



FORTFRANCES

BOUNDLESS

MUNICIPAL ALCOHOL POLICY COMMUNITY SERVICES

POLICY

Created: 1995-02-01
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Superseded: 2.1

1. PURPOSE

It is the policy of the Corporation of the Town of Fort Frances to promote responsible management practices related to alcohol use on Town lands, at Town facilities, and for community events in order to reduce and/or avoid significant legal liability.

2. POLICY STATEMENT

The Municipal Alcohol Policy guides decisions and provides direction on the use and management of alcohol in Town-owned or leased facilities, open spaces, and at public events. It ensures that the actions of the municipality are consistent with the legislation and regulations affecting alcohol use. It reduces the risk of legal liability to the Town from alcohol-related problems that may arise from the consumption of alcohol in Town facilities and spaces.

3. OBJECTIVES

1. To provide a safe and responsible environment for those using Town facilities and spaces.
2. To designate the types of Town facilities, spaces and events where alcohol may be permitted and to identify the municipal official(s) responsible for recommending permission to have alcohol in a Town facility or at an event.
3. To minimize the risk of alcohol-related problems and reduce the risk of potential liability to organizers, the participating public, volunteers, the Town, and staff by providing guidelines, procedures, and conditions so that permit holders or event organizers are:
 - (a) informed of their responsibilities related to holding an event where alcohol will be served;
 - (b) made aware of the education and training requirements for responsible service of alcohol and comply with the provisions of the Liquor Licence Act, the Municipal Alcohol Policy, developments in the law, and risk management procedures as may be implemented by Administration;
 - (c) providing proper supervision and operation of events that include alcohol; and
 - (d) reinforcing responsible drinking practices through appropriate operational safeguards and procedures.

4. APPLICATION

This Policy applies to both No Sale permit events and Sale or Licensed events. Under the Act, the Town is authorized to:

1. recommend to the AGCO permission for applicants to have alcohol in Town facilities, closed streets and open spaces;
2. recommend to the AGCO permission for applicants to have alcohol at sporting events;
3. designate an event as a “public event” in order for applicants to apply to the AGCO for a liquor permit; and
4. recommend temporary extensions of liquor permits or licences for public events

5. DEFINITIONS

“**Alcohol**” means all spirits, wine, liquor, or beer or any combination thereof.

“**Alcohol use**” means alcohol that is served, sold, or consumed.

“**Permit holder**” means the holder of a liquor licence, a special occasion permit, or an event designate. They assume responsibility and liability for the entire operation of the event and shall not consume or be under the influence of alcohol for the duration of the event.

“**Event worker**” is a paid/volunteer person(s) appointed by the Permit holder, who is over the age of 18 and shall not consume or be under the influence of alcohol or recreational drugs of any kind for the entire duration of the event. This may include floor monitors, door monitors, servers/bartenders, tickets sellers and other workers.

“**Event Designate**” may replace the permit holder to assume responsibility and liability for the operation of the event. They must also sign the Special Occasion Permit.

“**The Act**” refers to the Liquor Licence Act, R.S.O. 1990, Chapter 19 and Regulations and any subsequent legislation enacted to replace it.

“**The Alcohol and Gaming Commission of Ontario**” is referred to as the A.G.C.O. and is the provincial regulatory agency for alcohol.

“**The Municipal Alcohol Policy**” is referred to as the M.A.P.

“**A No Sale event**” refers to an event that is serving alcohol without charge, where no money is collected directly or indirectly for alcohol from guests, and the permit holder absorbs all alcohol costs.

“A Special Occasion Permit (S.O.P.)” is a liquor licence issued by the A.G.C.O. for special events where alcohol will be sold or served.

“A Public Event” is defined by the A.G.C.O. as an event which is open to the public and is conducted by a charity or non-profit entity. An individual or business may host a public event if the event is

- a) being held in a licensed facility, or
- b) has been deemed of municipal, provincial, national or international significance.

“A Private Event” is defined by the A.G.C.O. as an event which is for invited guests only and cannot be advertised (eg. wedding). There can also be no intent to gain or profit from the sale of alcohol at private events.

“A Standard Serving” means:

- 341 ml (12 oz) of beer, cider or cooler;
- 29 ml (1 oz) of spirits;
- 142 ml (5 oz) of regular wine;
- 85 ml (3 oz) of fortified wine.

6. RESPONSIBILITY

Members of Town Council

Any additions or changes to the M.A.P. must be approved by Council.

Office of the Municipal Clerk

Authority for all requests for designating an event as a ‘public event’ (including designation as an event of municipal, provincial, national or international significance), and recommendations for temporary extensions of existing liquor licences are designated to the Office of the Municipal Clerk.

Manager – Recreation and Culture

Authority for all requests for the use of alcohol in Town facilities, parks and open spaces, for all requests for use of alcohol on closed streets and pop-up patios is designated to the Manager of Recreation and Culture in consultation with the appropriate Department. (Manager of Operations and Facilities, the Chief Building Official, By-Law Enforcement and the Fire Chief).

The Manager of Recreation and Culture holds final responsibility over the MAP including the assignment of designates and subsequent administrative processes.

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

- compliance with the M.A.P. and attached list of controls, facility rental agreement, the Act and its regulations
- organization, planning, set up and clean-up of the event
- arranging event workers
- hiring server training program certified ticket sellers, bartenders, floor monitors, door monitors and security
- training of event workers and designates for permit holder and/or Event Organizer, if applicable
- posting the S.O.P. visibly on the premises to which the permit applies or readily available for inspection along with receipts for stock purchased on the permit
- alcohol sales and service
- ensuring no one consumes alcohol in unauthorized locations
- the safety and sobriety of people attending the event including those persons turned away to control the event
- organizing safe transportation options (eg. taxis, designated drivers)
- responding to emergencies

The Permit Holder and Event Organizer or designates must attend the event for the entire duration and be responsible for decisions regarding the operation of the event. Refer to departmental procedures (Controls to Limit the Use of Alcohol Consumption at Events Schedule B) for types and requirements for the minimum number of event workers appointed by the Permit Holder.

7. ADDITIONAL CONDITIONS

Rules and regulations for the use of alcohol are dependent upon the type of facility or event as well as conditions that the municipality wishes to include. Council delegates to Administration the authority to impose any additional conditions or restrictions regarding the use of alcohol in its absolute discretion. Administration has the right to deny any requests due to reasons including, but not limited to, cost to municipality, maintaining passive use of parks, and exceeding a threshold of events with alcohol at a designated facility (determined by the designate for that site). Administration is also authorized to approve minor deviations to the Municipal Alcohol Policy, based on technical grounds, on an event-by-event basis.

8. MANAGEMENT PRACTICES

Insurance and Indemnification

The licence or permit holder or event designate needs to provide \$5,000,000 liability insurance to the Town for any event held on Town property. The certificate of insurance must be in effect for the date(s) of facility use by the permit holder, and must be issued by an accredited insurance company licenced to carry on business in Ontario. Failure to provide proof of insurance will void the rental/Special Event Licence.

An Event Contract/Agreement may be revoked at the sole discretion of the Town if the S.O.P Holder does not comply with all terms and conditions of the Event Contract/Agreement and MAP. The Town will not be subject to any claim for damages that the Permit Holder may advance as a result of the cancellation. Town staff may randomly monitor Events.

Policy Violations

A violation occurs when a section of the Liquor Licence Act of Ontario or the Municipal Alcohol Policy is contravened by anyone. Permit holders or event designates must report the violation to both the Town and AGCO within 24 hours.

It is also the responsibility of the permit holder or event designate to document complaints and incidents and send them to the appropriate department within seven days. A detailed incident report should be kept for future reference.

The Town reserves the right to cancel the event if there is a failure to comply with this policy at any point prior to or during the event. Policy violations and/or failure to report a violation may impact the approval of future requests by a Permit Holder or Event Organizer to host events with alcohol on Town property.

9. ANNUAL REVIEW

To ensure that Administration is aware of and adheres to the most current legislation, regulations, and guidelines, an annual review of the M.A.P. will be undertaken. Council delegates to Administration the authority to revise the Procedures and Conditions in the Policy and to make such changes or additions as are required to more effectively carry out the objectives of this Policy.

SCHEDULE A:

List of Designated municipal facilities, Parks, Open Spaces for Alcohol Use

The following municipal facilities, parks and open spaces have been designated as suitable for alcohol use, provided that the renter obtains a [Special Occasions Permit](#) issued by the Alcohol and Gaming Commission of Ontario and agrees to the conditions set by AGCO and the Town. Town Council may change the designation of a site at their discretion.

Designated Town Facilities, Parks and Open Spaces

- Memorial Sports Centre – Ice for Kids Arena, excludes dressing rooms and Ice surface (main floor) when Ice is in
- Memorial Sports Centre – Auditorium
- East End Hall
- Museum
- Library
- Council Chambers / Committee Room (Town Hall)
- Sorting Gap Marina
- Sunny Cove Camp
- Rainy Lake Square
- Point Park
- St. Francis Sports Fields
- Memorial Sports Centre Grounds
- Fort Frances Seniors Centre (Sister Kennedy Centre)
- Outdoor Rinks

(Designated municipal authorities may exclude additional spaces within a designated facility at their discretion (e.g. playing surfaces, dressing rooms)).

Non-designated Municipal Facilities, Parks and Open Spaces

Unless included in the list of designated facilities and open spaces above, alcohol is not

permitted in all other municipally owned facilities, parks and open spaces, streets and work sites.

Alcohol on Closed Streets

Alcohol is not permitted on streets and boulevards unless approved as part of a street closure by the Manager of Recreation and Culture or designate, or as part of an approved pop up patio operated under an existing restaurant liquor license.

Schedule B

Controls to Limit Alcohol Consumptions at Events

The following controls must be in place to limit the consumption of alcohol at events, and to create a safe and enjoyable experience for event hosts, workers, and participants, as well as, the surrounding community.

Purchasing of Alcohol for Service or Sale

All spirits, beer and wine must be purchased with the Special Occasion Permit (SOP) at the LCBO, the Beer Store or a licensed Ontario winery, brewery or distillery store. A variety of alcohol brands must be made available. At least one-third of the liquor purchased must be low in alcohol content. No extra strength beer over 5.5% is allowed.

Ticket Sales

- A maximum of four (4) standard-sized tickets/tokens per person is permitted for purchase at one time, if alcoholic beverage tickets are being sold, until one hour before closing and a maximum of two (2) tickets per person during the last hour.
- Follow public health standards for minimum ticket price for alcohol at events (\$3.00 per standard serving)
- Ticket sales must end as stated in the formal agreement.
- Unused alcohol tickets/tokens can be returned for full refund at any point during the event.
- Last call announcements are prohibited.

Serving of Alcohol

- A maximum of two (2) drinks can be served to one person at any one time. There will be no minimum number of drink tickets that guests are expected to purchase.
- Event host (or designate) must make every effort to serve standard-sized drinks only. If the drink size is above standards due to original manufacturing/packaging (e.g. Tall cans), the Event host (or designate) is required to seek permission from the Municipality with notification of any alternate sizes to be served. Servers must be aware of this and understand that packaging size will impact the number of drinks patrons are safely to be served under Smart Serve guidelines.
- Different types of alcohol vary in strength, so the stronger the alcohol content, the smaller the drink should be. One serving of liquor is defined as follows:

- 341 ml (12 oz) of beer, cider or cooler;
 - 29 ml (1 oz) of spirits;
 - 142 ml (5 oz) of regular wine;
 - 85 ml (3 oz) of fortified wine.
- Non-alcoholic beverages and low-alcohol content beverages must be available.
 - No double shots, shooters (including Jell-o or otherwise), pitchers or drinking games will be allowed/served.
 - No caffeinated energy drinks will be allowed/served.

Minors

Persons under 19 years of age are allowed to attend certain events that have Special Occasion Permits:

- Private or “by invitation only” events, such as weddings and anniversaries
- Public events

Alcoholic beverages will not be sold to persons under 19 years of age. The designated staff person will ask for identification for all individuals who appear under the age of 25. A sign regarding this procedure must be posted at the entrance during events. Alcohol at Sporting Events The same rules and regulations apply to sporting events with the following notable exceptions:

- Materials that advertise or promote alcohol are allowed at sporting events that are not deemed “youth-focused”, provided that they are confined to the bar service area and have been approved by the Municipal designate responsible for the facility.
- Tailgating is not permitted at any event on Town property.

Event Host Responsibilities and Special Rules for Serving Alcohol

As the event host (or designate), you must attend the event for the entire duration, including the post event clean-up and are responsible for making decisions regarding the operation of the event and safe transportation. Other responsibilities of the event host (or designate) are as follows:

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- You (or designate) and event workers must remain sober during the event.
- Event workers must be clearly identifiable.
- All event workers serving or coming into contact with alcohol, including ticket sales, must be Smart Serve certified.
- Check identification before admitting and serving a person who looks under the age of 25. Acceptable forms of identification, which include a photo, are: a BYID card issued by the LCBO; Driver's Licence; Canadian Armed Forces I.D. card; Canadian Citizenship Card; or a Canadian passport; a secure certificate of Indian status issued by the Government of Canada; a permanent resident card issued by the Government of Canada; a photo card issued under the Photo Card Act, 2008.
- Permit Town of Fort Frances and A.G.C.O. representatives' entrance to the event at all times, including Police.
- Marketing practices, which encourage increased or immoderate consumption, such as oversized drinks, double shots of spirits, drinking contests, liquor raffles and volume discounts, are not permitted.
- Alcohol advertising is not permitted at Town facilities frequented by youth without the approval of the Town.
- The provision of free alcohol for marketing promotion purposes must be approved by the Town.
- Do not advertise liquor or the availability of liquor without the prior written approval of the Town.
- The serving of alcohol must cease no later than the hour specified on the SOP/License/Catering Endorsement.
- In order to reduce the risk of intoxication and the rate of consumption, event host (or designate) must supply/sell food sufficient to serve the persons attending the event (chips, pretzels, popcorn, peanuts and other salty foods are not considered sufficient).
- The service area(s) from where alcohol is being served and consumed is secured on all sides by a single fence or wall a minimum of three feet tall and included on the site-plan. Any exceptions such as the use of natural barriers will require approval from the Town.
- Event host must post all required signage in areas specified in the section below.

Signage

Required signage provided by the Town includes messaging specific to the following areas:

- ***Ticket Sale Areas:***

- Number of tickets available for purchase at one time – 4 (2 at sporting events)
- You may redeem unused tickets for a refund at anytime during the event.
- Ticket sales end 30 minutes before the bar closes

- ***Bar Area:***

- Number of tickets available for purchase at one time – 4 (2 at sporting events)
- Bartenders cannot serve alcohol to anyone less than 19 years of age. Proper ID must be presented to event staff when requested.
- Bartenders reserve the right to refuse service. Bartenders cannot serve alcohol to anyone who is intoxicated or appears to be at the point of intoxication.
- Sandy's Law (warning sign for pregnant women)
- A maximum of two alcohol drinks will be served at any one time.
- The bar will be closed at _____. There will be no Last Call.
- Servers are not allowed to consume alcohol or recreational drugs prior to or during their shift(s).

Required signage provided by the Permit Holder includes:

- Special Occasion Permit (in a conspicuous place on the premises or in a place that is readily available upon request during inspection).
- Safe Transportation (list of safe transportation options including local taxi phone numbers)
- Restricted Areas – No alcohol beyond this point

Number of Event Workers

You must have sufficient staff to effectively monitor all entrances and exits, alcohol consumption and behaviour of guests. The following table outlines minimum required number of event workers, and numbers may need to be increased depending on the nature of event or the facility.

TABLE 1: EVENT WORKERS REQUIRED PER LEVEL OF GUESTS

Number of Guests	Minimum Number of Event Workers			
	Ticket Seller	Door Supervisor	Floor Monitor	Bartender
Under 100	1	1*	1	1
100-200	2	1*	3	2
201-300	2	1*	5	3
301-400	2	2	6	3
401-500	2	2	8	4
501-600	2	2	10	4
601-700	2	4	10	5
Over 700	Consult Municipal Designate**			

**minimum of 1 per entrance/exit*

***Event organizers must have sufficient staff to ensure control during the event. Events may be subject to additional workers, including additional security services based on the size and nature of the event, as required by the municipal designate and/or Police.*

Reducing the Risk of Injury, Liability and Property Damage

As the event host (or designate) you are responsible for reducing the risk of injury, liability, and damage to property by adhering to the following:

- Ensure the physical setting is safe for drinkers and non-drinkers. All exits must be kept clear of obstructions.
- If you become aware of a situation that could lead to injury or property damage you must take immediate and decisive action to prevent your guests from engaging in activities or conduct that is drunkenness, riotous, quarrelsome, violent or disorderly which could harm themselves or others, or could result in property damage.
- Be available upon request to event workers who require assistance in managing a person who is refused a sale or becomes unmanageable.
- Ensure liquor that is sold or served on the premises is not removed from the premises, or brought into an unlicensed area, by a person attending the event.
- All bottles and cans must be retained within the licensed area.
- All beverages must be served in unbreakable cups or cans, except for formal sit-down dinners and catered events where glass may be allowed, or at the approval of the municipal designate. Cans may be permitted at the discretion of the municipal designate responsible for the space (see Policy for list of

designates, Schedule A).

- If you, or an event worker, has reason to believe that the presence of a person on the premises is threatening, request the person to leave or forbid the person to enter the premises. Do not permit persons to enter the premises that are or appear intoxicated, are known troublemakers or individuals that could cause overcrowding.
- If drunkenness, riotous, quarrelsome, violent or disorderly conduct could lead to an uncontrolled situation and the troublemaker refuses to leave, the Permit Holder/Designate/Event Worker must:
 - first ask the person to leave, and;
 - if the individual refuses to leave, call the Police.
- Persons under the legal drinking age of nineteen (19) should not be admitted to an adult social event held on Town premises where alcohol is to be consumed, unless they are accompanied and monitored by an adult twenty-five (25) years of age or older. It is understood that underage participants will not be provided or served alcohol directly or indirectly at the event.

Additional Considerations

- Alcohol and Recreational Cannabis: Event hosts should make every effort to put measures in place regarding the impacts of combined use of recreational and edible cannabis and alcohol. This may include the following:
 - Event workers are prohibited to mix alcohol with recreational cannabis, cannabis edibles, or cannabis beverages for event guests.
 - Event workers are not to consume and use alcohol, recreational cannabis or other drugs during the event.
 - Event staff should be made aware of the signs and potential harms of combining the consumption of alcohol and cannabis, and their responsibilities with respect to participants who are intoxicated from those substances. Event staff who have Smart Serve obtained prior to 2019 may not have received this training.
- Controls may be subject to change due to circumstances outside of the municipality's control (eg. restrictions/temporary changes to regulations due associated with pandemic response).