



TOWNSHIP OF WELLINGTON NORTH

ALCOHOL RISK MANAGEMENT POLICY

DEPARTMENT	RECREATION	POLICY NUMBER	003.2015
EFFECTIVE DATE	October 20, 2014	LEGISLATIVE AUTHORITY	Municipal Act, 2001 s 398 (2) 2
APPROVED BY:	Blanket Resolution 2015-345, August 10, 2011 (Original Resolution 3) Resolution 2023-328		

PREAMBLE

The Township of Wellington North owns and manages facilities where alcohol consumption is not permitted and other facilities where alcohol consumption is permitted under the authority of a Special Occasion Permit. The Township of Wellington North has developed an alcohol risk management policy in order to prevent alcohol-related problems that arise from alcohol consumption within its facilities and to promote a safe, enjoyable environment for those who use these facilities.

A range of problems can arise from alcohol consumption. These problems can affect not only the drinkers but other people who use the facilities. These problems include:

- vandalism and destruction of property;
- police being called to municipal property;
- injuries to drinkers or other individuals; liability action and increased insurance rates arising from alcohol related injuries or deaths;
- loss of insurability should the insurer's risk assessment escalate;
- charges laid against the Township of the Special Occasion Permit holders under the Liquor License Act;
- loss of alcohol permit privileges by the Alcohol & Gaming Commission of Ontario;
- loss of enjoyment by non-drinkers and moderate drinkers
- complaints lodged by offended parties;
- loss of revenue due to reduced participation;
- and increased public concern about alcohol consumption.

In many instances, these problems will not be attributable to moderate drinkers or to those who respect the rules regarding alcohol consumption. The majority of these problems will arise from drinkers who engage in four specific drinking practices:

- a) drinking to intoxication;
- b) drinking and driving;
- c) underage drinking; and

d) drinking in prohibited areas

To the extent that these four drinking practices can be reduced, the likelihood of alcohol related problems will correspondingly diminish. For those who do not engage in these targeted drinking practices, the policy will be minimally intrusive. The policy is not intended to stand in opposition to legal and moderate drinking.

PURPOSE OF THE POLICY

The alcohol risk management policy consists of a range of measures designed to prevent alcohol related problems and to increase the enjoyment of those who use the facilities. By reducing the potential for alcohol related problems, the Township of Wellington North concurrently increases user’s enjoyment of the facilities, reduces the risk of death and injury and reduces its risk of liability actions. In this context, policy measures introduce barriers, which impede the adoption of the targeted drinking practices.

The policy is divided into four sections:

1. designation of facilities where alcohol use is prohibited;
2. designation of facilities where alcohol use is permitted;
3. specification of conditions under which alcohol use is permitted; and
4. enforcement procedures for violations of the policy

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SECTION 1 - AREAS DESIGNATED WHERE ALCOHOL USE IS PROHIBITED

The Liquor License Act of Ontario prohibits the consumption of alcohol in public places unless a License or a Special Occasion Permit has been issued. In accordance with the Liquor License Act, the consumption of alcoholic beverages is prohibited in the majority of parks, gardens, sports and service facilities and any municipally owned property in the Township of Wellington North except those specifically designated under Section 2. Township Council may change the designation of any site at its discretion. Users who seek permission to use facilities where alcoholic consumption is prohibited will be required to sign an agreement that people included in the activity or event will not be intoxicated or consume alcohol (see Appendix A).

SECTION 2 - AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL

There are facilities and area currently designated for alcohol use under the authority of a Special Occasion Permit (see Section 2.1). Wellington North Council may change the designation of any site at its discretion. Users who seek permission to use these facilities with a Special Occasion Permit will be required to sign an agreement stipulating the conditions of use (see Appendix B and C). The person renting the facility, or their designate, must hold the Special Occasion Permit.

2.1. Facilities for Special Occasion Permits

Mount Forest & District Sports Complex

Community Hall

Foyer in conjunction with
the Community Hall

Arena Floor

Lower Leisure Hall

Upper Leisure Hall

Plume Room

Meeting Room

Cork Street Park

Arthur Area Community Centre

Auditorium

Upstairs Community Hall

Arena Floor

Arthur Optimist Pavilion

SECTION 3 - CONDITIONS FOR SPECIAL OCCASION PERMITS

Anyone who wishes to serve alcohol at a designated site must complete an agreement form that stipulates the conditions under which alcohol may be served (see Appendix B). In addition, the responsible person must obtain a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario. The Special Occasion Permit holder must ensure that all the conditions of the Liquor License Act and this policy are adhered to at the event. The Township of Wellington North is under no legal obligation to allow licensed events to be held on its property. If the Township of Wellington North so chooses, it may impose on the event whatever

restrictions it deems appropriate in the circumstances.

All Special Occasion Permit holders are required to adhere to the following conditions.

3.1 Category: Control

- 3.1.1 The permit holder will accept any of the following six: only a driver's license issued by the Province of Ontario with a photograph of the person to whom the license is issued, a Canadian Passport, a Canadian Armed Forces Identification Card, a photo card issued by the board of the Alcohol and Gaming Commission of Ontario, a photo card issued by the Liquor Control Board of Ontario, or any other government document that bears a photo identification, as identification for alcohol purchase or consumption. Identification will be demanded at the door and rowdy or intoxicated individuals will be refused entrance.
- 3.1.2 The permit holder will provide to the Township of Wellington North a list of the bartenders, servers and monitors. The Township of Wellington North reserves the right to determine who can serve as bartenders, servers, or monitors.
- 3.1.3 The permit holder will ensure that the bartenders and servers do not serve alcohol to underage, intoxicated, rowdy or unauthorized people at the event. Permit holders ensure minors do not consume alcohol on the licensed premises.
- 3.1.4 There will be at least 1 monitor per **150** participants and 1 monitor for each entrance at the facility or area. Monitors will supervise the event, encourage legal and moderate drinking behavior and ensure that any problems that arise are dealt with appropriately.
- 3.1.5 The monitors, bartenders and servers will not consume alcohol during the event while they are serving, nor will they be under the influence of any alcohol consumed before the event.
- 3.1.6 The permit holder and Township staff will be responsible for determining when assistance is needed and requesting it from the appropriate authorities.
- 3.1.7 At the Renters expense; **all bartenders/servers and monitors/security** must be formally trained (posses a Smart Serve card or an S.I.P. certificate). Smart Serve security and bartenders (through the permit holder) must provide the Township of Wellington North with Smart Serve certification number before event and must have Smart Serve identification card present at event at all times. The Permit Holder will meet with facility staff to review our policy prior to facility usage for functions licensed under the Alcohol and Gaming Commission of Ontario.
- 3.1.8 The permit holder shall ensure that the occupancy load for the facility is not exceeded during the event.
- 3.1.9 Age of Majority and no minors policy for events will be at the discretion of the Township of Wellington North, except for Stag & Does which will be mandatory. Special circumstance policy for immediate family members to be determined in writing prior to event.
- 3.1.10 There shall be no more than four drinks sold per person after midnight.
- 3.1.11 Notice of "Last Call" shall not be used at any event.
- 3.1.12 Pyrotechnics of any kind are not permitted within the facility.
- 3.1.13 Extra time will not be given for time changes (i.e. Daylight Saving Time/Standard). Bar will

close at 1:00 a.m. regardless.

3.1.14 Bar closes at 1:00 a.m. without exception, including New Year's Eve.

3.1.15 Backpacks and similar items are strictly prohibited in our facilities.

3.1.16 Entertainment and/or disc jockeys will stop at 1:10 a.m.

3.1.17 Registered Security Companies must be hired, from a prepared list supplied by Township, to work at Stag & Does, at the renter's expense.

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 behavior, event organizers must supervise entrances and exits. By controlling entry, under age, 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 bartenders, servers and monitors, those who previously have over served, served minors or served intoxicated patrons can be asked not to participate in the event. A facility owner who failed to take such steps would be in a far more precarious legal position in any subsequent suit.

If injuries result from an event, the facility owner can be held liable and prosecuted under the Liquor License Act, regardless of any agreement with the permit holder.

3.2 Category: Sale of Alcohol

3.2.1 When tickets are sold for alcoholic beverages, there will be a limit of 4 per person at one time. Discounts will not be offered for the volume purchase of alcoholic beverages.

3.2.2 A sign will be posted at the bar and at the ticket counter stating the law on serving to intoxication.

3.2.3 The Township of Wellington North can limit the total amount of alcohol that can be purchased for the event, based on its length and the anticipated number of entrants.

3.2.4 The permit holder will refund any unused tickets at any time during the event.

3.2.5 **Jello shooters, or shooters of any kind are not permitted on the premises, as well as alcohol soaked or injected candy or fruit.**

Rationale:

By limiting the number of tickets or drinks participants can purchase at one time, the ticket sellers, monitors, bartenders and servers are provided with more opportunities to observe participants for signs of intoxication. Table consumption can be monitored by not selling rounds of large numbers of tickets – strip of twenty, for example.

3.3 Category: Low Alcohol and Non-Alcoholic Options

3.3.1 The permit holder will ensure that a minimum of 25% of the alcoholic beverages offered consist of low alcohol options (i.e., low alcohol beer, light wine, and low alcohol spirits). Non-alcoholic beverages will be available at no more than half the cost of the lowest cost

alcoholic beverage (i.e., \$2.50 per drink therefore pop is \$1.25).

Rationale:

Low alcohol beverages help prevent intoxication by providing responsible consumers with an opportunity to consume less alcohol and avoid becoming intoxicated while providing servers with a substitute drink for those nearing intoxication. A patron consuming a regular beer (at 5% alcohol) could drink two “extra light” beers (at 2.5% alcohol) to ingest the same amount of alcohol. Similarly, “light” beer (at 4% alcohol) represents a 20% reduction in alcohol intake.

3.4 Category: Accountability

3.4.1 The permit holder shall obtain and provide proof of a minimum of two million dollars liability insurance, naming the Township of Wellington North as an additional insured, at least two weeks prior to the event. The permit holder will indemnify and save the Township of Wellington North harmless from all claims arising from the permit or the event. The insurance limits required may be increased at the discretion of the Township.

Rationale:

If an individual is injured, and if the Township of Wellington North were to be found “jointly and severally” liable; the Township of Wellington North could end up paying the total judgment should the Special Occasion Permit holder be uninsured or inadequately insured. In addition to the expense to the municipality to defend any legal action, the municipality might have difficulty obtaining continued insurance coverage.

3.5 Category: Safe Transportation

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

- a) designated drivers selected from non-drinking participants at the event;
- b) designated drivers provided by the sponsoring group; or,
- c) taxis paid either by the sponsoring group or the participants

Rationale:

The risk of liability is high when an impaired 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 impaired person is with time. Coffee provided at the end of the evening only turns a sleepy drunk into a wide awake drunk and still unable to drive.

3.6 Category: Outdoor Events

3.6.1 All Public Special Occasion Permits which are categorized under the “Public Outdoor Event” designation, as approved by Municipal Council, will be added and abide by all provision of the current policy and any further amendments as approved.

3.6.2 All events approved and designated under Section 2 will require approved registered security companies be hired, from a prepared list supplied by Township, after 9pm and until closing

- 3.6.3 The cost of hiring security will be the responsibility of the renter.
- 3.6.4 Clerk's office will notify the appropriate Recreation Facility Manager and Recreation Support person upon application and if approval and designation is made by Municipal Council.

3.7 Category: Other

- 3.7.1 The Township of Wellington North reserves the right to introduce other conditions from time to time at its discretion.

SECTION 4 - ENFORCEMENT PROCEDURES FOR POLICY VIOLATION

4.1 Areas Where Alcohol is Prohibited

- 4.1.1 A violation of this policy occurs when individuals consume alcohol in a facility or area where alcohol consumption is prohibited. Group members, Township of Wellington North staff and the local authorities may intervene if there is a policy violation.
- 4.1.2 A group member may intervene by informing the offending individual(s) that the alcohol policy prohibits alcohol consumption and asking that the violation stop. Group members should feel encouraged to intervene in this way because intervention at other levels could result in a loss of privileges and legal charges.
- 4.1.3 A staff member of the Township of Wellington North will take steps to ensure the policy violation stops. Staff members can ask that the consumption of alcohol stop, or they can ask the individual or organized group to leave the facility or area, depending on the circumstances and the nature of the violation (especially if there is the potential for harm, for loss of enjoyment by non-drinkers, or for complaints). Should the individuals or group members fail to comply; the staff member can call the police for enforcement.
- 4.1.4 A member of the local police may intervene in a violation of this policy on his or her initiative or in response to a request either from any staff member or a member of the general public. The police officer may ask that the alcohol consumption stop, or can order the individuals or organized group to leave the facility or area. In addition, the officer may, at his or her discretion, lay charges against the offending individuals under the Liquor License Act of Ontario or any other relevant legislation. The police have the right to seize any alcohol that is used in the commission of an offence under the Liquor License Act.

4.2 Areas Where Alcohol is Permitted

- 4.2.1 A violation of this policy occurs when the Special Occasion Permit holders fail to comply with the conditions of the Liquor License Act of Ontario or this Alcohol Policy. Participants, Township of Wellington North representatives, and local authorities may intervene if there is a policy violation.
- 4.2.2 A member of the organization group or the designated monitor may intervene by informing the offending individual(s) of the policy violation and ask that it stop. Group members and monitors should feel encouraged to intervene in this way because intervention at other levels could result in a loss of privileges and legal charges.
- 4.2.3 A Township of Wellington North staff member will take steps to ensure the policy violation(s) stop. Depending upon the severity of the policy infraction, he/she may ask the organizers of the event or their designate to end the violation(s) or they will be closed

down. If this fails he/she is to call the appropriate Facility Manager, and/or the Director of Recreation for further instructions. . A detailed written staff report will be forwarded to the Director of Recreation upon completion of the event.

4.2.4 A member of the local Police or an Inspector from the Alcohol and Gaming Commission of Ontario may intervene in a violation of this policy on his or her initiative, or in response to a request from either a Wellington North employee or a member of the general public. Depending upon the severity of the infraction, charges may be laid under the Liquor License Act of Ontario or any other relevant legislation. The police have the right to seize any alcohol used in the commission of an offence under the Liquor License Act of Ontario.

4.2.5 Inspectors of the Alcohol & Gaming Commission of Ontario and Police will enforce the Liquor License Act.

4.3 Suspension of Privileges for Violations

4.3.1 The Council of the Township of Wellington North may take the following action against those persons who violate any terms and conditions of this policy.

- i) 1st violation – suspension of up to 24 months from further use of Township facilities
- ii) 2nd violation – suspended **indefinitely**

Any notification of the action shall be forwarded by the Township by registered mail to the last known address of the permit holder and/or person committing the offence.

4.3.2 Where a member(s) or organized group(s) have violated the policy, and have been notified of the violation, they may receive a registered letter stating the violation and indicating no further violations will be tolerated. Some violations are serious enough to warrant denial of access immediately. This decision may be made by the Liquor License Inspector, the police or at Council's discretion.

4.3.3 Where the Special Occasion Permit holder has violated this alcohol policy, and has been notified of the violation, they may receive a registered letter advising of the violation, and indicating that no further violations will be tolerated. Some violations are serious enough to warrant immediate shut down or denial of access. This decision may be made by the Liquor License Inspector, the police or at the discretion of a Council representative.

4.3.4 Should members of a group violate the policy after receiving a warning, the security deposit will be forfeited and they may be required to appear before Council or its' representative.



Township of Wellington North

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APPENDIX A GROUP ACTIVITY AGREEMENT

As contact person for:

Team / Group

1. I understand that alcohol cannot be consumed in Township of Wellington North facilities and areas in compliance with the Liquor License Act of Ontario and the municipal Alcohol Risk Management Policy.
2. I understand that if any member of my group is consuming alcohol in these facilities or areas, a registered letter of warning may be issued advising of the policy violation and indicating that no further violations will be tolerated. Independent action can be taken by the local police force, and the Liquor License Board at its discretion.
3. I understand that if any member of my group violates the policy, the security deposit may be forfeited and the group may be suspended from using any Township of Wellington North facility.
4. I will not allow anyone to compete or participate in the event if I suspect he or she is intoxicated or may otherwise be incapable of participating safely.
5. Prior to the use of these facilities, I will provide the Township of Wellington North staff with the names and addresses of the team captains/coaches or event organizers so that a brochure outlining the policy can be sent to them.

Name of "Person Responsible" on Liquor License

Date



Township of Wellington North

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APPENDIX B AGREEMENT FOR SPECIAL OCCASION PERMIT HOLDERS

1. I have received and reviewed a copy of the municipal Alcohol Risk Management Policy.
2. I agree to adhere to the conditions of this Policy and the liquor License Act of Ontario and the conditions attached as Appendix C.
3. I understand that if an infraction of the Policy occurs, the Township of Wellington North may issue a warning, retain any security deposit, and may suspend me or the organization from using any Township facilities, in accordance with clause 4.3 of the Policy.
4. I understand I can be held liable for injuries and damages arising from failing to adhere to the Liquor License Act of Ontario, or from otherwise failing to take action what will prevent foreseeable harm from occurring.
5. I understand that the local police or a Liquor License Board Inspector can lay charges for infractions of the Liquor License Act of Ontario or other relevant legislation.
6. I agree to obtain the appropriate insurance at least 2 weeks prior to the event and provide proof to the Township of Wellington North.
7. I agree to obtain servers, and monitors/security as a condition of this policy and provide names to the recreation administration office, two weeks prior to the event.
8. I understand I must provide a copy of the Special Occasion Permit to the Township of Wellington North two weeks prior to the event.
9. Occupancy load may vary. I agree to check with the Facility Manager prior to the event to obtain the correct occupancy load, to have the maximum load stated on the Special Occasion Permit and to enforce such occupancy load restrictions during the event.

Name of "Person Responsible" on Liquor License

Date



Township of Wellington North

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APPENDIX C GUIDELINES FOR SPECIAL OCCASION PERMIT HOLDERS

As the contact person for a Special Occasion Permit, your group can be held liable, among other things, for injuries and damages arising from failing to adhere to the Liquor Licence Act of Ontario. These conditions include serving someone to intoxication, serving someone who already is intoxicated, serving minors, failing to prevent impaired individuals from driving, failing to prevent impaired individuals from participating in potentially dangerous events, and failing to adequately manage rowdy or intoxicated patrons.

1. Monitor each entrance with one person, aged 19 or over. This allows staff to screen for identification and to ensure underage, intoxicated, rowdy or potentially troublesome patrons are not allowed entrance. It is easier to prevent problems if such people are not admitted to your event.
2. Monitor each exit with one security person, aged 19 or over. This allows the permit holder to take reasonable steps to prevent impaired people from driving. These reasonable steps can include using a designated driver either from the non-drinking participants at the event or from your group of helpers. Alternatively, it can consist of a taxi paid by either your group or the participants. If these efforts fail, staff may attempt to detain impaired drivers and call the police.
3. In order to reduce levels of intoxication and the rate of consumption, permit holders should encourage patrons to consume food, low alcohol beverages, and non-alcoholic beverages.
4. In order to reduce the risk of intoxication, avoid serving oversize drinks, double shots or spirits, or beer in pitchers. Do not allow drinking contests, volume discounts, or other marketing practices, which encourage increased alcohol consumption. **No jello shooters as well as alcohol soaked or injected candy or fruit.**
5. Ensure the facility is adequately lighted, signs are visible, and stairs 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. Take extra precautions in regards to stairs, balconies, elevators, swimming pools, skating rinks and other areas that pose special risks. Your group may be held liable if an accident occurs due to the physical set-up of the facility or area.
6. Prevent patrons from engaging in activities that pose potential risks of harm to themselves or others. As the organizer, you must take reasonable steps to prevent foreseeable harm

whether patrons are intoxicated or not.

7. Do not contravene the Liquor Licence Act by serving minors, intoxicated patrons, or by serving to intoxication. Ensure that bartenders are aware of their responsibilities. Smart Servers have the responsibility to deny alcohol service to any patron and management will support the servers' decision. By allowing this discretionary power, staff can defuse potentially troublesome incidents when patrons should not be served any more alcohol.
8. Support your serving staff, in helping them adhere to the Liquor Licence Act, by allowing them the flexibility of offering discounts on food or non-alcoholic drinks.
9. If an alcohol related violation occurs, act promptly to rectify the situation and restore adherence to the Liquor Licence Act. Whenever the Act is violated at your event, you are at risk of being charged. Even if no charge is laid, the fact that the Liquor Licence Act has been violated can be used to undermine your defence in any civil suit.