

To: David Creery, Chief Administrative Officer
From: Heather Buchanan, Manager of Corporate Services
Re: Municipal Alcohol Policy

AIM

To seek Council's authorization to amend Council Policy PR010 - Municipal Alcohol Policy.

BACKGROUND

The Municipal Alcohol Policy was recently amended on July 11th, 2024. This policy provides appropriate and reasonable procedures and education to individuals or groups wishing to hold events in municipal recreation venues to ensure and enforce responsible alcohol consumption practices and adherence to the Liquor License and Control Act (LLCA).

COMMENTS

After discussions with a compliance official from the Alcohol and Gaming Commission of Ontario (AGCO), it became apparent that the policy needed to be amended to ensure that liquor licenses acquired for certain City facilities incorporated travel areas (bathrooms, stairs, hallways, etc.) to adequately account for patrons' movement that might occur outside the typically licensed areas.

The amendments to the Policy include adding "travel areas" to the permitted areas for the Market Centre, Museum and Art Gallery as well as a general statement under Section 8 about alcohol being permitted in other areas, subject to certain conditions.

A tracked changes' version of the Policy is attached for Council's consideration.

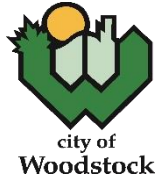
RECOMMENDATION

That Woodstock City Council approves the amendments to Council Policy PR010 - Municipal Alcohol Policy.

Authored by: Heather Buchanan, B. Political Science, Manager of Corporate Services

Approved by: Amy Humphries, B. Math, M.P.A., Deputy Chief Administrative Officer/City Clerk

Approved by: David Creery, M.B.A., P.Eng. Chief Administrative Officer



City of Woodstock Policy Manual

Subject:	Municipal Alcohol Policy
Policy Number:	PR010
Revision:	056
Approved by Council:	August 9, 2007
Amended:	July 11, 2024 <u>March 6, 2025</u>

Statement of Principle

To provide an optimum variety of both passive and active leisure and cultural opportunities for all the citizens of Woodstock while protecting and enhancing Woodstock's natural heritage. In order to fulfill this purpose, The Corporation of the City of Woodstock (the "City") must provide guidelines for staff and users of municipal facilities and property to allow for the responsible use of alcohol, for the protection of property and for a safe and enjoyable experience.

Objectives

To provide appropriate and reasonable procedures and education to individuals or groups wishing to hold events in municipal recreation venues in order to ensure and enforce responsible drinking practices and adherence to the Liquor Licence and Control Act, 2019, S.O. 2019, C.15, Sched. 22, as amended ("LLCA").

To reduce issues and liability associated with excessive alcohol use.

To provide a balance of opportunities for wet/dry functions and to ensure that consumer, abstainers, adults, youth and families will be adequately serviced and protected.

To respect the decision of citizens who do not drink alcohol and to encourage their participation by ensuring the provision of alternative, non-alcoholic drinks.

To be proactive in the reduction of incidents including injury and death through the implementation of a municipal alcohol policy.

To develop a municipal alcohol policy that is easy to read and understand in order to maximize its use and adherence.

Scope

The Municipal Alcohol Policy applies to events being held on municipally owned and operated properties. The event organizer and/or designate is legally responsible for

ensuring compliance with all federal, provincial and municipal laws, the Municipal Alcohol Policy, the LLCA, and Alcohol and Gaming Commission of Ontario's (AGCO) policies and guidelines.

Administration

Section 1 - Location of Facilities

Special Occasion Permit Facilities:

The following facilities and areas are designated as suitable for a Special Occasion Permit from the AGCO in accordance with conditions set out by the City.

City Location	Particulars
Southside Park	<ul style="list-style-type: none"> • In between east and west ball diamonds • Boathouse • Bandshell • Sports field • Pavilion • Woodstock Lawn Bowling Club • Woodstock Cricket Club • Toboggan hill area
Reeves Woodstock Community Complex	<ul style="list-style-type: none"> • Goff Hall • Main arena (floor) • 2nd arena • Hallway between arenas • Boardroom - private • Mezzanine/lobby • West end main pad, approved spectator seating sections
Community Complex Grounds	<ul style="list-style-type: none"> • Sports field area
Cowan Fields	<ul style="list-style-type: none"> • Pavilion • Sports field area • Open lawn area by ball diamonds
Cowan Park Sportsplex	<ul style="list-style-type: none"> • Reeves gymnasium • Pavilion • Sports field area
Sutherland's Park	<ul style="list-style-type: none"> • Sports field area
Brompton Park	<ul style="list-style-type: none"> • Sports field area
Victoria Park	<ul style="list-style-type: none"> • Entire park space
Market Centre	<ul style="list-style-type: none"> • Upper loungefloor • Lower loungefloor • <u>Travel areas</u>
Woodstock Museum	<ul style="list-style-type: none"> • Upper floor • <u>Main floor</u> • <u>Lower floor</u> • <u>Travel Areas</u>

Woodstock Museum Square	<ul style="list-style-type: none"> • Entire Park Space
Woodstock Art Gallery	<ul style="list-style-type: none"> • 1st floor • 2nd floor • 3rd floor • 4th floor • <u>Travel areas</u>
Southside Aquatic Centre	<ul style="list-style-type: none"> • Large meeting room
Civic Centre Arena	<ul style="list-style-type: none"> • Lobby area main floor
Locations not listed may be directed to Council for consideration.	

Rationale:

All Special Occasion Permits must meet the requirements of the AGCO.

Section 2 - Conditions For Special Occasion Permits

Anyone who wishes to serve alcohol at a designated site must complete an agreement form that stipulates the condition under which alcohol may be served. In addition, the responsible person must obtain a Special Occasion Permit from the AGCO and must be the age of majority. The Special Occasion Permit Holder or designate must attend the event for the entire duration. The City reserves the right to refuse any applicant permission to run a licensed event on its property and to impose on the event whatever restrictions it deems appropriate to ensure the safety of the participants.

All Special Occasion Permit Holders are required to adhere to the conditions as outlined in the sections that follow.

Section 3 - Definitions of Events

Private Events:

- (i) Private/invitation only gatherings (under 100)

Example: showers, wine and cheese, small weddings, buck/stag & does

- (ii) Private/invitation only events (over 100)

Example: weddings, anniversaries

- (iii) Private outdoor functions:

Example: wine and cheese reception, weddings

Public Events:

- (i) Events where the general public will be attending

Example: Cowapolooza, Canada Day, Cultural Canvas, City Beautiful Awards Garden Party.

(ii) Beer Tents - outdoor events where the general public will be attending

Example: Charity events, Tournaments, which may include, but are not limited to baseball, football, cricket, volleyball.

Section 4 - Controls Prior To Event

The event organizer must provide a copy of the Special Occasion Permit and a site map to the City at least 30 days prior to the event.

The permit holder will provide the City with a list of Smart Serve Program trained people who will be working at the event at least fourteen days prior to the event. Each Smart Serve certificate must be valid within 5-years from date of issue. The permit holder will ensure that the bartenders and servers do not serve alcohol to underage, intoxicated, rowdy or unauthorized people at the event.

The permit holder is responsible for fencing a controlled designated area for the consumption of alcohol. It is the responsibility of the permit holder to purchase/rent, set-up, tear-down, and maintain the integrity of the fencing during the event.

Rationale:

The Special Occasion Permit Holder and the facility owner need to be alerted to the potential liability and attendant responsibility to prevent participants from becoming intoxicated and protect them from foreseeable harm.

Section 5 - Controls During Events

Monitors and Identification

Serving Minors

Entrance to areas serving alcohol at Public Events will be monitored at all times by people 19 years of age or older who will be responsible for obtaining and checking identification of patrons. According to the LLCA the following are accepted government issued-photo ID prescribed for proof of age purposes:

- Ontario Driver's Licence with a photo of the person to whom the licence is issued
- A Canadian Passport
- Canadian Citizenship Card with a photo of the person to whom the card is issued
- Canadian Armed Forces Identification Card
- A photo card issued by the Liquor Control Board of Ontario (LCBO), entitled Bring Your ID (BYID)
- A Secure Indian Status Card 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*

- Event workers must wear highly visible identification. Suggestions include shirts, hats, or badges.
- In order to be eligible for a facility rental for a special occasion function the permit holder must demonstrate that the event controls will not put patrons in a situation that could cause harm to others and that the physical setting is safe for both drinkers and non-drinkers.
- The permit holder will ensure that all event staff will supervise the event, encourage legal and moderate drinking behaviour and ensure that any problems that arise are dealt with appropriately.
- The monitors, bartenders and servers will not consume alcohol during the event, nor will they be under the influence of any alcohol consumed before the event.
- The permit holder will be responsible for recognizing the need for assistance during the event and requesting it from the appropriate City staff and/or security officer and/or Police.
- The permit holder and/or designate must attend the event and be responsible for making decisions regarding operation of the event. He or she must not consume alcohol while performing this role.
- The City reserves the right to require the presence of a police officer(s) and/or hired security for the duration of an event, the cost to be borne by the sponsoring group or individual.
- The City reserves the right to require an “Event Deposit” (amount to be set out in the user agreement).

Ratio of Smart Service Trained Event Workers:

Number of Participants	Bartenders	Floor Supervisors	Door Supervisors	Ticket Sellers
Under 50	1	0	1	0
51 - 150	1	1	1	1
151 – 300	2	2	2	2
301 – 400	3	3	3	3
401 – 500	4	4	4	5
501 – 750	6	6	6	6
750 - 1300	8	8	8	8

NOTE: If the event has an anticipated number of attendees over 1,300, ratios will be assessed through agreement between the Woodstock Police Service and the Director of Parks and Recreation and/or City Management.

Rationale:

The Special Occasion Permit Holder and the facility owner need to be alerted to the potential liability and attendant responsibility to prevent participants from becoming intoxicated and protect them from foreseeable harm.

In order to provide a safe environment and control behaviour, public event organizers must supervise entrances and exits. By controlling entry, underage, intoxicated, rowdy or unauthorized people can be prevented from entering an event. This will considerably reduce the likelihood of a problem occurring. By providing the facility owner with a list of Smart Serve trained bartenders, servers and monitors, those who previously have over served, served minors and served intoxicated patrons can be asked not to participate in the event.

The role of an on or off duty police officer(s) and/or hired security at an event is to generally keep the peace. It is still the responsibility of the permit holder to ensure that all the necessary controls and precautions are taken to have a safe and enjoyable event.

Private Events:

- The permit holder will ensure that all event staff will supervise the event, encourage legal and moderate drinking behaviour for those consuming alcohol and ensure that any problems that arise are dealt with appropriately.
- The permit holder will be responsible for recognizing the need for assistance during the event and requesting it from the appropriate City staff and/or security officers.
- The permit holder and/or designate must attend the event and be responsible for making decisions regarding operation of the event. He or she should not consume alcohol while performing this role.
- Any other person employed for the event shall not consume alcohol until his or her shift is done.
- The City reserves the right to require the presence of a police officer(s) and/or hired security for the duration of an event, the cost to be borne by the sponsoring group or individual.
- The City reserves the right to require an "Event Deposit" (amount to be set out in the user agreement).

Youth Admittance

To Adult Events:

It is recommended that, if minors are attending a public event, they be distinguished from other participants by a visible means, i.e. stamp, wrist band.

Rationale:

It is unlawful to allow anyone under the legal age to consume alcohol. Reasonable precautions must be taken by event organizers and permit holders to ensure that this is being enforced.

Masquerade Events:

Participants at Masquerade events must be prepared to unmask and identify

themselves with acceptable photo ID.

Bar Area Closure & Premises Vacated

All outside areas 11:30 p.m.

Indoor facilities up to 1:00 a.m. with building to be vacated by 1:30 a.m.

Extended time may be granted subject to approval of the Facility Manager.

Section 6: Consequences for Failure to Comply With Policy

Any individual and/or groups who fail to comply with the municipal policy or the LLCA will be

subject to the following consequences:

1. **Serious Incident:** Rental privileges will be revoked immediately for any serious incidents. (i.e. Serving without a proper licence, loss of control of an event, total neglect of facility).
2. **First Offence:** Advise the event organizer in writing that the next incident will result in rental privileges being revoked. This will be done by the Facility Manager. Where infractions are related to the LLCA, a copy will be sent to the AGCO.
3. **Second Offence:** The Facility Manager will advise the event organizer in writing that the rental privileges have been revoked. Where infractions are related to the LLCA, a copy will be sent to the AGCO.

Area Where Alcohol is Prohibited

The consumption of alcohol is prohibited in all public places such as parks, arenas, community and neighbourhood centres unless a Special Occasion Permit or licence for the facility has been obtained. (See section 1 for facility listing)

Section 7: Insurance

The Special Occasion Permit Holder shall ensure that it obtains and maintains insurance in accordance with this section.

Commercial General Liability Insurance

Commercial General Liability Insurance satisfactory to the City and underwritten by an insurer licensed to conduct business in the Province of Ontario. The policy shall provide coverage for Bodily Injury, Property Damage and Personal Injury and shall include but not be limited to:

- a) A limit of liability of not less than \$5 million (\$5,000,000) occurrence with an aggregate of not less than \$5 million (\$5,000,000)

- b) Add the City as an Additional Insured with respect to the operations of the Named Insured
- c) The policy shall contain a provision for cross-liability and severability of interest in respect of the Named Insured
- d) Non-owned automobile coverage with a limit not less than \$5 million (\$5,000,000) and shall include contractual non-owned coverage (SEF 96)
- e) Tenants' Legal Liability
- f) Products and Completed Operations coverage
- g) Contractual Liability
- h) The policy shall provide 30 days prior notice of cancellation

Host Liquor Liability

When the Special Occasion Permit Holder is an individual:

Homeowner's Liability Insurance

Homeowner's liability insurance satisfactory to the City and underwritten by an insurer licensed to conduct business in the Province of Ontario. The policy shall provide coverage for Bodily Injury, Property Damage and Personal Injury and shall have a limit of liability of not less than \$5 million (\$5,000,000). The City must be added as Additional Insured.

Party Alcohol Liability Insurance

Party Alcohol Liability in an amount not less than \$5 million (\$5,000,000) and underwritten by an insurer licensed to conduct business in the Province of Ontario. The City shall be added as an additional insured.

All-Risks Property Insurance

All risks (including sewer damage, flood and earthquake) property insurance in an amount equal to the full replacement cost of Property of Every Description and kind owned by the City or for which the City is legally responsible, and which is located on or about the Premises.

Primary Coverage

The Special Occasion Permit Holders' insurance shall be primary coverage and not additional to and shall not seek contribution from any other insurance policies available to the City.

Certificate of Insurance

The proponent shall provide a Certificate of Insurance evidencing coverage in force at least 10 days prior to contract commencement.

If a Homeowner, a Certificate of Insurance for the PAL Policy as well as a COI from the individual's insurance broker confirming Homeowner's Liability.

Event organizers may obtain the necessary insurance through the City booking processes subject to applicable fees.

Indemnification and Hold-Harmless Clause

The Special Occasion Permit Holder shall defend, indemnify and save harmless the City its elected officials, officers, employees and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever, including but not limited to bodily injury, sickness, disease or death or to damage to or destruction of tangible property including loss of revenue or incurred expense resulting from disruption of service, arising out of or allegedly attributable to the negligence, acts, errors, omissions, misfeasance, nonfeasance, fraud or willful misconduct of the Supplier, its directors, officers, employees, agents, contractors and subcontractors, or any of them, in connection with or in any way related to the delivery or performance of this Policy. This indemnity shall be in addition to and not in lieu of any insurance to be provided by Special Occasion Permit Holder in accordance with this Policy and shall survive this Policy.

The Special Occasion Permit Holder agrees to defend, indemnify and save harmless the City from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever arising out of or related to the Special Occasion Permit Holder's status with WSIB. This indemnity shall be in addition to and not in lieu of any proof of WSIB status and compliance to be provided by the Special Occasion Permit Holder in accordance with this Policy.

Section 8: Alcohol Service

All alcoholic beverages will be retained in the bar area. This condition may be waived (but remains subject to all conditions set by the licence holder) where all areas are licensed for the sale, service, and consumption of liquor, the premises are under the exclusive control of the licence holder, and to which the public is ordinarily invited or permitted access to the areas.

All alcoholic beverages in glass bottles must be poured into disposable cups. Depending on the event and if approval is given prior to the event by City staff, alcoholic beverages in cans may be acceptable to serve, without being required to pour into a plastic cup.

Rationale:

Safety, economics and clean-up will be facilitated if alcoholic beverages are kept in the bar area.

- Last call shall not be announced.

Rationale:

Avoids a rush at the bar for extra drinks at the end of the event.

- Marketing practices which encourage increased consumption will NOT be permitted i.e., oversized drinks, double shots, pitchers of beer, drinking contests, volume discounts on tickets, and events that include the bar with admission price.

Rationale:

Over consumption of drinks is to be discouraged. It is against the law to sell or supply liquor to any person who appears to be intoxicated.

- We recommend that tickets for both alcoholic and non-alcoholic drinks be purchased from a designated ticket seller and redeemed at the bar. A maximum of 4 tickets per purchase will be allowed for alcoholic drinks at one time.

Rationale:

Limiting the number of tickets or drinks sold at one time slows the rate of consumption and allows monitors, servers and bartenders to observe participants for signs of intoxication. It is also good hygiene practice to keep the money apart from the bar.

- Unused tickets must be redeemable for cash at any time during the event.

Rationale:

This will discourage participants from using up all tickets at end of event.

Food:

- Encourage consumption of food by persons attending the event, i.e., light meals. Items NOT considered food are snacks such as peanuts, potato chips and other salty items.

Section 9: Advertising & Purchase Of Alcohol

Advertising

Must abide by the regulations of the AGCO.

Purchase of Alcohol

No person shall purchase liquor except from a government store or from a person authorized by licence or permit to sell liquor.

Section 10: Signs

Signage must be posted at the event in accordance with the LLCA and the AGCO policies and guidelines. The permit holder will be responsible for on-site signage.

Recommended Signage:

- Call 911 in an emergency
- Drink Responsibility
- No alcohol beyond this point
- Low-risk drinking guidelines - Canada's Low-Risk Alcohol Drinking Guidelines [brochure] (ccsa.ca)

Section 11: Safe Transportation Policy

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

- Having a designated driver program in effect.
- Providing identification for designated drivers and provide non-alcoholic beverages free of charge.
- Provide an alternative means of transportation for those who are suspected to be intoxicated, i.e. call a friend, relative or taxi, call the police to warn or apprehend the driver who is suspected to be intoxicated.
- Event Workers must be prepared to call the police Reduce Impaired Driving Everywhere (RIDE) program if an intoxicated participant insists on driving.
- Arranging overnight parking with City staff.
- Prominently posting local taxi phone numbers.

Rationale:

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

Section 12: Table Tents: Sober Driver Spot Check

The use of the table tents is recommended to remind event participants about the importance of not drinking and driving. Table tents should have messages such as:

“All Citizens of Woodstock and Oxford County thank you for helping to reduce impaired driving. The Woodstock Police Service also look forward to personally thanking you at one of our spot checks for leaving this event sober.”

Section 13: Enforcement Procedures For Policy Violation **Areas Where Alcohol Is Permitted**

- A member of the organizing group or the designated monitor may intervene by informing the offending individual(s) of the policy violation and that it ceases. Group members and monitors should feel encouraged to intervene in this way

because intervention at other levels could result in the loss of privileges and legal charges.

- A staff member with recognized authority in the City may take appropriate action where they discover that the policy conditions are not being followed.
- Where a Special Occasion Permit Holder has violated the municipal policy and have been confronted by a City staff member, the group will be sent a letter advising them of the violation and indicating that no further violation will be tolerated. At this time, the facility manager may, at their discretion, revoke user privileges for the organizing group, based upon the severity of the violation(s). [The organizing group will also forfeit the “Event Deposit”, if applicable.] The organizing group will also be invoiced for any costs or damages.
- A member of the Woodstock Police Service and/or AGCO Inspector may intervene in a violation of this policy on his or her initiative or in response to a request either from a City staff member and/or member of the general public. Depending on the severity of the infraction, charges may be laid under the LLCA and/or any other relevant legislation.

Area Where Alcohol Is Prohibited - Unlicensed Areas (this does not substitute AGCO Licensing requirements)

- A group member may intervene by informing the offending individuals that municipal policy prohibits alcohol consumption and asking that it stop. Group members should feel encouraged to intervene, as intervention from any other level may result in the suspension of privileges for the group.
- A staff member with recognized authority in the City will intervene whenever they encounter a violation of the policy. Staff members can ask the individuals to cease the consumption of alcohol, or they can ask the individual or organized group to leave the facility area, depending on the circumstance and the nature of the violation (especially the potential for harm or loss of enjoyment by non-drinkers). Should the individual or group member fail to comply, the staff can call police for enforcement.
- When the member(s) or organized group/team have violated the municipal policy, and have been confronted by City staff, the group will be sent a letter advising of the violation and indicating that no further violation will be tolerated. As well, the group may be invoiced for any and all damages and costs associated with the violation.
- Should members of an organized group/team violate the policy within one year of receiving notice of their first violation, the group may be suspended from organized use of City facilities and areas for a period of one year. A letter will be sent to their contact person advising of the suspension by the Facility Manager.

- An individual or organized group may appeal to the appropriate Department Head to have their privileges re-instated.

Policy Changes Amendments

This policy may be subject to changes, amended or corrected, as laws or problems with implementation of the same are discovered.

Revision Date	Rev #	Particulars
June 1, 2009	01	First review
July 12, 2012	02	Formerly CS017
April 20, 2017	03	Update facility list and other points of clarification
June 6, 2024	04	Update facility list and relevant legislation
July 11, 2024	05	Update Art Gallery locations
<u>March 6, 2025</u>	<u>06</u>	<u>Update to Section 8 Alcohol Service</u>