

## Municipality of South Huron

### Alcohol Risk Management Policy

# Frequently Asked Questions

Version: September, 2018

## When did the policy come into effect?

September 1, 2018. This policy applies to all public and private functions held at municipal facilities.

## Why was the policy developed?

The policy works to create a safe, enjoyable environment for those who use municipal facilities for social events where alcohol use is permitted. By ensuring there are effective management practices in place, the Municipality of South Huron safeguards users of our facilities, residents and staff.

## Where is the Alcohol Risk Management Policy applicable?

The policy is applicable at all municipal facilities designated for the conditional use of alcohol. These facilities are:

- South Huron Recreation Centre Banquet Hall – Occupancy: 510
- South Huron Recreation Centre Common Room – Occupancy: 25
- South Huron Recreation Centre Foyer – Occupancy: 250
- South Huron Recreation Centre Arena Floor – Occupancy: 1,399
- South Huron Recreation Centre Warmroom – Occupancy: 56
- South Huron Recreation Centre Section of Top Deck – Occupancy: 125
- South Huron Recreation Centre Agricultural Building – Occupancy: 363(South)/272(North)
- Kirkton-Woodham Community Centre – Occupancy: 450
- Dashwood Community Centre – Occupancy: 180
- Crediton Community Centre – Occupancy: 150
- Centralia Community Centre – Occupancy: 150
- MacNaughton Park
- Port Blake Day Park

## Where is alcohol use prohibited?

Under the policy, alcohol use is prohibited at the following locations:

- Municipal Parks – Municipal parks are open locations absent of enclosures or controls to separate users/events, which makes them unsuitable for alcohol consumption. MacNaughton Park and Port Blake Day Park are the only Municipal parks in South Huron that support the conditional use of alcohol.
- Arena Dressing Rooms
- Swimming Pool Facilities
- All municipal facilities operated by the Operations and Infrastructure Department
- All municipal facilities operated by the South Huron Fire Service
- Municipality of South Huron Council Chambers, Administration Offices and Library

## How do I apply for a Special Occasion Permit?

Special Occasion Permits are available through an online application process (i.e., they are no longer available at LCBO stores) at: <https://www.agco.ca/>

## What are the rules around licensing and SOPs?

For legislation on licensing:

<https://www.ontario.ca/laws/statute/90I19>

For the regulation governing Special Occasion Permits:

<https://www.ontario.ca/laws/regulation/910389>

## What is the timeline for providing the SOP for events in designated municipal facilities?

*Two weeks prior to event*

- Applicant provides a list and a copy of all Smart Serve Program certificates of all bartenders, and names of all monitors working at event.
- Applicant provides proof of \$5,000,000 Commercial General Liability insurance, and a Certificate of Insurance naming the Municipality of South Huron as an additional insured party.

*One week prior to event*

- Applicant provides a security deposit in the amount outlined in the rental agreement or as discussed and agreed upon with Community Services staff.

*Five days prior to event*

- Applicant provides proof of any licences to hold fundraising, draws, raffles, lotteries or games of chance to be operated at the event.
- Applicant provides proof of an SOP to the Municipality at least five days prior to the event.

## Can I host an SOP event at a non-designated municipal location?

If you would like to host an SOP event at a non-designated municipally-owned facility, you must complete an application for a Special Event Permit at least 60 days prior to the event with all relevant details. It is up to Municipal Council to review and provide approval for such events. Approval would be conditional upon completing a Special Event permit and an SOP through the AGCO as above.

## Can the municipality refuse to allow an event?

The Municipality of South Huron reserves the right to refuse any applicant permission to run a licensed event on its property and to impose whatever restrictions it deems appropriate.

The Municipality reserves the right to introduce other conditions, from time to time, at its discretion.

The Municipality, in the interest of public safety, may direct termination of a Special Occasion Event at its option. The Municipality shall not be liable to the Permit Holder or anyone claiming under the Permit Holder for any fees, costs, damages expenses or loss of profit whatsoever for terminating the event.

## Are there special rules to follow under the SOP?

Permit holders must abide by all required laws and regulations. You may see the legislation, regulations and guide on the AGCO website. Specifically, the Municipal Alcohol Risk Management Policy states:

- The Permit Holder will accept only a photo driver's licence, photo Health Card or a passport as identification for alcohol purchase or consumption.
- The Permit Holder shall provide the Municipality with a list and a copy of their certificates of Smart Serve Program trained bartenders, as well as the number of monitors working at the event, two weeks prior to

the scheduled event. Any amendments to this list will be submitted to the Municipality.

- The Permit Holder will ensure that the bartenders and servers do not serve alcohol to underage, intoxicated, rowdy or unauthorized people at the event.
- Door monitors, if required, must be present at all times during the event.
- The monitors, bartenders and alcohol servers will not consume alcohol at the event during their scheduled shift of duty, nor will they be under the influence of any alcohol consumed prior to the event.
- Public Events are open to the general public and may involve the sale and consumption of alcohol. Examples include, but are not limited to, community festivals, sporting and outdoor events, etc.
- The Permit Holder is responsible for promoting safe transportation options for all alcohol-consuming participants. Examples of safe transportation options are:
  - a designated driver selected from non-drinking participants at the event;
  - a designated driver may be provided by the sponsoring group;
  - paid transportation e.g., taxi.

## How many support people do I need for an event?

Smart Serve trained bartenders and floor monitors, as well as security and/or police officers if appropriate, will be required. This is set out in the policy online at: <https://www.southhuron.ca/en/things-to-do/alcohol-risk-management-policy.aspx>

## How do we get Smart Serve training?

Smart Serve training may be obtained through online courses at: <https://www.smartserve.ca/index.php/online-training/>

## What kind of signage do we need at the event?

Some signs will be required for the event. These are listed in the policy and appended to the bottom of this FAQ:

1. Server Requirements – to be posted at the bar and on all entrances to the event.
2. Age of Majority – to be posted at the bar and ticket sales area
3. Ticket Refunds & Refusal of Service – to be posted at the bar
4. Permit Holder Details – to be posted at the bar

5. Designated Driver – to be posted in event facility

## What kind of insurance do we need for the event?

Permit holders need to provide written proof of Commercial General Liability (CGL) insurance of at least \$5,000,000 per occurrence. There are requirements for what the insurance must cover, which are outlined in the Alcohol Risk Management Policy. The insurance policy must also include a Certificate of Insurance separately naming the Municipality of South Huron.

## What is a certificate of insurance?

A Certificate of Insurance is proof of insurance and outlines the coverage of the policy, the name and location of the event and allows the insured to separately name the Municipality of South Huron as an insured party under the insurance policy. The insurance company providing the event insurance will handle this upon request of the insured party. Proof of insurance must be provided to the municipality prior to the event.

## How do I hold the municipality harmless for an event?

The Alcohol Risk Management Policy and rental contract outlines the requirement to hold the Municipality of South Huron harmless from and against all liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any acts or omissions either in negligence or in nuisance whether willful or otherwise by the Proponent, its agents, officers, employees or other persons for whom the Proponent is legally responsible.

This is done through signing the contract and obtaining insurance naming the Municipality of South Huron. Your insurance policy shall include, but not be limited to, bodily injury, property damage, non-owned automobile, contractual liability and host liquor liability up to the full policy limits and shall contain a cross liability, severability of insured clause. The policy must name the Municipality of South Huron as an additional insured and shall contain an endorsement to provide the Municipality of South Huron with thirty (30) days written notice of cancellation or material change that would diminish coverage.

## How much is the security deposit?

Security deposits are based on rental fees set by the Municipal Fees & Charges By-Law and vary depending on the facility booked. They are

generally 50% of the rental fee for small hall facilities and \$500 for the South Huron Recreation Centre. The deposit is due upon signing the contract or a week prior to the event.

## What does the security deposit cover?

The security deposit will be used for the cost to repair any damages to the facility or area that occurred during the event. In the event that the amount of the security deposit is insufficient to cover the cost to repair, the Municipality reserves the right to pursue the shortfall from the Permit Holder including any expenses incurred by the Municipality in recovering the shortfall.

## What are the enforcement procedures and penalties for violations of the Alcohol Risk Management Policy or other legislation or regulations?

Procedures for policy violation and penalties are outlined in the policy online. Permit holders and/or members of rental groups may initiate intervention, as may municipal staff or a member of the O.P.P.

If rental groups violate municipal policy, they will be notified by registered letter indicating no further violations will be permitted. A copy of this letter will be copied to the O.P.P. for their information. A suspension of rental privileges for the period of one (1) year may result. In such case, a copy of the suspension letter will be provided to Municipal Council.

O.P.P. officers may intervene in a policy violation or at his or her initiative or in response to a request from the Municipality or a member of the public. O.P.P. may stop the event, order individuals or groups to leave and may, at the discretion of the Constable present, lay charges under the Liquor License Act of Ontario or any other relevant legislation.

Additional to the O.P.P., an Inspector from the Liquor License Board of Ontario or a member of municipal management may intervene at his or her initiative. Charges may be laid under the Liquor License Act of Ontario or any other relevant legislation.

For monetary penalties around infractions to above legislation and Special Occasion Permit regulations:

[https://www.agco.ca/sites/default/files/schedule\\_mon\\_pen\\_lla.pdf](https://www.agco.ca/sites/default/files/schedule_mon_pen_lla.pdf)

## APPENDIX 1: Server Requirements sign

The Municipality of South Huron 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.

You must be  
19 years of age  
or older to  
purchase or  
consume alcohol  
beverages  
Photo I.D.  
must be provided.

Permit Holder  
may refund  
any unused tickets  
at any time  
during the event  
until the bar closes.  
We reserve  
the right  
to refuse service.

APPENDIX 4: Permit holder details notification to be posted at the bar

## Permit Holder/Rental Group:

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Huron County OPP

**1-888-310-1122**

Alcohol and Gaming

Commission of Ontario

**1-800-522-2876**

Municipality of South Huron

**519-235-0310**

South Huron

Community Services

**519-235-2833**

Emergency: Dial 9-1-1

Appendix 5: Designated Driver sign – to be posted in event facility

We appreciate our  
Designated Drivers and  
thank them for their  
contribution to the health  
and safety of their friends  
and the community.

In recognition of your  
contribution, we are  
pleased to offer free  
coffee and/or soft drinks.