

# THE CORPORATION OF THE TOWNSHIP OF NIPISSING

## MUNICIPAL ALCOHOL POLICY



ADOPTED BY BY-LAW NUMBER 2010-51  
ENACTED: May 18, 2010

Schedule "A"  
To By-Law Number 2010-51

# CORPORATION OF THE TOWNSHIP OF NIPISSING

## MUNICIPAL ALCOHOL POLICY

### TABLE OF CONTENTS

PAGE 2

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#### **Part One: Introduction**

- A.** Nipissing Township Description
- B.** Goals of the Municipal Alcohol Policy
- C.** Objectives of the Policy
- D.** Background

#### **Part Two: Facilities**

- A.** Facilities Eligible for Alcohol Use Events
- B.** Guidelines for Alcohol Events

#### **Part Three: Management Practices**

- A.** Licenced Event – Personnel, Duties and Responsibilities
- B.** Before the Event: Responsibilities of the Sponsor/Permit Holder
- C.** During the Event: Responsibilities of the Sponsor/Permit Holder
- D.** Prevention Strategies
- E.** Signage Requirements

#### **Part Four: Enforcement Procedures and Penalties**

- A.** Immediate Action upon Non-compliance or Infraction of Policy
- B.** Short-term and Long-term Penalties

#### **Part Five: Appendices**

- A.** Nipissing Community Centre Rental Contract
- B.** Appendix "A" to Rental Contract – Type of Use and User Fees
- C.** Township of Nipissing Municipal Alcohol Guidelines – Pre-Event Checklist
- D.** Agreement: Special Occasion Permit Events
- E.** Guidelines for Special Occasion Permit Holders

## **Part One: INTRODUCTION**

### ***A. Nipissing Township Description***

The Township of Nipissing is predominantly rural in nature with seasonal and permanent residential uses. Commercial tourist uses can be found along the South Shore of Lake Nipissing as well as Ruth Lake, McQuaby Lake and Wolfe Lake. The Township of Nipissing has three hamlet communities (Sunset Cove, Nipissing and Commanda) located within its boundaries. The Township has approximately 1181 households and a population of 1612.

The Township of Nipissing Community Centre is located in the North section of the Township located near the Sunset Cove Hamlet area. The Community Centre is managed, operated and maintained by the Township of Nipissing. It employs one contract position for maintenance. Many events such as teas, socials, funeral luncheons, craft sales, meetings, suppers and liquor events licensed under Special Occasion Permits are held at the Nipissing Community Centre.

The Community Centre is owned by and is the responsibility of the Township of Nipissing. It is therefore contingent upon Council of the Township to ensure the safety and security of this facility and the events and activities happening therein.

### ***B. Goals of the Municipal Alcohol Policy***

Through the creation of this Municipal Alcohol Policy, it is the intention of the Council of the Township of Nipissing, by promoting the safe and responsible use of alcohol at events being held in municipal facilities to:

- i) protect our citizens, public property and municipal assets,
- ii) attempt to prevent problems that can arise as a result of alcohol consumption, and
- iii) foster an enjoyable environment for all who use our municipal facilities.

### ***C. Objectives of the Policy***

The Township of Nipissing's Municipal Alcohol Policy will:

ensure that the Renters/Users of the Nipissing Community Centre are aware of the potential problems and consequences associated with licenced events;  
make the Users aware of the requirements of the Liquor Licence Act and Regulations relative to Special Occasion Permit events;  
define the duties and responsibilities of the Renters/Users of the facility regarding licenced events;  
outline strategies to monitor and control licenced events to prevent the occurrence of problems;  
detail enforcement procedures and penalties resulting from non-compliance with the Policy.

It is the belief of the Township of Nipissing Council that implementing good management practices to require Renters/Users to be more cognizant of the potential harm and consequences of alcohol misuse and to use responsible serving practices in order to reduce excessive drinking and dangerous behaviours, will ultimately benefit the community through improved confidence in and support of the municipal facility, and will mitigate the risk of personal and/or municipal liability.

#### ***D. Background***

On October 23, 2001 the Council of the Township of Nipissing passed a Resolution regarding the implementation of a Municipal Alcohol Policy. Since that time a Committee was formed to investigate all aspects of a Policy. This Committee was made up of Council Members, Staff and Members of the Community. Letters were circulated to all organizations and an ad was placed in the media requesting individuals interested in participating in the Committee come forward.

Representatives from the North Bay and District Health Unit, the Ontario Provincial Police and the Centre for Addiction and Mental health were also invited to take part in the planning of the Policy. As of March 21, 2002 Council was still pursuing the development and implementation of a Policy.

A free Smart Serve Training session was also provided to all residents of the Township on Saturday, April 20, 2002 at the Nipissing Community Centre. 28 people attended the training session.

As of June 18, 2002 the Committee decided to take a fresh look at the approach to a Policy and started a process of developing guidelines for all Special Occasion Permit events taking place at the Community Centre. On October 9, 2002 Council received a submission of Guidelines and a revised Rental Contract for the Community Centre from Robert J. van der Wijst, municipal solicitor. On November 19, 2002 those guidelines were taken to Council for adoption but there were some concerns to be addressed.

As of January 19, 2010, edited rental contracts and guidelines for the Community Centre were adopted by Council with Resolution Number R2010-14. These guidelines pertain to events held under Special Occasion Permit at the Nipissing Community Centre and are in place to help direct Renters/Users of the Community Centre in the conduct of their events.

## **Part 2 FACILITIES – IDENTIFICATION AND DESIGNATION**

### ***A. Facilities Eligible for Alcohol Use Events***

- √ The Township of Nipissing Community Centre
- √ Heritage Park

### ***Facilities Not Eligible for Alcohol Use Events***

- X Fire Station 1 and Fire Station 2
- X Fitness Centre
- X Nipissing Township Museum
- X Township Garage
- X Township Office
- X Public Beaches
- X All municipally-owned green spaces, beaches, parks, streets, facilities, or buildings not specifically designed as eligible.

### ***B. Guidelines for Alcohol Events***

The Event Sponsor must obtain the appropriate 'Special Occasion Permit' from the Alcohol and Gaming Commission of Ontario (AGCO), and submit a copy of the permit to the Township Office at least 5 days before the event.

The Renter and Permit Holder must verify that they have been informed of and understand the Municipal Alcohol Policy, their obligations, and that they intend to comply with the requirements, by signing a rental agreement. Failure to do so will negate any agreement, and access to the facility will be denied, even if a Special Occasion Permit has been obtained.

The Permit Holder must purchase Third Party Alcohol Liability Insurance – for insurance coverage and protection for the sale and supply of alcoholic beverages. This policy must name the Corporation of the Township of Nipissing as an additional insured per coverage and be in the amount of \$2,000,000 based on Bodily Injury Liability and Property Damage.

The Permit Holder must provide a list of server-trained event workers to the municipal representative at least 5 days prior to the event.

The Permit Holder must confirm that he/she will be in attendance at the event for the duration of the event and will be responsible for making decisions about the operation based on the Municipal Alcohol Policy and the Liquor Licence Act of Ontario.

## **Part Three: MANAGEMENT PRACTICES**

### ***A. Licenced Event – Personnel, Duties and Responsibilities***

Facility Manager: The municipal employee who approves the rental of a municipal facility to an individual or group. This person must ensure that the renter is aware of the Municipal Alcohol Policy and its requirements.

Event Sponsor: The person who rents the facility for the purpose of holding an alcohol use event, must attend the event for the entirety of the event, ensure that an adequate number of properly trained staff are available, and co-ordinate and help the staff to monitor compliance with the Policy.

Permit Holder: The person who signs the alcohol permit (usually the Event Sponsor) must verify, by signing the hall rental agreement and supporting documents, that he/she has been informed of and understands the Municipal Alcohol Policy. This person is the general manager of the event, assuming responsibility and liability for its operation.

Bartenders: All must have recognized 'Server' training. Accept tickets for the purchase of alcohol drinks, serve the drinks in the approved cups, monitor for intoxication, and refuse service when a patron appears to be in or near an intoxicated state.

Door Supervisor/Monitors: A minimum of 50% of workers must have server training. Check identification to ensure no minors are served, watch for signs of intoxication to prevent intoxicated or troublesome persons from entering, monitor patrons leaving the event for signs of intoxication and recommend or arrange transportation options. Two (2) Door Supervisor/Monitors are required at the main entrance.

Floor Supervisors/Monitors: A minimum of 50% of workers must have server training. Monitor patrons behaviour, watch for signs of intoxication, respond to problems and complaints, and remove intoxicated persons, arranging safe transportation for them.

Ticket Sellers: All must have server training. Sell tickets for alcohol drinks to a maximum of 4 tickets per person per purchase, monitor for intoxication, refuse to sell to persons appearing to be at or near intoxication, refund tickets on request. Tickets will be sold from one location only at all events.

Special Security: Patrol the room, scan for potential trouble, notify permit holder and event staff of possible incidents, assist in handling disturbances.

#### **Required Ratio of Event Workers (minimum requirements)**

<b>Number of Participants</b>	<b>Bartenders</b>	<b>Door Supervisors</b>	<b>Floor Supervisors</b>	<b>Ticket Sellers</b>
<b>1 to 65</b>	1	2	2	1
<b>65 to 130</b>	2	2	2	2

**PLEASE NOTE:** The HALL is licensed by the LCBO for a MAXIMUM OF 130 PERSONS.

All staff at a licensed event must be of legal drinking age, and must refrain from drinking while on duty

***B. Before the Event: Responsibilities of the Sponsor/Permit Holder***

The event Sponsor must obtain the appropriate 'Special Occasion Permit' from the Alcohol and Gaming Commission of Ontario (AGCO), and provide a copy of the permit to the Township Office at least 5 days before the event.

The Renter and Permit Holder must verify that they have been informed of and understand the Municipal Alcohol Policy, their obligations, and that they intend to comply with the requirements, by signing a rental agreement. Failure to do so will negate any agreement, and access to the facility will be denied, even if a Special Occasion Permit has been obtained.

The Permit Holder must purchase Third Party Alcohol Liability Insurance – for insurance coverage and protection for the sale and supply of alcoholic beverages. This policy must name the Corporation of the Township of Nipissing as an additional insured per coverage and be in the amount of \$2,000,000 based on Bodily Injury Liability and Property Damage.

The Permit Holder must provide a list of server-trained event workers to the municipal representative at least 5 days prior to the event.

The Permit Holder must confirm that he/she will be in attendance at the event for the entirety of the event and will be responsible for making decisions about the operation based on the Municipal Alcohol Policy and the Liquor License Act of Ontario.

***C. During the Event: Responsibilities of the Sponsor/Permit Holder***

The Permit Holder must attend the event for the entirety of the event and be responsible for making decisions about the operation of the event based on the Municipal Alcohol Policy's and the Liquor License Act.

The Permit Holder is responsible for the operations of the event, and must refrain from drinking alcohol throughout the course of the event.

A minimum of 50% of all event workers must be server trained, and all bartenders and ticket sellers must be server trained, even if the alcohol is served free of charge.

The Permit holder must ensure adherence to the Municipal Alcohol Policy's specified ratio of event workers (See chart on page #6)

All event workers must refrain from drinking alcohol during the course of the event, or until they have completed their shift of work and their responsibilities have ended for the event.

Door Monitors must ensure that unruly or intoxicated persons are prohibited from entering.

Patrons must purchase drink tickets from a designated Ticket Seller. Ticket sales are restricted to a maximum of four (4) tickets per person per purchase. At 1 hour prior to bar closing, ticket sales must be restricted to 2 tickets per person.

To help control the event, Floor Supervisors must monitor the activity area and exits, and be available to Ticket Sellers or Bartenders if they need help to manage a person who is refused sale or service.

The must be no "last call" announced. *Entertainers, DJs, etc. must be advised of this rule.*

All entertainment must be ended and the bar closed by 1:15am.

11. The facility must be vacated by 1:45 am, in accordance with the Liquor License Act.

#### ***D. Prevention Strategies***

The goal of "prevention strategies" is to avoid over serviced and over-consumption of alcohol, and to prevent the harm that can result from excessive drinking.

The *Liquor License Act of Ontario*, Section 29 states: "No person shall sell or supply liquor or permit liquor to be sold or supplied to any person who is or appears to be intoxicated".

##### *Providing Food*

An adequate supply of food must be available to persons attending the event.

Chips, peanuts and other such snacks do not qualify as food. Food, at the very least, must include sandwiches, vegetables and dip, and other accompaniments

##### *Providing No-Alcohol Drinks*

Non-alcohol drinks must be available at no charge, or at a much lower cost than alcohol drinks.

##### *No Activities Promoting Drinking*

Practices that encourage increased alcohol consumption are prohibited (ie. Double shots, pitchers of beer, oversized drinks, drinking contests, volume discounts, Jello shooters, etc.).

##### *Serving in Safe Beverage Containers*

All drinks must be served in disposable paper or plastic containers. All bottles will be kept within the bar.

##### *Redeeming Unused Tickets*

Unused tickets will be redeemed for cash on demand until closing time, up to a maximum of four (4) tickets per person.



***E: Signage Requirements***

The following signs shall be prominently and permanently displayed in all municipal facilities designated as "eligible" for alcohol use events:

- a) Alcohol Ticket Sales:  
Four (4) Tickets  
Per Person at One Time  
One Hour Before Closing:  
Two (2) Tickets per Person
- b) No "Last Call" Announced  
Bar Closes at 1:00 A.M.  
Facility Must be Vacated by 1:45 A.M.
- c) Must be 19 Years or Older to  
Purchase and/or Consume Alcohol  
Valid Photo Identification Required
- d) Designated Drivers:  
We are pleased to offer you FREE  
No-alcohol beverages.  
Thanks for helping to reduce impaired driving.  
OPP will thank you at Roadside Spot Checks
- e) Alcohol  
Not Permitted In This Area

## **Part Four: ENFORCEMENT PROCEDURES AND PENALTIES**

### ***A. Immediate Action upon Non-Compliance or Infraction of Policy***

1. Event workers will exercise their authority to ensure that unruly or intoxicated persons are prohibited from entering the event.
2. Police will be called to deal with any person who becomes unruly or causes a disturbance during the event.
3. Event workers must report an infraction of this policy to police, if it is believed such action is warranted.
4. If participants are found to be drinking alcohol in a restricted area, such as the Fitness Centre, event workers must intervene and request that the illegal drinking cease. If the drinking continues in a restricted area, police must be called.
5. Any infraction of this policy or incident of disturbance must be reported to the Township Office on the next business day.

### ***B. Short-term and Long-term Penalties***

1. All reported infractions and disturbances will be reviewed by the Township of Nipissing Council at the next regular Council meeting.
2. If decided by Council, a letter will be prepared and mailed to the Event Sponsor and/or Permit Holder advising that future rentals will be revoked or suspended for a period of one year for a first instance. If Council deems it necessary or if there is a proven history of occurrences, rental privileges will be permanently revoked with notice by mail to the Event Sponsor and/or Permit Holder.
3. If deemed appropriate by Council, a letter may be mailed to the person causing a disturbance at an event advising that he or she is barred from entering an event at a municipal facility for a period of one year.
4. Event workers found contravening this Policy will be not be permitted to work at future alcohol events within municipal facilities.
5. Any person found to be contravening the Policy and subsequently barred from renting a municipal facility may request to speak before Council at a regularly scheduled Council meeting to discuss the issues.

**Part Five: APPENDICES**

***A. Nipissing Community Centre Rental Contract***

As Attached.

***B. Appendix "A" to Rental Contract – Type of Use and User Fees***

As Attached.

***C. Township of Nipissing Municipal Alcohol Guidelines – Pre-Event Checklist***

As Attached.

***D. Agreement: Special Occasion Permit Events***

As Attached.

***E. Guidelines for Special Occasion Permit Holders***

As Attached.