

 The Corporation of the Town of Oakville PROCEDURE Alcohol at Special Occasion Permitted Events	Procedure Number MS-PER-003-001	Page: 1 of 7
	Parent Policy No.: MS-PER-003 Author: Recreation and Culture Department Authority: CAO	
Section: Municipal Services Sub-Section: Permits	Effective Date: 2008 Jul 07 Review by Date: <i>5 years from approval date</i>	Replaces: 01-01-02 Last Modified: 2011 Nov 15

Purpose Statement

To define the conditions for Special Occasion Permitted events; to establish procedures to ensure a safe and managed approach for the consumption of alcohol at events held on Town property, and for enforcing violations of the Alcohol Policy and relevant procedure.

Scope

This procedure applies to all Town of Oakville ~~Special Event Permit holders, and facility rental~~ facility rental events occurring on town property where alcohol is served, ~~and generally applies to any town facility that is licensed for the sale and/or service of alcohol. In the case of a conflict between this procedure and the applicable Provincial rules and regulations, the Provincial rules and regulations take precedence.~~

Procedure

~~Any town property for which a Special Occasion Permit or liquor license has been obtained from the Alcohol and Gaming Commission of Ontario and for which the event organizer of such event has signed an agreement with the town, setting out the conditions of the town and the Alcohol and Gaming Commission of Ontario, is deemed suitable for Special Occasion Permit events, unless otherwise specified in this procedure.~~

A Director (or delegate) of the department having operational jurisdiction over a facility has the authority to approve or deny a proposed Special Occasion Permit event at a location(s) within or on the grounds of the town property under his/her jurisdiction.

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Special Occasion Permit Events are NOT permitted at the following locations:

- Municipal swimming pools;
- Parks and open space areas including children's playground areas, sport fields and related areas such as parking lots, unless a resolution from Council authorizes such an event, or the area is defined as an "outdoor beer garden" and the Director or designate of the department having operational jurisdiction over the facility has authorized the event;
- Events targeted exclusively to youth under 19 years of age.
- At a facility with an existing liquor license.

Conditions for Special Occasion Permits - Municipal Facilities

~~Rules and conditions for the provision/consumption of alcohol may vary, and are dependent upon the type of facility or event as well as conditions that the Town of Oakville may include from time to time.~~ The town reserves the right to vary or introduce additional conditions or restrictions at its absolute discretion.

1. Controls - The permit holder must:

- a) Obtain and sign the Special Occasion Permit application form from the Alcohol and Gaming Commission of Ontario;
- b) Obtain any necessary town permits;
- c) Ensure that all Bartenders have ~~obtained~~ a current and valid Smart ServiceServe Certificate in serving alcohol and that the bartenders have proof of their current and valid certification available at the event;
- d) Attend the event and ensure the operation is in accordance with the rules of the *Liquor Licence and Control Act*, applicable regulations, policy and procedures;
- e) Be on duty to ensure the physical setting is safe at all times. Any unsafe condition must be reported to ~~the facility supervisor~~ on-site facility staff and addressed appropriately;
- f) Ensure that no one under the age of 19 is served alcohol and that government-issued photo identification ~~or identification~~ in accordance with the *Liquor Licence and Control Act* (~~the only acceptable forms of identification~~) is shown when requested;
- g) Remain accountable and maintain a responsible level of sobriety and ensure that bartenders abstain from consuming alcohol;
- h) Ensure that the service area from where alcohol is being served is secured ~~on all sides by a single fence or wall of a minimum of three feet~~, so that no unauthorized person can access any stored alcohol,
- i) Ensure entrances and exits to the event area and attendees at the event are properly supervised;
- j) Ensure no one consumes alcohol in an unauthorized location(s);
- ~~k) Ensure that all entrances and exits to the event area are adequately supervised by licensed security staff;~~
- ~~h)k) Ensure that ~~food and~~ non-alcoholic and low alcohol beverages are available at all times. ~~The cost of non-alcoholic beverages must be significantly lower than alcoholic drinks, and must comply with the Liquor Licence Act, and at least 30% to 35% of the available alcohol must be low-alcoholic drinks.~~~~

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2. The following original documentation ~~and one copy~~ must be provided to the appropriate municipal representative, at least two (2) weeks prior to the event. ~~Copies to be maintained by the appropriate municipal representative for file purposes:~~
- a) Special Occasion Permit;
 - b) A list of bartender(s) serving at the event, who have ~~completed the “Smart Serve” training along with a photocopy of the~~ a valid and current “Smart Serve” certificates ~~of such bartenders, and~~ ensuring that there will be a minimum of one (1) bartender for every 100 patrons;
 - c) Proof of insurance in accordance with criteria outlined in # 5 “Insurance and Indemnification”.
3. Bar Rules
- a) A maximum of two (2) drinks/tickets may be purchased by an individual at any one time. Alcohol shall not be left available for self service.
 - ~~b) For safety reasons, alcoholic beverages must be served in plastic or non-breakable containers.~~
 - ~~e)b)~~ _____ The event sponsor shall allow the ~~redemption of unused tickets for cash~~ refund of unused tickets at any time during the event.
 - ~~e)c)~~ _____ Bartenders reserve the right to refuse service and the permit holder has the right to refuse admittance to persons who are underage, or to an individual who appears intoxicated.
 - ~~e)d)~~ _____ There will be no “Last Call”. Hours of operation of the bar must be posted.
 - ~~f)e)~~ The bar must close no later than 1:00 a.m. ~~and all evidence of sale must be removed within~~ All drinks must be cleared from the event area 45 minutes of the bar closing. Any requests for a later closing must be ~~filed and~~ preapproved by the Town of Oakville a minimum of seven (7) days in advance.
 - ~~g)f)~~ Signage - An approved town sign, in accordance with Appendix B, shall be displayed in a prominent location where alcohol is to be sold or distributed ~~in any manner;~~
 - ~~h)g)~~ _____ ~~A town approved~~ The town encourages that a -“Designated Driver” program ~~must be in effect;~~ is promoted to event participants and that alternative means of transportation be made available to individuals suspected to be intoxicated.
 - ~~i)h)~~ Non-alcoholic beverages must be provided for designated drivers free of charge;
 - ~~j)i)~~ All prices charged for alcohol must comply with the *Liquor Licence* and Control Act.
 - ~~k) Provide an alternate means of transportation for those who are suspected to be intoxicated (i.e. call a friend, relative or taxi);~~
 - ~~l) Call police to report a driver who is suspected to be impaired.~~
 - ~~m)k)~~ _____ All facilities must be vacated by 2:00 a.m. ~~unless otherwise negotiated with the facility supervisor.~~ If a later closing time is preapproved, the closing time will be adjusted accordingly.
 - ~~n) All event workers must wear a form of identification as supplied by the event organizer.~~
 - ~~o)l)~~ Marketing practices which encourage increased consumption, such as oversize drinks, double shots or spirits, drinking contests and volume discounts are not permitted.
 - ~~p)m)~~ _____ Free alcoholic drinks shall not be advertised.
4. Security
- a) At least one municipal representative with authority to demand correction and/or to shut down an event on behalf of the corporation will be available for the duration of all Special Occasion Permit events.

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- b) Licensed security services and/or paid duty police officers may be required at the event. Security measures will be determined on a case-by-case basis in consultation with the Halton Regional Police Services. The permit holder is responsible for any expenses incurred for security requirements.

5. Insurance & Indemnification

- a. The permit holder of a Special Occasion Permit event must show proof that they have a minimum of five million (\$5,000,000) liability insurance coverage and that the Corporation of the Town of Oakville is named as an additional insured, at least two (2) weeks prior to the event.
- b. The permit holder shall indemnify and save harmless the Town of Oakville from any and all claims, in connection with the holding of an event involving the serving of alcohol at municipal properties. Such claims include but are not limited to demands, causes of action, losses, costs or damages that the Town of Oakville would otherwise suffer, incur or be liable for, resulting from the organizer(s)', sponsors', staff's, [authorized third party vendors\(s\)](#) and agents' performance, actions and negligent acts or omissions.

6. Violations

- a) If the Municipal Alcohol Policy or Procedure is violated, or any law is broken, there will be consequences for the permit holder. ~~This may include, but is not limited to, up to and including cancelling or closing the event, or~~ withdrawal of privileges to hold future events at municipal properties. ~~Town staff may at their discretion close down the event immediately and/or refuse to issue future facility permits to the event organizers.~~
- b) A violation occurs when the Special Occasion Permit holder fails to comply with the conditions of the *Liquor Licence [and Control](#) Act*, ~~or~~ the Alcohol Policy and procedure, ~~or other -event conditions outlined in the Facility Rental Contract.~~
- c) Intervention can be initiated by a Town of Oakville staff designate, event staff, a member of the Halton Regional Police or an inspector of the Alcohol and Gaming Commission of Ontario.
- ~~d) As a member of the organizing group, the permit holder is encouraged to intervene by informing the offending individuals of the policy violation and ask that it stop.~~
- ~~e) Contravention of the Town policy and procedure may result in prohibition of future use of Municipal property.~~
- ~~f)d) Should a violation of the [Municipal Alcohol p](#)Policy or -procedure occur, town staff will follow the procedures as listed below:~~
- ~~• **First Minor Offence Occurrence:** The facility supervisor~~[On-site Town of Oakville staff](#) will advise the event sponsor of the violation ~~and request immediate corrective action and that no further violation shall be tolerated and that charges/costs may be incurred.~~
 - ~~• **First Serious Offence:** Rental privileges shall be revoked immediately for any serious altercation (i.e. serving without a proper licence, loss of control, total neglect of the facility etc.). An investigation will also take place to gather all information.~~
 - ~~• **Second Offence Occurrence:** Should the Special Occasion Permit holder violate the policy a second time,~~[At the discretion of the on-site Town of Oakville staff member the event may be cancelled or ended immediately.](#) ~~organizers and/or the organization will be suspended from Special Occasion Permit privileges at all municipal properties for a minimum of one year at the~~

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~~discretion of the Town. The Special Occasion Permit holder will be advised in writing of the suspension.~~

References and Related Documents

Municipal Alcohol Policy
Special Event User Guide;
[Liquor Licence Act, R.S.O. 1990, c. L.19.](#)

Definitions

Alcohol: ~~Spirits, wine or beer, or any combination thereof and includes any product of fermentation or distillation in a form appropriate for human consumption as a beverage, alone or in combination with another matter.~~ [a product of fermentation or distillation of grains, fruits or other agricultural products, and includes synthetic ethyl alcohol; \(“alcohol”\)](#)

Event Area: The area identified by a permit from the property owner where the event will take place.

Licensed Area: The area identified by a permit from the Town of Oakville where alcohol will be allowed to be in possession by event participants, as per the conditions of the permit(s) and Special Occasions Permit.

Property/Properties: Any Town of Oakville owned or leased lands, facilities, buildings and structures.

Service Area: The area identified by the Special Occasion Permit (~~SOP~~) where alcohol will be stored and served, ~~as per the conditions of the permit(s) and the SOP.~~

Smart Serve: The Smart Serve training program offered by Smart Serve Ontario, a division of the Hospitality Industry Training Organization of Ontario. The Smart Serve program is the only responsible beverage service training program that is recognized by the Alcohol and Gaming Commission of Ontario. It has been designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as in bars, restaurants, banquet halls and other public facilities.

Special Occasion Permit: a permit issued by the Alcohol and Gaming Commission or Registrar of Alcohol and Gaming. The Special Occasion Permit authorizes the holder to sell or serve liquor on a prescribed special occasion. Prescribed means prescribed by the regulations made under the [Liquor Licence and Control Act](#). A Special Occasion Permit does not allow consumption of alcohol at Town of Oakville properties except in accordance with this procedure.

Special Occasion Permit Event: any event held on Town of Oakville property at which alcohol will be served and/or sold under the authority of a Special Occasion Permit.

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Responsibilities

A Special Occasion Permit holder or an event designate has the responsibility to fulfill requirements of the provincial legislation and regulations and the procedures and conditions established.

[This procedure is to be followed by Recreation Staff when working with the Special Occasion Permit holder, under the supervision of the appropriate Manager or designate.](#)

Appendices

Appendix A – Required Signage for Special Occasion Permit Events

<https://www.agco.ca/general/monetary-penalties>

<https://smartserve.ca/>

Appendix A

A sign that includes the following wording shall be displayed in a prominent location where alcohol is to be sold or distributed in any manner.

House Rules for Your Health & Safety

All bartenders have earned a Smart Serve Certificate for the service of alcohol.

Bartenders reserve the right to refuse service – the servers are required by law not to serve anyone they observe to be intoxicated, or to serve anyone to the point of intoxication.

No one under the age of 19 shall be served alcoholic beverages.

A maximum of two (2) drinks/tickets may be purchased by an individual at any one time.

You are encouraged to participate in a Designated Driver Program.

We support the R.I.D.E. program.