

February 11, 2020



Dear Mayor John Woodbury

Re: Municipal Alcohol Policy Options to Mitigate Alcohol Harms

Recent provincial regulatory changes regarding the sale, service, and consumption of alcohol will impact the health and safety of local communities. These changes include that:

- Special Occasion Permit (SOP) events will have extended hours for alcohol sales, will not be required to serve food, and areas of alcohol service will not have to be separated from the rest of the event;
- Municipalities now have the authority to designate public spaces, such as parks and beaches, for the consumption of alcohol through a local by-law.

Greater access to alcohol is known to increase alcohol consumption and its associated harms. It is anticipated these changes will create direct costs to municipalities, including: police, EMS, fire services, and property damage. These changes are also anticipated to increase municipal exposure to liability – particularly if drinking in public spaces is permitted.

Grey Bruce Health Unit and the Ontario Public Health Association recommend that municipalities adopt, at a minimum, the following provisions to their Municipal Alcohol Policy in order to mitigate the harms of the recent provincial regulatory changes:

- Specify the times permitted for alcohol service and retain previous permissible times.
- Maintain existing minimum pricing requirements.
- Require that food be made available (i.e. do not permit alcohol-only events).
- Require that designated alcohol service and consumption areas be physically separated from non-designated areas.

In the coming months, public health staff will engage directly with municipalities to support Municipal Alcohol Policy updates in accordance with the above recommendations. Should you have any questions or concerns, please do not hesitate to contact Susan Shular, Interim Director of Operations & Program Development at S.Shular@publichealthgreybruce.on.ca

Working with you to create healthy and safe communities for all,

A handwritten signature in black ink, appearing to read "Mitch Twolan".

Mitch Twolan
Chair, Board of Health

A handwritten signature in black ink, appearing to read "Ian Arra".

Dr. Ian Arra
Medical Officer of Health and CEO

Enclosed: Managing Alcohol at Events on Municipal Property, OPHA (2019)
Grey Bruce Municipal Alcohol Policy Template, GBHU (2020)

CC: Dave Milliner, CAO
Joanne Hyde, Clerk

Working together for a healthier future for all..

101 17th Street East, Owen Sound, Ontario N4K 0A5 www.publichealthgreybruce.on.ca



GREY BRUCE MUNICIPAL ALCOHOL POLICY TEMPLATE

Grey Bruce Health Unit

Drafted: October 2014

Revised: August 2016

January 2020

This Municipal Alcohol Policy Template was first developed in 2013 by a working group of community partners in Grey and Bruce Counties. Input was received from the Alcohol and Gaming Commission of Ontario, the Ontario Provincial Police, Public Health, local municipalities and reviewed by a legal representative from a liability perspective.

This document is intended to be used as a template for communities wanting to update or create their own Municipal Alcohol Policies. It will be reviewed and revised on an ongoing basis ensure it reflects the most up-to-date best practices, as well as current legislation and standards.

For more information, please contact the Grey Bruce Health Unit at 519-376-9420 or toll-free at 1-800-263-3456.

TABLE OF CONTENTS

- 1. Overview**
 - 1.1 Goals
 - 1.2 Risks
 - 1.3 Objectives
 - 1.4 Definitions
- 2. Designation of Properties, Events and Roles**
 - 2.1 Designation of Properties
 - 2.2 Designation of Events
 - 2.3 Roles and Responsibilities
- 3. Management Practices**
 - 3.1 Insurance
 - 3.2 Recommended Minimum Staffing Ratios for Special Occasion Permits
 - 3.3 Youth Admittance for All Ages Events
 - 3.4 Gambling
- 4. Prevention Strategies**
 - 4.1 Safe Transportation
 - 4.2 Safe Environment
 - 4.3 Low Alcohol Content
 - 4.4 No Alcohol Promotion to Youth
- 5. Signage**
 - 5.1 Required Signage Provided by Municipality
 - 5.2 Required Signage Provided by Permit Holder
 - 5.3 Additional Recommended Signage
- 6. Actions to Enforce**
 - 6.1 Duty to Report
 - 6.2 Consequences for Failure to Comply with Municipal Alcohol Policy
 - 6.3 Consequences for Alcohol Consumption in Undesignated Areas
 - 6.4 Other Consequences
- 7. Policy Review and Implementation**
 - 7.1 Policy Review
 - 7.2 Implementation Phase

Appendix A: Municipal Significance

Appendix B: Checklist Agreement for Licensed Events

Appendix C: Sports Activity Agreement

Appendix D: Checking Identification

Appendix E: Low-Risk Drinking Guidelines

SECTION 1: OVERVIEW

1.1 GOALS

The goals of this policy are to:

- Promote a safe, enjoyable environment within municipal premises.
- Ensure the health and safety of participants, staff and community.
- Reduce alcohol related problems such as injury, violence and liability which arise from alcohol consumption on municipal property.

The municipality owns and manages various premises where alcohol consumption may be permitted under the authority of the Alcohol and Gaming Commission of Ontario (AGCO) which administers the Liquor License Act (LLA) and issues Liquor Sales Licenses (LSL) and Special Occasion Permits (SOPs).

1.2 RISKS

The Liquor Licence Act is very clear in setting standards around alcohol service to the public. If you do serve alcohol, the Liquor Licence Act and this Municipal Alcohol Policy (MAP) dictate your rights, responsibilities and obligations in order to ensure that a minimum standard of conduct and care is met. Without these regulations, people participating in your event might be exposed to danger, and you could be held responsible.

Anyone who sells, serves or gives alcohol to a person is known as a provider of alcohol. Providers may include but are not limited to: service clubs and their members, private family function organizers, or anyone obtaining a Special Occasion Permit to run an event. The occupier is the group/individual that owns and/or rents the premises where the event is taking place. Both providers and occupiers are liable for the event and its attendees.

RATIONALE: A range of problems can occur due to irresponsible alcohol consumption, which may affect other persons attending the event, other organizations wishing to utilize the facility in the future, the public and the municipality. Since the late 1980's and early 1990's, municipalities have taken a proactive approach to developing alcohol management policies as risk management tools, based on the many negative alcohol related accidents and incidents that have occurred. One in five drinkers in Grey and Bruce are regular heavy drinkers. This high-risk practice is a strong predictor of alcohol related problems which are evident in our communities. These problems may include:

- *Injuries or death due to intoxicated persons or others as a result of alcohol consumption*
- *Liability actions arising from improper serving and monitoring of alcohol consumption*
- *Liquor License Act charges against the municipality and/or SOP holder*
- *Suspension of SOPs being issued at specific facilities*

By reducing alcohol intoxication, drinking under the legal age and the possibility of driving a vehicle while impaired, the above problems will correspondingly diminish.

1.3 OBJECTIVES

- To provide appropriate procedures and education to individuals or groups wishing to hold events in municipally owned facilities in order to ensure legislation pertaining to SOPs and licences is properly understood and strictly complied with.
- To ensure proper supervision and proper operation of licensed events in order to protect the organizers, the participating public, volunteers, the municipality and its staff from liability by providing education in prevention and intervention techniques and through effective management procedures.
- To encourage and reinforce responsible, moderate drinking practices for consumers through the development of appropriate operational procedures, controls, training and education.
- To honour the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative, non-alcoholic drinks.
- To provide for a balanced use of alcohol through licensed events so that alcohol becomes a responsible part of a social function rather than the reason for it.

1.4 DEFINITIONS

Alcohol and Gaming Commission of Ontario (AGCO)

The AGCO is responsible for the administration of the Liquor License Act <https://www.agco.ca/>

Catering Endorsement

Holders of a valid liquor sales licence with a catering endorsement are permitted to sell and serve beverage alcohol at events that are held in unlicensed areas other than a licensed establishment, or that are held in unlicensed areas within a licensed establishment (for example, an unlicensed basement). A catering endorsement may not be used at a location if:

- The location's liquor sales license is currently under suspension,
- A liquor sales license for that location has been revoked or refused, or
- A business or individual cannot get a Special Occasion Permit for that location

Event

For the purposes of this policy, an event refers to any licensed event held on municipal premises at which alcohol will be served and/or sold. Such events may include but are not limited to weddings, showers, dances, barbeques, and birthday parties. The duration of the event encompasses the setup, operation and cleanup.

Public Events - A public event is one which is open to the public to attend and is conducted by a registered charity or not-for-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 (see Appendix A).

Private Event – A private event is one which is for invited guests. These events cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.

Outdoor Event – An outdoor event is one at which any alcohol is consumed in an outdoor space (including pavilions, tents or temporary structures).

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

Tailgating 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.

Event Organizer

Refers to the individual(s) who have signed the facility rental agreement for an event that will involve the selling and/or serving of alcohol on municipal premises. The Event Organizer and/or designate are responsible for the safety and sobriety of people attending the event as well as compliance with this Municipal Alcohol Policy and the Liquor License Act and its regulations. They assume responsibility and liability for the entire operation of the event.

Event Worker

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. All event workers have a responsibility in the operation of the event and shall not consume or be under the influence of alcohol for the entire duration of the event. They assume responsibility and liability for the entire operation of the event in conjunction with the Event Organizer. Event workers may have one or more of the following roles:

- Floor monitor
- Door monitor
- Server/bartender
- Ticket seller

Detailed roles and responsibilities for each type of event worker can be found in Section 2.

Liquor License Act (LLA)

Outlines the laws regarding the sale and service of alcohol.

<https://www.ontario.ca/laws/statute/90l19>

Licensed Security

Security personnel monitor entrances and patrol licensed areas to ensure the safety and security of the establishment, its employees and patrons. Security must be licensed under the *Private Security and Investigative Services Act, 2005* (PSISA) or as may be amended from time to time. [Private Security and Investigative Services Act, 2005](#)

Municipal Alcohol Policy (MAP)

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

Municipal Premises

All municipally owned or leased facilities and lands.

Municipal Representative

Municipal staff or a designate that attends and monitors the event on behalf of the municipality and ensures all components of the Municipal Alcohol Policy is met.

Operational Plan

A coordinated plan of actions to prevent and control potential risks. See the AGCO's document Planning Special Events, Concerts or Festivals tip sheet for more information.

<https://www.agco.ca/liquor-sales-licence-plans>

Server Training Program

A certificate training program for serving alcohol that is approved by the AGCO. Server training is required by staff and volunteers who work in areas where alcohol is sold and/or served. An example is the training program offered by Smart Serve Ontario (<https://www.smartserve.ca>).

Special Occasion Permit (SOP)

A liquor permit issued by the Alcohol and Gaming Commission of Ontario (AGCO) for social events where alcohol will be sold or served. <https://www.agco.ca/alcohol/special-occasion-permits-private-event>

Special Occasion Permit Holder

Refers to the individual who signs the application for a Special Occasion Permit to sell and/or serve alcohol. The permit holder must be at least 19 years of age and shall attend the event to which the permit applies or appoint a designate to attend in the permit holder's place. If the permit holder designates a person to attend the event in the permit holder's place, both the permit holder and the designate shall sign the permit. The permit holder and/or designate are responsible for the safety and sobriety of people attending the event as well as compliance with this Municipal Alcohol Policy (MAP) and the Liquor License Act and its regulations at the event. They assume responsibility and liability for the entire operation of the event.

Standard Drink

A Standard Drink means:

12 oz or 341 ml. of beer with 5% alcohol **OR**

5 oz or 142 ml. of wine with 12% alcohol **OR**

1 ½ oz or 43 ml. of spirits with 40% alcohol

The municipality may set a minimum price point for each drink sold at events held on municipal properties.

SECTION 2: DESIGNATION OF PROPERTIES, EVENTS AND ROLES

2.1 DESIGNATION OF PROPERTIES

The following municipal facilities and areas are designated as suitable for events that will sell/serve alcohol provided that the renter obtains an SOP or a Liquor License through a caterer's endorsement issued by the AGCO and agreeing to conditions as set out by the Municipality:

-
-
-

2.2 DESIGNATION OF EVENTS

Youth Focused Event

It is not recommended that alcohol be served or sold at a youth focused event (i.e. minor sports tournament).

High Risk Event

The Municipality, AGCO and/or police, at their own discretion, may deem an event to be high risk. These events will require additional staffing and may require that an operational plan be developed in consultation with the AGCO and local police.

SOP Private Events

As per the Liquor License Act, the following rules apply to private event Special Occasion Permits:

- Invited guests only. A guest list must be provided to the municipality in advance of the event.
- Absolutely no public advertising. Information about the event may be shared with invited guests only. The event must not be advertised to the public in any way, including but not limited to: flyers, newspaper, internet, social media, radio or television.
- No intent for gain or profit from the sale of alcohol at the event
- Absolutely no 50/50 draws, raffles, raffles of alcohol
- Absolutely no games of chance; however, games of skill are permitted
- Silent and/or live auctions are permitted

2.3 ROLES AND RESPONSIBILITIES

Role of Municipal Representatives

Municipal representatives are responsible for ensuring the Permit Holder, Event Organizer and/or designates are provided written information outlining the conditions of the MAP and ensure that they have been informed of their responsibilities. Municipal representatives have the authority/responsibility to demand

correction and/or to cease the sale and service of alcohol and will have ultimate authority regarding decision-making on the part of the Permit Holder. Municipal representatives monitoring a liquor-licensed event shall be certified by a server training program recognized by the AGCO.

Role of Permit Holder, Event Organizer and designates:

The Permit Holder and designates must be 19 years of age or older. The Event Organizer 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 MAP and facility rental agreement, in addition to the LLA 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
- in the case of the Permit Holder and/or the Event Organizer, training their designates, if applicable
- training of other event workers
- posting the Special Occasion Permit or Caterer's Endorsement in a conspicuous place on the premises to which the permit applies or keep it in a place where it is readily available for inspection
- alcohol sales and service - including the choice of beverages so as to avoid the supply of fortified or extra strength drinks
- 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 (e.g. designated drivers, taxis)
- responding to emergencies

The Permit Holder and Event Organizer (or designates) must read and sign *the Checklist for Liquor Licensed Events - Organizers and Permit Holders* (Appendix B) to indicate that they have read this policy and understand their responsibilities. The Permit Holder must provide a copy of the Special Occasion Permit and any updates to the Municipality prior to the start of the event.

The Permit Holder and Event Organizer (or designates) must attend the event for the entire duration – including the post event clean up and be responsible for decisions regarding the actual operation of the event.

EVENT STAFF & RESPONSIBILITIES

- Server training program certification is recommended for all event staff (see definition in Section 1.4).
- The Permit Holder and Event Organizer are required to read, express understanding of and sign Appendix B: Checklist Agreement for Event – Permit Holder and Event Organizer.
- The permit holder and event organizer will assume the responsibility of ensuring all event workers abstain from consuming alcohol during the event and will not be under the influence of any alcohol prior to the event.
- It is strongly encouraged that the Permit Holder and Event Organizer and designates, not consume alcohol or recreational cannabis prior to or during the event.
- Event personnel must wear identifiable clothing (such as “event staff” printed on clothing) or wear clearly identifiable name tags) and be present on the licensed premises during all hours of alcohol

service and at least one hour past the time sale and service of alcohol ceases. Event personnel must ensure all patrons have vacated the premises and ensure that the premises are secured prior to leaving.

- All signs of the sale and service of alcohol must be cleared within 45 minutes of the end of the event.

Bartender Criteria and Responsibilities:

- Certified by a server training program recognized by the AGCO
- Appointed by the Event Organizer and has satisfactorily proven to the event organizer that she/he will act in accordance with this MAP and the LLA
- Checks identification and verifies age (see Appendix D)
- Accepts tickets for the purchase of alcoholic drinks
- Serves standard sized drinks
- Serves a maximum of two standard sized drinks per patron per visit – no doubles
- Monitors for intoxication
- Refuses service when patron appears to be near intoxication.
- Offers non-alcoholic substitutes
- Must be 18 years of age or older

Ticket Seller Criteria and Responsibilities:

- Certified by a server training program recognized by the AGCO
- Appointed by the Event Organizer and has satisfactorily proven to the Event Organizer that she/he will act in accordance with this MAP and the LLA
- Checks identification and verifies age (see Appendix D)
- Monitors for intoxication
- Only sells a maximum of 4 tickets per patron at one time
- Refuses sale to patrons near intoxication
- Must refund tickets on request whenever the bar is open and up to 30 minutes after the bar has closed
- Must be 18 years of age or older

Door Monitor Criteria and Responsibilities:

- Appointed by the Event Organizer and has satisfactorily proven to the Event Organizer that she/he will act in accordance with this MAP and the LLA
- One monitor must be present at each entrance/exit of the premises for the duration of the event and until the premises have been secured once the event is over
- Checks identification and verifies age (see Appendix D)
- Checks for signs of intoxication
- Limits entry to venue capacity
- Refuses admission to intoxicated and troublesome individuals
- Ensures that age of majority patrons are clearly marked using wristbands if there will be youth in attendance at the event
- Monitors those showing signs of intoxication when ready to leave the event and ensures they have a sober and responsible person with them
- Recommends safe transportation options
- Must be 18 years of age or older

Licensed Security/Paid Duty Police Criteria and Responsibilities:

- If using a security company – such company must be duly bonded and licensed under the [Private Security and Investigative Services Act, 2005](#)
- Patrols the licensed area and immediate area outside the licensed area, washrooms and parking lot scanning for potential trouble
- Ensures alcohol remains within the licensed area
- Notifies event staff, Event Organizer and Permit Holder of potential incidents
- Helps in handling disturbances
- Assists the Permit Holder and/or Event Organizer in vacating the premises
- Summons police when requested by the Event Organizer, Permit Holder, municipal representative, or as deemed necessary
- Aware of and responsible for the fire safety plan
- May be required to check ID (see Appendix D)

Floor Monitor Criteria and Responsibilities:

- Appointed by the Event Organizer and has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP
- Monitors patron behaviour and crowd control
- Monitors for intoxication and informs bartenders and/or security personnel of intoxicated persons
- Early identification of potential problems
- Reports problems and complaints to security, Event Organizer and Permit Holder
- Suggests safe transportation alternatives
- Must be 18 years of age or older
- Aware of and responsible for the fire safety plan

SECTION 3: MANAGEMENT PRACTICES**3.1 INSURANCE**

The Permit Holder and Event Organizer must provide proof of insurance by way of submitting an original Certificate of Insurance to the Municipality in accordance with the last statement of this paragraph. The Certificate of Insurance must be in effect for date(s) where Municipal property is being used or occupied by the Event Organizer and Permit Holder. Failure to provide proof of insurance in accordance with this Section will void the rental.

Proof of General Liability Insurance coverage in an amount of not less than five million dollars (\$5,000,000.00) must be provided to the Municipality prior to rental of the facility. The insurance must be issued by an accredited insurance company that is licensed to carry on business in Ontario and that is satisfactory to the Municipality. The insurance coverage must at a minimum include the following:

- a) Coverage for bodily injury and property damage liability
- b) A Liquor Liability endorsement
- c) The Municipality shown as an additional insured on the policy
- d) The Event Organizer (facility renter) and Permit Holder must be included as additional insured

- Check with your insurance provider to ensure all appropriate parties are included on the policy.
- The Municipality or hosting organization reserves the right to request even higher limits of insurance should the event be deemed as higher risk.
- Completed Insurance Certificate, SOP and Rental Agreement must be provided to the Municipality at least 2 weeks prior to the event. Failure to submit any of these documents may result in cancellation of having alcohol at the event and/or cancellation of the rental itself.

3.2 RECOMMENDED MINIMUM STAFFING RATIOS FOR SPECIAL OCCASION PERMIT EVENTS

The Municipality, AGCO, and/or the applicable police service involved reserve the right to adjust these requirements as deemed necessary.

Attendance /Capacity	Number of Bartenders	Number of Door Monitors/Ticket Sellers*/Floor Monitors	Number of Certified Security or Paid Duty Police
Up to 100	1 Trained	3	At the discretion of the Municipality
101-225	2 Trained	4	At the discretion of the Municipality
226-399	3 trained	5	2 Licensed Security/Paid Duty Police
400-599	4 Trained	6	4 Licensed Security/Paid Duty Police
600-999	6 Trained	8	6 Licensed Security/Paid Duty Police
1000+	TBD based on Operational Plan	TBD based on Operational Plan	TBD based on Operational Plan

Trained – means certified by a server training program recognized by the AGCO

Licensed Security – licensed under the [Private Security and Investigative Services Act, 2005](#)

Operational Plan – For events over 1000, the AGCO requires a security meeting. The permit holder must submit an operational plan for the event which includes a site plan, schedule, and security plan. For events under 1000, AGCO may still request this process.

*Ticket Sellers must be trained in a certified server training program recognized by the AGCO

If the event includes youth admittance, a tent, pavilion, any other temporary structure, or a fenced area, the ratio of floor/door monitors should be increased by one additional worker.

3.3 YOUTH ADMITTANCE FOR ALL AGES EVENTS

Depending on the level of event risk, minors may not be permitted to attend an event. In all cases, no one under the age of 19 shall be served alcoholic beverages at licensed events. At licensed events where the permit allows patrons under the age of 19, all age of majority patrons will be wrist banded, identifying them as eligible to be served. Event workers shall ask anyone who appears to be under the age of 30 for valid photograph identification (see Appendix D).

If events are expected to have a youth presence, there should be a designated alcohol-free zone within the facility that is proportionate to the ratio of youth expected. As an example, if the event is expected to have 50% minor attendance, then only half of the space should be licensed for alcohol. There shall be physical separation between these two spaces.

Age of majority patrons (19 years of age and older) at all ages events shall be marked with wristbands.

3.4 GAMBLING

Games of chance, luck or mixed chance and skill such as raffles, 50/50 draws or wheel of fortune are not permitted unless the proper licence has been obtained from the Municipality or Province of Ontario. Licenses are only issued to eligible organizations with charitable, educational, religious or community betterment purposes. Visit www.agco.on.ca for further information.

SECTION 4: PREVENTION STRATEGIES

4.1 SAFE TRANSPORTATION

The Event Organizer and Permit Holder are responsible to have a safe transportation strategy including a designated driver program to promote safe transportation options for all participants, in order to ensure participant safety. Examples of safe transportation options are:

- Designated drivers selected from non-drinking participants at the event;
- Providing non-alcoholic drinks (coffee, pop, juice, water) for designated drivers;
- Designated drivers provided by the sponsoring group; or
- Taxis or buses paid either by the sponsoring group or the participant.

The options shall be advertised at the event so that all participants are aware of what is available. Non-alcoholic beverages must be made available.

4.2 SAFE ENVIRONMENT

- Permissible times for alcohol service are between 11am and 1am.
- All bottles and cans must be retained within the bar area; all drinks must be served in plastic or paper cups.

- There are no “shooters” allowed including JELLO or otherwise.
- Unsafe activities such as drinking contests, discounted drinks, dancing on tables, or other dangerous activities are strictly prohibited.
- There must be sufficient food available throughout the event. The requirement to provide food is not satisfied by snack foods such as chips, peanuts, or popcorn.
- All outdoor licenced areas are required to have a barrier at least 0.9 meters high that separates them from non-licenced areas. Higher barriers and additional criteria may be required at the discretion of the municipality, in consultation with the AGCO.
- SOP tailgate events are not permitted on municipal premises.
- Ensure the facility is adequately lighted, signs are visible, and stairs and emergency exits are clear. As the occupier of the premises, your group is required to ensure the physical setting is safe for both drinkers and non-drinkers. Municipal staff should be contacted should your group not be able to provide a safe setting.
- The Permit Holder, Event Organizer and/or the municipal staff member will be responsible for determining when assistance is needed and requesting it from the appropriate authorities. If an alcohol related violation occurs, act promptly to rectify the situation and restore adherence to the Liquor License Act (LLA). Whenever the LLA is violated at your event, you are at risk of being charged. Even if no charge is laid, the fact that the LLA has been violated can be used to undermine your defense in any civil suit.

4.3 LOW ALCOHOL CONTENT

- The Permit Holder will ensure that beer with more than 8% alcohol, wine products with more than 14% alcohol, and spirits with more than 40% alcohol are not sold.
- The Permit Holder will ensure that beverages will be offered that consist of low or non-alcohol options (e.g. light beer, juice and water).
- The price of non-alcoholic beverages must be less than the price of alcohol sold on the premises.

4.4 NO ALCOHOL PROMOTION TO YOUTH

- No alcohol advertising is permitted at events where there will be youth attendance (e.g., beer company umbrellas, posters, flags, clocks).

SECTION 5: SIGNAGE

5.1 REQUIRED SIGNAGE PROVIDED BY MUNICIPALITY

Ticket Sales (signage posted where tickets are being sold)

- “Number of Tickets Available for Purchase at One Time – 4”
- “Unused tickets may be refunded while the bar is open and up to 30 minutes after closing.”
- “Ticket sales end 45 minutes before the bar closes.”

Bar Area (posted within the licensed bar area)

- “Number of tickets available for redemption at one time – 2”
- Low Risk Drinking Guidelines sign (Appendix E)
- ~~“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.”~~
- “Warning: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby.” (Sandy’s Law)
- ~~“You can only be served a maximum of two alcohol drinks at any one time.”~~
- ~~“There will be no Last Call.”~~
- ~~Time bar will be closed~~
- “Low or non-alcohol drink options are available.”
- ~~“Bartenders cannot serve alcohol to anyone less than 19 years of age. Proper ID must be presented to event staff when requested.”~~
- ~~“Servers are not allowed to consume alcohol prior to or during their shift(s).”~~

5.2 REQUIRED SIGNAGE PROVIDED BY PERMIT HOLDER

- The Permit Holder shall post the Special Occasion Permit in a conspicuous place on the premises to which the permit applies or shall keep it in a place where it is readily available for inspection
- A licensed caterer shall post their license, notice of catering, Sandy’s Law and liquor menu at a catered event

Safe Transportation

- List of safe transportation options including local taxi phone numbers.
- “The R.I.D.E. program is in effect in our community.”

Restricted Areas

- “No alcohol beyond this point.”

5.3 ADDITIONAL RECOMMENDED SIGNAGE

- What is a standard drink sign (Appendix E)
- It is also recommended that the Permit Holder post their name and contact information at the entrance/exit to the venue

SECTION 6: ACTIONS TO ENFORCE

6.1 DUTY TO REPORT

Any person may notify the Event Organizer, Special Occasion Permit Holder, municipal staff or security personnel of suspected violations of this MAP or LLA.

- Event workers should not attempt to rectify a violation that could lead to a confrontation resulting in personal injury or property damage. In such cases, the police and/or on-site security shall be alerted.
- A police officer or AGCO Inspector may inform the Permit Holder, Event Organizer or person in charge that they are in violation of the Liquor Licence Act and/or provincial law. Charges may be laid against the offending individual(s) at the officer's or inspector's discretion.
- The Permit Holder, Event Organizer and/or designates shall inform the Municipality when repairs or other actions are required to make municipal property secure or safe for use.
- Municipal staff on duty at the time of the event reserve the right to ensure this Municipal Alcohol Policy is being adhered to at all times.

A violation of this policy occurs when the Permit Holder or Event Organizer fails to comply with all the AGCO policies, the LLA and its regulations, and/or this policy.

6.2 CONSEQUENCES FOR FAILURE TO COMPLY WITH MUNICIPAL ALCOHOL POLICY

The municipality may cancel, intervene or terminate the event at any time for violations of this MAP or rental agreement. Regardless of the reason for termination of the event, the Municipality will not be responsible for any compensation whatsoever to the Event Organizer or affected persons for any resulting financial losses that they may have suffered.

First Infraction: Where the Permit Holder or Event Organizer has violated this MAP, the group may be sent a registered letter from the Municipality advising them of the violation and indicating that no further violations will be tolerated.

Second Infraction: Should the Permit Holder or Event Organizer violate this policy within one year of receiving notice of their first violation – both parties will be subject to a penalty as defined by the municipality.

6.3 CONSEQUENCES FOR ALCOHOL CONSUMPTION IN UNDESIGNATED AREAS

First Infraction: The municipal representative on duty will issue one verbal warning requesting the person or group remove the alcohol from the premises and advise them that a letter will be sent to their organization representative to inform them of this violation.

Second Infraction: A second violation within one year of the first infraction (verbal warning) will result in a penalty as defined by the municipality.

6.4 OTHER CONSEQUENCES

Where there has been a failure to comply with the Liquor License Act or any other applicable legislation, the police or the AGCO inspector may intervene for compliance purposes and may, at their discretion or other

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

Similarly, the AGCO can deny or suspend the issuing of SOPs to certain premises on the basis of historical violations at that particular location.

SECTION 7: POLICY REVIEW AND IMPLEMENTATION

7.1 POLICY REVIEW

To monitor the effectiveness of this Municipal Alcohol Policy, Council shall initiate a review of this policy every five years or earlier if needed. Such a review shall be based on information provided by the appropriate municipal representative and other invited sources, and then the outcome of the review shall be reported to Council with suggested policy changes, if required.

7.2 IMPLEMENTATION PHASE

It is recommended that the Municipality design and implement a strategy to orientate all municipal staff and community user groups to the policy requirements and to promote the policy to the community at large, including all licensed establishments, service clubs, community groups, etc. This can only assist these organizations with due diligence and accident prevention. It will also help to reduce potential insurance claims for both the organization and the Municipality.

APPENDIX A

MUNICIPAL SIGNIFICANCE

A registered charity under the *Income Tax Act* or non-profit organization may take out a public event Special Occasion Permit (SOP), and no municipal designation is required. It is recommended that proof of charitable or not-for-profit status, in the form of a letter, be received at the time of the SOP application.

An individual or business may also apply for a public event SOP if organizing or conducting an event of:

- provincial, national or international significance (as agreed to by the Registrar of Alcohol and Gaming); or
- **municipal significance for which a municipal resolution or letter from the municipal clerk or designated authority is required and indicates the event is one of municipal significance**

The municipality is under no obligation to provide this designation to an applicant for a public event SOP. Even with the designation of municipal significance, the AGCO Registrar ultimately decides if the necessary criteria have been met in order for a SOP to be issued.

APPENDIX B

CHECKLIST AGREEMENT FOR LICENSED EVENTS

This checklist must be completed in full, signed and submitted to the Municipality, with all supporting information, at least 2 weeks before the event. See the Municipal Alcohol Policy for additional information.

1. Name of Event: _____
2. Location of Event: _____
3. Date and Time of Event: _____
4. Estimated Number in Attendance: _____
5. Will persons under 19 years of age be attending this event? Yes ☐ No ☐
6. Name of person and/or group hosting this event:

7. Name of Event Organizer and all official designates:

Event Organizer

Name: _____ Home Phone: _____ Cell: _____

Official Designates

Name: _____ Home Phone: _____ Cell: _____

Name: _____ Home Phone: _____ Cell: _____

8. Name of Special Occasion Permit Holder and all official designates (if different from above):

Special Occasion Permit Holder

Name: _____ Home Phone: _____ Cell: _____

Official Designates

Name: _____ Home Phone: _____ Cell: _____

Name: _____ Home Phone: _____ Cell: _____

9. A copy of the Special Occasion permit has been provided?

Yes ☐ Date received: _____

10. Copy of insurance has been provided?

Yes ☐ Date received: _____

11. Rental Agreement has been read and signed?

Yes ☐ Date received: _____

Facility Rental Deposit? Yes ☐ Date received: _____

12. Copy of proof of security has been shown? Yes ☐ Date received: _____

Name of Company or Police Service: _____

Number of security personnel attending: _____

13. Proof of Risk Management Plan? Yes ☐ Not Required ☐

14. Copy of Guest List provided? Yes ☐ No ☐

15. The safe transportation strategies that will be used at this function are:

- a) _____
- b) _____
- c) _____

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

17. Copies of certified server training program for event workers provided?

Yes ☐ Date received: _____

I have received, read and understand all the Municipal Alcohol Policy (MAP) regulations AND I and my event workers will observe and obey all policy regulations during this event.

(If there is anything that you do not understand with respect to this Policy it is your responsibility to contact Municipality staff (phone: _____) to obtain clarification and understanding.)

Print Name of Event Organizer

Signature of Event Organizer

Date

Print Name of SOP Holder

Signature of SOP Holder

Date

Print Name of Municipal Representative

Signature of Municipality Representative

Date

APPENDIX C

Municipality of _____ SPORTS ACTIVITY AGREEMENT:

Name of Team/Group: _____

Name of Contact Person: _____

Address: _____

Phone Numbers: Home _____

Business _____

Certification:

1. I understand that alcohol cannot be served or consumed on _____ properties or in facilities unless it is done within the terms of the Liquor License Act of Ontario and the Municipality of _____'s Municipal Alcohol Policy.
2. I understand that if any member of the team or organization operating under my direction violates this policy or any of the regulations of the Liquor License Board of Ontario, that our team will receive a verbal warning and the violation will be documented.
3. I understand that if any member of my team or organization violates this policy or any of the regulations of the Liquor License Board of Ontario within one year of a previous violation that our group will be penalized as defined by the municipality.
4. It is my responsibility to ensure that all team captains and other supervisory personnel of the organization are aware of and understand the Municipality of _____'s Alcohol Policy.

Additional print copies of the Municipal Alcohol Policy will be provided upon request.

Print Name: _____

Signature: _____ Date: _____

OFFICE USE

Agreement received by (print name): _____

Signature: _____ Date: _____

APPENDIX D

Checking Identification (ID)

http://www.agco.on.ca/pdfs/en/tip_sheets/3056.pdf

In order to be valid, identification must:

- Have been issued by a government;
- Be current (expired ID is not valid);
- Include the person's photograph; and
- Include the person's birth date.

Note: By law, no one can be required to produce their Ontario Health Card, nor can their health number be collected.

Some forms of acceptable ID include:

- Ontario Driver's Licence
- LCBO BYID card
- Canadian Armed Forces Identification Card
- Photo card issued under the Photo Card Act
- Canadian Citizenship Card with photograph
- Canadian Passport
- Permanent Resident Card (Canadian)
- Secure Indian Status Card (Canadian)

Tips for Checking ID

- Ensure you are in a well-lit area
- Take your time and examine the ID closely - check the photo, date of birth and the expiry date
- Never accept ID without a photo. Hold the ID in your hands, rather than allowing the patron to flash it at you. If it is in any sort of case, take it out.
- Feel for extra thickness around the photo and the edge of the lamination. This may be an indication of a second photograph placed on top of the original and re-laminated.

Effective January 1, 2013, a new identifier on Ontario driver's licences and photo ID cards issued to individuals aged 16 to 18 will clearly show when the cardholder turns 19. The cards will have an "AGE 19" banner followed by the exact date the card holder turns 19.

APPENDIX E

Low Risk Alcohol Drinking Guidelines & Standard Drink Sizes

<http://www.ccsa.ca/2012%20CCSA%20Documents/2012-Canada-Low-Risk-Alcohol-Drinking-Guidelines-Brochure-en.pdf>

One serving of alcohol contains 13.6 grams of pure alcohol. Since the alcohol content varies from beverage to beverage, the size of a standard drink will be different for each type of beverage depending on its alcohol content.

1 standard drink equals:

- 341 ml (12 oz.) of 5% alcohol content (beer, cider or cooler)
- 142 ml (5 oz.) of wine with 12% alcohol content
- 43 ml (1.5 oz.) serving of 40% distilled alcohol content (such as rum, rye, gin or vodka)

Safer Drinking Tips

- Drink slowly. Have no more than 2 drinks in any 3 hours
- For every alcoholic drink, have one non-alcoholic drink. This is called a 'spacer' drink
- Eat before and while you're drinking alcohol
- Always consider your weight, age, body weight and health problems that might suggest lower limits

Drinking is a personal choice, and most people drink responsibly most of the time. These guidelines are intended to help people make smart choices about their alcohol consumption to reduce their risk of disease and injuries associated with alcohol consumption:

- Women: no more than 2 drinks per day, 10 drinks per week
- Men: no more than 3 drinks per day, 15 drinks per week
- Plan at least 2 non-drinking days per week to avoid developing a habit
- Reduce your risk by drinking no more than 3 drinks for women and 4 drinks for men on any single occasion.

Do not drink when you are:

- Driving a vehicle or using machinery and tools
- Taking medicine or other drugs that interact with alcohol
- Doing any kind of dangerous physical activity
- Living with mental or physical health problems
- Living with alcohol dependence

- Pregnant or planning to be pregnant
- Responsible for the safety of others
- Making important decisions

MANAGING ALCOHOL AT EVENTS ON MUNICIPAL PROPERTY

*Considerations to Reduce Risk Due to
Recent Regulatory Changes*

NOVEMBER 2019

PREPARED BY
OPHA'S ALCOHOL
WORKGROUP

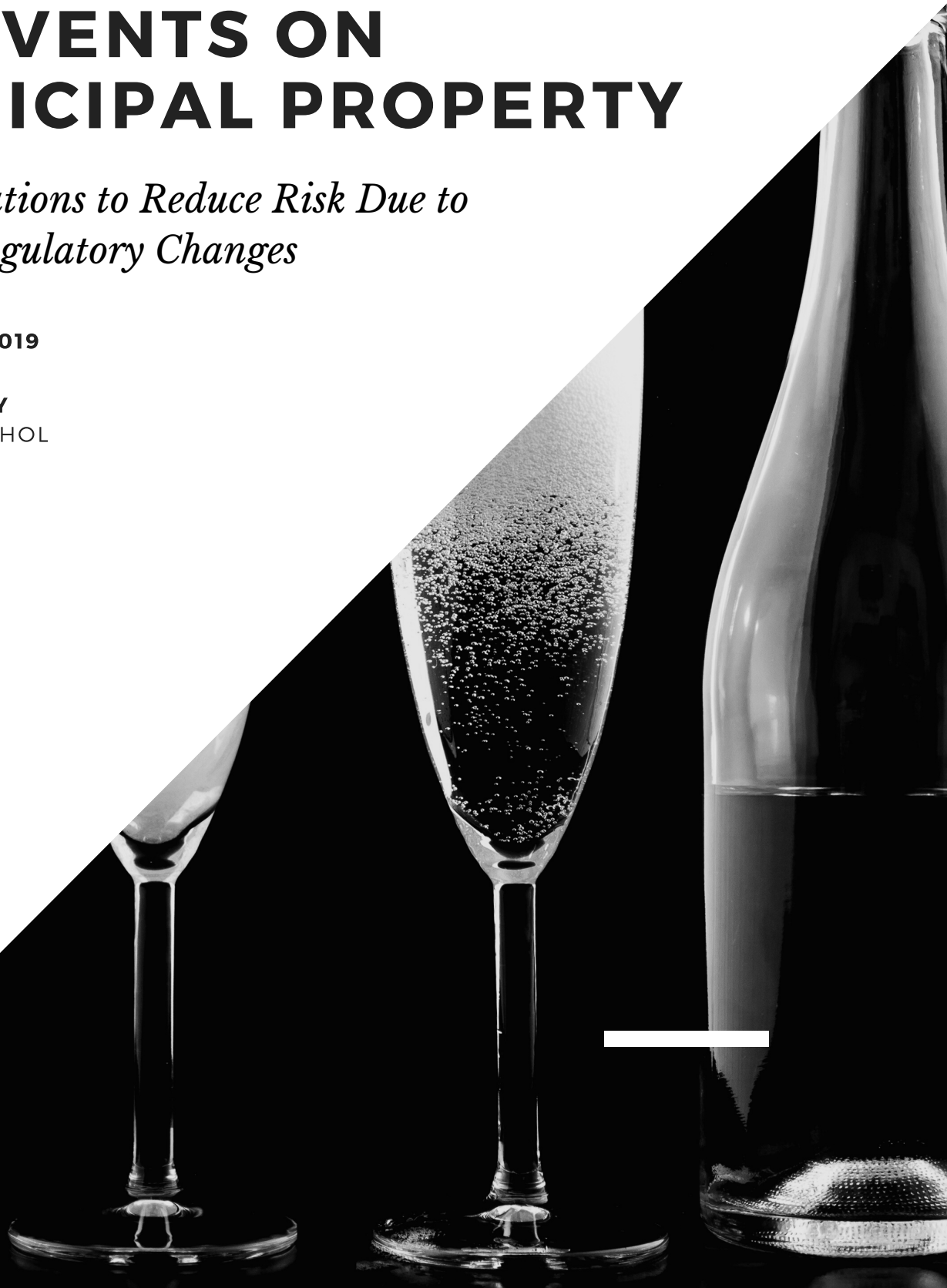


Table of Contents

Overview	2
Introduction	2
Summary of Recommended Revisions to Municipal Alcohol Policies	2
What is a Municipal Alcohol Policy?	3
Extended Alcohol Service Hours	3
Policy Context and Impact for Municipalities	3
Health, Safety, and Liability Concerns	3
Mitigation Considerations	4
Tailgate Event Special Occasion Permits	5
Policy Context and Impact for Municipalities	5
Health, Safety, and Liability Concerns	5
Mitigation Considerations	6
Price	6
Policy Context and Impact to Municipalities	6
Health, Safety, and Liability Concerns	7
Mitigation Considerations	7
Other Issues	7
Provision of Food	7
Requirement for Barriers (Partitions)	7
Edible Cannabis and Beverages	8
References	9
Additional Resources to Develop a Municipal Alcohol Policy	10
Appendix A. Additional Administrative and Operational Requirements for Tailgate Events Hosted on Municipal Property	11

Managing Alcohol at Events on Municipal Property

Considerations to Reduce Risk Due to Recent Regulatory Changes

Overview

Recent regulatory changes in Ontario affect how alcohol can be served and sold at events hosted on municipal property. Some of these changes may increase the risk of health harms to patrons, event staff, and the public due to alcohol use, which remains a leading, preventable cause of disease, injury, and death in Ontario. Municipalities have the authority to reduce these potential risks by requiring events to adopt additional mitigation measures; this also has the benefit of reducing liability to the municipality.

In this document, the Ontario Public Health Association (OPHA) outlines some of the associated public health and safety concerns and provides detailed mitigation measures for consideration by municipalities.

Introduction

Following the release of the [2019 Ontario Budget](#), the Government of Ontario made a number of regulatory changes that impact the sale and service of alcohol, including at events hosted on municipal property under a [Special Occasion Permit](#) (SOP) or [Catering Endorsement](#). These changes include extended alcohol service hours, a new [Tailgate Event SOP](#) where patrons can bring their own alcohol, lowering retail prices, allowing alcohol-only events (i.e. providing food is no longer required), and changes related to physical barriers. The introduction of edible cannabis and the potential for its co-use with alcohol is also a concern.

To mitigate the potential harms due to these changes, the [Ontario Public Health Association](#) (OPHA) advises that municipalities work with their public health unit and community partners to update their Municipal Alcohol Policy (MAP). Municipalities should also consider enhancing other aspects of their MAP, such as how SOP events are promoted.

This resource was prepared by the [OPHA Alcohol Workgroup](#) to outline the public health and safety concerns and provide mitigation measures for consideration. The issue of municipal councils' [new authority](#) to designate public spaces for alcohol use (commonly known as public drinking or open container laws) will be addressed in a future resource.

Summary of Recommended Revisions to Municipal Alcohol Policies

OPHA advises that Ontario municipalities revise their Municipal Alcohol Policy to:

- Specify the times permitted for alcohol service and retain previous permissible times
- Not allow events sanctioned under a Tailgate Event Special Occasion Permit
- Ensure that existing (minimum) pricing requirements remain relevant (in light of recent policy changes that have effectively lowered the retail price of alcohol)
- Require that food be made available (i.e. do not permit alcohol-only events)
- Require that designated alcohol service and consumption areas are physically separated from non-designated areas
- Prohibit the mixing of alcohol and edible cannabis (including cannabis beverages) by event staff and discourage mixing by patrons

What is a Municipal Alcohol Policy?

Municipal property, buildings, and venues (e.g. town squares, parks, beaches) are often used to host events that sell and serve alcohol such as weddings, sporting events, and festivals. The [Alcohol and Gaming Commission of Ontario](#) (AGCO) authorises these events to sell and serve alcohol through the issuance of a SOP or Catering Endorsement (in the case of Liquor Sales License holders such as bars and restaurants).

One condition of a SOP or Catering Endorsement is that the event is approved by the property owner. For events that are to be hosted under the auspices of a municipality (e.g. property that is owned or leased), a municipal council (or delegate) is the authority that may review and grant approval. A municipal council may also include other requirements to advance municipal interests, such as promoting responsible alcohol use, limiting liability, safeguarding public and private assets, and mitigating public health and safety risks. These requirements are typically outlined in a [Municipal Alcohol Policy](#) (MAP).

For nearly three decades, MAPs have been used by Ontario municipalities to balance the responsible provision and use of alcohol while reducing alcohol-related risk, harm, costs, and liability during events hosted on municipal property. Additional [resources](#) are presented at the end of this document to assist local governments develop or strengthen their MAPs.

Extended Alcohol Service Hours

Policy Context and Impact for Municipalities

Liquor Sales License holders (e.g. bars, restaurants), SOP holders, and manufacturers with “[By the Glass](#)” licences are now able to sell and serve alcohol starting from 9 AM (previously 11 AM) and ending at 2 AM the next day, on all days. Municipalities may now receive requests for approval to sell and/or serve alcohol starting as early as 9 AM for events that are hosted on municipal property. The Government of Ontario also announced plans for consultation for additional changes to alcohol service times; a potential outcome is for permissible service times to be extended past the current 2 AM closing time (e.g. to 4 AM).

Health, Safety, and Liability Concerns

Evidence indicates that increased hours of alcohol service are related to increased alcohol consumption.¹⁻⁵ Increasing the availability of alcohol also contributes to the normalization of alcohol use.⁶ A potential emerging issue is the use of alcohol by participants of mass sporting events (e.g. triathlons, marathons),⁷ which typically take place early in the morning (e.g. alcohol use may impact post-event hydration efforts).⁸⁻¹¹ Furthermore, the potential for closing times to be extended past 2 AM may present challenges related to municipal services, for example, public transportation and enforcement staff may not be available at later hours. Later closing times are associated with heavy drinking and acute harms, including violence and injury and with public nuisance issues such as noise and public intoxication.^{4,5,12-13}

Mitigation Considerations

OPHA advises that municipalities specify the permissible times for alcohol service in their MAP and that these times remain unchanged from previous times.

Should a municipality choose to authorise an event with alcohol service before 11 AM, the following considerations are provided as potential requirements:

- Require that events are adequately insured, based on an assessment of liability in authorizing alcohol service for the new times
- Ensure that municipal staff are able to monitor and enforce relevant municipal bylaws at all times that alcohol service is authorized
- If the event is related to a mass participation sporting event (e.g. marathon, triathlon, cycling event), require measures to protect the health and wellbeing of participants such as additional floor staff to monitor the wellbeing of participants
- Limit the availability of some types of alcohol during early hours (e.g. no sale of high alcohol beers [5.6% ABV or higher] or liquor shots before 11 AM)
- Require that food service is available
- Limit number of drinks that can be obtained by each patron before 11 AM

Additional considerations for events with closing times past 2 AM

Note: At the time of publication, the latest permissible closing time for alcohol service is 2 AM. As part of the 2019 Budget report, the provincial government announced consultations for additional changes to permissible alcohol service times. The follow considerations are being provided pre-emptively to address later alcohol service times:

- Require a transportation plan demonstrating how the event host will address any shortfall in public transportation options past 2 AM (or when public transportation effectively ends)
- Limit the availability of some types of alcohol during later hours (e.g. no sale of high ABV beers or liquor shots after 12 AM)
- Require that entry to the event is stopped at a set time (e.g. no entry after 2 AM)
- Prohibit entry of intoxicated individuals (may require screening at entry)
- Require the event host to have a demonstrated track record of hosting similar events with no significant public health or safety concerns or incidents
- Require the posting of a public notice to inform local residents and businesses about the upcoming event, including details such as estimated number of participants, alcohol service hours, and information on reporting public nuisance issues
- Require enhanced security measures during the later hours
- Require review of event planning by local first responders (e.g. requirement may be triggered based on planned number of patrons)

Tailgate Event Special Occasion Permits

Policy Context and Impact for Municipalities

In May 2019, AGCO began accepting applications for a new type of SOP for [Tailgate Events](#). The primary feature of this SOP is that patrons must be permitted to bring and consume their own alcoholic beverages. This practice is commonly known as 'bring your own booze' or BYOB and is more consistent with US-style 'tailgating', in contrast to similarly promoted, non-BYOB 'tailgate' events in Ontario. For example, the Toronto Raptors hosted a number of 'tailgate parties' throughout spring 2019. However, these events did not permit patrons to bring and consume their own alcohol (despite having 'tailgate' in the event name).¹⁴

AGCO [guidelines](#) require that Tailgate Events are held at ground level, outdoors, and in close proximity to a live professional, semi-professional, or post-secondary sporting event. There is no requirement for approval or endorsement from the sporting event entity connected with the Tailgate Event (e.g. team owner, league). These events may be hosted on private or public property with approval from the property owner (e.g. a municipality). Municipalities will be notified of all Tailgate Event SOPs (occurring in their municipality) but will have no further role or input. AGCO may require [additional conditions](#) of the event host, on a case-by-case basis. Event hosts may also choose to sell and serve alcohol within designated areas.

Health, Safety, and Liability Concerns

The primary concern with the Tailgate Event SOP is that access to alcoholic beverages will not be managed or monitored in any meaningful way due to the 'BYOB' provision. Although 'BYOB' is common practice in private and non-commercial settings, introducing 'BYOB' in a public setting presents a significant and avoidable risk to the health and wellbeing of patrons, event staff, and the public.

Overall, the guidelines for Tailgate Events require that event hosts ensure that there is no intoxication, disorderly conduct or promotion of immoderate consumption, and that patrons less than 19 years of age are not consuming alcohol at the event. These are reasonable objectives. However, there are no guidelines as to how event hosts are expected to accomplish this or how these expectations will be enforced. The Tailgate Event SOP also lacks basic requirements that would support these objectives such as [SmartServe](#) training for event staff and perimeter fencing with controlled entry and exits. These are established requirements in standard SOPs and many MAPs.

Another major concern is related to the hosting of Tailgate Events for post-secondary sporting events, where many participating students will be under the legal drinking age or may be inexperienced alcohol users (e.g. they may not know their limits). In places where it is permitted, tailgating is related to increased alcohol use by students¹⁵ and is an environment where alcohol misuse may be modelled by students.¹⁶ Tailgate Events also have the potential to place an undue burden on surrounding neighbourhoods and increase the use of police and paramedic services.

Mitigation Considerations

OPHA advises that municipalities do not allow (SOP) Tailgate Events to be hosted on municipal property given the exclusion of many established alcohol control measures designed to ensure the safety and security of patrons, event staff, and the public. There may also be some benefit for private property owners to be informed of the risks involved and their liability for hosting such events featuring BYOB elements.

If a municipality chooses to authorize a Tailgate Event on municipal property, the following measures should be considered to protect the health and safety of patrons, event staff, and the public and minimize liability. The following measures were compiled and adapted from tailgate policies adopted by US post-secondary institutions and professional sports teams and venues:

- Require that the event space is physically separated from non-event space (this may require temporary fencing) and create controlled entry and exit points
- Restrict entry to individuals 19 years of age and older
- Do not authorise Tailgate Event SOPs that are connected to sporting entities from post-secondary institutions
- Require the availability of free drinking water
- Require SmartServe training for all event staff
- Prohibit drinking games, activities, and paraphernalia that encourage excessive drinking
- Require an enhanced number of floor staff to ensure compliance with regulations and policies (e.g. drinking by minors)
- Require review of event planning by local first responders (e.g. requirement may be triggered based on planned number of patrons)
- Post responsible drinking messaging throughout the venue
- Post signage that states 'Alcohol Consumption is Prohibited Beyond this Point' (or similar) at exits
- Screen exiting vehicles for impaired driving or open containers

Appendix A presents additional administrative and operational measures that municipal licensing staff may wish to require to reduce risk to patrons, event staff, and the public.

Price

Policy Context and Impact to Municipalities

Recent policy changes in Ontario have made alcohol more affordable. In August 2018, the Government of Ontario lowered the minimum retail price of a standard strength beer from \$1.25 to \$1.00. Following the release of the 2019 Budget, legislation was also passed to pause the scheduled, annual wine tax increase. Over time, the lower retail cost of alcohol may impact alcohol sales and consumption at events on municipal property. These changes are concerning as alcohol price is closely related to problematic consumption.

Health, Safety, and Liability Concerns

Evidence demonstrates that alcohol consumption is inversely correlated with price; as price increases, consumption decreases.⁴ This is especially evident with the lowest priced alcohol because problematic drinkers, which often include youth and those with [alcohol use dependence](#), tend to favour inexpensive alcohol products.^{4,6} These are two groups at risk for some of the greatest alcohol-related harms.

Mitigation Considerations

OPHA advises that municipalities revise minimum pricing requirements, as necessary, to account for provincial policies that have effectively lowered the retail price of alcohol. Minimum price policies have been demonstrated to reduce consumption and protect the public's health and safety. Indexing increases in the minimum price with inflation and setting prices according to alcohol strength (i.e. products with higher alcohol content should be priced higher) are two additional strategies that may be adopted to reduce alcohol-related harms.

Other Issues

Provision of Food

Provincially issued SOPs [no longer require](#) that event hosts provide food (e.g. meals, snacks) for patrons; that is, alcohol-only events are now permitted. Event hosts may now seek municipal approval to host an event that only sells and serves alcohol on municipal property. Providing and encouraging the consumption of food when drinking alcohol is a well-established prevention strategy to reduce the risk of harm from alcohol intoxication.¹⁷⁻¹⁹

Mitigation Considerations

OPHA advises that municipalities require that food is made available at all events on municipal property that also serve alcohol (i.e. do not permit alcohol-only events). This has been a longstanding requirement in Ontario and is strongly supported by evidence to reduce intoxication and risk of harm. Additional requirements may include providing food at the beginning of an event where alcohol is being served, throughout the duration of the event, and offering food that qualifies as a meal.

Requirement for Barriers (Partitions)

Event hosts may now seek municipal approval to host an event on municipal property where the designated alcohol service area is [not fully separated](#) by a physical barrier. This change may have little impact on events in spaces with existing physical boundaries. However, events hosted at venues without a defined physical separation may be affected, such as parks and beaches, public squares, community centres, arenas, and stadiums.

The lack of a complete physical barrier may compromise existing safety requirements, such as monitoring and controlling entries and exits, ensuring that no outside alcohol is brought into the venue, and ensuring that expelled patrons remain out. Enforcing existing alcohol sales regulations, such as not serving underage patrons, would also be more complicated.

Mitigation Considerations

OPHA advises that municipalities require that designated alcohol sale and consumption areas be fully separated from alcohol free areas, including through the use of temporary fencing where necessary.

Edible Cannabis and Beverages

The sale of edible cannabis, including cannabis beverages, [began in October 2019](#) in Canada. Federal regulations do not permit the sale of packaged, premixed alcoholic-cannabis beverages and cannabis edibles must have a label stating "No elements that would associate the product with alcoholic beverages, tobacco products, or vaping products".²⁰

An important effect of consuming alcohol and cannabis is elevated THC (the main psychoactive component of cannabis) in the bloodstream (compared to using cannabis alone), which may enhance symptoms related to "greening out" (nausea, dizziness, vomiting) and increase impairment.^{21,22} Individuals who co-use alcohol and cannabis also tend to drink more alcohol, with consequences related to increased intoxication and risk of alcohol poisoning.^{21,23}

The sale of cannabis edibles are not expected to be a major part of SOP events given the stringent licensing requirements. However, the inherent portability and ease-of-use of cannabis edibles (compared to smoking or vaping) may encourage and facilitate its co-use with alcohol at SOP events. It is conceivable that patrons may use edibles before attending the event, bring and consume their own cannabis edibles or beverages, or use cannabis edibles in mixed drinks.

Mitigation Considerations

OPHA advises that municipalities revise their MAP to reduce the risk from the co-use of cannabis edibles and alcohol by patrons at events on municipal property. The following measures are proposed for consideration.

- Prohibit event staff from mixing alcoholic beverages with cannabis edibles or beverages for patrons
- Prohibit the consumption and use of alcohol and recreational cannabis by event staff during the event
- Require event staff to be aware of the potential harms of consuming alcohol and cannabis, including cannabis edibles and beverages, and their responsibilities with respect to patrons who are intoxicated from alcohol or other substances
- Require the posting of signage related to the harms of consuming alcohol and cannabis, including cannabis edibles and beverages

Note: In October 2019, SmartServe [updated](#) its curriculum to include issues related to recreational cannabis use, including recognising signs of cannabis intoxication. Event staff with older SmartServe certifications may not have received this type of training.

References

1. Wilkinson C, Livingston M, Room R. Impacts of changes to trading hours of liquor licences on alcohol-related harm: a systematic review 2005–2015. *Public Health Research & Practice*. 2016; 26(4).59.
2. Schofield TP, Denson TF. Alcohol Outlet Business Hours and Violent Crime in New York State. *Alcohol Alcohol*. 2013;48(3):363-9.
3. Kolosnitsyna M, Sitdikov M, Khorkina N. Availability restrictions and alcohol consumption: A case of restricted hours of alcohol sales in Russian regions. *International Journal for Alcohol and Drug Research*. 2014;3(3):9. Epub 2014-09-08.
4. Babor T, Caetano R, Casswell S, Edwards G, Giesbrecht N, Grube J, et al. (2010). *Alcohol: No ordinary commodity – research and public policy – Revised edition*. Oxford: Oxford University Press.
5. Burton R, Henn C, Lavoie D, O'Connor R, Perkins C, Sweeney K, Greaves F, Ferguson B, Beynon C, Belloni A, Musto V, Marsden J, Sheron N. A rapid evidence review of the effectiveness and cost-effectiveness of alcohol control policies: an English perspective. *Lancet*. 2016;Apr 15;389(10078):1558-1580. doi: 10.1016/S0140-6736(16)32420-5.
6. Public Health Agency of Canada. (2018). The Chief Public Health Officer's Report on the State of Public Health in Canada 2018: Preventing Problematic Substance Use in Youth. URL: <https://www.canada.ca/content/dam/phac-aspc/documents/corporate/publications/chief-public-health-officer-reports-state-public-health-canada/2018-preventing-problematic-substance-use-youth/2018-preventing-problematic-substance-use-youth.pdf>
7. Toronto Triathlon Festival. 2019 Event Schedule. Accessed: October 18, 2019. URL: <http://www.torontotriathlonfestival.com/event-schedule/>. [Text of reference: "All TTF participants receive a goody bag, a branded finisher's medal and plenty of post race food, including, if you're up for it, a free beer compliments of Steam Whistle."]
8. Barnes MJ. Alcohol: impact on sports performance and recovery in male athletes. *Sports Med*. 2014 Jul;44(7):909-19.
9. Vella LD, Cameron-Smith D. Alcohol, Athletic Performance and Recovery. *Nutrients* 2010, 2(8), 781-789.
10. Flores-Salamanca R, Aragón-Vargas LF. Postexercise rehydration with beer impairs fluid retention, reaction time, and balance. *Appl Physiol Nutr Metab*. 2014 Oct;39(10):1175-81.
11. Wijnen AH, Steennis J, Catoire M, Wardenaar FC, Mensink M. Post-Exercise Rehydration: Effect of Consumption of Beer with Varying Alcohol Content on Fluid Balance after Mild Dehydration. *Front Nutr*. 2016 Oct 17;3:45.
12. Stockwell T, Chikritzhs T. Do Relaxed Trading Hours for Bars and Clubs Mean More Relaxed Drinking? A Review of International Research on the Impacts of Changes to Permitted Hours of Drinking. *Crime Prevention and Community Safety*. 2009;11(3):18. Epub 170.
13. Vingilis E, McLeod AI, Stoduto G, Seeley J, Mann RE. Impact of extended drinking hours in Ontario on motor-vehicle collision and non-motor-vehicle collision injuries. *Journal of studies on alcohol and drugs*. 2007;68(6):905-11.
14. blogTO. Events: Toronto Raptors Tailgate Party. Accessed: October 18, 2019. URL: <https://www.blogto.com/events/toronto-raptors-tailgate-party-16/>.
15. Nelson TF, Lenk KM, Xuan Z, Wechsler H. Student drinking at U.S. college sports events. *Subst Use Misuse*. 2010 Oct;45(12):1861-73.
16. Abar C, Turrissi R, Abar B. Brief report: tailgating as a unique context for parental modeling on college student alcohol use. *J Adolesc*. 2011 Oct;34(5):1103-6.
17. Ramchandani VA, Kwo PY, Li TK. Effect of food and food composition on alcohol elimination rates in healthy men and women. *Journal of Clinical Pharmacology*, 2001 41(12),1345-1350.
18. Butt P, Beirness D, Gliksman L, Paradis C, Stockwell T. 2011. *Alcohol and health in Canada: A summary of evidence and guidelines for low risk drinking*. Ottawa, ON: Canadian Centre on Substance Abuse.
19. Government of Canada. Problematic Alcohol Use. Accessed: October 18, 2019. URL: <https://www.canada.ca/en/health-canada/services/substance-use/problematic-alcohol-use.html>
20. Government of Canada. Final regulations: Edible cannabis, cannabis extracts, cannabis topicals. Accessed: October 18, 2019. URL: <https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/resources/regulations-edible-cannabis-extracts-topicals.html>.
21. Wellington-Dufferin-Guelph Public Health. (2019). Cannabis Facts: Using cannabis with alcohol and tobacco: A risky combination. Accessed: October 17, 2019. URL: <https://www.wdgphe.ca/board-health/board-health-meetings/june-5-2019-agenda/cannabis-facts-using-cannabis-alcohol-and>
22. Ontario Agency for Health Protection and Promotion (Public Health Ontario), Meyer W, Leece P. Evidence brief: risk factors for simultaneous use of alcohol and cannabis. Toronto, ON: Queen's Printer for Ontario; 2018. URL: <https://www.publichealthontario.ca/-/media/documents/eb-risk-factors-alcohol-cannabis.pdf?la=en>
23. Government of Canada. Cannabis and your health: Get the Facts. Accessed: October 17, 2019. URL: <https://www.canada.ca/en/services/health/campaigns/cannabis/health-effects.html>

Additional Resources to Develop a Municipal Alcohol Policy

- British Columbia Ministry of Health. 2012. *A Local Government Guide to Creating Municipal Alcohol Policy*. URL: <http://www.health.gov.bc.ca/library/publications/year/2012/creating-municipal-alcohol-policy.pdf>.
- Canadian Centre on Substance Use and Addiction. 2019. *Municipal Alcohol Policy in Ontario: A Public Health Approach*. URL: <https://www.ccsa.ca/sites/default/files/2019-04/CCSA-Municipal-Alcohol-Policy-Ontario-2017-en.pdf>.
- Centre for Addiction and Mental Health, Public Health Ontario. 2013. *Making the Case: Tools for Supporting Local Alcohol Policy in Ontario*. URL: <https://www.porticonetwork.ca/documents/81358/128451/FINAL FOR WEB Dkt 487 2-Tools for supporting.pdf/2c941796-0027-4c49-9c42-0cac28028853>.
- Capital Health, Public Health Services. 2013. *Municipal Alcohol Policies: Options for Nova Scotia Municipalities*. URL: <http://www.cdha.nshealth.ca/system/files/sites/127/documents/municipal-alcohol-policies-options-nova-scotia-municipalities.pdf>.
- Centre for Addiction and Mental Health. 2003. *The Municipal Alcohol Policy Guide: A practical resource for successfully managing drinking in recreational settings*.
- Buffalo Bills. 2019. *New Era Field: Tailgate Policy*. URL: <https://www.buffalobills.com/news/bills-revamped-2019-bus-and-limo-parking-lot-policy-includes-new-fan-area-tailga>.

Appendix A. Additional Administrative and Operational Requirements for Tailgate Events Hosted on Municipal Property

Note: The following are additional administrative and operational requirements that a municipality may consider for the approval of Tailgate Event SOPs on municipal property. This list was compiled and adapted from a scan of tailgate policies adopted by US post-secondary institutions and professional sports teams and venues. Municipalities are encouraged to conduct their own review and consultations in developing their Tailgate Event SOP policies.

General requirements

- The sporting event is of municipal significance
- Approval for the Tailgate Event SOP is granted from a municipal council (i.e. not delegated approval from a clerk's office)
- Endorsement of the Tailgate Event SOP is received from the sporting event authority (e.g. owner/operator of teams, league)
- The sporting event is related to professional or semi-professional teams (i.e. sporting events related to post-secondary institutions are not permitted)
- Public notice is posted to inform local residents and businesses about the upcoming event, including details such as estimated number of participants and contact information to communicate public safety and nuisance issues related to the event

Requirements and restrictions related to event operations

- Physical space
 - Provision of adequate washroom facilities (including for patrons with disabilities) and recycling and disposal containers
 - Plan for cleanup and remediation
 - Venues that include bodies of water or swimming pools are not permitted
 - One car, one space policy (oversized vehicles must find appropriate spot)
 - First-come, first serve policy (no advance ticketing or saving of parking space)
 - No idling of parked vehicles
- Preventing excessive and underage drinking
 - Screen all exiting patrons for open alcohol containers
 - Wristband policy
- Safety and security
 - Plan to ensure the safety of patrons, staff, and the public when patrons travel from the Tailgate Event venue to the sporting event (e.g. event hosts must ensure that patrons do not consume alcohol while on their way to the sporting event venue)
 - Security deposit for post-event site cleanup and remediation
 - Plan for emergency evacuations
 - Plan for post-event vehicle traffic management
 - Documentation and reporting of incidents of violence, injury, drinking by minors, and all other contraventions of municipal permit terms
 - Staffing of all entrances and exits
 - Enhanced ratio of staff to patrons (e.g. using MAP guidelines as a starting point)
 - No consumption of alcohol or cannabis by event staff during the event
 - Maintenance of adequate clearance for access by emergency vehicles
 - Set limits on the number of patrons and vehicles; appropriate to the venue

- Plan to address any shortcoming in public transportation
- Plan to address public complaints related to the event, including complaints related to the behaviour of patrons of the event.
- Require that every vehicle where food will be cooked or heated has an operational fire extinguisher
- Charge a fee for entry with wristband policy
- Require proof of attendance at related sporting event (e.g. ticket, credentials)
- Alcohol delivery services are not permitted in the designated Tailgate Event area
- Hours of operation
 - Tailgate Event may start 3 hours before the start of the sporting event and must end before the start of the sporting event (tailgating during and after the event is not permitted)
 - Patrons must pack up their vehicles and belongings and clean up their area before the closing of the Tailgate Event (and beginning of sporting event)

Patrons are prohibited from bringing, using, or engaging in the following

- Alcohol use behaviour
 - Drinking games, paraphernalia, or activities that promote or facilitate rapid or excessive drinking
 - Kegs, half-barrels, pony kegs, or other multi-serve formats that facilitate rapid alcohol distribution and consumption
 - Glass bottles and drink containers (cups, mugs, etc.)
 - Sale of food or alcohol between patrons
- Behaviours and activities
 - Standing on vehicles (including pick-up truck beds) and sitting on vehicle roofs
 - Drones, kites, or other remote controlled or tethered flying objects
 - Skateboards, scooters, pogo sticks, rollerblades, bicycles, unicycles, and other motorised or non-motorised wheeled forms of transportation, including those that are improvised but excluding those which are required to accommodate a disability (e.g. wheelchair, mobility scooter)
 - Ball playing or any object throwing or kicking games in the vehicle parking area
 - Selling access to the event
- Cooking related
 - Open fires, wood burning, and use of charcoal
 - Deep fryers and any oil -based cooking
 - Commercial catering (e.g. food trucks)
 - Large, pull-behind grills or trailers
- Other
 - Use of fuel-based electric generators
 - Use and setting up of large electronic audio and video equipment, e.g. televisions, amplified sound systems, projectors, solar panels
 - Couches or upholstered furniture
 - Tents or awnings in the vehicle parking area
 - Carpets or other temporary ground covering in the vehicle parking area
 - Animals with the exception of service animals
 - Use of fireworks, baseball bats, golf clubs

- Distribution of or placement of flyers or brochures on vehicles
- Banners or signage identifying a business or business product
- Use of or creation of personal toilets or unregulated washroom facilities