

**ALCOHOL RISK  
MANAGEMENT POLICY  
FOR THE  
TOWN OF SOUTH BRUCE PENINSULA**

**November 21, 2000**

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## **TOWN OF SOUTH BRUCE PENINSULA**

### **ALCOHOL RISK MANAGEMENT POLICY**

#### **PREAMBLE**

The Town of South Bruce Peninsula owns and manages facilities where alcohol consumption is not permitted, and other facilities where alcohol consumption is permitted under the authority of a Special Occasion Permit. The Town of South Bruce Peninsula has developed an alcohol risk management policy in order to prevent alcohol related problems that arise from alcohol consumption within its facilities and to promote a safe, enjoyable environment for those who use these facilities.

A range of problems can arise from alcohol consumption. These problems can affect not only the drinkers but other people who use the facilities. These problems include:

- Vandalism and destruction of Town property
- Police being called to municipal property
- Injuries to drinkers or other individuals
- Liability action arising from alcohol related injuries or deaths
- Increased insurance rates as a result of alcohol incidents
- Loss of insurability should the insurer's risk assessment escalate
- Charges laid against the Town or the Special Occasion Permit Holders under the Liquor License Act
- Suspension or loss of alcohol permit privileges by the Liquor License Board of Ontario
- Loss of enjoyment by non-drinkers and moderate drinkers
- Complaints lodged by offended parties
- Withdrawal from use of facilities by people concerned about alcohol consumption
- Loss of revenue due to reduced participation
- Increased public concern about alcohol consumption

In many instances, these problems will not be attributable to moderate drinkers or to those who respect the rules regarding alcohol consumption. The majority of these problems arise from drinkers who engage in four specific drinking practices:

- a) Drinking to intoxication;
- b) Drinking and driving;
- c) Underage drinking; and
- d) Drinking in prohibited areas

To the extent that these four drinking practices can be reduced, the likelihood of alcohol related problems will correspondingly diminish. For those who do not engage in these targeted drinking practices, the policy will be minimally intrusive. The policy is not intended to stand in opposition to legal and moderate drinking.

#### **PURPOSE OF THE POLICY**

The alcohol risk management policy consists of a range of measures designed to prevent alcohol related problems and to increase the enjoyment of those who use facilities. By reducing the potential for alcohol related problems, the Town of South Bruce Peninsula concurrently reduces its risk of liability actions, reduces the risk of death and increases user's enjoyment of the facilities. In this context, policy measures introduce barriers which impede the adoption of the targeted drinking practices.

The policy is divided into four sections:

1. designation of facilities where alcohol use is prohibited;
2. designation of facilities where alcohol use is permitted;
3. specification of conditions under which alcohol use is permitted;
4. enforcement procedures for violations of the policy.

1. SECTION 1. AREAS DESIGNATED WHERE ALCOHOL USE IS PROHIBITED

The consumption of alcoholic beverages is prohibited in the majority of parks, sports facilities and service facilities in the Town of South Bruce Peninsula. Council may change the designation of any site at its discretion. A complete list of these areas can be obtained from the Recreation and Parks Department. Users who seek permission to use these facilities will be asked to sign a form agreeing that people included in the activity or event will not consume alcohol (see Appendix A).

2. SECTION 2. AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL

The following facilities and areas are currently designated for alcohol use under the authority of a Special Occasion Permit. Town of South Bruce Peninsula Council may change the designation of any site at its discretion.

2.1. Facilities for Special Occasion Permits

- Sauble Beach Community Centre
- Wiarton & District Community Centre
- Bluewater Park
- Dan Davidson Ball Diamond
- Bannister Park

3. SECTION 3. CONDITIONS FOR SPECIAL OCCASION PERMITS

Anyone who wishes to serve alcohol at a designated site must complete an agreement form stipulates the conditions under which alcohol may be served (see Appendix B). In addition, the responsible person must obtain a Special Occasion Permit from the Liquor License Board of Ontario. The Special Occasion Permit holder must ensure that all the conditions of the Liquor License Act and this policy are adhered to at the event. The Town of South Bruce Peninsula reserves the right to refuse an applicant permission to run a licensed event on its property, and to impose on the event whatever restrictions it deems appropriate in the circumstances.

All Special Occasion Permit holders are required to adhere to the following conditions.

3.1. CATEGORY: CONTROL

- 3.1.1. The permit holder will accept only an Age of Majority card, a photo driver's license, or a passport as identification for alcohol purchase or consumption.
- 3.1.2. The permit holder and bartenders will ensure that the bartenders and servers do not serve alcohol to underage, intoxicated, rowdy, or unauthorized people at the event.
- 3.1.3. The permit holder will provide the Town with a list of potential monitors, aged 19 or over, two weeks prior to the event. There will be at least one monitor per 100 participants and one monitor for each entrance and exit at the facility area. Monitors will supervise the event, encourage legal and moderate drinking behaviour and ensure that any problems that arise are dealt with appropriately for the duration of the event.
- 3.1.4. The monitors, bartenders and servers will not consume alcohol during the event, nor will they be under the influence of any alcohol consumed before the event.
- 3.1.5. Monitors will be responsible until the completion of the event and will abide by all of the stated rules.
- 3.1.6. The permit holder will be responsible for recognizing and determining the need for assistance, and for requesting it from the appropriate authorities.
- 3.1.7. Bartender will be supplied by Town and paid by rentor.

Rationale:

The Special Occasion Permit holder and the facility owner need to be alerted to the potential liability and attendant responsibility to prevent participants from becoming intoxicated and protect them from foreseeable harm.

In order to provide a safe environment and control behaviour, event organizers must supervise entrances and exits. By controlling entry, underage, intoxicated, rowdy, or unauthorized people can be prevented from entering an event. This will considerably reduce the likelihood of a problem occurring.

Permit holder will be responsible for patrons or provide monitors for event.

3.2. CATEGORY: SALE OF ALCOHOL

- 3.2.1. When tickets are sold for alcoholic beverages, there will be a limit of 4 per person served at one time. Discounts will not be offered for the volume purchase tickets.
- 3.2.2. When tickets are not sold, each person will be limited to 4 drinks served at a time. Discounts will not be offered for the volume purchase of alcoholic beverages.
- 3.2.3. A sign will be posted at the bar and at the ticket counter stating the law on serving to intoxication.
- 3.2.4. The Town of South Bruce Peninsula can limit the total amount of alcohol that can be purchased for the event, based on its length and the anticipated number of entrants.
- 3.2.5. The permit holder will refund any unused tickets at any time during the event until the bar closes.

Rationale:

By limiting the number of tickets or drinks, participants can be served at one time, the ticket sellers, monitors, bartenders, and servers are provided with more opportunities to observe participants for signs of intoxication. Table consumption can be moderated by not serving rounds of large numbers of tickets – a strip of twenty, for example.

3.3. CATEGORY: LOW ALCOHOL AND NON-ALCOHOLIC OPTIONS

- 3.3.1. The permit holder will ensure that a minimum of 25% of the alcoholic beverages offered consist of low alcohol options (i.e., low alcohol beer, light wine, and low alcohol spirits). Non-alcoholic beverages will be available at lower cost than any alcoholic beverage.
- 3.3.2. A sign will be posted identifying the low alcohol and non-alcoholic beverages available at the event.

Rationale:

Low alcohol beverages help prevent intoxication by permitting responsible consumers with an opportunity to consume less alcohol and avoid becoming intoxicated and will provide servers with a substitute drink for those nearing intoxication. A patron consuming a regular beer (at 5% alcohol) could drink two “extra light” beers (at 2.5% alcohol) to ingest the same amount of alcohol. Similarly, “light” beer (at 4% alcohol) represents a 20% reduction in alcohol intake.

3.4. CATEGORY: ACCOUNTABILITY

- 3.4.1. The permit holder will post a sign, approved by the Town of South Bruce Peninsula stating the name of the Special Occasion Permit holder and the telephone numbers of facility owners and the Liquor License Board of Ontario.
- 3.4.2. The permit holder will obtain a minimum of one million dollars liability insurance, name the Town of South Bruce Peninsula as an additional insured, and present to the Town of South Bruce Peninsula at least two weeks prior to the event. The permit holder will indemnify and save the Town of South Bruce Peninsula harmless from all claims arising from the permit or event.
- 3.4.3. The permit holder will obtain verification or proof of acceptance of all required licences and present to the Town of South Bruce Peninsula two weeks prior to the event.

Rationale:

While the local authorities and Liquor Licence Inspector are informed of the date and place of the special occasion function, they do not always have an opportunity to drop in and check on the operation of the event. The signs serve notice to the permit holder that while enforcement personnel may not be present the entire time, concerned participants will know where to lodge a complaint. This can facilitate early correction of potentially risky situations.

If an individual is injured, and if the Town of South Bruce Peninsula were to be found “jointly and severally” liable, the Town of South Bruce Peninsula could end up paying the total judgement should the Special Occasion Permit holder be uninsured or inadequately insured. In addition to costing the municipality to settle the award, a municipality might have difficulty obtaining continued insurance coverage.

3.5. CATEGORY: SAFE TRANSPORTATION

- 3.5.1. The permit holder will be responsible for promoting safe transportation options for all drinking participants. Examples of safe transportation options are:
- a) A designated driver selected from non-drinking participants at the event;
  - b) A designated driver provided by the sponsoring group; or
  - c) A taxi paid either by the sponsoring group or the participant.

Rationale:

The risk of liability is high when an impaired driver leaves an alcohol related event. Event organizers must assume responsibility for promoting safe transportation for all drinking participants. Safe transportation options are essential since the only way to sober up an impaired driver is with time. Coffee provided at the end of the evening only turns a sleepy impaired person into a wide awake impaired person and still unable to drive.

3.6. CATEGORY: OTHER

- 3.6.1. The Town of South Bruce Peninsula reserves the right to introduce other conditions from time to time at its discretion.

**4. SECTION 4. ENFORCEMENT PROCEDURES FOR POLICY VIOLATION**

4.1. AREAS WHERE ALCOHOL IS PROHIBITED

- 4.1.1. A violation of this policy occurs when individuals consume alcohol in a municipal facility or area where alcohol consumption is prohibited. Intervention can be initiated by a member of the group using the facility or area, a staff member of the Town of South Bruce Peninsula, or by a member of the local authorities.
- 4.1.2. A group member may intervene by informing the offending individual(s) that the Liquor Licence Act and the municipal policy prohibits alcohol consumption and asking that it stop. Group members should feel encouraged to intervene in this way because intervention at other levels could result in a loss of privileges.
- 4.1.3. A staff member of the Town of South Bruce Peninsula will intervene whenever he/she encounters a violation of the Liquor Licence Act and/or municipal policy. Staff members can ask that the consumption of alcohol stop, or they can ask the individual(s) or organized group to leave the facility or areas, depending on the circumstances and the nature of the violation (especially the potential for harm, for loss of enjoyment by non-drinkers, or for complaints). Should the individual(s) or group members fail to comply, the staff member can call the police for enforcement.
- 4.1.4. Where a member(s) or organized group(s) have violated the Liquor Licence Act and/or the municipal policy, and have been confronted by Town of South Bruce Peninsula staff, the group will be sent a registered letter advising of the violation, and indicating that no further violations will be tolerated. Some violations are serious enough to warrant denial of access immediately. This decision may be made by the Liquor Licence Inspector, staff members, the Police or at Council's discretion.

- 4.1.5. Should a member(s) of an organized group/team violate the policy within one year of receiving notice of their first violation, the group will be suspended from organized use of any Town of South Bruce Peninsula facility for a period of four months. A registered letter will be sent to the contact person advising of the suspension. A copy of the suspension letter will be provided to Council.
- 4.1.6. A member of the local police department may intervene in a violation of this policy on his/her initiative or in response to a request either from a Town of South Bruce Peninsula staff member or a member of the general public. The police officer may ask that the alcohol consumption stop, or can order the individual(s) or organized group (s) to leave the facility or area, should the violation warrant such action. In addition, the officer may, at his/her discretion lay charges against the offending individuals under the Liquor Licence Act of Ontario or any other relevant legislation.
- 4.1.7. An individual or organized group may appear in front of the Committee to appeal their suspension or to have their privileges reinstated.

#### 4.2. AREAS WHERE ALCOHOL IS PERMITTED

- 4.2.1. A violation of this policy occurs when the Special Occasion Permit holders fail to comply with the conditions of the Liquor Licence Act of Ontario or the Municipal Alcohol Policy. Intervention can be initiated by a participant at the event, a Town of South Bruce Peninsula staff, a member of the local police, or an Inspector of the Liquor Licence Board of Ontario.
- 4.2.2. A member of the organizing group or the designated monitor may intervene by informing the offending individual(s) of the policy violation and ask that it stop. Group members and monitors should feel encouraged to intervene in this way because intervention at other levels could result in a loss of privileges and legal charges.
- 4.2.3. A Town of South Bruce Peninsula staff member will intervene whenever he or she encounters a violation of the Liquor Licence Act and/or the municipal policy. Depending upon the severity of the policy infraction, Town of South Bruce Peninsula staff may ask the organizers of the event to stop the violation or they may close down the event. Should the organization fail to comply, the staff members may call the police for enforcement. Some violations are serious enough to warrant immediate shutdown or denial of access. This decision may be made by the Liquor Licence Inspector, Town of South Bruce Peninsula staff member, local police or at Council's discretion.
- 4.2.4. Where the Special Occasion Permit holders have violated the municipal policy, and have been confronted by a Town of South Bruce Peninsula staff member, the group will be sent a registered letter advising of the violation, and indicating that no further violations will be tolerated.
- 4.2.5. Should the Special Occasion Permit holders violate the policy within one year of receiving notice of their first violation, the organizers will be suspended from organized use of a Town of South Bruce Peninsula facility or area for a period of one year. A registered letter will be sent to the contact person advising of the suspension. A copy of the suspension letter will be provided to the Town of South Bruce Peninsula Council.
- 4.2.6. An individual or organized group may appear in front of the Committee to appeal their suspension or to have their privileges reinstated.
- 4.2.7. A member of the O.P.P. or an Inspector from the Liquor Licence Board of Ontario may intervene in a violation of this policy on his or her initiative, or in response to a request from either a Town of South Bruce Peninsula staff member or a member of the general public. Depending upon the severity of the infraction, charges may be laid under the Liquor Licence Act of Ontario or any other relevant legislation.



**APPENDIX A  
SPORTS ACTIVITY AGREEMENT**

Name of Team/Group: \_\_\_\_\_  
(please print)

Name of Contact Person: \_\_\_\_\_  
(please print)

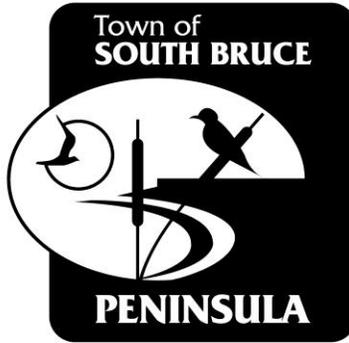
**Certification**

1. I understand that alcohol cannot be consumed in Town of South Bruce Peninsula facilities and areas in compliance with the Liquor Licence Act of Ontario and the Municipal Alcohol Risk Management Policy.
2. I understand that if any member of my team is found consuming alcohol in these facilities or areas, a registered letter of warning will be issued advising of the policy violation and indicating that no further violations will be tolerated. Independent action can be taken by the O.P.P., at its discretion.
3. I understand that if any member of my team violated the policy within one year of receiving a warning, our group will be suspended from using any Town of South Bruce Peninsula facility or area for a minimum period of four months.
4. Prior to the use of municipal facilities, I will provide the Town of South Bruce Peninsula staff with the names and addresses of the team captains so that a brochure outlining the policy can be sent to them.

Signature: \_\_\_\_\_  
Contact Person

Agreement received by: \_\_\_\_\_  
Signature of Recreation & Parks Representative

Date: \_\_\_\_\_  
Day/Month/Year



**APPENDIX B  
SPECIAL OCCASION PERMIT HOLDER AGREEMENT**

Name of Team/Group: \_\_\_\_\_  
(please print)

Name of Contact Person: \_\_\_\_\_  
(please print)

**Certification**

1. I have received and reviewed a copy of the Municipal Alcohol Risk Management Policy.
2. I agree to adhere to the conditions of this policy and the Liquor Licence Act of Ontario.
3. I understand that if an infraction of the policy occurs, the Town of South Bruce Peninsula may warn or suspend my organization from using the facilities or areas for a period of one year.
4. I understand I can be held liable for injuries and damage arising from failing to adhere to the Liquor Licence Act of Ontario, or from otherwise failing to take action that will prevent foreseeable harm from occurring.
5. I understand that O.P.P. and/or a Liquor Licence Inspector can lay charges for infractions of the Liquor Licence Act of Ontario or other relevant legislation.

Signature: \_\_\_\_\_  
Contact Person

Agreement received by: \_\_\_\_\_  
Signature of Recreation & Parks Representative

Date: \_\_\_\_\_  
Day/Month/Year

## APPENDIX C

### RESPONSIBILITIES OF THE SPECIAL OCCASION PERMIT HOLDER

As the contact person for a Special Occasion Permit, your group can be held liable, among other things, for injuries and damages arising from failing to adhere to the Liquor Licence Act of Ontario. These conditions include serving someone to intoxication, serving someone who is already intoxicated, serving minors, and failing to prevent impaired individuals from driving. In order to help reduce your group's risk of liability, the following guidelines will be adopted.

1. There will be at least one monitor per 100 participants. Monitors will supervise the event, encourage legal and moderate drinking behaviour and ensure that any problems that arise are dealt with appropriately for the duration of the event.
2. Monitor the entrance with one person, aged 19 or over. This allows staff to screen for identification and to ensure underage, intoxicated, rowdy, or potentially troublesome patrons are not allowed entrance. It is easier to prevent problems if such people are not admitted to your event.
3. Cover each exit with an additional monitor, aged 19 or over. This allows you to take reasonable steps to prevent impaired people from driving. These reasonable steps can include using a designated driver either from the non-drinking participants at the event or from your group of helpers. Alternatively, it can consist of a taxi paid by either your group or the participants. If these efforts fail, staff may attempt to detain impaired drivers and call the police.
4. In order to reduce the levels of intoxication and the rate of consumption, staff should encourage patrons to consume food, low alcohol beverages, and non-alcoholic beverages.
5. In order to reduce the risk of intoxication, avoid serving oversized drinks, double shots of spirits, or beer in pitchers. Do not allow drinking contests, volume discounts, or other marketing practices which encourage increased alcohol consumption.
6. If tickets are purchased for drinks, refund any unused tickets for cash on demand. To do otherwise encourages increased consumption and intoxication.
7. Ensure the facility is adequately lighted, signs are visible, and stairs are clear. As the occupier of the premises, your group is required to ensure the physical setting is safe for both drinkers and non-drinkers. Town staff should be contacted should your group not be able to provide a safe setting. Your group may be held liable if an accident occurs due to the physical set-up of the facility or area.
8. Prevent patrons from engaging in activities that can harm themselves or others. As the organizer, you must take reasonable steps to prevent foreseeable harm whether patrons are intoxicated or not.
9. Do not contravene Liquor Licence Act by serving minors, intoxicated patrons, or by serving to intoxication. Ensure that serving staff know the signs of intoxication and are prepared to cut off patrons.
10. If an alcohol-related violation occurs, act promptly to rectify the situation and restore adherence to the Liquor Licence Act. Whenever the Act is violated at your event, you are at risk of being charged and of having a liability action launched against you.

11. Where permits from the LCBO apply, the following rules shall be followed:
  - a) All permits, except for wedding/anniversary permits, shall include the statement “NO MINORS ALLOWED” unless approved two weeks in advance by the Committee. Should approval be granted, an area will be established to separate the “MINORS” from the rest of the crowd.
  - b) One or two approved bartenders will be approved by management and be paid for by the renter. All bartenders are responsible to see that no beer/liquor bottles be allowed to leave bar facility for consumption. Bartenders are responsible for enforcing the liquor regulations as set by the LCBO. All bartenders are encouraged to be SIP certified.
  - c) Bar will close at 1:00 a.m. and all lights will be turned on.
  - d) All spirits, wine and beer must be removed from the tables by 1:30 a.m.
  - e) All spirits, wine and beer must be removed from the facility by the renter immediately after 1:30 a.m., unless an alternate arrangement is approved by management when the licence is presented. All spirits, wine and beer left in the facility are the responsibility of the renter.
  - f) Persons must vacate the facility no later than 2:00 a.m. if the building is not vacated by 2:00 a.m. and additional charge may be levied.
  - g) Renter is responsible to see that alcohol is served and consumed only in areas designated by the liquor licence.
12. Responsible for providing and paying for (if required) the ticket taker and seller, and for crowd control and policing.
13. Responsible for the cleanup of facilities used. This will include the washing and drying of any utensils used and the removal of all decorations. Renter must supply detergent, tea towels, dish cloths, etc. necessary for proper kitchen clean-up.
14. Confetti is NOT PERMITTED.
15. Any damage to the facility and/or property during contracted times will be compensated in full and expenses will be invoiced to the renter.
16. The Arena, Parks and Recreation Department is the sole supplier of all standard bar supplies excluding all spirits, wine and beer. (Please ask for list of supplies is required.) Any change in this policy must have the approval of the Committee prior to the event.

Recreation Department  
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519-534-1400 ext. 132  
Fax 519-534-4862