



## Municipal Alcohol Policy

<b>Section</b>	<b>Date</b>	<b>By-Law Number</b>	<b>Page</b>	<b>Of</b>
Legislative Services	May 20, 2014	65-2014	1	25
<b>Subsection</b>	<b>Repeals By-law Number</b>		<b>Policy Number</b>	
Municipal Alcohol	51-2013		LS-3-1	

### **Purpose**

This policy was developed in order that as many people as possible can enjoy City facilities in a manner that ensures the health and safety of the participants as well as the protection of the municipality.

### **1.0 Definitions for the Municipal Alcohol Policy**

#### Applicant

Means - any person or organization applying to hold an event on City property and includes the person or organization on whose behalf such persons apply or seek permission to hold the event, the person whose name is listed as the permit holder on a Special Occasion Permit, and the person listed as a sponsor on a Caterer's Endorsement for such event.

#### Caterer's Endorsement

Means - a Caterer's Endorsement, is issued by the AGCO and permits the sale and service of beverage alcohol at an event that is in an area other than a licensed establishment. The catered event must be sponsored by someone other than the license-holder.

#### City Staff

Means - where there is a reference to reporting to, or contacting staff of the City of Kenora means the City of Kenora staff identified by the City as the contact for either M.A.P. purposes or the facility or premises in question as the context requires.

#### Delegate, in reference to the Event Applicant or Organizer

Means - an employee, agent, servant, representative, partner or other individual designated by the Event Organizer to manage the Event or to ensure compliance with the Event Organizer's responsibilities under the M.A.P.

## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	2	25

### Event

Means - any gathering, of any kind, whether social, business or otherwise on City property. The event may include the set-up, tear down, clean-up and other activities that occur in, on or around any City properties related to the preparations for, conduct of or finalization of the event and use of City property.

### Event Worker

Means - any representative, agent, partner, employee, servant, contractor or other individual or entity working on the Event for the Event Organizer, and includes volunteers, the Event Organizer, an Event Organizer's Delegates, Servers and Floor Monitors, Ticket Sellers, Door Monitors

### M.A.P.

Means - the City of Kenora's Municipal Alcohol Policy

### Monitor

Means - an Event Worker for purposes other than being a Server.

### Outdoor Events

Means - those which take place outdoors **or** in a temporary structure, such as a tent or marquee. The Whitecap Pavilion is a permanent structure and NOT considered a tent or marquee.

The outdoor area must be clearly defined and separated from unlicensed areas by a minimum 36" (0.9m) high partition. This separation applies for alcohol related events taking place under the Whitecap Pavilion.

### Server

Means - an Event Worker serving or selling alcoholic beverages or selling or providing tickets for redemption for such alcohol, or who is acting as a bartender.

### Special Occasion Permit (SOP)

Means - a permit is needed **any** time liquor is offered for sale or given away **or** served **anywhere** other than in a licensed establishment or a private place. Private place is an indoor area usually not open to the public and not open to the public during the event (for example, a residence or private office).

Special Occasion Permits are for **occasional**, special events only, and not for personal profit. If you intend to serve liquor for personal profit, you must obtain a liquor sales licence. A permit may be revoked if the Registrar has reason to believe the event is being used for personal gain.

## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	3	25

Definitions of Types of Events and Requirements under the Alcohol and Gaming Commission of Ontario Special Occasion Permits are either Sale or No Sale and are issued for specific types of events.

### Sale

Means - a Sale permit is required for events where money is collected for liquor through:

An admission charge to the event;  
Admission or liquor tickets sold to people attending the event; or  
the collection of money for liquor before the event.

When you buy liquor for your sale event, you will be charged an additional levy fee because you are reselling the liquor. The levy assists you as you will not have to collect or remit sales tax on the liquor you sell at the event. Levy receipts for all liquor purchases must be readily available for inspection by AGCO Inspectors or police.

As the holder of a sale permit for a Reception, Trade Show or Consumer Show Event, you may not profit directly or indirectly from the sale of liquor at the event.

### No Sale

Means - a No Sale permit is issued when:

Liquor is served without charge;  
No money is collected directly or indirectly for liquor from guests; and  
The permit holder absorbs all the cost.  
No levy fee is charged on liquor for a no sale event.

### Private Reception (Sale and No Sale)

Means - Receptions are private events for invited guests only.

Notification is limited to invited guests only and must not mention the availability of liquor.

The general public must not be admitted to a reception event.

Reception events cannot be advertised to the general public.

### Public Event (Sale)

Means - Public Event permits can be issued:

To a registered charity under the Income Tax Act (Canada); to a non-profit organization or association organized to promote charitable, educational, religious or community objects; or for an event of municipal, provincial, national or international significance. These events may be held to raise funds for charitable, educational, religious or community objects.

**Municipal Alcohol Policy**

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	4	25

**Note: Individuals cannot fundraise by selling liquor.**

A Special Occasions Permit holder that is not a registered charity or non-profit organization or association may hold a Public Event if the event is:

- An event of municipal, provincial, national or international significance; OR
- An event of municipal significance and is designated by municipal council through the clerk’s office as an event of municipal significance. A duly authorized letter from the City Clerk’s Office shall suffice where a Council Resolution is requested to be included with a permit application.

**2.0 Areas Designated for Conditional Use of Alcohol**

Any building or property owned by the City of Kenora may be eligible for Special Occasion permit/Caterer’s Endorsement provided the regulations of the City of Kenora Municipal Alcohol Policy and said property and/or building regulations are adhered to and the request is reasonable and does not interfere with the intended purpose of the facilities core function.

Designation of Public Events that must be considered “municipally significant” for the purposes of application for a Special Occasions Permit can be done so through the authority of the office of the City Clerk. Council of the City of Kenora delegates its authority to the City Clerk to issue, at the Clerk’s discretion, the necessary approval letters for the Alcohol and Gaming Commission of Ontario to issue Special Occasions Permits to various persons or organizations as required for events taking place on municipal property in accordance with the Municipal Alcohol Policy.

In order to be eligible to rent a municipally owned facility, the applicant shall be 19 years of age and demonstrate to the satisfaction of the facility representative that he/she has read the City of Kenora Municipal Alcohol Policy, signed, and agreed to comply with the conditions set forth in this Policy.

The City of Kenora will not consider application for the service of alcohol for any public event where children, youth and/or family are the focus. Private events will be considered on an individual basis under the terms of this policy.

Any individual or organization bringing alcohol on designated City of Kenora facilities and properties must have a Special Occasion Permit and before obtaining a Special Occasion Permit must have prior approval of the City of Kenora, from the applicable Manager or designate responsible for the municipal building or property being utilized for that purpose.

## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	5	25

### 3.0 Event Signage

A positive message, referring to the Municipal Alcohol Policy and its slogan, shall reinforce the perception that the Municipal Alcohol Policy is a desirable asset to the community.

Signs provide authoritative support to servers and supervisors should they have to refuse service to consumers approaching the point of intoxication. In Ontario it is illegal for anyone to serve a person to the point of intoxication.

The following wording/signs shall be prominently displayed in Special Occasion designated facilities. The signs may be provided by the City of Kenora and where necessary shall be erected by the Special Occasion Permit/Caterer's Endorsement holder.

1. All Special Occasion permits/Caterer's Endorsements holders shall make available their acquired liquor license or special occasions permit and receipts of purchased liquor.
2. Signage Provided by The City of Kenora-
  - The City of Kenora 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.
  - Event applicants are pleased to provide low and non-alcoholic beverages as well as food items.
  - The Municipal Alcohol Policy states that there shall be a limit of six (6) drink tickets sold at any one time.
3. Event Organizer's Safe Transportation Strategy (see section 4.0)

### 4.0 Safe Transportation Strategy

The risk of liability is especially high when an intoxicated patron leaves an alcohol related event. Safe transportation options are essential since the only way to sober up an intoxicated person is with time.

Event organizers shall be responsible for providing safe transportation options for all drinking participants at the event. (Special Occasion Permit Holder Agreement - Appendix "E").

## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	6	25

These safe transportation options may include:

- The requirement to have a designated driver strategy. Your strategy may include information such as the names of the person(s) that could use a personal vehicle to drive impaired participants to a place of safety.
- The promotion of taxis, buses, or other forms of alternate transportation; and/or,
- Transportation provided by the event sponsor.
- Post warnings that police will be called should impaired drivers attempt to get behind the wheel of a vehicle.
- If necessary, call police to warn or apprehend the impaired driver.

If an uncontrollable situation develops in relation to intoxicated patrons driving their/others vehicles, the applicant, servers or security designate, or if present an approved City representative, shall call the police and request that the intoxicated patrons be apprehended to ensure they do not drive while intoxicated.

The provision of a taxi service alone is not a substitute for a safe transportation driver strategy. Applicants shall ensure other forms of transportation are also available.

**The applicant shall remain on the premises until all the patrons have left the premises by a safe and satisfactory means of transportation.**

### **5.0 Service of Non-Alcoholic Beverages and Food Items**

In order to be eligible to rent a municipally owned facility the applicant shall demonstrate to the satisfaction of the facility representative that non-alcoholic beverages and an adequate supply of food shall be available to persons attending the event. Snacks such as chips, peanuts or popcorn are not an acceptable substitute for this requirement. Appendix "G" must be completed and submitted as part of the agreement to this policy.

### **6.0 Certification/Training - Smart Serve Program**

In order to allow the usage of a City of Kenora facility or property for a Special Occasion Permit function, the event sponsor must use bartenders, servers, alcohol ticket sellers, and door monitors with certification from a recognized Ontario-based server program. Caterers are required to have all personnel who have contact with the sale or service of alcohol trained under the Smart Serve Program.

When event workers are supplied by the facility renter, Smart Serve Program certification must be provided seven (7) days prior to the event to the designated City staff (see Appendix "C").

## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	7	25

If certified event staff is not available for all positions a non-certified event staff must be paired with a certified event staff. Anyone working on their own must be certified. Example: A floor supervisor standing on their own must be certified. Two ticket sellers sitting at the same table one shall be certified the other may be uncertified. Door staff must be 19 and certified (see Appendix "A")

Those individuals who are 18 years of age and are legally entitled to serve alcohol and are server certified (Smart Serve) will be permitted into an age of majority event only for the purpose of volunteering or working the event; and only under the supervision of another age of majority volunteer that has Smart Serve. . Individuals who are 18 years of age must leave any age of majority event as soon as their service is complete.

The City of Kenora, by requiring the presence of trained bartenders, servers, alcohol ticket sellers and door monitors at alcohol related events (Appendix "A" ), is better able to manage the risk and responsibilities as the owner of the facility.

### **7.0 Youth Admittance to Events where alcohol is being served**

In order to be eligible to rent a municipally-owned facility, the applicant shall agree that persons under the Ontario legal drinking age shall not be admitted to public adult/age of majority social events where alcohol is *available* and also that persons under the Ontario legal drinking age shall not consume alcohol at any event.

For certain functions it may be permissible to allow minors into a facility where alcohol is being served. **Permission for a variance shall be made through the City Clerk's office.** This variance is for the purpose of a family social function (i.e. wedding, anniversary, entertainment staff performing, sports tourism event, etc.) or community event were children and youth are part of the overall event.

Anyone who appears to be under the age of 25 shall be required to show a Government issued document with a photograph as identification before they are allowed into an age of majority event/facility. In some cases it may be necessary to show at least two acceptable pieces of identification.

Individuals under the age of 19 shall not be allowed to consume alcoholic beverages. Anyone serving individuals under the age of 19 shall be required to leave the event and will be charged by the appropriate authorities.

Likewise, anyone consuming alcohol under the age of 19 shall be required to leave the event, and will be charged by the appropriate authorities.

## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	8	25

### **8.0 Strategies and Controls for Preventing Problems**

In order to be eligible to rent a municipally-owned facility for a special occasion permit/caterer's endorsement event, the applicant shall demonstrate to the satisfaction of the facility representative that the Municipal Alcohol Policy is understood, that the regulations shall be strictly observed, and that sufficient controls are in place which shall assist in ensuring compliance with the Policy. A signed copy of the policy must be provided to the municipal representative prior to the event demonstrating that this policy has been read, understood and there is agreement to comply with the rules stated herein (Appendix "E").

The event applicant shall obtain a special occasion permit from the Alcohol and Gaming Commission of Ontario and shall provide a copy of this (or caterer's endorsement) to the facility representative prior to the event and make readily available throughout the time of the event.

The Special Occasion Permit and levy receipt (for liquor sale events) must be available upon request during the entire time the event is in progress. The form naming the designate must be posted with the Special Occasion Permit.

### **9.0 Special Occasion Permit Holder Responsibilities**

- 9.1 The Special Occasion Permit holder must assume responsibility for any incident or violation of the Policy that may endanger participants at the Special Occasion Permit function. The event applicant and facility staff shall ensure that the physical setting is safe for both drinkers and non-drinkers.
- 9.2 The Special Occasion Permit holder or designate who shall be named on a form provided by the Registrar of Alcohol and Gaming Commission of Ontario, must be present for the duration of the entire event. The Special Occasion Permit must be submitted to the designated City Representative at least seven (7) days prior to the event.
- 9.3 The Special Occasion Permit holder/Caterer or designate is responsible for decision-making during the event, and therefore, must refrain from alcohol consumption while performing this role. The event applicant as well as event monitors and servers shall refrain from consuming alcohol before the event and while on duty during the event. Special Occasion Permit/Caterer's endorsement holders, and event applicants, shall monitor all staff and volunteers involved with the serving and security of alcohol while on duty.



## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	9	25

- 9.4 The Special Occasion Permit holder must follow the event worker ratio as outlined in Appendix "A".
- 9.5 When event workers are supplied by the facility renter, the Special Occasion Permit holder must provide a list 7 days prior to the event of door monitors, bartenders, servers and alcohol ticket sellers with their proof of certification and that such list shall be posted with the group's Special Occasion Permit (Appendix "C").
- 9.6 All event workers must be of the age of majority, and where required, recognized as certified under a Smart Serve program. Age of majority for serving is 18 years old but for drinking alcoholic beverages it is 19 years old. This would exclude food catering and kitchen staff if not involved in the service of alcohol.
- 9.7 All event workers (door and floor monitors, bartenders, servers, alcohol ticket sellers etc.) must refrain from alcohol consumption during the event or until their shift is completed.
- 9.8 For public events, all door and floor monitors, bartenders, servers and alcohol ticket sellers, acting in official capacity at the event, will be required to wear an I. D. name tag or some type of identification that states they are event workers, eg. T-shirts, or vests, lanyard with ID.

All entrances and exits to the event must be adequately supervised (Appendix "A"). Where necessary (Appendix "A") each entrance / exit shall be monitored by a minimum of two certified event workers 19 years of age or older. Door staff must be made aware of the public securities regulations. Where appropriate, the two individuals (which shall be server trained) assigned to monitor the door shall be able to sell drink tickets but shall cease to sell tickets ½ hour prior to the expiration of the special occasion permit.

- 9.9 For Public Events with expected attendance over 350, the special occasion permit/caterer's endorsement holder shall consult with the Detachment Commander, or designate, from the OPP to determine an appropriate ration of off-duty police officers to be hired (at the permit holder's expense) during peak periods (4-hour minimum). Arrangements are to be made with the Detachment Commander or his/her designate at least four (4) weeks in advance. Documentation of the agreement shall accompany this application. (Appendix "B").

## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	10	25

- 9.10 The applicant must ensure that unauthorized persons do not attend the event and ensure that the conditions of the permit and requirements of the Liquor Licence Act are observed. In order to determine whether this is sufficient, the permit holder shall consider:
- i) The nature and/or history of the event;
  - ii) The size of the premises; and
  - iii) The age and number of persons attending the event.
- 9.11 Event workers have the right to refuse admittance to persons who are underage or to an individual who appears intoxicated.
- 9.12 Event workers must know evacuation procedures and the location of entrance and exit accesses. Event Organizers will sign off on Evacuation Procedure Training (Appendix "F").
- 9.13 Event workers must have a method of counting attendees to ensure the permit and building capacity is not exceeded, e.g. collect tickets, count clicker. It is the responsibility of the event sponsor to ensure that the building/attendance capacity is not exceeded during the event. If capacity is exceeded, City of Kenora staff or OPP shall close the event.

### **Beverage Serving Responsibilities**

All event workers (door and floor monitors, bartenders, servers, alcohol ticket sellers etc.) must refrain from alcohol consumption during the event or until the workers shift is completed.

- 9.14 The only acceptable form of identification for proof of age will be:
- A valid Driver's License with photo
  - Canadian passport,
  - Canadian Citizenship Card with photo
  - A Canadian Armed Forces Identification,
  - Bring Your Identification (BYID) Card issued by the Liquor Control Board of Ontario
  - A photo card issued by the Alcohol and Gaming Commission of Ontario
  - Secure Indian Status (Canadian)
  - Permanent Resident Card (Canadian)
  - Any photo card issued under the Photo Card Act, 2008

## Municipal Alcohol Policy

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	11	25

- 9.16 At all times that beer is being offered, bottle or draft beer of a light variety shall be offered. Alcoholic beer or coolers of the standard 5.0% or less shall be emphasized as opposed to premium beers or wine coolers of greater alcoholic content. There shall be no selling of high alcohol content beer over 5%.
- 9.17 Only beer, wine and spirits purchased on the permit and Non-Alcoholic beverages shall be sold or consumed on the premises.
- 9.18 There is to be no "Last Call" announced and no Happy Hours. All entertainment shall be completed 15 minutes after time specified as closing time on the special occasion permit.
- 9.19 Patrons shall vacate facilities 45 minutes after time specified as closing time on the special occasion permit or caterer's endorsement.
- 9.20 City of Kenora reserves the right to restrict "sale hours" for Special Occasion Permit functions.
- 9.21 If alcohol is to be given as a contest prize, it must be given when exiting the event.
- 9.22 Wherever practical, any beverage being served at a Special Occasion Permit function will be served in plastic or paper cups unless otherwise discussed with the designated City of Kenora contact. No beverage is to be served in glass containers, unless permission by the designated City of Kenora contact is granted. It is strongly recommended to use different coloured plastic or paper cups in order to distinguish between the alcohol and non-alcohol drinks.
- 9.23 No marketing practices which encourage increased consumption, i.e. oversized drinks, double shots, pitchers of beer, drinking contest, volume discounts will be permitted.
- 9.24 A limit of six (6) drink tickets will be permitted to be purchased by one person at any one time. In the event of weddings and banquets, bottles of wine will be allowed to be served.
- 9.25 All event workers shall wear highly visible identification provided by the applicant.

**Municipal Alcohol Policy**

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	12	25

9.26 A limit of two (2) drinks shall be served to one person at one time.

9.27 No double shots shall be poured by the servers at any time.

**10.0 Requirements For Outdoor Public Events**

Outdoor public events held on City property have additional requirements. The following is directly related to the designated areas of parkland or properties that have been licensed to sell alcohol. Interpretation of the requirements shall be clarified upon scheduled meetings with the applicable City Department.

- 10.1 It is recommended that an applicant forward a request for a tentative booking of the parkland or municipal property ninety (90) days in advance. It takes approximately sixty (60) days to process the necessary documents for an outdoor public event. Special Occasion Permits for a community festival or significant event will require a resolution from Council on approval from Clerk.
- 10.2 If it is expected that fewer than 5,000 people will be attending the event the applicant must give 60 days written notice prior to the event date or 90 days written notice if more than 5,000 people are expected to the event, to the Municipality, Police, Fire and Health Unit informing them of the event and identifying the date, time, location, expected attendance and the physical boundaries of their request. This should include a detailed M.A.P. showing the dimension of the area, including entrances, exits and fencing locations.
- 10.3 On many City properties there are underground utilities. Before installing fencing, tents, poles or pegs, utility locates may be required. Please allow three (3) weeks to obtain locates. Events must ensure that no damage occurs on the highway or municipal parking lots. If any damage occurs the applicant is responsible for all costs associated with the necessary repairs. If a tent or marquee is utilized, the applicant must also obtain a building permit from the Building Department prior to erecting. Please allow a minimum of 2 weeks.

The following information must be shown on two sets of drawings submitted with the Building Permit Application for erection of a tent.

- 10.3.1 The site plan showing the location of the tent in relation to other buildings and other tents, and dimensions from lot lines, buildings or structures.

## Municipal Alcohol Policy

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	13	25

- 10.3.2 The tent must be no closer than 3 m to any fence or any flammable material.
- 10.3.3 Interior layout of tent and use of the tent, eg. tables, chairs, counters, other fixtures.
- 10.3.4 Location of fire extinguishers.
- 10.3.5 If tent exceeds 225 m (2,420 sq. ft.) plans shall be designed and stamped by a professional engineer.
- 10.3.6 Confirmation of final inspection by a professional engineer shall be submitted to the Building Department prior to occupancy being permitted.
- 10.4 Confirmation of final inspection by the Electrical Safety Authority shall be submitted for any electrical equipment installed, temporary or otherwise, as required by the Ontario Electrical Safety Code.
- 10.5 All applications must adhere strictly to the Alcohol and Gaming Commission of Ontario regulations related to location and types of events, as well as the conditions established by the municipality regarding the size of beer garden, setups, tables, washrooms, tents, fencing, recycling containers, distribution methods, garbage clean-up, supervision, noise By-law, parking plan and entrance and exit access.
- 10.6 The appropriate departments may provide assistance upon all approvals being in place, to groups, addressing the physical "atmosphere of the grounds" being those items referred to above. There normally is a cost to the applicant for required services in terms of materials, supplies and labour prior to, during and after the event.
- 10.7 The applicant must adhere to the Ontario Fire Code, City of Kenora By-laws and any other current legislation.
- 10.8 Occupant load is to be posted if it exceeds 60 persons for outdoor events.
- 10.9 As required by the Special Occasion Permit, physical barriers (minimum 36 inches high) must be set in place whereby the group or organization can readily monitor patrons within the assigned area.

## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	14	25

- 10.10 The applicant shall notify the Building Department , Fire Services and the North Western Health Unit for all necessary inspections prior to occupancy and use of the structure.
- 10.11 Building Permit is to be posted and clearly visible during the entire time the tent is erected.
- 10.12 Concession Operations Within Fenced In Area – Food service must be provided within/surrounding the area designated for the Beer Garden. Where food is being sold, served or prepared at such events, a letter of permission is required from the Northwestern Health Unit. Requests for concession operations must be submitted by the Group with the original application and forwarded to the designated department.
- 10.13 Fire extinguishers must be provided in the cooking/serving area. The number of fire extinguishers will be determined in consultation with Kenora Fire & Emergency Services. All exit aisles are to be kept clear.
- 10.14 When deemed necessary, security measures are to be implemented in consultation with City of Kenora and OPP (Appendix "B"). Measures must be instituted for overnight security to prevent against theft and vandalism.

### 11.0 Policy Violations Procedures

Any individual or organization bringing alcohol on designated City of Kenora facilities and properties must have a Special Occasion Permit and before obtaining a Special Occasion Permit must have prior approval of the City of Kenora.

- 11.1 Event workers should be in a position to quickly detect intoxicated patrons.
- 11.2 In the case of patrons who are intoxicated to the point that they must be refused service, the Permit holder or designated event staff must implement their Safe Transportation Strategy (see Item 4.0)
- 11.3 The Police shall be notified in the event the person refuses to take advantage of the options to prevent them from driving by the event sponsor, bartenders, or City of Kenora staff on duty.
- 11.4 A violation occurs when the Special Occasion Permit holder fails to comply with any of the provisions of the Liquor License Act of Ontario or its regulations, or with any of the terms and conditions, or the Municipal Alcohol Policy.

## Municipal Alcohol Policy

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	15	25

A participant at the event, City of Kenora staff, a member of the Ontario Provincial Police, City of Kenora Fire Services, Building Inspector, Municipal Law Enforcement Officer and/or an Inspector of the Alcohol and Gaming Commission of Ontario can intervene when he/she encounters a violation of the Policy.

- 11.5 All violations must be reported to the designated municipal staff as soon as possible within 24 hours of the occurrence, or by the start of the next working day, and municipal staff must file an Incident Report.
- 11.6 A member of the organizing group, the Special Occasion Permit holder, or monitor may intervene by informing the offending individual(s) of the violation, and ask that it be stopped, or corrected. Members of the organizing group, the Special Occasion Permit holder and monitors are encouraged to intervene in this way because intervention at other levels could ultimately result in a loss of privileges and possible criminal charges.
- 11.7 Depending upon the severity of the violation, City of Kenora staff may request the organizers of the event to stop the violation, or the Police may close down the Special Occasion Permit portion of the event.

The organizers will not be reimbursed for any financial loss, which may be incurred as a result of this action. Should the organizers refuse to comply, staff may call the Police for enforcement. If an event becomes "out of control" and requires additional assistance from the Ontario Provincial Police or City of Kenora Fire Services, the Special Event host will be responsible for the costs.
- 11.8 All violations will be reviewed by the appropriate Facility Manager or designate(s) who may terminate (no further rentals), suspend, or modify the rental privileges of the individual or organization.
- 11.9 Where the Special Occasion Permit holders have violated the Municipal Alcohol Policy, the event sponsoring organization will be sent a letter advising of the violation, and indicating that no further violations will be tolerated. City of Kenora and/or the Alcohol and Gaming Commission of Ontario may deny the license for an event if there is a history of problems with the event.
- 11.10 Should the Special Occasion Permit holder violate the Policy within one year of receiving notice of their first violation, the organizers or any person associated with the group, will be suspended from Special Occasion Permit privileges at all City of Kenora facilities for a period of not less than one

## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	16	25

Year. A letter will be sent to the Special Occasion Permit holder and event sponsoring organization advising of the suspension.

11.11 The Police or an Inspector of the Alcohol and Gaming Commission of Ontario may intervene in a violation of this Policy on his/her initiative, or in response to a request from either a City staff member 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.

11.12 Any incidents that take place at your event may affect or jeopardize your rental for future events at City facilities/properties.

### **12.0 Policy Monitoring and Revisions**

Effectuated Staff members of the City of Kenora Municipal Alcohol Policy will meet annually to review the content, address concerns and recommend changes.

Policy deviations and amendments:

The Municipal Clerk or CAO (or designate) shall have authority to approve minor deviations to the Municipal Alcohol Policy, based on legislative changes, technical grounds, on an event-by-event basis.

Major amendments to the Municipal Alcohol Policy will require Council approval.

### **13.0 Special Occasion Permit Holder Agreement**

Any approval given by City of Kenora for a Special Occasion Permit event will be conditional upon the event sponsor agreeing, in writing, to follow the Municipal Alcohol Policy (Appendix "E") and upon proof of a Special Occasion Permit being issued.

### **14.0 Insurance / Special Occasion Permit**

Individuals or groups sponsoring a Special Occasion Permit function at a City of Kenora facility or on Municipal Property, must provide proof of the Special Occasion Permit or Valid Caterer's Endorsement and a Certificate of Insurance to the appropriate municipal staff, at least seven (7) days prior to the event.

For private events with less than 100 people the Certificate of Insurance must show that the event sponsor has a minimum of five million dollars (\$5,000,000) commercial general liability insurance coverage (must include a Host Liquor Liability endorsement), and that The Corporation of The City of Kenora is named as an additional insured to this Policy.



## Municipal Alcohol Policy

Policy Number	Page	of
LS-3-1	17	25

For all public events and private events with more than 100 people the Certificate of Insurance must show that the event sponsor has a minimum of 5 million dollars (\$5,000,000) commercial general liability insurance coverage (must include a Host Liquor Liability endorsement), and that The Corporation of The City of Kenora is named as an additional insured to this Policy.

For all public events and private events with more than 350 people that are of age of majority the Certificate of Insurance must show that the event sponsor has a minimum of ten million dollars (\$10,000,000) commercial general liability insurance coverage (must include a Host Liquor Liability endorsement), and that The Corporation of The City of Kenora is named as an additional insured to this Policy. Discretion lies with the Manager of the Department in which the event is being held along with the Risk Assessment Officer for the City of Kenora who shall have final say.

The actual insurance limits required at any level may be amended at the discretion of City of Kenora should it be determined that the risk involved with the event dictates a higher limit of insurance.

Any event taking place at a City of Kenora facility or on City of Kenora property (parks, parkland, arenas, community centres, etc.) shall require the Permit Holder to enter into a Facility Rental Contract. An Event holder will be required to enter into an Agreement agreeing to indemnify and save the City of Kenora harmless from all claims arising from the Permit or event.

The Corporation of the City of Kenora, through their insurance provider, may be able to provide the opportunity to assist individuals and/or groups who are not sanctioned under an organization or do not have adequate insurance in place.

Individuals must contact their own insurance professional to obtain event liability insurance.

### **15.0 Internal Communication**

The Municipal Alcohol Policy is to be included in City of Kenora Policy Manual and circulated to all staff and Committees who organize and operate functions on behalf of the City of Kenora where alcohol may be served, in order to ensure that those individuals involved in operating licensed events on behalf of the City of Kenora are informed of the Municipal Alcohol Policy and the legal responsibilities they are to adhere to.

**Municipal Alcohol Policy**

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	18	25

**Appendix "A"**

**Minimum Requirements for Event Workers**

**Open/Public Events**  
 - eg. Fundraisers, Buck & Does, Fish Fry, Dances, Banquets, etc.

Up to 100 PEOPLE	Minimum # Smart Serve Certified	# Not Smart Serve Certified
Position		
Door Monitors	1	None required
Bartenders	1	*See Note 1 below
Alcohol Ticket Sellers	1	
Floor Monitor	1	

500+ PEOPLE	# Smart Serve Certified	# Not Smart Serve Certified
Position		
Door Monitors	2	2
Bartenders	6+	*see note
Alcohol Ticket Sellers	2	2
Floor Monitor	2	*see note

101 - 200 PEOPLE	Minimum # Smart Serve Certified	# Not Smart Serve Certified
Position		
Door Monitors	1	0
Bartenders	2	0
Alcohol Ticket Sellers	1	*See Note 1
Floor Monitor	1	0

These are the minimum standards and may be increased if required.  
 If deemed necessary to hire security the Permit Holder has a choice of Police or security firm.  
 Numbers are set per door, per ticket selling station, per bar.

Where "0" is indicated under "not smart serve certified" you are not required to have any additional workers in that category. Where you see a number that is the additional worker required in that category.

201 - 350 PEOPLE	# Smart Serve Certified	# Not Smart Serve Certified
Position		
Door Monitors	1	1*
Bartenders	3	0
Alcohol Ticket Sellers	1	1*
Floor Monitor	2	0

**NOTE #1 - Servers must be one to one. For every one smart serve person you can have one non-smart serve person as long as you have the minimum number of smart serve staff required.**

351 - 500 PEOPLE	# Smart Serve Certified	# Not Smart Serve Certified
Position		
Door Monitors	2	1*
Bartenders	4	0
Alcohol Ticket Sellers	2	2*
Floor Monitor	2	0

**Municipal Alcohol Policy**

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	19	25

**Appendix "A" - Minimum Event Workers Required** (continued)

**Closed/Private Event**  
 - eg. Weddings, christenings, anniversaries, funerals, showers, family reunions, birthday parties, etc.

1 to 250 People - No floor monitors are required unless patrons are not visible to Bartenders during the event. If Closed Event is selling alcohol, ticket sellers would follow Open Event requirements.

Up to 100 PEOPLE	#	#
Position	Smart Serve Certified	Not Smart Serve Certified
Door Monitors	0	0*-
Bartenders	1	0*
Alcohol Ticket Sellers	0	0*
Floor Monitor	1	0*

500+ PEOPLE	#	#
Position	Smart Serve Certified	Not Smart Serve Certified
Door Monitors	2	-
Bartenders	4	-
Alcohol Ticket Sellers	2	-
Floor Monitor	1	-

101 to 200 PEOPLE	#	#
Position	Smart Serve Certified	Not Smart Serve Certified
Door Monitors	1	0*
Bartenders	2	0*
Alcohol Ticket Sellers	1	0*
Floor Monitor	1	0*

These are the minimum standards and may be increased if required.  
 If deemed necessary to hire security the Permit Holder has a choice of Police or security firm.  
 Numbers are set per door, per ticket selling station, per bar.

201 to 350 PEOPLE	#	#
Position	Smart Serve Certified	Not Smart Serve Certified
Door Monitors	2	-0*
Bartenders	3	0*
Alcohol Ticket Sellers	1	1
Floor Monitor	1	0*

Where "0" is indicated under "not smart serve certified" you are not required to have any additional workers in that category. Where you see a number that is the additional worker required in that category.

351 to 500 PEOPLE	#	#
Position	Smart Serve Certified	Not Smart Serve Certified
Door Monitors	2	0*
Bartenders	4	0*
Alcohol Ticket Sellers	1	1
Floor Monitor	1	-0*

**NOTE #1 - Servers must be one to one. For every one smart serve person you can have one non-smart serve person as long as you have the minimum number of smart serve staff**

**Municipal Alcohol Policy**

<b>Policy Number</b> LS-3-1	<b>Page</b> 20	<b>of</b> 25
--------------------------------	-------------------	-----------------

**Appendix "B"**  
**Requirements For /Police or Licensed Security Personnel**  
**Open Public Events**

<b>Number of Attendees</b>	<b>Security Personnel</b>		<b>Police Officers</b>	<b>Comment</b>
1-50	0		0	For smaller open events, no security personnel nor police officers are necessary
51 – 350	2*	or	2*	To be determined by City of Kenora or the Ontario Provincial Police and if/when deemed necessary to hire licensed security the Permit Holder has a choice of police or licensed security firm
351 - and up	*	or	*	To be determined by the Ontario Provincial Police and if/when deemed necessary to hire licensed security the Permit Holder has a choice of police or licensed security firm. The O.P.P will recommend the number of security for the individual event.
	* City of Kenora, the O.P.P or the Alcohol and Gaming Commission of Ontario will increase security/police requirements should the event have a history indicating a need for increased security.			



**Municipal Alcohol Policy**

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	22	25

**Appendix "D" – General Sign Off**

Proof of Purchase and Possession of Comprehensive General Liability Insurance, including Host Liquor Liability & Special Occasion Permit/Caterer's Endorsement

I hereby declare that I, as an event applicant, have purchased comprehensive general liability, including host liquor liability, and have added the City of Kenora as additional insured at the appropriate amount as per section 14.0 of this policy, and a special occasion permit/caterer's endorsement and have listed the registration numbers as follows:

Municipal facility / property rented: \_\_\_\_\_

Date of event: \_\_\_\_\_

Comprehensive general liability insurance number: \_\_\_\_\_

Name of Insurance company/broker: \_\_\_\_\_

- Caterer's Endorsement
- OR
- Special Occassions Permit

Number: \_\_\_\_\_

Transportation Plan Submitted on: \_\_\_\_\_

City Staff Received by: \_\_\_\_\_

Applicant Name Printed: \_\_\_\_\_

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

Verified by City of Kenora:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Position

**Municipal Alcohol Policy**

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	23	25

**Appendix "E"**

**City Of Kenora**

**Special Occasion Permit Holder or Caterer's Endorsement Agreement**

- Caterer's Endorsement
- Special Occassions Permit

Number: \_\_\_\_\_

Name of Speical Occassions Permit Holder: \_\_\_\_\_  
(if applicable)

Name of Caterer's Endorsement: \_\_\_\_\_  
(if applicable)

**Certification:**

1. The Permit holder has received and reviewed a copy of the City of Kenora Municipal Alcohol Policy.
2. The Permit holder understands and agrees to adhere to the terms and conditions of the City of Kenora's Municipal Alcohol Policy and the provisions of the Liquor License Act of Ontario and the regulations hereunder.
3. The Permit holder understands that if an infraction of the Municipal Alcohol Policy occurs, the City of Kenora may warn or suspend the organization from Special Occasion Permit privileges at City facilities for one year, or more than one year.
4. The Permit holder understands that he/she can be held liable for injuries and damage arising from failure to adhere to the Liquor License Act of Ontario, or from otherwise failing to take action that will prevent foreseeable harm from occurring.
5. The Permit holder understands that the Police and/or Liquor License Inspector can lay charges for infractions of the Liquor License Act of Ontario or other relevant legislation. Assistants to the Fire Marshall can lay charges for failing to comply with the Ontario Fire Code. The Alcohol and Gaming Commission will also lay charges for failing to comply with any other legislation.
6. The Permit holder agrees to have a transportation plan in place that is in compliance with section 5.0 of this policy to see all participants home safely.

**SIGNATURE:** \_\_\_\_\_ **Phone:** \_\_\_\_\_  
Permit Holder/Caterer

**Municipal Alcohol Policy**

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	24	25

**Appendix "F"**

**Evacuation Procedures Orientation**

Each municipal facility will have its own specific procedures for evacuation. This document is to ensure that event organizers have met with the City of Kenora Staff responsible for the facility and have reviewed the emergency procedures for that specific site.

Date of Orientation: \_\_\_\_\_

Name and Job Title of City Staff Providing the orientation: \_\_\_\_\_

Facility being reviewed: \_\_\_\_\_

Orientation Content:

- Reason for training and who is responsible for what
- Emergency contacts (who and where to find the posted numbers)
- How and when to make an emergency call
- Location and use of emergency equipment (fire extinguishers, A.E.D, first aid kits, etc)
- Power failures, Fires, Medical Emergencies, Safety Issues, etc
- Reporting procedures

I have participated in and understand the procedures for emergency situations for location noted above.

Signatures of Workers/Volunteers:

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature



**Municipal Alcohol Policy**

<b>Policy Number</b>	<b>Page</b>	<b>of</b>
LS-3-1	25	25

**Appendix "G"**

**Non Alcoholic Beverages and Food**

Name of Event: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Location of Event: \_\_\_\_\_

Organization Contact Name: \_\_\_\_\_

Contact Phone number: (cellular preferred) \_\_\_\_\_

The following is a list of non alcoholic beverages that will be available:

The following (or attached) is a list of food items that will be available, and or food vendors who will be on site:

The Northwestern Health Unit has been made aware of this event.

Yes (Name of contact at NWHU) \_\_\_\_\_

No

If required, copies of food permits are attached.  Yes

