

ALCOHOL
RISK MANAGEMENT POLICY
For the
CORPORATION OF THE TOWN OF ERIN

Adopted: February 16th, 1999

Amended: April 19th, 2016

ALCOHOL RISK MANAGEMENT POLICY

PREAMBLE:

The Town of Erin 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 Erin 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. The policy is not intended to stand in opposition to legal and moderate drinking.

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 property;
- police being called to municipal property;
- injuries to drinkers or other individuals
- liability action and increased insurance rates arising from alcohol-related injuries or deaths;
- loss of insurability, should the insurer's risk assessment escalate;
- charges laid against the municipality 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;
- loss of revenue due to reduced participation; and
- 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 will 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.

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 the facilities. By reducing the potential for alcohol related problems, the Town of Erin concurrently increases user's enjoyment of the facilities, reduces the risk of death and injury and reduces its risk of liability actions. 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; and
4. Enforcement procedures for violations of the policy.

SECTION 1.

AREAS DESIGNATED WHERE ALCOHOL USE IS PROHIBITED

The Liquor License Act of Ontario prohibits the consumption of alcohol in public places unless a license or a Special Occasion Permit has been issued. In accordance with the Liquor License Act, the consumption of alcoholic beverages is prohibited in the majority of parks, gardens, sports facilities and service facilities in the Town. Town Council may change the designation of any site at its discretion. A complete list of these areas can be obtained from the Municipal Office and 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 be intoxicated or consume alcohol (see Appendix A).

The following events are designated as not eligible for alcohol use: all minor sports events and all youth events, including banquets and dances; all "Family Day" events, such as sports tournaments and family days; and all outdoor youth sports activities.

SECTION 2.

AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL

These are facilities and areas currently designated for alcohol use under the authority of a Special Occasion Permit. Town Council may change the designation of any site at its discretion. A complete list of these areas can be obtained from the Municipal Office and the Parks and Recreation Department. Users who seek permission to use these facilities with a Special Occasion Permit will be asked to sign a form stipulating the conditions of use (see Appendix B).

SECTION 3.

CONDITIONS FOR SPECIAL OCCASION PERMITS

Anyone who wishes to serve alcohol at a designated site must complete an agreement form that 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 Erin is under no legal obligation to allow licensed events to be held on its property. If the Town so chooses, it may 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 or designated staff (door monitors) will ask for proper identification at the door if individuals appear to be under the age of 19. The permit holder will accept only a Proof of Age card, a military card, citizenship card a photo drivers license, or a passport as identification for alcohol purchase or consumption. If there is any doubt about the person's age the designated staff can request approval from the person in charge by the designated permit holder or the facility staff or its representative. Notification regarding this procedure will be posted at the entrance and rowdy or intoxicated individuals will be refused entrance.
- 3.1.2 Underage individuals will be refused entrance to Special Occasion Permit Events. An exception may be made in the case of a family occasion such as a wedding, anniversary or family reunion, however alcohol must not be served to people under 19 years old.
- 3.1.3 The Town reserves the right to determine and to reject at its discretion who can serve as bartenders, servers or monitors.
- 3.1.4 The permit holder will ensure that the bartenders and servers do not serve alcohol to persons deemed to be underage, intoxicated, and rowdy or to unauthorized people at the event.
- 3.1.5 There will be at least 1 monitor per 150 participants and 1 monitor for each entrance and exit at the facility or area. Monitors will supervise the event, encourage legal and moderate drinking behavior and ensure that any problems that arise are dealt with appropriately. A minimum of 60% of monitors must be smart served trained
- 3.1.6 The monitors, bartenders and servers will not be under the influence of alcohol at any time during the event while on duty.

3.1.7 The permit holder will provide the Town of Erin a list of bartenders (with verified current SMART Serve certificate), servers and monitors a minimum of 24 hours before the event. The permit holder will require that all bartenders serving at the Erin Community Centre, Centre 2000, Hillsburgh Community Centre, Balinafad Community Centre, Hillsburgh Sports Fields, and McMillan Park will be trained in the SMART Serve Program. In all other areas designated for conditional use of alcohol, at least 60% of the bartenders, servers and monitors will be trained in the SMART Serve, with a minimum of 1 SMART Serve trained bartender serving at all times.

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 at one time. Discounts will be not offered for the volume purchase of tickets. There must be a minimum of 1 SMART Serve trained ticket seller per 150 participants, with a minimum of 60% of the ticket sellers being SMART Serve trained.

3.2.2 All bottles must stay within the bar area. All drinks must be served in disposable paper or plastic cups

3.2.3 At a cash bar, each person will be limited to a purchase of 4 drinks at a time. Discounts will not be offered for the volume purchase of alcoholic beverages.

3.2.4 A sign will be posted at the bar and at the ticket counter stating the law on serving to intoxication.

3.2.5 The ticket sellers will refund any unused tickets for alcoholic beverages during the event. A sign will be posted to this effect.

3.2.6 Ticket sales and ticket refunds will be handled until 30 minutes before the end of the event.

3.2.7 There will be no last call made by event organizers. Entertainers/D.J's will be told that there will be no last call announcement.

3.2.8 Permit holder for public events (or event sponsor) is not to consume alcohol while the event is in progress

3.2.9 All event workers must wear highly visible identification approved by the Town of Erin management

3.3 Category: Low Alcohol and Non-Alcoholic Options

3.3.1 The permit holder must show to the satisfaction of the Town of Erin representative that at least 30% of the alcoholic beverages offered consist of low alcohol options (i.e. low alcohol beer or 2.5 % beer). These options will be highlighted by either displaying the bottles or by posting the options.

- 3.3.2 The permit holder will ensure that the portion of spirits served and the price will be posted at the ticket counter.
- 3.3.3 Non-alcoholic drinks will be available throughout the event. A sign will be posted identifying that low alcohol and non-alcoholic beverages are available at the event.
- 3.3.4 No extra strength beer (over 5%) will be made available
- 3.3.5 In all municipal facilities where children and youth are allowed entry, advertising that promotes alcohol products or alcohol brand names is prohibited

3.4 Category: Accountability

- 3.4.1 The Town of Erin will post a sign, stating the telephone number for the Municipal Office: If there are concerns regarding alcohol consumption during the event, they should be directed to the manager on duty or the designated person in charge
- 3.4.2 The permit holder will obtain a minimum of one million dollars liability insurance, two weeks prior to the event.
- 3.4.3 For large public events The Town of Erin reserves the right to hire at least 2 police officers or security personnel during an event with the sponsoring group or individual paying the cost for added security
- 3.4.4 The following signs or posters will be posted (samples of signs attached)
 - a) Intoxication Statement
 - b) Statement of Accountability
 - c) Safe Transportation
 - d) Ticket Sale Limit
 - e) Statement of Acceptable ID
 - f) Restricted Areas

3.5 Category: Safe Transportation

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

3.6 Category: Other

- 3.6.1 The Town of Erin reserves the right to introduce other conditions from time to time at its discretion

SECTION 4

ENFORCEMENT PROCEDURES FOR POLICY VIOLATION AND INFRACTIONS

4.1 Areas Where Alcohol is Prohibited

- 4.1.1 A violation of this policy occurs when individuals consume alcohol in a facility or area where alcohol consumption is prohibited. Group members, staff and the local authorities may intervene if there is a policy violation.
- 4.1.2 A group member may intervene by informing the offending individual(s) that the alcohol policy prohibits alcohol consumption and asking that the violation stop. Group members should feel encouraged to intervene in this way because intervention at other levels could result in a loss of privileges and legal charges.
- 4.1.3 Event workers must report any infraction of this policy to the designated Town of Erin staff as soon as possible or within 24 hours of the occurrence. Event workers will need to fill out an incident report form to report the infraction
- 4.1.4 Event workers must report any infraction of this policy to the police whenever they believe such action is needed.
- 4.1.5 The designated municipal staff will take steps to ensure the policy violation stops. Staff members will ask that the consumption of alcohol stop or they can ask the individual violator or organized group to leave the facility or area depending on the circumstances and the nature of the violation (especially if there is the potential for harm, for loss of enjoyment by non-drinkers, or for complaints). Should individuals or group members fail to comply the staff member can call police for enforcement.
- 4.1.6 The designated municipal staff must close down an event when there are infractions of the Municipal Alcohol Policy or Liquor License Act previously requested for correction, but that are not corrected by the permit holder.
- 4.1.7 When participants are found to be drinking alcohol in restricted areas such as changing rooms, municipal staff will step in and ask them to stop. If illegal drinking continues, police are to be called.
- 4.1.8 The Town of Erin senior staff will review all reported infractions at their next STM. The CAO or Recreation Supervisor will send a registered letter to the permit holder, describing the problem, indicating that no further violations will be tolerated and possibly cancelling further rental permits depending on severity of the infraction. This decision may be made in consultation with the Liquor License Inspector, the Police or at council's discretion. Penalized groups must be able to demonstrate to municipal staff that they will follow all policy regulations if they want to contract future functions or permits in Town of Erin Facilities.

- 4.1.9 Should contracted members of a group violate the policy after receiving a warning letter, their security deposit will be forfeited and they may be required to appear before Council or its representative.
- 4.1.10 If a violation occurs after a contracted group's security deposit is forfeited, the group will be suspended from use for a minimum of one year. A registered letter will be sent to the group and they will be required to appear before Council or its representative for reinstatement.
- 4.1.11 If the group is a non-contracted renter, the ice-surface lights will be turned off and the police notified. Policy violators will be removed.
- 4.1.12 A member of the local police may intervene in a violation of this policy on his or her initiative or in response to a request either from any staff member or a member of the general public. The police officer will ask that the alcohol consumption stop, or can order the individuals or organized group to leave the facility or area. In addition, the officer may, at his or her discretion, lay charges against the offending individuals under the Liquor License Act of Ontario or any other relevant legislation. The police have the right to seize any alcohol that is used in the commission of an offence under the Liquor License Act.

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 License Act of Ontario or the Alcohol Policy. Participants, staff, local authorities and an Inspector of the Liquor License Board of Ontario may intervene if there is a policy violation.
- 4.2.2 A member of the organizing group or the designated monitor(s) may intervene by informing the offending individual(s) of the policy violation and asking 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 The permit holder is responsible for determining if assistance is needed in enforcing the Alcohol Risk Management Policy, conditions of the Special Occasion Permit, or the Liquor License Act. The permit holder is responsible for requesting support from the appropriate authorities including local police and the designated Town of Erin staff person
- 4.2.4 A Town of Erin staff member will take steps to ensure the policy violation stops. Depending upon the severity of the policy infraction, the organizers of the event may be asked to stop the violation or they may be closed down. Should the organizers fail to comply, the police may be called for enforcement.
- 4.2.5 Where the Special occasion Permit holders have violated the alcohol policy, and have been notified of the violation, they may receive a registered letter advising of the violation, and indicating that no further violations will be tolerated. Some violations are serious enough to warrant immediate shut down or denial of access. This decision may be made by the Liquor License Inspector, police or at the Town of Erin's discretion

- 4.2.6 Should members of a group violate the policy after receiving a warning, the security deposit will be forfeited and they may be required to appear before Council or its representative
- 4.2.7 If a violation occurs after a group's security deposit is forfeited; the group will be suspended from use for a minimum of one year. A registered letter will be sent to the group and the group will be required to appear before Council or its representative for reinstatement.
- 4.2.8 A member of the local Police or an Inspector from the Liquor License Board of Ontario may intervene in a violation of this policy on his or her initiative, or in response to a request from either any 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. The police have the right to seize any alcohol used in the commission of an offence under the Liquor License Act of Ontario.

SECTION 5

POLICY SUPPORT

- 5.1.1 After adopting the policy the Senior Staff Team will design and implement a strategy using Policy Implementation Planning form from the MAP Guide toolkit to orient all municipal staff, Council members, and community user groups to the policy requirements and promote the policy to the community at large.
- 5.1.2 Based on information gathered from event organizers, facility staff and event participants, an ad hoc team shall review this policy annually.

APPENDIX A

SPORTS ACTIVITY AGREEMENT FORM

As contact person for:

Team Name (print)

Contact name (print)

Telephone Number

1. I have received and reviewed a copy of the Town of Erin's Alcohol Risk Management Policy.
2. I understand that alcohol cannot be consumed in Town of Erin facilities and areas in compliance with the Liquor License Act of Ontario and the municipal Alcohol Risk Management Policy.
3. I understand that if any member of my team is consuming alcohol in these facilities or areas, a registered letter of warning may be issued advising of the policy violation and indicating that no further violations will be tolerated. Independent action can be taken by the local police force and the Liquor License Board, at its discretion.
4. I understand that if any member of my team violates the policy within one year of receiving a warning, our group may forfeit its security deposit or may be suspended from using any Town of Erin facility or area for a minimum period of one year.
5. If violation occurs after forfeiting the security deposit, my group will be suspended for a minimum of one year.
6. I will not allow anyone to compete if I suspect he or she is intoxicated or may otherwise be incapable of participating safely.
7. Prior to the use of these facilities, I will provide the Town of Erin with the names and addresses of the team captains so that a brochure outlining the policy can be sent to them.

Town of Erin Representative Signature

Contact Signature

Date _____

APPENDIX B

AGREEMENT FORM FOR SPECIAL OCCASION PERMIT HOLDERS

- L I have received and reviewed a copy of the Town of Erin's Alcohol Risk Management Policy.
2. I agree to adhere to the conditions of this Policy and the Liquor License Act of Ontario.
3. I understand that if an infraction of the Policy occurs, the Town may warn or seize the security deposit or suspend my organization from using the facilities for a minimum period of one year.
4. I understand I can be held liable for injuries and damages arising from failing to adhere to the Liquor License Act of Ontario, or from otherwise failing to take action that will prevent foreseeable harm from occurring.
5. I understand that the local police and a Liquor License Board Inspector can lay charges for infractions of the Liquor License Act of Ontario or other relevant legislation.
6. I agree to obtain the appropriate insurance at least two weeks prior to the event.

Town of Erin Representative Signature

Contact Name (print)

Contact Signature

Date

Telephone Number

APPENDIX C

GUIDELINES FOR SPECIAL OCCASION PERMIT HOLDERS

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 License Act of Ontario. These conditions include serving someone to intoxication, serving someone who already is intoxicated, serving minors, failing to prevent impaired individuals from driving, failing to prevent impaired individuals from participating in potentially dangerous events, and failing to adequately manage rowdy or intoxicated patrons.

1. Monitor the entrance with two people, 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.
2. 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 chartered bus paid by the group for the occasion, if these efforts fail, staff may attempt to detain impaired drivers and call the police.
3. In order to reduce levels of intoxication and the rate of consumption, staff should encourage patrons to consume food, low alcohol beverages, and non-alcoholic beverages.
4. In order to reduce the risk of intoxication refund unused tickets, avoid serving oversize drinks, double shots or spirits, or beer in pitchers. Do not allow drinking contests, volume discounts, or other marketing practices which encourage increased alcohol consumption.
5. 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. Take extra precautions in regards to stairs, balconies, elevators, swimming pools, skating rinks and other areas that pose special risks. Your group may be held liable if an accident occurs due to the physical set-up of the facility or area.
6. Prevent patrons from engaging in activities that pose potential risks of harm to themselves or others. As the organizer, you must take reasonable steps to prevent foreseeable harm whether patrons are intoxicated or not.
7. Do not contravene the Liquor License Act by serving minors, intoxicated patrons, or be serving to intoxication. Ensure that serving staff know the signs of intoxication and are prepared to cut off patrons.
8. Support serving staff in adhering to the Liquor Licensed Act by allowing them the flexibility to offer discounts on food or non-alcoholic drinks. Managers should give servers the power to deny alcohol service to any patron and management will support the servers' decision. By allowing this discretionary power, staff can defuse potentially troublesome incidents when patrons should not be served any more alcohol.
9. If an alcohol related violation occurs, act promptly to rectify the situation and restore adherence to the Liquor License Act. Whenever the Act is violated at your event, you are at risk of being charged. Even if no charge is laid, the fact that the Liquor License Act has been violated can be used to undermine your defense in any civil suit.

APPENDIX D

RATIONALE

Rationale for Section 3.1: Control

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 behavior, 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.

By providing the facility owner with a list of bartenders, servers and monitors, those who previously have over-served, served minors, and served intoxicated patrons can be asked not to participate in the event. A facility owner who failed to take such steps would be in a far more precarious legal position in any subsequent suit.

If injuries result from an event, the facility owner can be held liable and prosecuted under the Liquor License Act, regardless of any agreement with the permit holder.

Rational for Section 3.2: Sale Of Alcohol

By limiting the number of tickets or drinks participants can purchase 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 selling rounds of large numbers of tickets - strips of twenty, for example.

Rational for Section 3.3: Low Alcohol and Non-Alcoholic Options

Low alcohol beverages help prevent intoxication by providing responsible consumers with an opportunity to consume less alcohol and avoid becoming intoxicated while providing 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.

Rational for Section 3.4: Accountability

While the local authorities and Liquor License inspectors 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 Erin were to be found 'jointly and severally' liable, the Town could end up paying the total judgment 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.

Rational for Section 3.5: Safe Transportation

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 person is with time. Coffee provided at the end of the evening only turns a sleepy drunk into a wide awake drunk and still unable to drive.

SCHEDULE B
To By-Law _____

AREAS DESIGNATED WHERE ALCOHOL USE IS PROHIBITED

Carberry Park Hill Street Park

Lions Park - Hillview Avenue

Village Walking Trail System

Athenwood Parkette

Mountainview Parkette

Riverside Park Erin

Heritage Parkette Hillsburgh

McMillan Park Erin

AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL

Erin Township Tennis Club

Erin Community Centre and Arena

Centre 2000 and Theatre

Hillsburgh Community Centre and Arena

Balinafad Community Centre

Victoria Park Hillsburgh

Town of Erin Municipal Office

Town of Erin Public Works and Water Facilities

Barbour Sports Fields Hillsburgh

Jim Bailey Ball Park Balinafad

Hillsburgh Municipal Fire Hall

Erin Village Municipal Fire Hall