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|  | <h1>POLICY</h1> | <u>Policy No:</u> MUN-FAC-325 |
| <u>Policy Title:</u> MUNICIPAL ALCOHOL POLICY <u>Policy Type:</u> COUNCIL <u>Category:</u> Municipal Services <u>Sub-Category:</u> Facility <u>Author:</u> Manager, Service Coordination & Improvement <u>Dept/Div:</u> Community Services Department/Administration | <u>Approval Date:</u> February 8, 2016 | <u>Reviewed Date:</u> December 2019 <u>Next Review Date:</u> July 2023 <u>Reviewed Date:</u> |
| <u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review. | <u>Last Amended:</u> | <u>Replaces:</u> |
| | <u>Repealed:</u> | <u>Replaced by:</u> |

1. POLICY PURPOSE:

This Municipal Alcohol Policy (MAP) is intended to promote a safe, enjoyable environment taking into consideration the health and safety of participants and staff. This policy is in place to reduce alcohol-related problems such as injury, violence and liability which arise from alcohol consumption on municipal property.

1.1 Policy Objectives

- a. To provide procedures and education to individuals or groups wishing to hold events in and/or on municipally owned facilities/properties in order to ensure that all Liquor Licence Act of Ontario legislation that pertains to Special Occasion Permits or liquor licencing and the Municipal Alcohol Policy (MAP) are properly understood and strictly complied with.

- b. To ensure appropriate supervision and operation of Special Occasion Permits and liquor licenced events in order to protect the Event Organizers, the participating public, volunteers, the City of Kitchener and its staff from liability by providing education in prevention and intervention techniques and through effective management procedures.

- c. To encourage and reinforce responsible drinking practices for consumers through the development of operational procedures, controls, training and

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education, and to honour the decision of abstainers not to drink alcohol and encourage their participation by providing alternative, non-alcoholic drinks.

2. **DEFINITIONS:**

Alcohol and Gaming Commission of Ontario (AGCO)

The Alcohol and Gaming Commission of Ontario (AGCO) is a Provincial agency, established February 23, 1998 under the Alcohol and Gaming Regulation and Public Protection Act, 1996. The Act gave the AGCO responsibility for the administration of the Liquor Licence Act and the Gaming Control Act, 1992. The AGCO is a regulatory agency that reports to the Ministry of the Attorney General. For more information go to www.agco.on.ca/en/about/index.aspx.

Caterer's Endorsement

A liquor sales licence authorizing the applicant to sell and serve liquor for an event held on properties other than the properties to which the liquor sales licence applies.

Event

For the purposes of this policy, an event is any gathering held at a municipal facility or property at which alcohol will be served and/or sold. They may include weddings, showers, dances, barbeques, birthday parties and any other event where alcohol will be served. The duration of the event includes event set-up, operation and clean-up. Events involving alcohol may be in a licenced municipal facility or under a Special Occasion Permit (SOP).

Event Organizer

Any person, who is 19 years of age or over, seeking to hold an event that involves the sale and/ or service of alcohol at municipal facilities/property. The Event Organizer (which term shall include the SOP permit holder and any designate) is responsible for the safety and sobriety of people attending the event as well as compliance with this Municipal Alcohol Policy and the Liquor Licence Act of Ontario and its regulations at the event. They assume all responsibility and liability for the entire operation of the event. The Event Organizer MUST read and sign the Event Organizer Checklist for Liquor Licenced Events to indicate that they understand their responsibilities.

Event Worker

Any person, who serves or sells liquor, or is involved in an event where alcohol is served on municipal property. All event workers have a responsibility in the operation of the event and shall not consume or be under the influence of alcohol

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for the entire duration of the event. In addition to the Event Organizer and permit holder, event workers may include the following:

Floor Supervisor

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. A floor supervisor talks with participants, monitors patron behavior, monitors for intoxication and underage drinkers, responds to problems and complaints, assists door monitors when necessary, aids in the removal of intoxicated persons, arranges safe transportation.

Door Monitor

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. A door monitor checks identification and for signs of intoxication prior to entry, keeps out intoxicated and troublesome individuals, arranges for coat checking, monitors for those showing signs of intoxication when leaving the event, arranges safe transportation.

Server/Bartender

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he has been trained by a recognized alcohol server training course, namely Smart Serve Ontario program. A server accepts tickets for the purchase of alcoholic drinks, serves drinks, monitors for intoxication and underage drinkers, refuses service when a patron appears to be intoxicated or near intoxication, offers a non-alcoholic substitute and co-ordinates with event staff. This person will act in accordance with their training under such programs as the Smart Serve Ontario program.

Ticket Seller

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. A ticket seller sells alcohol tickets to a maximum of four per person per purchase, monitors for intoxication and underage drinkers, refuses sale to patrons at or near intoxication, and refunds tickets on request.

Licensed Security

Security personnel monitoring entrances and patrolling licenced areas must be licenced under the Private Security and Investigative Services Act, to ensure the

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safety and security of the establishment/property, its employees and patrons. For more information go to www.agco.on.ca.

Liquor Licence Act

Each province or territory has a liquor licence act which outlines the laws regarding the sale and service of alcohol. See <https://www.agco.ca/acts-and-regulations> for more information. It is the responsibility of the Event Organizer to know and understand this legislation.

Municipal Alcohol Policy (MAP)

A local policy for municipalities to manage events held at municipally-owned facilities and properties when alcohol is sold and/or served.

Municipal Properties

All municipally-owned or leased lands, buildings and structures. All assets, structures, buildings, outbuildings, lands to be defined as property.

Municipal Representative

City of Kitchener staff or a designate who attend the event on behalf of the City of Kitchener to monitor compliance of the Municipal Alcohol Policy.

Municipal Significance

Public Event permits can be issued for events of “municipal significance”. In order to be deemed an event of municipal significance, it required a designations by the municipality in which the event will take Place. A letter from a delegate municipal official designating the event as municipally significant is required for the SOP.

Non-Objection Letter

A licensed establishment can apply to temporarily extended their liquor licence onto lands not captured under the original licence, such as public lands. A letter from the City Clerk or their delegate stating that there is “no objection” to the proposed extended licensed area is required.

Religious Function

Events that include a religious ceremony conducted by an officiant such as a priest, minister, Justice of the Peace, rabbi, etc. Examples include, but not limited to, weddings, bar mitzvahs, and baptisms. A religious function does not include events like a “stag and doe”, anniversaries or birthdays.

Smart Serve

The Smart Serve training program offered by Smart Serve Ontario (www.smartserve.ca) is designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as in bars, restaurants, banquet halls

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and other public facilities. The Smart Serve Program is the mandatory server training program that is recognized by the AGCO and approved by this policy. Note that the AGCO still recognizes The Server Intervention Program certification issued prior to May 1995. This policy also recognizes this certification until December 31, 2020.

Special Occasion Permit (SOP)

A liquor licence issued by the Alcohol and Gaming Commission of Ontario for one-time social events where alcohol will be sold and/or served. All SOP's are managed and controlled by the AGCO. There are three types of special occasions for which a permit may be issued:

Private Event

For events where only invited guests will attend. These events cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.

Public Event

For events that are open to the public. Public events can be advertised and allow for fundraising/profit from the sale of alcohol.

Industry Promotional Event

For events held to promote a manufacturer's product(s) through sampling. There can be no intent to gain or profit from the sale of alcohol at the event.

Tailgate Event

For Public Events that are held outdoors, in connection with, and in proximity to, an eligible live sporting event and where attendees 19 years of age or older may bring their own liquor (BYOB) for consumption at the event. These events can be advertised and the sale and/or service of alcohol are permitted at the event.

All of these events as described above can be held indoor or outdoor (including pavilions or temporary structures). There are two classes of Special Occasion Permit (SOP):

Sale SOP

Issued when money is collected for the sale of alcohol either directly or indirectly. This could be through, for example, an admission charge to the event, when tickets for alcohol are sold to people attending the event, or when there is any pre-collection of money for the alcohol.

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No Sale SOP

Issued when alcohol is served without charge or when there is no money collected for alcohol – either directly or indirectly – from guests.

For further information regarding types and classes of special occasion permits, please refer to the AGCO web site at this address: www.agco.on.ca/en/whatwedo/permit_special.aspx.

SOP Holder (Permit Holder)

The individual who signs the application for a Special Occasion Permit to sell and/or serve alcohol. A special occasion permit holder can assign a designate. A designate is a person(s) appointed by the special occasion permit holder, and acceptable to the City of Kitchener who is over the age of 19 and who has satisfactorily proven to the special occasion permit holder that she/he will act in accordance with the MAP. The Event Organizer, the special occasion permit holder and/or designate are responsible for the safety and sobriety of people attending the event as well as compliance with the MAP and the Liquor Licence Act of Ontario and its regulations at the event. **They assume responsibility and liability for the entire operation of the event.**

3. SCOPE:

| POLICY APPLIES TO THE FOLLOWING: | |
|--|---|
| <input type="checkbox"/> All Employees | |
| <input type="checkbox"/> All Full-Time Employees | <input type="checkbox"/> All Union |
| <input type="checkbox"/> Management | <input type="checkbox"/> C.U.P.E. 68 Civic |
| <input type="checkbox"/> Non Union | <input type="checkbox"/> C.U.P.E. 68 Mechanics |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> C.U.P.E. 791 |
| <input type="checkbox"/> Student | <input type="checkbox"/> I.B.E.W. 636 |
| <input type="checkbox"/> Part-Time Employees | <input type="checkbox"/> K.P.F.F.A. |
| <input type="checkbox"/> Specified Positions only: | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Council | <input type="checkbox"/> Local Boards & Advisory Committees |

The Municipal Alcohol Policy (MAP) outlines various stipulations and controls on events involving alcohol, including: Special Occasion Permits (SOP), liquor licenced events under a caterer's endorsement, and/or events in a municipally licenced facility in conjunction with the Alcohol and Gaming Commission of Ontario (AGCO).

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4. **POLICY CONTENT:**

Designation of Roles and Responsibilities

4.1 **Role of Municipal Representatives**

Municipal representatives are responsible for ensuring the Event Organizer and/or designate are provided with written information outlining the conditions of the MAP.

The City of Kitchener representatives have the authority to demand correction and/or to shut down an event on behalf of the City of Kitchener. The City of Kitchener has the final authority in direction when it comes to breaches under the policy and agreement of the Event Organizer. The City of Kitchener representatives monitoring a liquor-licenced event shall be Smart Serve trained and competent in facility operations.

4.2 **Role of Event Organizer and/or Designate**

Notwithstanding the roles outlined above, the Event Organizer and any designate is responsible for the conduct and management of the event, including, but not limited to:

- Complying with the MAP in addition to all applicable federal, provincial and municipal laws, policies, guidelines, regulations and by-laws, including, without limitation, the *Liquor Licence Act of Ontario* and its regulations;
- Organizing, planning, set up and clean-up of the event;
- Ensuring sufficient number of event workers;
- Ensuring training of their designates and event workers (all of whom must be a minimum of 18 years of age or older);
- Posting the Special Occasion Permit (with any updates) in plain sight on the property to which the permit applies or keep it in a place where it is readily available for inspection;
- Ensuring all alcohol is purchased from an authorized government retail store (e.g., LCBO, Beer Store) using the SOP as the guide for allowed amounts;
- Ensuring alcohol sales and service including the choice of beverages comply with the Municipal Alcohol Policy;

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- Ensuring that no one consumes alcohol in unauthorized locations on the property;
- Ensuring the safety and sobriety of people attending the event including those persons asked to leave to control the event;
- Providing safe transportation options (e.g., designated drivers, taxis);
- Responding to emergencies; and
- **Must read, complete, sign and submit** the *Event Organizer Checklist for Liquor Licenced Events* to indicate their understanding of their responsibility for the event.
- **Must provide a copy of the Special Occasion Permit (if applicable) and any updates to the City of Kitchener at least 30 days prior to the start of the event. Non-compliance may jeopardize your event from taking place.**
- **Must ensure that all liquor, wine and beer are purchased with the SOP.** Proof of this must be provided at the event. Receipts need to have the SOP number on them. These purchase orders and levy receipts must match the amount of alcohol in the bar for the event and will be posted with the SOP. Non-compliance may jeopardize your event from taking place.
- **Must attend the event for the entire duration** including set-up prior to the event, clean-up after the event and be responsible for decisions regarding the actual operation of the event.

4.3 **Designation of Properties and Events**

a. **Designation of Suitable Properties**

The following municipal facilities/properties and areas are either licenced or designated as suitable for events involving alcohol subject to the Event Organizer obtaining a Special Occasion Permit or a liquor licence through a caterers' endorsement issued by the AGCO and agreeing to conditions as set out by the City of Kitchener:

- Activa Sportsplex**
- Breithaupt Community Centre
- Bridgeport Community Centre

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- Budd Park
- Centreville Chicopee Community Centre
- Chandler Mowat Community Centre
- City Hall and Carl Zehr Square
- Country Hills Community Centre
- Don McLaren Arena**
- Doon Pioneer Park Community Centre
- Doon Valley Golf Course Clubhouse ***
- Downtown Community Centre
- Forest Heights Community Centre
- Grand River Arena**
- Grand River Recreation Complex
- Kingsdale Community Centre
- Kitchener Market
- Kitchener Memorial Auditorium Complex (KMAC)**
- Kiwanis Park (picnic shelter)
- Lions Arena**
- Lions Arena Community Hall
- McLennan Park Great Lawn Area
- Mill Courtland Community Centre
- Peter Hallman Ball Yard
- Queensmount Arena**
- RBJ Schlegel Park
- Rockway Centre
- Rockway Golf Course Clubhouse***
- Sportsworld Arena**
- Stanley Park Community Centre
- Victoria Hills Community Centre
- Victoria Park Commons
- Victoria Park Pavilion
- Williamsburg Dedication Centre
- Woodside Park

** Some in-house policies and guidelines apply

***No SOP allowed at the municipal golf courses, however, hall is licenced and available for rent.

For more information regarding these facilities/properties and any updates, please visit www.kitchener.ca.

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b. Designation of Not Suitable Properties

The following municipal facilities/properties and areas are **not licenced or not suitable** for an event involving alcohol. They include but not limited to:

- Breithaupt Centre pool area, viewing lounge, change rooms, solarium
- Cameron Heights Pool
- Forest Heights Pool
- Harry Class Pool
- Idlewood Pool
- K-W Judo Gymnastics Training Centre
- Kiwanis Pool
- Lyle Hallman pool area and change rooms
- Williamsburg Community Centre
- Wilson Pool
- Athletic and playing fields
- Parking lots
- Spectator areas of arenas*
- Dressing rooms/change rooms*
- Open park areas, trails and woodlots
- Playground areas

*except designated areas of KMAC

For more information regarding these facilities/properties and any updates, please visit www.kitchener.ca.

The City of Kitchener has no legal obligation to allow licensed events to be held on its property. If the City of Kitchener so chooses, it may impose on the event whatever restrictions it deems appropriate in the circumstances.

c. Designation of Events

The serving of alcohol shall not be permitted at any events where the focus of the event marketing is for youth under 19 years of age.

4.4 Conditions for Events Involving Alcohol

4.4.1 Insurance

The event organizer must provide proof of insurance by way of submitting an original Certificate of Liability Insurance to the City of Kitchener a minimum of 30 days prior to occupying municipal premises for the event. The Certificate of Liability Insurance must be in effect for date(s) when municipal property is being used or

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occupied by the event organizer including, without limitation, set-up and take-down. Failure to provide proof of liability insurance will result in the rental being cancelled.

4.4.2 All Rentals for Events with Alcohol

The Certificate of Liability Insurance shall:

- Provide proof of a minimum of five million dollars general liability insurance issued by an insurance company satisfactory to the City of Kitchener that is licensed to carry on business in Ontario and which must at a minimum include the following:
 - a) The City of Kitchener shown as an additional insured on the policy
 - b) Coverage for bodily injury and property damage liability
 - c) A liquor liability endorsement
 - d) Tenants liability endorsement
 - e) Products and completed operations liability
 - f) Personal injury liability
 - g) Advertiser's liability
 - h) Thirty (30) day notice of cancellation provision
 - i) Show cross liability endorsement and severability of interests provision
- Show that coverage is in effect on the date(s) of the event
- Be delivered to the supervisor having operational jurisdiction at the event location at least 30 days prior to the start of the event. The following information must be provided:
 - Certificate of liability insurance
 - Policy number
 - Company name
 - Expiry date
 - Amount of Insurance coverage
 - An endorsement from the insurance company that they are aware of the Special Occasion Permit event and that coverage is in place including date and location of the event and name and address of the Special Occasion Permit holder

The City of Kitchener reserves the right to amend the insurance and provisions required at any time at their sole discretion. Authority to review the exposure and risk of the event to determine the level of insurance required is designated to the Director of the business unit in consultation with the Waterloo Regional Municipalities Insurance Pool and the City Solicitor.

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4.4.3 Indemnification

The Event Organizer, both during and after the term of this agreement, shall at all times, and at its own cost, expense and risk, defend, indemnify and hold harmless the City of Kitchener, its elected officials, officers, employees, volunteers, agents, contractors, and all respective heirs, administrators, executors, successors and assigns from any and all losses, damages (including, but not limited to, incidental, indirect, special and consequential damages, or any loss of use, revenue or profit by any person, organization or entity), fines, penalties and surcharges, liabilities (including, but not limited to proceedings of a criminal, administrative or quasi criminal nature) and expenses (including, but not limited to, legal fees on a substantial indemnity basis), which the indemnified person or persons may suffer or incur, howsoever caused, arising out of or in consequence of or directly or indirectly attributable to the Event, its agents, employees, volunteers, and/or guests on behalf of the City of Kitchener, provided such losses, damages, fines, penalties and surcharges, liabilities, judgments, claims, demands, causes of action, contracts, suits, actions or other proceedings of any kind and expenses as defined above are due or claimed to be due to the negligence, breach of contract, and/or breach of law of the Event Organizer, its agents, employees, volunteers, and/or guests.

4.4.4 Advertising

All advertising must comply with the AGCO advertising policies and guidelines. AGCO policy states that a permit holder for a private event special occasion permit is not permitted to advertise or promote liquor or the availability of liquor.

At events where children and youth are allowed entry, the Event Organizer and/or designate shall not allow promotional advertising of alcoholic beverages' names, brands or manufacturers.

4.4.5 Event Worker Training and Staffing Levels

a) Notwithstanding the roles outlined above, the Event Organizer is responsible to:

- Ensure event workers are in attendance and as needed to monitor, manage and control the event
- Ensure event workers wear an identification (I.D.) name tag and/or clothing which are highly visible in a crowd so that they can be easily identified. (Provision of this identification and clothing is the responsibility of the Event Organizer and/or designate.) The type of identification worn by the event

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workers must be stated on the *Checklist for Liquor Licenced Event Organizers* form.

- Ensure the door monitors, floor supervisors, servers and themselves **do not consume alcohol** before, during or after the event is concluded, nor shall they be under the influence of any alcohol or other substance during the event.
- Ensure there are sufficient door monitors placed at all entrance and access points to ensure controls are properly managed. For any event that allows admittance to minors, additional door monitors may be required.
- Ensure there are sufficient floor supervisors assisting in managing a person who is refused sale, crowd control and de-escalations of violence.
- Ensure the entrance to the event is monitored by responsible person(s) meeting the age of majority requirements at all times. These persons shall further observe individuals that may be attempting to enter the facility/property that appear to be intoxicated or have a history of causing problems at events.
- Provide a list, **at least 30 days prior** to the event, of:
 - a) All servers and proof of Smart Serve certification (including their certification numbers)
 - b) Security staff and security licence numbers
 - c) Proof of insurance satisfactory to the City of Kitchener
- As it relates to monitoring and serving of alcohol, ensure that all event workers are Smart Serve trained and recommend they have de-escalation of violence training.
- Relative to alcohol service areas, minimum event worker numbers are required on an event worker versus guest ratio basis as described in the table "Guest to Event Worker Ratios". This includes the provision of both police and/or licenced security.

The City of Kitchener, in consultation with the Event Organizer and representative(s) of the Alcohol & Gaming Commission of Ontario (AGCO) representative (if applicable), reserves the right to adjust the minimum number or types of Event Workers and Licenced Security based on assessed level of risk and past history on an event-by-event basis.

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4.4.5 b) Event Worker Training and Staffing Levels (cont'd)

Guest to Event Worker Ratios

| Number of Guests | Minimum Number of Event Workers | | | | Minimum Number of Security |
|-------------------------|---------------------------------|------------------------------|------------------------------|----------------|----------------------------------|
| | Bartenders | Door Monitors* | Floor Supervisors** | Ticket Sellers | Licensed Security Workers |
| Up to and including 100 | 1 | Monitor at each access point | 1 | 0 | |
| 101 to 200 | 2 | Monitor at each access point | 2 (+1 for outdoor events) | 1 | |
| 201 to 300 | 2 | Monitor at each access point | 3 (+1 for outdoor events) | 2 | (1 for outdoor events) |
| 301 to 400 | 3 | Monitor at each access point | 3 (+1 for outdoor events) | 2 | (1 for outdoor events) |
| 401 to 500 | 3 | Monitor at each access point | 4 (+1 for outdoor events) | 2 | 1 (+1 for outdoor events) |
| 501 to 600 | 4 | Monitor at each access point | 5 (+2 for outdoor events) | 3 | 1 (+1 for outdoor events) |
| 601 to 700 | 4 | Monitor at each access point | 6 (+2 for outdoor events) | 3 | 2 *** (+1 for outdoor events) |
| 701 to 800 | 5 | Monitor at each access point | 7 (+2 for outdoor events) | 3 | 2 *** (+1 for outdoor events) |
| 801 to 900 | 5 | Monitor at each access point | 7 (+2 for outdoor events) | 4 | 3 *** (+1 for outdoor events) |
| 901 to 1,000 | 6 | Monitor at each access point | 8 (+2 for outdoor events) | 4 | 3 *** (+1 for outdoor events) |

* All access points to the licenced area must be monitored. Each venue will require a varying number of door monitors depending on the layout of the venue.

** The Event Organizer or official designate can be a floor supervisor.

*** For events over 600 guests, at least 50% of the required licenced security workers shall be paid duty police officers.

For every additional 150 guests over 1,000, an additional bartender and an additional floor monitor are required. For every additional 300 guests over 1,000, an additional ticket seller is required. For every additional 200 guests over 1,000, an additional licenced security worker is required. Amendments for these requirements are at the sole discretion of the City of Kitchener.

For all outdoor events and all events with more than 1,000 guests, an operational plan must be developed with the AGCO and the City of Kitchener in

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order to ensure that all aspects of public safety are addressed (including ambulance, fire, security, traffic management plan, etc.).

The operational plan must be submitted to the City of Kitchener at least 30 days prior to the event (e.g., ambulance, fire, security, etc.).

All costs associated with preparing and complying with security and operational plans shall be borne by the Event Organizer and/or designate unless otherwise agreed upon in writing by the Event Organizer and the City of Kitchener representative.

Required licenced security or paid duty police officers for any events are the responsibility of the Event Organizer and all costs associated therewith shall be borne by the Event Organizer.

All costs unless agreed upon in writing by the City of Kitchener will be borne by the Event Organizer.

4.4.6 Enforcement Procedures

If drunkenness, riotous, quarrelsome, violent, and aggressive and/or disorderly conduct or unlawful gaming is observed at the event, the Event Organizer and their event workers shall:

- First ask the offending person to leave, and
- If the individual refuses to leave, call the police, and
- Seek any necessary assistance to maintain control and management of the event and ensure the safety and protection of persons, including event workers.
- Ensure the safety of those removed from the event who are intoxicated.

The Event Organizer or event workers will notify the police if they observe signs that a situation is getting out of control.

4.4.7 Prevention Strategies – Selling, Serving, Types of Drinks

The following controls and prevention strategies related to **selling and serving** alcohol shall be in place in conjunction with the AGCO requirements:

- I. Alcohol shall not be served to anyone under the age of 19 (minors). Minors are not allowed to consume alcohol on the property. Outdoor public events

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which allow admittance to **minors** must implement a wrist band policy or have a fenced licenced area where alcohol is only served to and consumed by those 19 years of age and older. Additional floor monitors are recommended if alcohol is being served in the presence of minors. For multiple day events, wrist bands need to be different colours for each day. Obtaining a wrist band does not prevent servers from asking for identification if they feel it is warranted.

- II. Alcohol shall not be served to anyone who may appear intoxicated. No person shall be served to the point of intoxication. No person shall have or consume liquor if they become intoxicated.
- III. Closing time is 1:00 a.m. unless different within the terms of the agreement or the SOP. The sale and service of alcohol must be within the bar hours based on the start and finish times listed on the original SOP. On New Year's Eve, the bar may remain open until 2:00 a.m. as listed on the original SOP. Ticket sales shall end an hour prior to the end of the licenced period of the event. Alcohol service shall cease at least 45 minutes prior to the end of the licenced period of the event. All alcohol and its containers (which include empty cups/glasses) shall be cleared away no more than 45 minutes after the end of the licenced event as listed on the SOP.
- IV. Last call shall not be announced.
- V. Drink tickets may be required depending on the event type, size and other event factors. Ticket sales for alcohol shall be limited to four tickets at one time per person. Unused tickets for alcoholic beverages can be redeemed at any time during the event.
- VI. Alcohol service shall be limited to two drinks per person at one time.
- VII. Alcohol cannot be left available for self-serving.
- VIII. It is recommended that drinks be served in soft plastic cups. For formal dinner settings, glass vessels may be used for serving/consuming alcohol. Glass must be removed at the conclusion of the dinner.
- IX. The permit holder is responsible to ensure that the permitted area is readily distinguishable from adjacent premises to which the permit does not apply.

The following controls and prevention strategies related to types of available drinks **shall** be in place:

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- I. Event workers are to encourage patrons to consume food at the event.
- II. Ensure that a variety of non-alcohol or low alcohol beverages are sold or served, and that the prices of non-alcohol beverages are less than the price of liquor sold.
- III. Identified designated drivers are to receive free or lesser cost non-alcoholic drinks such as coffee, pop or juice.
- IV. Beer products must be within 8% alcohol content, wine products within 14% alcohol content and spirits within 40% alcohol content.
- V. Pre-made alcoholic drinks, such as jello shooters and punches, spiked watermelon, etc. are **NOT** allowed.
- VI. Homemade alcohol shall not be allowed at any SOP function, with the exception of homemade wine or beer at a religious function listed under a NO SALE reception permit, as defined by the AGCO. Where wine is provided with a meal, a non-alcoholic substitute such as water, pop or juice must be provided to ensure that children and abstainers are included in toasting the celebrants.
- VII. No persons shall be allowed to bring in their own alcohol to the event or allowed to pour their own alcoholic drinks with the exception of Tailgate Events.
- VIII. Free liquor (i.e., spirits, wine, beer) shall not be offered or given to a customer as a prize in a contest.
- IX. Marketing practices which encourage increased consumption of alcohol (e.g., oversized drinks, double shots, pitchers, drinking contests, jello shooters, volume discounts) are not permitted.
- X. For fundraising and raffles, games of skill are permitted but games of chance are not permitted unless a lottery licence has been obtained through the City of Kitchener and AGCO regulations are met.

4.4.8 Safe Transportation

Event Organizers are responsible to take the necessary steps to reduce the possibility of impaired driving. As a condition of rental, the Event Organizer must have a Safe Transportation Strategy in effect. Elements of a Safe Transportation Strategy could potentially include but are not limited to:

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- Providing non-alcoholic beverages either at no charge or at a cost much lower than that of drinks containing alcohol;
- Providing alternate means of transportation for those who are suspected to be intoxicated (i.e., call a friend, ride sharing program, relative or taxi);
- Calling police if someone who is suspected to be impaired cannot be convinced to use alternate transportation;
- Providing a designated driver program which encourages and identifies designated driver;
- Advertise to guests the options for safe transportation.

The designated driver program and relevant local taxi phone numbers must be prominently posted. Alternate means of transportation shall be provided for all those suspected to be intoxicated. All advertising (e.g., posters, media) for the event should indicate that a designated driver program is in effect.

4.4.9 Signage

During events where alcohol is served, the following signage, which is approved by the City of Kitchener, shall be displayed in prominent locations:

Signage at one or more prominent places in the licenced/bar area:

Please drink responsibly.

- 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
- Bartenders cannot serve alcohol to anyone under 19 years of age – proper I.D. must be presented to event staff when requested
- You can only be served a maximum of two alcoholic drinks at any one time
- You may redeem unused tickets for cash anytime during the event
- There will be no “LAST CALL”

Thank you for not drinking and driving

[Insert phone numbers of local cab companies.]

The R.I.D.E. program is in effect in our community

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Signage at one or more prominent places in the licenced/bar area:

**If there is an emergency
CALL 9-1-1**

For a non-emergency, please call
Waterloo Regional Police at 519-653-7700

You are at:
[Insert name and address of facility]

Signage at one or more prominent places in the licenced/bar area:

- Sandy's Law Sign is mandatory per the *Liquor Licence Act of Ontario*

Warning:
Drinking alcohol during pregnancy can cause birth defects and
brain damage to your baby

Signage to be posted at the boundaries of the licenced/bar area:

NO ALCOHOL
beyond this point

Thank you for not drinking and driving

[Insert phone numbers of local cab companies.]

The R.I.D.E. program is in effect in our community
**Use a designated driver or call a friend, ride sharing
program, relative or taxi**

Other signs to be posted in one or more prominent places in the licenced/bar area but are not mandatory:

- 'What is a standard drink?' sign
- Low Risk Drinking Guidelines sign

The Event Organizer shall post the Special Occasion Permit (SOP) (with any updates) in plain view on the property to which the permit applies or shall keep it in a place where it is readily available for inspection.

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4.5 Infractions and Violations

4.5.1 **Duty to Report**

The Event Organizer has the **duty to report** to the municipal representative issues with details of any incident that:

- The Event Organizer and/or designate are aware of or have been made aware of any *Liquor Licence Act of Ontario* or MAP violations
- Where an AGCO inspector under the *Liquor Licence Act of Ontario* has reported any incident or violation
- Involves bodily injury or property damage

Police shall be informed by the Event Organizer and/or designate as appropriate. Reports shall be made no later than two days after the conclusion of the event, but shall be made immediately when repairs or other action is required to make municipal property secure or safe for use. The City of Kitchener representative may report any infraction of this policy to the Police and/or AGCO whenever they believe such action is required.

4.5.2 **Failure to Comply and Penalties**

Where there has been a failure to comply with the *Liquor Licence Act of Ontario*, the Police or the AGCO inspector may intervene for enforcement purposes and may, at their discretion or other authority, terminate the event. The City of Kitchener may similarly cancel, intervene or terminate the event for violations of the Municipal Alcohol Policy.

It remains the responsibility of the Event Organizer and/or designate to manage the event and to take appropriate actions, including ending the event, vacating municipal property, maintaining insurance, any conditions of insurance, and providing safe transportation options.

Regardless of the reason for termination of the event, the City of Kitchener will not be responsible for any compensation to the Event Organizer and/or designate or affected persons of their resulting financial or other losses.

The City of Kitchener shall subsequently inform the Event Organizer and/or designate and any organization they represent, via registered letter, that there has been a violation of the policy and any imposed consequences or penalties.

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Additional short term and longer term penalties for failure to comply may include, but are not limited to:

- Loss of privilege to hold an event involving alcohol in a municipal property or facility
- Loss of any future use or rental of any or all municipal properties
- Individual ban or suspension of persons involved in the infractions from any or all municipal properties for any term
- Loss of rental deposit (if applicable) or other monies owed

4.6 Policy Review

The Municipal Alcohol Policy (MAP) shall undergo a regular review based on change within the industry standards and shall be updated as required.

The City of Kitchener reserves the right to make discretionary changes to this Municipal Alcohol Policy (MAP) at any time, and will advise the Event Organizer and/or designate of any such changes prior to the event.

**On behalf of The City of Kitchener, we wish you a
successful and enjoyable event.
Please drink responsibly.
Thank you for not drinking and driving.**

5. HISTORY OF POLICY CHANGES

Administrative Updates

2016-06 - policy template re-formatted to new numbering system and given number MUN-FAC-325.

Formal Amendments

2016-02-08 As per Council resolution

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Appendix A

Event Organizer Checklist for Liquor Licenced Events

(The checklist must be signed and submitted to the City of Kitchener with all supporting information, at least **30 days** before the event. See the Municipal Alcohol Policy (MAP) for additional information.)

1. Name of Event: _____
2. Location of Event: _____
3. Date and Time of Event: _____
4. Estimated Attendance: _____
5. Will persons under 19 years of age be attending this event? Yes No
6. Name of Event Organizer (the person and/or group sponsoring/hosting this event): _____ Phone: _____ Cell: _____
7. Name of Special Occasion Permit (SOP) holder (*if applicable*) and all official designates:
SOP Holder Name: _____
Phone: _____ Cell: _____
Official Designates:
Name: _____ Phone: _____ Cell: _____
Name: _____ Phone: _____ Cell: _____
8. A copy of the SOP permit has been provided? Yes Date Received: _____
9. Proof of liability insurance has been provided? Yes Date Received: _____
10. The safe transportation strategies that will be used at this licenced event are:
 - a) _____
 - b) _____
 - c) _____

(List on separate sheet if necessary.)

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

12. List the names and certification numbers of the Smart Serve trained event workers for this licenced event: **(Proof of certification may be required.)**

| Name | Certification Number |
|-------|----------------------|
| _____ | _____ |
| _____ | _____ |

| |
|--|
| <u>Policy No:</u> MUN-FAC-325 <u>Policy Title:</u> MUNICIPAL ALCOHOL POLICY (MAP) |
|--|

13. List the names and security licence numbers for security staff for this event:
(Proof of certification must be available on request.)

| <u>Name</u> | <u>Security Licence Number</u> |
|-------------|--------------------------------|
| _____ | _____ |
| _____ | _____ |

14. The undersigned (Event Organizer) has received the Municipal Alcohol Policy (MAP) and has read and understood the information and requirements contained therein.

Yes

Please note that if there is anything that you do not understand with respect to this policy **it is your responsibility** to contact the appropriate City of Kitchener staff (Phone: _____) to obtain clarification and understanding prior to signing this Event Organizer checklist.

By signing this Event Organizer Checklist for Liquor Licenced Events, the undersigned hereby agrees, on behalf of itself/himself/herself and on behalf of its/his/her partners, employees, volunteers, agents, executors, administrators and assigns, as the case may be, to comply with all of the obligations, terms and conditions of the Municipal Alcohol Policy (MAP) of the City of Kitchener.

Signed at _____, Ontario this ____ day of _____, 20__.

| |
|---|
| <hr/> <i>Name of Corporate Event Organizer (print)</i> <i>On behalf of:</i> _____ <hr/> <i>Signature of Corporate Event Organizer</i> <i>Title:</i> <hr/> <p><i>I have the authority to bind the corporation.</i></p> |
|---|

OR

| |
|--|
| <hr/> <i>Name of Individual Event Organizer (print)</i> <hr/> <i>Signature of Individual Event Organizer</i> <hr/> <i>Name of Witness (print)</i> <hr/> <i>Signature of Witness</i> |
|--|