

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW 2000-18¹⁷

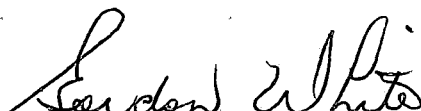
Being A By-Law to Adopt an Alcohol Policy for the Township of Westmeath

WHEREAS: Under the Liquor License Act, R.S.O. 1990, Chapter L19, Council of the Corporation of the Township of Westmeath deems it expedient to adopt a policy for the Regulations Governing the Use of Alcohol on Property of the Corporation of the Township of Westmeath.


NOW THEREFORE BE IT ENACTED

1. The Municipal Alcohol Policy for the Township of Westmeath attached hereto as "Schedule A" be adopted by Council.
2. That Schedule "A" form a part of this By-Law.
3. That this By-Law shall come into force on the date of passing.

PASSED and ENACTED this 21st Day of June, 2000



Reeve



Clerk

Schedule "A"

**TOWNSHIP OF WESTMEATH
MUNICIPAL ALCOHOL POLICY**

Regulations Governing
the Use of Alcohol on
Property of the Corporation
of the Township of Westmeath

June 21, 2000

Township of Westmeath Municipal Alcohol Policy

The Municipal Alcohol Policy represented by this document was tabled before Westmeath Township Council on June 21, 2000. It was reviewed and subsequently approved by Council on June 21, 2000. The regulations contained in the policy take effect on June 21, 2000.

The regulations govern events where alcohol is served under a Special Occasion Permit and other alcohol use that might take place on property owned by the Corporation of the Township of Westmeath.

Township of Westmeath Municipal Alcohol Policy

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Township of Westmeath Municipal Alcohol Policy

THE RATIONALE FOR A MUNICIPAL ALCOHOL POLICY

The Township of Westmeath owns indoor buildings and outdoor properties where alcohol use is not permitted (e.g. parking lots; dressing rooms and arena stands) and other facilities where alcohol use is permitted under the legal authority of a Special Occasion Permit (SOP). Accordingly, the Township of Westmeath has developed a Municipal Alcohols Policy (MAP) to govern alcohol use on its property and to achieve these important goals.

- 1) To prevent alcohol problems (e.g. intoxication; driving while impaired; and other inappropriate behavior) due to alcohol use on its property;
- 2) To reduce the risk of being sued as a result of alcohol use and associated injuries on its property;
- 3) To promote a safe and enjoyable environment for everyone who uses township properties and facilities.

1. AREAS ELIGIBLE FOR SPECIAL OCCASION PERMIT EVENTS

- a) The Westmeath arena ice surface (when there is no ice) and the upstairs community centre hall are designated as indoor facilities, eligible for Special Occasion Permit (SOP) events.
- b) The horseshoe pit area in a fenced-in area is designated as an outdoor space, eligible for SOP events.
- c) Other municipal property or facilities that are eligible for SOP events may be approved on an individual basis. Council therefore reserves the right to add other SOP sites based on their merit and compliance with the regulations outlined in this policy.

2. AREAS NOT SUITABLE FOR SPECIAL OCCASION PERMIT (SOP) EVENTS

- a) The arena change rooms, washrooms, ice surface stands, ball diamond stands and dugouts, parking lots and the boat launching area are not suitable for SOPs and consumption of alcohol is prohibited at all times in and at these locations.

- b) The municipal hall and fire hall are not suitable for SOPs.

3. YOUTH EVENTS AND SOPS

All events involving minors (i.e. the majority of the participants are under the legal drinking age) are designated as being unsuitable for SOPs

4. YOUTH ADMISSION TO ADULT SOP EVENTS

- a) SOP event sponsors have the authority to decide whether or not to allow under age youth to enter adult oriented SOP events.
- b) Underage youth must be accompanied by an age of majority person into a SOP event.

5 SIGNS

The following signs will be prominently displayed in SOP designated areas and facilities:

- a) Signs measuring approximately 18 inches by 6 inches stating:

“No Alcohol Beyond This Point Thank You”

- b) One (1) sign approximately 24 inches by 18 inches near the ticket sellers table, stating:

“The Westmeath Recreation Association strives to provide recreation facilities for the enjoyment of all members of the community. Our servers are required by law not to serve and intoxicated person or to serve anyone to the point of intoxication. We are pleased to provide low alcohol beverages, coffee, soft drinks and food items.”

- c) One (1) sign approximately 30 inches by 32 inches near bar and ticket sales area stating:

The Westmeath Recreation Association strives to provide recreation facilities for the enjoyment of all members of the community.

Our servers are required by law not to serve an intoxicated person or to serve anyone to the point of intoxication. We are pleased provide low alcohol beverages, coffee, soft drinks and food items.

You must be 19 years of age or older for bar service

The only acceptable proof of age is photo ID.

No last call.

“Full refund on all alcohol tickets during bar hours of the event.”

This sign will be placed on an easel between the bar and the ticket sales table during all SOP events.

- d) “Alcohol use in this area is prohibited, Thank you.”

To be placed in ball diamond area

- e) “This facility will be vacated by 1:45AM (except New Year)

To be placed in the SOP area.

- f) “Alcohol use in this facility is only permitted in areas designated and licensed for Special Occasion Permit events.”

To be placed in the arena lobby area.

- g) “Alcohol Usage in Arena Change Rooms is Prohibited”

To be placed in the arena change rooms and lobby.

6. SERVER TRAINING

- a) It is recommended that 50% of SOP event workers have received Smart Serve training.

However, in order to rent municipal facilities for SOPs, the sponsor/renter must demonstrate that at least one event worker has successfully completed the Smart Serve training program.

7. AVAILABILITY OF NO-ALCOHOL DRINKS AT SOPS

- a) No-alcohol drinks must be available at all times during SOP events. The availability of low alcohol drinks is recommended.

8. STANDARD ALCOHOL DRINKS

- a) At SOP events, only standard alcohol or low alcohol drinks will be served. Alcohol drinks above a standard drink are not permitted e.g. extra strength beers. The exception would be beers with 5.5% alcohol.

9. SAFE TRANSPORTATION

The sponsor/renter will be responsible for the safe transportation of SOP event participants. Some options available to the sponsor include:

- 1. calling a friend, relative or taxi to assist impaired driver/patrons;
- 2. promoting and advertising a designated driver program; this might include free no-alcohol drinks and other acknowledgments;
- 3. organizing a cadre of volunteer drivers available to all patrons
- 4. if necessary, calling the police to warn them about and to ask them to apprehend impaired drivers.

10. CONTROLS; REGULATIONS CONCERNING THE LEGAL AND SAFE USE OF ALCOHOL ON WESTMEATH MUNICIPAL PROPERTY.

The Westmeath Recreation Association (RA), or its representative approve the rental of the Community Centre (arena) to individuals or groups. The RA will ensure that renters are aware of the policy by giving each renter (event sponsor) a copy of the Westmeath Alcohol Management Policy. Renters will be invited to read the policy.

- ▶ the renter (sponsor) of the facility, acknowledged by signature, has received, read and understands the policy;
- ▶ the renter (sponsor) will abide by the controls/regulations contained in the policy.

These controls/regulations include:

- a) The event sponsor must obtain a SOP from the Alcohol and Gaming Commission of Ontario and show the permit to the RA or its representative at least five (5) days prior to the event.
- b) The event sponsor must provide a list of event workers to the RA or its representative at least five (5) days prior to the event. The Smart Serve registration numbers of the required number of trained event workers (at least 1)

must also be provided.

- c) The sponsor must ensure that all entrances and exits are properly monitored and that all alcohol remains within the licensed area.
- d) Acceptable identification to prove one's eligibility for the purchase and or the consumption of alcohol is restricted to an "Age of Majority card or a "Driver's License" with photograph.
- e) The person who signs the SOP application and the person signing the facility rental contract must attend at least part of the event and be responsible for overseeing the SOP event and making decisions in accordance with this policy.

The alternate(s), as written on the SOP application, is (are) also required to attend the event at times when, in place of the sponsor or renter of the facility, they will be responsible for the operation of the event.

- f) All event workers (sponsor, renter, door monitors, floor supervisors, servers, volunteer drivers etc.) should refrain from consuming alcohol prior to and during the shift(s). The holder of the SOP (usually the event sponsor) is responsible for deciding if event workers are capable of making informed decisions.
- g) The event sponsor and the facility renter, as "occupiers" will work co-operatively to ensure that the physical setting is safe for drinkers and non drinkers.

Section 3(1) provides that an occupier "owes a duty to take such care as in all of the circumstances of the case, entrants are reasonably safe while on the premises"

- h) The event sponsor and the facility renter will work co-operatively to ensure that participants at a SOP event will not engage in activities that could harm them or others.
- i) All alcohol must be served in plastic or paper containers or cans. Glass bottled beverages are to be dispensed into plastic or paper containers at the bar.
- j) Marketing practices, which encourage increased consumption, i.e. oversize drinks, double shots, pitchers of beer, drinking contests and volume discounts are not permitted under the Ontario Liquor Licence Act.
- k) Other than for events where alcohol is purchased directly from the bar tender or at events where the alcohol is provided for free, it is recommended that tickets for alcohol drinks be purchased from a ticket seller (e.g. at Westmeath days).

However, selling tickets slows down the rate of consumption as people are required to complete two steps before receiving their drinks. This time allows the ticket seller(s) and bar staff to notice and respond to signs of intoxication.

- l) Ticket sellers have the right to limit the number of tickets sold or to deny the purchase of alcohol.
- m) Unused tickets are redeemable for cash at any time during the event, up until the bar is closed.
- n) The Recreation Association reserves the right to require the presence of two (2) police officers for the duration of the event, the cost to be borne by the sponsoring group or individual. For events that do not have police in attendance, the OPP are to be notified before a security problem becomes out of control.
- o) A “free bar”, known as a private, no sale, SOP Event must comply with all the policies and regulations in the Westmeath Township’s alcohol policy.
- p) All event workers are encouraged to wear highly visible identification. Examples include a common hat, button or shirt.
- q) As a **general** rule, at each SOP event, there will be:
 - two (2) bartenders;
 - one (1 or 2) ticket seller(s);
 - one (1) door monitor for each entrance/exit in the facility being rented.

The final number of event workers will be determined in negotiation between the event sponsor and a representative of the Recreation Association.

Event staff will:

supervise the event;
encourage legal and moderate drinking and
ensure that any problems or difficulties are dealt with appropriately.

A **guide** for determining the appropriate number of event workers is provided below:

- a) 1 - 125 patrons

Two (2) or three (3) event workers, one of who must have a Smart Serve certificate.

b) 126 - 250 patrons

Two (2) or three (3) event workers, one of who must have a Smart Serve certificate.

c) 251 - 500 patrons

Three (3) to five (5) event workers, one of who must have a Smart Serve certificate.

d) 501 -1000 patrons

Six (6) to ten (10) event workers, one of who must have a Smart Serve certificate

(Please see policy component no 6, server training.)

- r) Individuals in costume at masquerade parties may be asked to identify themselves to event staff.
- s) There will be no "last call" announcement at any SOP event.
- t) The bar will close at the time specified on the SOP application and will not reopen.
- u) All entertainment must end prior to or at the bar closing time and no later than 1:15 am.
- v) The facility is to be vacated by 1:45am except for new years' celebrations.

11. CONSEQUENCES FOR FAILURE TO COMPLY WITH THIS POLICY.

1. At least one of the following has the right to enter and to be **available** for all SOP events.

Township of Westmeath elected official;
Township of Westmeath employee;
Recreation Association member;
or other designate

This person(s), on behalf of the municipality, has (have) the **authority** to demand correction or to shut down the event should infractions to the policy occur. Police, other members of the Recreation Association, the Clerk or Council can be called for assistance.

2. Recreation Association members, council members and municipal employees have the authority to intervene whenever they encounter a violation of the policy not covered by 11.1 above (e.g. drinking alcohol in dressing rooms, stands and other non SOP areas.) They can ask that the consumption of alcohol stop or they can ask the individual or organized group to leave the facility, depending on the circumstances and the nature of the violation. If the individuals or groups do not comply with the request, assistance can be obtained from the police or others referred to above, namely, Recreation Association members, township employees or Council members.
3. Infractions by individuals and or groups, violating the Township of Westmeath Municipal Alcohol Policy, will be discussed at the next meeting of the Recreation Association. The Association can recommend to Council appropriate action (e.g. refusing future rental of township facilities, barring individuals or groups from future use of township facilities.)
4. Any decision of Council will be communicated **in writing** to the party(ies) in question.

12. INSURANCE FOR SOP EVENTS

It is recommended that the sponsor of a SOP event purchase \$ 1,000,000 in alcohol liability insurance for the duration of the event.

13. REVISING THE MUNICIPAL ALCOHOL POLICY

The policy will be reviewed one year after its approval and then as needed. As new members join the Recreation Association, they will be given copies of the policy. Revisions to the policy will be forwarded to the policy will be forwarded to the Westmeath Township Council as suggestions in writing, for Council's consideration and approval.

14. IMPLEMENTING THE POLICY

The Recreation Association, in consultation with Council, municipal staff, recreation facility users and other related groups such as the Community Policing Advisory Committee will develop a program to inform people in the community about the policy and the regulations contained in it.