

# Municipal Alcohol Policy

## 1.0 PURPOSE OF THIS POLICY

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 City facilities. By reducing the potential for alcohol related problems, the City of St. Catharines reduces the risk of injury and death reduces the level of liability it may be exposed to while increasing the general user's enjoyment of the facilities.

In this context, policy measures introduce barriers that impede the adoption of the targeted drinking parties.

## 2.0 AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL

- A) The following municipal facilities are eligible to be designated as suitable for Special Occasion Permit (S.O.P.) functions: Russell Avenue Community Centre, Queen Elizabeth Community Centre, Port Weller Community Centre, Dalhousie Seniors' Centre, West St. Catharines Seniors (Main Room), Dunlop Drive Seniors' Centre (Main Room), Merritton Seniors Centre (Main Rooms), Bill Burgoyne Arena, Haig Arena, Montebello Park, Lakeside Park/Beach, Burgoyne Woods Park(Permit Areas), J.C. Gardens Park, Lancaster Park, Joe McCaffery Park, Community Park, Lock Three Complex, Garden City Golf Course (Designated Area), Centennial Library, Merritton Arena & Community Centre, City Hall (Designated Areas), Morning Star Mill (Interpretive Centre), Jack Gatecliff/Rex Stimers Garden City, Fairview Golfland, Arena Complex, Market Square, Henley Island Park, Rennie Park

***Explanation: Green spaces and parks are generally considered family areas. The Alcohol and Gaming Commission of Ontario (AGCO) has reported that most Special Occasion Permit (Hereinafter referred to as S.O.P.) complaints concern a function in these areas. Outdoor functions are the hardest to control and may trigger inappropriate consumption. S.O.P. sites must meet the requirements set out in the Liquor License Act.***

- B) That the following municipal facilities should not host Special Occasion Permit (S.O.P.) functions:
- C) West Park Pool, Burgoyne Woods Pool, All Municipal Work Areas, Port Dalhousie Library, Lester B. Pearson Park, Lancaster Pool, Port Dalhousie Pool, Merritton Library Branch, Grantham Library, Merritton Pool, Fire Halls, Neighbourhood Parks, Malcolmson Park

## 3.0 CERTIFICATION/TRAINING: SMART SERVE PROGRAM

To rent a City of St. Catharines facility for a S.O.P. function the event sponsor must utilize at least one bartender and floor/door monitors with certification from a recognized Ontario based server program (i.e. Smart Serve or Servers Intervention Program). Proof of certification must be provided two (2) weeks prior to the event. A private event is defined as a small gathering, up to 250 people. A public event is open to the general public. Small, public events involve up to 250 people. A large public event is held at an arena or park and involves 251 or more people.

PRIVATE EVENTS	Smart Serve Bartenders	Smart Serve Monitors
Under 100	0	1
Over 100-250	1	2



<b>PUBLIC EVENTS</b>	<b>Smart Serve Bartenders</b>	<b>Smart Serve Monitors</b>
Under 100	1	1
100-200	1	2
201-300	1	3
301-400	1	4
401-500	2	5

*The above requirements apply for both indoor and outdoor events*

### **3.1 MONITORS AND IDENTIFICATION**

1. That a ratio of one (1) floor monitor for every one hundred (100) participants be utilized
2. That all floor monitors and the entry door monitor be Smart Service trained or certified by a recognized Ontario based server program.
3. Provide a list of monitors with proof of their certification when application is made for the special event to the City. The list shall be posted by the group's S.O.P. The S.O.P. shall be posted by the bar area. The organizer of the event cannot be listed as a Smart Serve monitor
4. That all event workers and license holder (event sponsor) must be the age of majority and not consume alcohol prior to or during their services at the event
5. That all monitors, while on official capacity at the event must wear an I.D. name tag or some type of identification that states they are a monitor.

### **4.0 CONTROLS**

In order to be eligible for a facility permit for a S.O.P. function, the sponsor must demonstrate, to the satisfaction of the Director of Recreation and Community Services or (his/her) designate, that there are sufficient controls in place to prevent intoxication or rowdy people from entering or being at the event, and that the aforementioned participants will be refused service and escorted safely from the event.

These controls will include:

1. That only an age of majority card, a photo driver's license, military identification or a current passport as identification be accepted for being served or consuming alcohol
2. S.O.P. holder must refuse admittance to persons who are under the age of majority unless listed on the S.O.P. that people under 19 years of age will be attending the event, for example a wedding reception.
3. That the permit holder and the Smart Serve monitor have the right to refuse admittance to persons who are under age or to an individual who appears intoxicated.
4. That the person signing the S.O.P. must be present for the entire event, or his/her designate (who shall be named) be the person responsible for the entire event. The permit holder (event sponsor) cannot consume alcohol prior to the event.

***Explanation: Individuals/groups named on the Special Occasion Permit are responsible for the safety and sobriety of the people attending the event.***

5. The Director of Recreation & Community Services Department reserves the right to require the presence of off-duty police officers to be present for the duration of the event, with the cost to be borne by the applicant.

***Explanation: The role of an off-duty police officer(s) at an event is to generally keep the peace. It is still the responsibility of the event sponsors to ensure that all the necessary controls and precautions are taken to have a safe and enjoyable event.***

6. Fencing is required by the AGCO, for the outdoor designated area, it shall be a single row of fencing which is six (6) feet high be securely erected. Therefore limiting the ability of "someone" passing alcohol to the area outside the designated area and to underage persons. The cost of the fencing and set up of the fencing is the responsibility of the event organizer (instance only).
7. The City of St. Catharines has the right to require a group of individuals to post a bond of an amount to be determined to protect against property damage.
8. Individuals or groups sponsoring a S.O.P. function must show proof to the Director of Recreation and Community Services for his/her designate at least two (2) weeks prior to the event, that they have a minimum of \$5,000,000.00 public liability insurance coverage and that the Corporation of the City of St. Catharines is named as an additional insured.
9. For facilities, the bar area to be closed by 1:00 a.m. and the facility is to be vacated by 2:00 a.m. for parks, the bar is to be closed by 10:00 p.m. and the park is to be vacated by 11:00 p.m.
10. No alcohol advertising will be permitted in any City facility.

#### **4.3 PROCEDURES FOR DEALING WITH PROBLEM PATRONS AND VIOLATIONS**

Any individual or group bringing alcohol onto designated municipal properties must have a S.O.P.

1. That any incident or violation of the Municipal Alcohol Policy which may endanger participants at the S.O.P. function or off the premises of the S.O.P. function shall be the responsibility of the S.O.P. permit holder.
2. A violation of this policy occurs when the S.O.P. holder fails to comply with the conditions of the Liquor License of Ontario, or the Municipal Alcohol Policy. Intervention can be initiated by a participant at the event, a City of St. Catharines designate, event staff, a member of the Niagara Regional Police or an inspector of the Alcohol and Gaming Commission of Ontario.
3. A member of the organizing group, the S.O.P. holder or the monitor is encouraged to intervene by informing the offending individuals of the policy violation and ask that it stop. Group members, the S.O.P. holder, and monitors are encouraged to intervene in this way because contravention of the existing statutes and regulations may result in charges being laid. Contravention of the City policy may result in prohibition of future use of City facilities.
4. Should a violation of the policy occur, City staff will follow the procedures as listed below:
  - a) Ask the organizers of the event to stop the violation, or they may close down the S.O.P. portion of the event. Should the organizers fail to comply staff members shall call the police for enforcement and assistance in closing down the event.

- b) Once a violation has occurred and the S.O.P. holder has been warned by a City of St. Catharines staff member, the sponsoring organization will be informed that no further violation will be tolerated. An investigation will also take place to gather all information.
- c) Should the S.O.P. holder violate the alcohol policy within one year and one month of receiving notice of violation, the organizers and/or the organization will be suspended from S.O.P. privileges at all municipal facilities for a period of two years. A registered letter will be sent to the S.O.P. holder and sponsoring organization advising of the suspension. A copy of the suspension letter will be provided to the Niagara Region Police Services and the A.G.C.O.

***Explanation: In order not to penalize other responsible organizations and individuals from using facilities, violators of this policy should be isolated and prevented from using our facilities in order to continue to reduce liability and risk exposure of this Corporation. The A.G.C.O. has the authority to refuse to issue Special Occasion Permits for a particular premise if there has been evidence that the laws have been violated during the event.***

## 5.0 ACCOUNTABILITY AND SIGNS

The S.O.P. permit holder is required to post and keep posted in visible locations, 3 signs, identified as A,B, and C. Signs must be prominently posted at all S.O.P. functions informing the public where they can direct their concerns. The signs will name the sponsor of the event, the name of the S.O.P. holder and the addresses and phone numbers of St. Catharines Recreation & Community Services Department, the Niagara Regional Police and the Alcohol and Gaming Commission of Ontario. The sign serves to ensure that the permit holder understands that while enforcement personnel may not attend the event, concerned citizens will know where to complain. All signs would be portable.

### Sign A :

- Event Sponsor, Name of Special Occasion Permit Holder
- City of St. Catharines Recreation & Community Services Department, 320 Geneva Street, P.O. Box 3012, St. Catharines, 905-937-7210
- Niagara Regional Police Services, 68 Church Street, St. Catharines, 905-688-4111
- Alcohol and Gaming Commission of Ontario, 20 Dundas Street, West, 7<sup>th</sup> Floor, Toronto, Ontario, 416- 326-0450, 1-800-522-2876

***Explanation: Local authorities and Liquor License Inspectors are informed of the date to check on the operation of the event. However, they may not be in attendance at all events. The signs serve notice to the permit holder that while enforcement personnel may not be present the entire time, concerned participants will know where to lodge a complaint. This can facilitate early correction of potentially risky situations.***

### Sign B:

- "ALCOHOLIC BEVERAGES BY PERMIT ONLY VIOLATORS IMMEDIATELY FORFEIT ALL RIGHTS TO THE USE OF THE FACILITY"

### Sign C:

- Statement of Intoxication: "It is against the Liquor License Act of Ontario for licensed establishments to serve anyone to the point of intoxication."

***Explanation: Provisions in the Liquor License Act authorize servers of liquor to cut off over indulgent consumers to prevent serving an individual to the point of intoxication.***

## **6.0 SAFE TRANSPORTATION**

The permit holder is responsible for promoting safe transportation options for all the drinking participants. Examples of safe transportation options are:

- a) a designated driver selected from non-drinking participants at the event
- b) a designated driver provided by the sponsoring group or
- c) a taxi paid either by the sponsoring group or the participant

***Explanation: The risk of liability is especially high when an impaired driver leaves an alcohol related event. Event organizers must assume responsibility for providing safe transportation for all drinking participants. Safe transportation options are essential since the only way to sober up an impaired person is with time.***

## **7.0 POLICY MONITORING AND REVISIONS**

The policy is to be reviewed every year by The Director of Recreation and Community Services with Senior Management and reported to the City of St. Catharines Council only if policy changes are required.

## **8.0 APPLICATIONS FOR MUNICIPAL FACILITY PERMITS**

That the permit holder must agree, in writing, to follow the Municipal Alcohol Policy.

## **9.0 INSURANCE POLICY**

Individuals or groups sponsoring a S.O.P. function at a facility listed in the Municipal Alcohol Individuals must show proof to the Director of Recreation and Community Services or his/her designate at least two (2) weeks prior to the event, that they have a minimum of \$5,000,000.00 public liability insurance coverage and that the Corporation of the City of St. Catharines is named as an additional insured. The amount of \$10,000,000.00 liability insurance is required for large, public events or an amount of liability insurance as recommended by the City of St. Catharines' Financial Management Services Department.

The permit holder will indemnify and save the City of St. Catharines harmless from all claims rising from the permit or event. The Corporation through "All Sport Insurance" provides the opportunity to assist individuals and/or organizations without adequate insurance coverage. This policy will provide event-specific insurance in the amount of \$5,000,000.00 for a very reasonable cost. It is available by contacting the Corporation's

Insurance Broker-Rose, Horne & Stevenson Insurance Brokers Inc. at 905-688-1534. Individuals may also contact their insurance company to obtain the event liability insurance.

***Explanation: The requirement of insurance is to help reduce the potential liability. If an individual is injured, and if the City of St. Catharines were to be found "jointly and severally" liable, the City of St. Catharines could be held responsible to pay all of the judgement, should the Special Occasion Permit holder be inadequately insured or uninsured. In addition to the expense to the municipality to defend any legal action, the municipality might have difficulty obtaining continued insurance coverage.***