non Owned Automobile including SEF 94 – Limit $ • Tenants Legal Liability • Pollution Liability - Sudden and • Accidental Clean-up				**Per Occurrence: $** **Employers Liability** **Per Occurrence: $** **Aggregate: $** **Pollution Liability** **Per Occurrence: $** **Aggregate: $** **Non-owned Auto** **Total Limit: $** **Tenants Legal** **Per Occurrence: $** **Aggregate: $** **General Annual Aggregate: $**	$ $ $ $
OTHER:				**Limit $**	**$**
Umbrella or Excess Liability **- Follow Form Yes or No**				**Per Occurrence: $** **Annual Aggregate:**	**$**

Provisions of amendments or endorsements of listed Policy(ies):

1. It is understood and agreed that **THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH** is added as an **Additional Insured** to the above listed
2. Policies with respect to liability arising out of the operations of the Named Insured in connection with the above mentioned project/service.
3. The following are also added as **Additional Insureds:**

4. It is agreed and understood that any deductible or self-insured retention (SIR) arranged between the Named Insured and the Insurer must be declared herein. It is further understood and agreed that losses and/or claims arising out of the above referenced operations that fall within the deductible or SIR limit are the sole responsibility of the Named Insured.
5. If the insurance provided under the said policy(ies) is cancelled or materially changed to reduce coverage or limits as set out in this certificate during the period of coverage stated in this Certificate, the Insuring Company will give thirty (30) days prior written notice of such a cancellation or change to:
   The Corporation of The Municipality of Shuniah, Attention: CAO, 420 Leslie Ave, Thunder Bay, ON P7A 1X8, cao@shuniah.org, and
   The Corporation of The Municipality of Shuniah, Attention: Treasurer, 420 Leslie Ave, Thunder Bay, ON P7A 1X8, treasurer@shuniah.org
6. The policy(ies) identified above shall protect each insured in the same manner and to the same extent as though a separate policy has been issued to each, but nothing shall operate to increase the Limits of Liability as identified above beyond the amount or amounts for which the Insurer would be liable if there had been only one Insured.
7. The policy(ies) identified above shall apply as primary insurance and not excess to any other insurance available to the Additional Insured noted in Item 1 and 2 above.

CERTIFICATION

I certify that the insurance is in effect as stated in this certificate and that I have authorization to issue this certificate for and on behalf of the insurer(s). This certificate is valid until the expiration date(s) shown unless notice is given in writing in accordance with item 4.

INSURANCE BROKER

NAME _____

ADDRESS _____

TELEPHONE NO. _____

INSURANCE COMPANY NAME: _____

ADDRESS: _____

TELEPHONE NO. _____

ORIGINAL SIGNATURE AND STAMP OF AUTHORIZED OFFICIAL

Signature_____Date _____

Name of above: Title

Appendix F

SERVICE GUIDELINES

- **Servers are prohibited from serving alcohol to persons under the age of 19.**
- **Proper I.D must be presented to Event Staff when requested.**
- **Service is limited to 2 drinks per person at one time.**
- **Intoxicated persons or anyone who appears to be at the point of intoxication will be refused entry and/or service.**

ASK YOUR SERVER ABOUT SAFE TRANSPORTATION OPTIONS

Shuniah Municipal Alcohol Policy

FAQ's

Where can I obtain a Special Occasion Permit?

Applications for Special Occasion Permits can be issued and processed at your local liquor store or through the Alcohol and Gaming Commission (AGCO). Applications can be downloaded from the AGCO web-site at **www.agco.on.ca**. The application must be processed through the LCBO store.

Does the person's name on the Special Occasion Permit Holder Agreement need to be the same person who signs the Facility Rental Agreement Form?

The person who signs the Special Occasion Permit Holder Agreement must be the same person who signs the Facility Rental Application Form. If the event is being conducted under the Authority of a Caterer's Endorsement, the person who is named on the Facility Rental Agreement Form is responsible to sign Shuniah's Special Occasion Permit Form.

As the person responsible for the event, am I required to provide door monitors and/or security?

Door monitors and/or security will be required for all events with an attendance greater than 25 persons. The numbers required will be established by the Municipal based on the number of people who will be attending the event. Please refer to section 3.1 of the municipal alcohol policy.

What forms of identification will be accepted as proof of age?

The following forms of identification are acceptable for proof of age:

- Photo card issued by AGCO
- Photo card issued by LCBO
- Ontario Driver's License with a photo
- Canadian Passport
- Canadian Citizenship card with a photo
- Other government photo id card stating date of birth

I understand that I am required to provide safe transportation at my event. What options should I provide?

- Safe transportation should include a range of options which may include but are not limited to:
- Signs that rise RIDE awareness at the entrance to the event
- Provision of free non-alcoholic drinks for designated drivers
- Arranging alternate transportation such as taxi or shuttle bus service paid by the organizer
- Arranging to call a friend or taxi for intoxicated drivers
- If necessary, call police to apprehend impaired driver
- Designated drivers selected from non-drinking participants

What type and amount of insurance must I have for the event?

Shuniah requires proof of insurance at least 14 days prior to the event in the amount of $2,000,000 naming The Municipality of Shuniah as the additional insured on the policy. Insurance can be purchased through the Municipal for those who do not have their own coverage. Contact a facility booking clerk at **905-771-8800**.

Are the event workers permitted to drink during the event?

In order to ensure a safe event, the person in charge of the event and all workers must refrain from consuming alcohol during the event.

Why did Shuniah introduce the Municipal Alcohol Policy?

Shuniah has a vested interest in adapting a managed approach to the operation of events, serving alcohol under the provision of Special Occasion Permits issues by the Alcohol Gaming Commission of Ontario (AGCO) for Municipal parks, buildings, public streets and public squares.

How can I obtain my Smart Serve training?

Shuniah offers a Smart Serve Certificate Program. For details, please refer to the Municipal's website at **Richmond .ca** or the current Community Recreational Guide in the Adult Program section. It is also offered by the AGCO. For information, visit **www.smartserve.org**.

What happens if we do not comply with any of the regulations?

If your event is not in compliance with any of the regulations there is a risk that your event could be cancelled either before or during the event.

Whose responsibility is it to provide identification for the event workers?

It is the responsibility of the person in charge of the event to ensure that all the event workers have proper identification and that they wear it throughout the entire event.

Who determines the ratios of Smart Serve workers to the number of participants attending the event?

The number of smart serve workers is determent by the number of participants at the event. The ratio of servers to participants can be found on section 3.1 of the Municipal Alcohol Policy.

Does both the liquor license and smart serve need to be posted behind the bar?

Documents that must be posted during the event:

- Special Occasion Permit
- Special Occasion Permit Accountability
- Service guidelines signage
- Fetal Alcohol Spectrum disorder as specified in the Liquor License Act.
- Signage clearly outlining the licensed area and unlicensed areas in which signs specify no alcohol consumption is allowed

Conditions of Serving Alcohol Agreement does not need to be posted but should be with the facility's copy of the contract. Smart Serve ID should be on person and available if requested by Municipal staff.

Does the contract holder need to be "Smart Served"?

The contract holder does not necessarily need to be Smart Served, but they do need to refrain from consuming alcohol.

The contract holder may be factored into the number of Smart Serve monitors if they are Smart Serve Certified and are prepared to work their event; as a floor monitor.

If the contract holder is not part of the approval; they must be in the state of mind to exercise good judgment for any situations that may arise.

Can I use a Catering Company for my function?

Some customers may decide to have their function catered. Caterers with their own premises may go off site and use their liquor license; this is called a "Caterer's Endorsement".

A caterer with a Caterer's Endorsement may use their license for an event.

The catering company may or may not provide Smart Serve staff for certain functions – i.e. Bartenders, Ticket Sellers.

The catering company is required to fulfill all MAP requirements. The customer is still required to sign the "Special Occasion

Permit Holder Agreement", contract, arrange insurance and if not provided through catering company; liquor license.

It is the responsibility of the contract holder to secure a copy of the Caterer's Endorsement and provide it to the Community

Services Department. On the day of the event the Caterer's Endorsement must include the Liquor Liability.

Who can I contact for additional information?

Please contact the **Municipality of Shuniah at 807-683-4545** for additional information.