



**SCHEDULE 'A' to BYLAW 2019-037**

<b>Municipality of Hastings Highlands- Corporate Policies and Procedures</b>			
<b>DEPARTMENT:</b> Administration- Facilities			<b>POLICY #:</b>
<b>POLICY:</b> Municipal Alcohol Policy			
<b>DATE:</b> Mar 20, 2019	<b>REV. DATE:</b>	<b>COVERAGE:</b> Public	<b>PAGE #:</b> 1-17

**PURPOSE:**

This Municipal Alcohol Policy is intended to promote a safe, enjoyable environment within municipal premises and to help support the health and safety of participants and staff.

This policy is intended to encourage and reinforce responsible drinking practices for consumers, and to honour the decision of abstainers not to drink alcohol. It identifies municipal requirements, controls, and best practices for individuals or groups wishing to hold events involving alcohol in and/or on municipal premises.

This policy is in place to reduce alcohol-related problems such as:

- Injury to event workers and participants.
- Violence or threats of violence of any kind.
- Vandalism and destruction of Municipal property.
- Liability action arising from alcohol-related injuries or death.
- Increased insurance rates as a result of alcohol-related incidents.
- AGCO or Ontario Provincial Police Services being called to municipal property and/or charges being laid.

**POLICY STATEMENT:**

The Municipality of Hastings Highlands promotes a safe, enjoyable environment within Municipal facilities and has developed this policy in order to help mitigate alcohol-related problems and to reinforce responsible drinking and smart alcohol service practices, along with supporting the requirements of the Liquor Licence Act of Ontario (the Act), and other associated legislation and regulations.

## **SCOPE:**

This policy outlines various stipulations and controls for events involving alcohol, including events with a Special Occasion Permit, liquor licenced events under a third party caterer's endorsement, and events with liquor service under a liquor licence, including a catering endorsement. Other stipulations and controls may be added depending on the details of the event.

This policy applies to all municipal premises, as defined herein. On properties leased to third parties, the tenant is responsible for compliance with all provincial and federal legislation and regulations.

This policy does not apply to the encroachment or extension of privately-owned licensed areas onto municipal premises.

## **TITLE:**

This Bylaw shall be called **Municipal Alcohol Policy Bylaw**.

## **DEFINITIONS:**

AGCO – Alcohol and Gaming Commission of Ontario. The AGCO is responsible for the administration of the Liquor Licence Act.

Caterer's Endorsement - A liquor sales licence authorizing the applicant to sell and serve liquor for an event held on premises other than the premises to which the liquor sales licence applies.

Event – Any gathering held at municipal premises at which alcohol will be served and/or sold. The duration of the event includes event setup, operation and cleanup.

Event Organizer - A person, 19 years of age or over, seeking to hold an event involving the selling and/or serving of alcohol on municipal premises. For events under a Special Occasion Permit, the permit holder is the event organizer.

Event Organizer Designate - A designate is a person(s) appointed by the event organizer and acceptable to the municipality, who is 19 years of age or over and who has satisfactorily proven to the event organizer that she/he will act in accordance with this policy. The event organizer can identify a designate to be present at the event when the event organizer is unable.

Event Worker – Any paid/volunteer person who is involved in safe alcohol service at an event. Event workers must be 18 years of age or over and be either Smart Serve trained or Server Intervention Program (SIP) certified. Event workers may include the following positions related to safe alcohol service:

a) Floor worker - Talks with participants, monitors patron behavior, monitors for intoxication and underage drinkers, responds to problems and complaints, notifies the event organizer and security personnel of any potential problems and of individuals showing signs of intoxication, assists door monitors when necessary, promotes safe transportation options, arranges safe transportation.

b) Door monitor - Monitors attendance and limits entry to the venue nearing capacity to ensure capacity is not exceeded, checks for signs of intoxication, denies admission to troublesome individuals, denies admission to uninvited individuals for private events, monitors for those showing signs of intoxication when leaving the event and arranges safe transportation, promotes safe transportation options, notifies event organizer and security personnel of any potential problems and of individuals showing signs of intoxication. Will check identification as required. Will provide wrist bands as required.

c) Licensed Security – Security personnel must be licensed in accordance with the Private Security and Investigative Services Act (PSISA). Security personnel are responsible for monitoring entrances and patrolling licensed areas and parking lots to monitor the safety and security of the establishment, its employees and patrons. They stop patrons from taking alcohol out of the licensed area, help in handling disturbances, and notify the event organizer and event staff of potential incidents. They may also terminate the event should it be determined there is a risk to public safety or the facility.

d) Server/bartender – Checks identification, accepts payment or tickets for the purchase of alcoholic drinks, serves drinks, monitors for intoxication and underage drinkers, refuses service when patron appears to be intoxicated or near intoxication, offers non-alcoholic beverages as a substitute, and co-ordinates with event staff. Notifies a floor worker when patrons may need safe transportation options.

e) Ticket seller - Sells drink tickets to guests and monitors for underage drinkers and intoxication and refuses to sell to patrons at or near intoxication. May check identification depending on the nature of the event. May issue wrist bands at certain events.

Any event worker roles may be amended or changed at the sole discretion of the Municipality based on the event risk assessment.

Municipality – The Municipality of Hastings Highlands

Municipal Monitor – The municipal staff designated to monitor for compliance of this policy while the event is being held. The Municipal Bylaw Enforcement Officer may act as the municipal monitor.

Municipal Premises – All municipally owned or leased facilities and lands, excluding those leased by the Municipality to a third party.

Municipal Representative – The designated municipal staff who works with the event organizer prior to the event. Tasks include, but are not limited to: collecting information relevant to the event, assessing risk, working with event organizer to coordinate event details.

Religious Function – Events that include a religious ceremony conducted by an officiant such as a priest, minister, Justice of the Peace, rabbi, etc. Examples include, but not limited to, weddings, bar mitzvahs, and baptisms. A religious function does not include events like a “stag and doe”, anniversaries or birthdays.

Risk Assessment – The event risk assessment will consider factors such as, but not limited to: venue, type of event, expected attendance, and past experience with the event. The risk assessment will help staff determine the minimum number and types of event workers required and any other requirements.

Server Intervention Program – The former certification program to train staff and volunteers working in areas where alcohol is sold and/or served, replaced by the Smart Serve training program. The AGCO and the Municipality still recognize the Server Intervention Program (SIP) certification issued prior to May 1995.

Smart Serve – The program offered by Smart Serve Ontario, designed to train staff and volunteers who work in areas where alcohol is sold and/or served. The Smart Serve program and the Server Intervention Program Certification are the only server training programs recognized by the AGCO and approved by this policy.

Special Occasion Permit – A type of liquor licence issued by the AGCO for one-time social events where alcohol will be sold and/or served. All Special Occasion Permits (SOP's) are managed and controlled by the AGCO and not the Municipality. SOP's may be issued for three types of events, as defined by the AGCO:

Private Event - event where only invited guests will attend. The event cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.

Public Event - event open to the public to attend and conducted by a registered charity or not-for-profit entity or an event of municipal, provincial, national or international significance. The event can be advertised and allow for fundraising/profit from the sale of alcohol.

Industry Promotional Event - event held to promote a manufacturer's product(s) through sampling. There can be no intent to gain or profit from the sale of alcohol at the event.

All of these events described above can be held indoors or outdoors (including pavilions and temporary structures).

The AGCO defines two classes of Special Occasion Permit (SOP):

Sale SOP - Issued when money is collected for the sale of alcohol either directly or indirectly. This could be through, for example, an admission charge to the event, when tickets for alcohol are sold to people attending the event, or when there is any pre-collection of money for the alcohol.

No Sale SOP - Issued when alcohol is served without charge or when there is no money collected for alcohol – either directly or indirectly – from guests.

For further information regarding the types and classes of special occasion permits, please refer to the AGCO website.

Third Party Caterer – any caterer that holds a liquor sales licence with a catering endorsement; the caterer will be required to provide adequate proof to the municipality that their licence extends to activities off their licensed premises.

## **POLICY COMMUNICATION:**

This policy will be communicated by means of:

- Posting on the Municipality of Hastings Highlands website.
- Distributing the information to event organizers wanting alcohol service at an event.
- Upon request by event organizers looking to run events on municipal premises.

## **POLICY:**

### **1.0 Liquor Service Options**

The Municipality of Hastings Highlands recognizes two different alcohol service options for municipal premises considered suitable for an event involving alcohol:

1. Alcohol service provided by a third party caterer holding a liquor sales licence with a catering endorsement;
2. Alcohol service under a Special Occasion Permit.

## 2.0 Municipal Premises Allowing Alcohol Service

Table 1 identifies which municipal premises have been designated suitable for an event with alcohol service provided under a liquor licence issued by the AGCO. Additional in-house requirements may apply. Within these facilities and properties alcohol service may only be permitted in designated areas and rooms.

**Table 1**

<b>Facility</b>	<b>Third Party Catering Endorsement</b>	<b>Special Occasion Permit</b>
<b>Hastings Highlands Centre-Emond Hall</b>	Yes	Yes
<b>Maynooth Community Centre</b>	Yes	Yes
<b>Bangor Community Centre</b>	Yes	Yes
<b>Lake St. Peter Community Centre</b>	Yes	Yes
<b>Herchel Community Centre</b>	No	No
<b>Other outdoor sport fields</b>	No	No
<b>Municipally owned open parking lots/ spaces</b>	Yes**	Yes**
<b>Municipally operated Cemeteries</b>	No	No
<b>Community Parks/trails/woodlot</b>	No	No
<b>Playground areas</b>	No	No
<b>City streets</b>	No	No

\*\* Only with permission from council after making a delegation about the event, in consultation with the Operations Manager and CAO based on the details of the event, and event risk assessment.

Exceptions to the table above are at the discretion of the Operations Manager in consultation with the management team, and will only be considered for major special events with significant community benefit.

## 3.0 Renting Municipal Premises

A rental agreement to use municipal premises for an event where alcohol may be served should be initiated a minimum of 45 days in advance of the event. This allows sufficient time for the municipal representative to collect relevant event details from the event organizer, assess risk associated with the event, establish event worker numbers, monitor event preparation for compliance with this policy, and to arrange appropriate facility staffing. Failure to initiate rental within 45 days may prevent your event from taking place.

#### **4.0 Insurance Requirements**

The event organizer must submit an original Certificate of insurance to the municipal representative at least 30 days in advance of occupying municipal premises for the event.

Purchase of insurance can be arranged through the Municipality of Hastings Staff.

If not arranged through the Municipality of Hastings Highlands, the Certificate of insurance must be issued by a company satisfactory to the municipality that is licensed to conduct business in Ontario.

The Certificate of insurance must be in effect for the date(s) where municipal premises are being used or occupied by the event organizer including, without limitation, the time period for set-up and take-down. Failure to provide proof of insurance will void the rental.

The Certificate of Liability insurance provided to the municipal representative must include the following:

- Policy number
- Company name and broker contact information
- Expiry date
- Coverage type and amount of Insurance coverage
- The Municipality of Hastings Highlands shown as an additional insured to the policy
- Coverage for bodily injury and property damage liability
- A Liquor Liability endorsement
- Tenants Liability endorsement
- Products and Completed Operations Liability
- Personal Injury Liability
- Advertiser's Liability
- Cross Liability and Severability of Interest Provision
- 30 Day Notice of Cancellation Provision

The event organizer must also submit an endorsement from the insurance company that they are aware of the event and that coverage is in place – including date, location of the event, and event description.

The Municipality reserves the right to amend the insurance requirements and provisions at any time depending on, without limitation, such things as event size and risk assessment. It is the responsibility of the event organizer to review all potential operations and exposures to determine if the coverage and limits noted below are sufficient to address all insurance related exposures presented for the event since the event organizer shall indemnify and save harmless the Municipality.

#### **4.1 Indoor rentals up to and including 165 people**

The Certificate of Liability insurance shall include proof of a minimum of 2 million dollars Commercial General Liability Insurance.

#### **4.2 Rentals for more than 500 people outdoor events**

The Certificate of Liability insurance shall include proof of a minimum of 5 million dollars Commercial General Liability Insurance.

#### **4.3 Rentals for less than 500 people outdoor events**

The Certificate of Liability insurance shall include proof of a minimum of 2 million dollars Commercial General Liability Insurance.

### **5.0 Safe Transportation**

For all events involving alcohol, the event organizer is responsible to take the necessary steps to reduce the possibility of impaired driving. As a condition of rental, the event organizer must have a Safe Transportation Strategy in effect during the event and must advertise it to the guests.

Elements of a Safe Transportation Strategy can include, but is not limited to:

- Providing non-alcoholic beverages either at no charge or at a cost much lower than that of drinks containing alcohol.
- Providing a designated driver program which encourages and identifies designated drivers, along with providing identified designated drivers with free non-alcoholic drinks (such as coffee, pop, and juice).
- Prominently posting local taxi phone numbers.
- Arranging overnight parking with municipal staff.
- Providing alternate means of transportation for all those suspected to be intoxicated.
- Calling the police if someone who is suspected to be impaired insists on driving.

### **6.0 Signage**

Municipal staff will provide the following signs, to be posted at prominent places in the licensed/bar area at all events involving alcohol. The event organizer is responsible to ensure these signs are in place for the duration of the event.

- Please drink responsibly
- Call 911
- No alcohol beyond this point
- Warning: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby (Sandy's law)
- What's a standard drink?



- Low risk drinking guidelines

## **7.0 Advertising**

**7.1** All advertising must comply with the AGCO Legislation, Regulations, Policy, and Guidelines, if applicable.

**7.2** At events where children and youth are allowed entry, the event organizers shall not allow promotional advertising of alcoholic beverages' names, brands or manufacturers.

**7.3** Marketing practices which encourage immoderate or increased consumption of alcohol are not permitted.

**7.4** AGCO policy states that a permit holder for a private event special occasion permit is not permitted to advertise or promote liquor or the availability of liquor.

## **8.0 Harm Prevention Strategies**

- Alcohol shall not be served to anyone under the age of 19. Minors are not allowed to consume alcohol.
- The serving of alcohol shall not be permitted at any event where the focus of the event marketing is aimed at youth under 19 years of age.
- Alcohol shall not be served to anyone who may appear intoxicated. No person shall be served to the point of intoxication. No person shall have or consume liquor if they become intoxicated.
- Beer products with more than 8% alcohol, wine products with more than 14% alcohol, and spirits with more than 40% alcohol shall not be sold.
- Drink pricing must comply with AGCO requirements.
- Alcohol service shall be limited to 2 drinks per person at one time.
- Last call shall not be announced.
- Drinks can only be mixed by a bartender.
- No persons attending the event shall be allowed to bring in their own alcohol to the event or allowed to pour their own alcoholic drinks. Alcohol cannot be left available for self-serving, except for bottles of wine left on the table during a formal dinner.
- Novelty alcoholic items, such as jello shooters and spiked watermelon, are not allowed.
- Where wine is provided with a meal, a non-alcoholic substitute (such as water, pop or juice) must be provided to ensure that children and abstainers are included in toasting the celebrants.
- Homemade alcohol shall not be allowed at any function, with the exception of homemade wine or beer at weddings or religious functions listed under a private no sale Special Occasion Permit, as defined by the AGCO.
- Drinks should typically be served in soft plastic cups. Cans may be used at events deemed by staff to be lower risk. Hard plastic cups may be used for

wine sampling events. Glass vessels may only be used for indoor, formal events such as a sit down dinner or cocktail party. Glass vessels should be removed after dinner is finished, and soft plastic cups used thereafter.

- Alcohol consumption mitigation measures must be in place, such as providing non-alcoholic and low-alcohol beverages as alternatives. Low-alcohol beverages are defined as beer and coolers with alcohol content of 4% or less. Non-alcoholic beverages should be provided free or at lower cost than alcoholic beverages.
- There must be sufficient food available throughout the event. The requirement to provide food is not satisfied by snack foods such as chips, peanuts, or popcorn.
- Outdoor public events which allow admittance to minors must implement a wrist band policy or have a fenced licensed area where alcohol is only served to and consumed by those 19 years of age and older. For multi-day events wrist bands must be a different colour each day of the event. Obtaining a wrist band does not prevent servers from asking for identification if they feel it is warranted.
- All alcohol and its containers (which include empty cups/glasses) shall be cleared away no more than 45 minutes after the end of the licensed period of the event.
- All outdoor licensed areas are required to have a barrier at least 0.9 metres high. Higher barriers and additional criteria may be required at the discretion of the municipality, in consultation with the AGCO.
- Alcohol shall not be offered as a prize in a contest. Gift cards for the Liquor Control Board of Ontario (LCBO) are allowed as an exception.
- Drink tickets may be required depending on event size, event type (private/public/outdoor) and other risk factors. When required, ticket sales for alcohol shall be limited to 4 tickets at one time per person. Unused tickets for alcoholic beverages can be redeemed for a refund at any time during the event, on the day they are purchased.
- It is recommended that ticket sales and alcohol service cease at least 45 minutes prior to the end of the licensed period of the event.

## **9.0 General requirements for all events involving alcohol**

**9.1** The event organizer is responsible for supporting compliance with this policy in addition to all applicable federal, provincial and municipal laws, policies, guidelines, regulations and by-laws, including, without limitation, the *Liquor Licence Act* and its regulations. Additional information is available on the AGCO website.

**9.2** The event organizer must read and sign the Event Organizer Checklist for Liquor Licensed Events to indicate that they understand their responsibilities.

**9.3** The event organizer must provide all requested information about the event to the municipal representative in a timely manner. This will support assessment of risk and allow for operational planning.

**9.4** The event organizer and/or designate must attend the event for the entire duration, including the post event cleanup, and be responsible for decisions regarding the actual operation of the event.

**9.5** The event organizer may choose to appoint and train an official designate who will assume all responsibilities of the event organizer during a pre-established period(s) of the event.

**9.6** The event organizer and event workers shall not consume alcohol before the event, during the event or after the event has concluded, nor shall they be under the influence of any alcohol or other substance during the event.

**9.7** The event organizer must promote a physical setting that is safe and free from unnecessary obstacles.

**9.8** The event organizer must implement a Safe Transportation Strategy.

**9.9** The event organizer is responsible for the safety of those removed from the event due to intoxication.

**9.10** The event organizer is fully responsible to comply with any AGCO regulations pertaining to games at the event.

**9.11** The event organizer and/or municipal monitor have the right to deny entry to any individual or ask an individual to leave the event.

**9.12** When persons under the age of majority are found to have consumed or to be consuming alcohol at an event where alcohol is served, the authorities will be called.

**9.13** The liquor licence holder or Special Occasion Permit holder must advise the AGCO of any event involving alcohol on municipal property with 1000 to 4999 attendees at least 90 days in advance of the event. Notification to the AGCO should be made at least 180 days in advance of any event with 5000 or more attendees.

**9.14** The AGCO or the Municipality may implement other restrictions or requirements.

**9.15** The following roles will be the responsibility of the event organizer if alcohol service is provided by a third party caterer or under a SOP.

- organization, planning, set up and cleanup related to alcohol service at the event.
- arranging for a sufficient number of event workers, as required by the Municipality, for safe alcohol service (see Section 12.0).
- ensuring event workers wear an I.D. name tag and/or clothing that clearly identifies them as event workers. When applicable, security workers must be licensed and wear designated security clothing and name tags.
- alcohol sales and service, including the choice of beverages.
- posting the Special Occasion Permit, Caterer's Endorsement, or Liquor Sales Licence, as applicable, in a conspicuous place on the premises to which the permit applies or keeping it in a place where it is readily available for inspection.
- taking reasonable measures to prevent anyone from consuming alcohol in unauthorized locations.
- monitoring the safety and sobriety of people attending the event including those persons asked to leave to control the event.
- response to emergencies at the event.

#### **10.0 Additional requirements for Event Organizer if alcohol service is provided by a third party caterer or under a SOP**

30 days prior to the event, the event organizer shall provide the municipal representative with a copy of the Special Occasion Permit or notification of a third party caterer's endorsement, and any updates.

14 days prior to the event, the event organizer shall provide the municipal representative with:

- a list of all event workers' names and proof of Smart Serve or SIP certification (including their certification numbers).
- a list of all security staff names and security licence numbers. It is recommended that event organizers arrange security staff through the Ontario Provincial Police. However, event organizers may arrange for licensed security from other providers, unless otherwise advised by staff.
- should the event workers assigned to the event change after the list of event workers is initially supplied to the municipality, updated information must be provided to municipal representative prior to the start of the event, or to the municipal monitor on the day of the event.

## **11.0 Additional requirements for the Municipality of Hastings Highlands staff**

### **11.1 Requirements for the municipal representative**

A municipal staff person(s) will serve as a designated municipal representative, who will work with the event organizer prior to the event.

The municipal representatives are responsible to:

- ensure the event organizer and/or designate are provided written information outlining the conditions of this policy.
- gather information about the event from the event organizer for risk assessment and internal operational planning.
- advise the event organizer in writing of the minimum number of event workers of each type that will be required for the event, and any other requirements for the event, based on the risk assessment.
- ensure the event organizer has provided the municipality with all required municipal documentation pertaining to the event.
- Municipal staff are not permitted to sign a Special Occasion Permit application on behalf of an event organizer.

### **11.2 Requirements for the municipal monitor**

A municipal staff person(s) will serve as a designated municipal monitor(s) for the event. All municipal monitors shall be either Smart Serve trained or SIP certified and competent in facility procedures. Licensed security personnel hired by the municipality may act as municipal monitor the day of the event.

- assess the premises where the event will take place for compliance with this policy and the Act and its regulations immediately prior to the start of the event, and periodically throughout the event. Monitoring by the municipality in no way transfers any responsibility as the event organizer is fully responsible for all aspects of the event.
- exercise authority to demand correction and/or to shut down an event on behalf of the municipality. The municipal monitor(s) will have ultimate authority regarding decision-making related to the event and the facility.

## 12.0 Event workers

**12.1** It is required that all event workers related to alcohol sales, service or monitoring be Smart Serve trained or SIP certified and it is recommended they have de-escalation of violence training, such as Safer Bars training.

**12.2** Event worker numbers recommended for safe alcohol service are defined in Table 2. The municipality reserves the right to determine the required minimum number of event workers based on risk assessment of each event, in consultation with the AGCO and Municipal Insurance Pool as needed. For example, events that allow admittance to minors may be required to have additional floor monitors.

**12.3** When the minimum number of event workers required by the municipal representative is less than the number recommended in the following table, the event worker numbers must be approved by the appropriate manager in writing before the requirements are communicated to the event organizer.

**Table 2**

Number of Guests	Bartenders	Door Monitors ( <i>all access points must be monitored</i> )	Floor Workers	Ticket Sellers	Licensed Security Workers
Up to and including 100	1	Monitor at each access point	1	0	
101 to 200	2	Monitor at each access point	2 (+1 outdoor)	1	
201 to 300	2	Monitor at each access point	3 (+1 outdoor)	2	(1 outdoor)
301 to 400	3	Monitor at each access point	3 (+1 outdoor)	2	(1 outdoor)
401 to 500	3	Monitor at each access point	4 (+1 outdoor)	2	1 (+1 outdoor)
501 to 600	4	Monitor at each access point	5 (+2 outdoor)	3	1 (+1 outdoor)
601 to 700	4	Monitor at each access point	6 (+2 outdoor)	3	2 (+1 outdoor)
701 to 800	5	Monitor at each access point	7 (+2 outdoor)	3	2 (+1 outdoor)
801 to 900	5	Monitor at each access point	7 (+2 outdoor)	4	3 (+1 outdoor)
901 to 1000*	6	Monitor at each access point	8 (+2 outdoor)	4	3 (+1 outdoor)

\*For every additional 150 guests over 1000, an additional bartender and an additional floor worker is recommended. For every additional 200 guests over 1000, an additional licensed security worker is recommended. When tickets are required, an additional ticket seller is recommended for every additional 300 guests over 1000.

**12.4** All access points to the licensed area must be monitored. The number of door monitors required will vary depending on the layout of the venue. No access point can be blocked or access restricted in order to alleviate monitoring responsibilities.

**12.5** The event organizer or designate can act as a floor worker.

**12.6** It is recommended that high-risk events, including events with more than 600

guests, have paid duty police officers as part of the security plan. The municipality may require paid duty police officers based on risk assessment.

**12.7** Depending on the type of event and the risk assessment, the municipality may require alcohol tickets to be sold. Use of tickets provides an additional check for intoxication, and greater monitoring of alcohol consumption among event attendees

**12.8** Depending on the type of event and expected attendance, the municipality may require the event organizer to develop an operational plan in collaboration with the AGCO and municipal staff in order to ensure that all aspects of public safety are addressed (including EMS, fire, security, etc.). Staff may require event worker plans to be documented in the operational plan to demonstrate that there will be a sufficient number of event workers of each type.

**12.9** All costs associated with preparing and complying with security and operational plans shall be borne by the event organizer unless otherwise agreed upon in writing by the event organizer and the municipal representative.

## **13.0 Infractions and Violations**

### **13.1 Immediate Response**

Illegal consumption of alcohol on municipal property will result in a call to the police. This includes any consumption of alcohol outside of designated areas by guests attending an event where alcohol is being served.

If drunkenness, riotous, quarrelsome, violent, and aggressive or disorderly conduct or unlawful gaming is observed at the event, the event organizer and/or event workers shall, with the possible assistance of the municipal monitor:

- if it is safe to do so, first ask the offending person to leave.
- if the individual refuses to leave, or it is not safe to ask the individual to leave, ask event security to assist and/or call the police immediately.
- seek any necessary assistance to maintain control and management of the event and ensure the safety and protection of all persons, including event workers.

The event organizer and/or event worker must notify the police if they observe signs that a situation is getting out of control. The municipal monitor may also assist with this function.

If at any time patrons, volunteers, or staff feel threatened, they are to engage support from security and/or call the police immediately. Staff or patrons or any other member of the public are NOT expected to put themselves at risk or jeopardize their safety or that of others, when dealing with any perceived or real threatening situation.

### **13.2 Duty to Report**

The event organizer has the duty to report to the municipality any issues, along with details of any incident, where:

- The event organizer and/or designate are aware of or has been made aware of any Act or Policy violations.
- Where an AGCO Inspector under the Act has made a report on any incident or violation or visited the event for inspection.
- Bodily injury or property damage has occurred.
- Police and/or emergency responders have been called to the event.

Police shall be informed by the municipality, event organizer and/or designate as appropriate. Reports shall be made no later than two days after the conclusion of the event, but shall be made immediately when repairs or other action is required to make municipal property secure or safe for use. The municipality may report any infraction of this policy to the police and/or AGCO whenever they believe such action is required.

The event organizer may be asked to complete a security incident report form.

### **Property Damage**

Where damage to municipal property has occurred, the individual(s) responsible will be required to reimburse the municipality for all costs associated with repairs, including labour, materials and lost revenues and will be subject to an administration fee as set out in the Fees and Charges Bylaw. Legal action may be taken to recover related costs if required.

### **13.3 Failure to Comply and Penalties**

The Municipality reserves the right to cancel the event if there is a failure to comply with this policy at any point during pre-event planning.

The Municipality may also cancel, intervene or terminate the event for violations of this policy during the event.

Where there has been a failure to comply with the Act, the police or the AGCO inspector may intervene for enforcement purposes and may, at their discretion or other authority, terminate the event. It remains the responsibility of the event organizer and/or designate to manage the event and to take appropriate actions, including ending the event, vacating municipal premises, maintaining insurance and any conditions of insurance, and providing safe transportation options.

Regardless of the reason for the cancellation or termination of the event, the municipality will not be responsible for any compensation to the event organizer or affected persons of their resulting financial or other losses. The event organizer will



be responsible for any costs not covered by insurance.

The Municipality shall subsequently inform the event organizer and/or designate and any organization they represent, via registered letter, that there has been a violation of this policy, and include any imposed consequences or penalties.

Additional short term and longer term penalties for failure to comply may include, but are not limited to:

- loss of privilege to hold an event involving alcohol on municipal premises.
- loss of any future use or rental of any or all municipal premises.
- individual ban or suspension of persons involved in the infractions from any or all municipal premises for any term.

If an event organizer wishes to appeal any action taken by the Municipality in response to failure to comply with this policy, or Act, the event organizer may present their case in writing to the responding Department, or to the Chief Administrative Officer (CAO) or designate, within 15 days of the decision.

The appeal will be reviewed by the CAO, whose decision shall be final.

## **14.0 Exceptions**

Any request for an exception to this policy must be made in writing by the event organizer and submitted to the municipal representative well in advance of the event, and must include a rationale for the request demonstrating a reasonable belief that public safety will not be compromised by the exception and that the request is consistent with AGCO legislation and regulations. Without sufficient notice, staff may not have time to process the request. Exceptions can only be approved by the appropriate director, in consultation with the AGCO and Municipal Insurance Pool, and other municipal staff as needed, and must be documented in writing.

## **Policy Review**

The policy shall undergo an annual review and is subject to change in accordance with changing legislation and industry standards, and shall be updated as required.

## **Compliance**

In cases of policy violation, the Municipality may investigate and determine appropriate corrective action.