

THE CORPORATION OF THE TOWN OF ORANGEVILLE

ALCOHOL RISK MANAGEMENT POLICY





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PREFACE

The Town of Orangeville owns and operates facilities where alcohol consumption is not permitted and other facilities where alcohol consumption is permitted under the authority of a Special Occasion Permit (SOP). The Town of Orangeville has developed an Alcohol Risk Management Policy in order to prevent problems that arise from alcohol consumption at Town owned facilities and to promote a safe, enjoyable environment for those who use these facilities.

Problems can arise from alcohol consumption which can affect not only the drinkers but also patrons who use Town 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 related incidents
- Loss of insurability should the insurer's risk assessment escalate
- Charges laid against the Town or the Special Occasion Permit holder(s) under the Liquor Licence Act/Regulations
- Suspension or loss of Alcohol Permit privileges by the Alcohol and Gaming Commission of Ontario (AGCO)
- 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 will arise from drinkers who engage in six specific drinking practices.

- a) **Drinking to intoxication;**
- b) **Drinking and driving;**
- c) **Under age drinking;**
- d) **Drinking in prohibited areas;**
- e) **Over service by SOP Holder; and**
- f) **SOP Holder promoting immoderate consumption**

To the extent that these four drinking practices can be reduced, the likelihood of alcohol related problems would 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 the facilities. By reducing the potential for alcohol related problems, the Town of Orangeville concurrently reduces its risk of liability actions. In this context, policy measures introduce barriers that impede the adoption of the targeted drinking practices.

The Policy is divided into four sections:

- SECTION 1 - Areas designated where alcohol use is prohibited;
- SECTION 2 - Areas designated where alcohol use is permitted;
- SECTION 3 - Specification of conditions under which alcohol use is permitted;
- SECTION 4 - Enforcement Procedures for violations of the policy

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 Orangeville. Contract holders who book these facilities will be required to sign a sports Activity Agreement form agreeing that participants will not consume alcohol. **(See Appendix B)**

Areas where the consumption of any alcoholic beverage is prohibited are:

- all facility and park change rooms and washrooms;
- all facility lobbies, arena ice and floor surfaces, pool and deck, gymnasium and meeting rooms
- all bleachers and spectator areas;
- all municipally owned parking lots, parks, trails, walkways and open space;
- all municipal sports playing fields

unless the area is designated as an area for Alcohol consumption under the authority of a SOP or Liquor License.

Persons found consuming alcohol in any of these prohibited areas will be reported to the Orangeville Police Services, and these persons may be prohibited from further use of Town owned facilities.

SECTION 2 - AREAS DESIGNATED WHERE ALCOHOL USE IS PERMITTED

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

- **Rotary Park, Pavilion, 75 Second Avenue;**
- **Tony Rose Memorial Sports Centre, 40 Fead Street;**
- **Alder Street recreation centre, 275 Alder Street**

SECTION 3 - SPECIFICATION OF CONDITIONS UNDER WHICH ALCOHOL USE IS PERMITTED

Anyone who wishes to serve alcohol at a designated site must complete an application form which stipulates the conditions under which alcohol may be served (**See Appendix A**). In addition, the contract holder must obtain a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario. The Special Occasion Permit holder(s) must ensure that all the conditions of the Liquor License Act, its Regulations, and the Town of Orangeville are adhered to at the event. The Town of Orangeville reserves the right to refuse an applicant permission to run a licensed event on its property.

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

3.1 Control

3.1.1 The permit holder will accept only the following identification for age when serving alcohol:

- Ontario driver's licence with a photo;
- Canadian passport with a photo;
- Canadian citizenship card with a photo;
- Canadian armed forces card with a photo;
- (Photo card formerly issued by the LLBO no longer acceptable)
- LCBO BYID photo card
- Indian Status Card
- Photo Card issued under the Photo Card Act

3.1.2 Bartenders must obtain a Smart Server Training Certificate. The permit holder will provide the Town with a photo copy of the bartenders Smart Serve card two weeks prior to the event and ensure that only those bartenders will serve alcohol.

3.1.3 The permit holder will ensure that the bartenders and servers do not serve alcohol to under aged, intoxicated or unauthorized individuals at the event.

3.1.4 The permit holder will provide the Town with a list of the monitors aged 19 or over, two weeks prior to the event. There will be a least 1 monitor per 100 participants and 1 monitor for each entrance and exit at the area. Monitors will supervise the event, encourage legal and moderate drinking behaviour and ensure that any problems that arise are dealt with appropriately.

3.1.5 The monitors, bartenders and servers are not to consume alcohol during the event.

3.1.6 The permit holder will be responsible to provide the necessary event security to monitor and handle any event concerns. The Town of Orangeville reserves the right as a condition of The Facility Rental Agreement to advise the permit holder that paid duty or security staff will be required for their event along with a predetermined number required.

RATIONALE:

The Special Occasion Permit holder(s) and the 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 or unauthorized people can be prevented from entering the event. This will considerably reduce the likelihood of a problem occurring.

By providing the Town 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.

3.2 Sale of Alcohol

- 3.2.1 When tickets are sold for alcoholic beverages, there will be a limit of four (4) per person at one time and only two drinks served to a person at one time. Discounts will not be offered for the volume purchase of tickets or any unused drink tickets. Refunds need to be made available to prevent immoderate consumption of alcohol.
- 3.2.2 A sign will be posted at the bar and at the ticket counter stating the law on serving to intoxication or intoxicated persons.
- 3.2.3 All alcohol beverages should be dispensed by the bartender from its original container into plastic, paper cups. Bottles and glass should be then kept and stored within the bar area of the function.
- 3.2.4 A sign will be posted by the permit holder to indicate a ticket sale limit.
- 3.2.5 A sign will be posted by the permit holder both at the main entrance and the bar that acceptable I.D. will be required, should the permit holder, bar tender request proof of age.
- 3.2.6 Signs will be posted in all common areas indicating “alcohol not to be consumed nor in the possession of any individual beyond this point or within this area”.
- 3.2.7 There will be no alcohol advertising at the facilities.

RATIONALE:

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.

3.3 Low Alcohol and Non-Alcoholic Options

- 3.3.1 The permit holder will ensure that 30% 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 a 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 events.

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 Accountability

- 3.4.1 The permit holder will post a sign, approved by the Town of Orangeville stating the name of the Special Occasion Permit holder and the telephone numbers for the Municipal Office and the

Alcohol and Gaming Commission of Ontario (AGCO).

- 3.4.2 The permit holder will obtain a minimum of two million dollars liability insurance, name the Town of Orangeville as an additional insured, at least two weeks prior to the event. The permit holder will indemnify and save the Town of Orangeville harmless from all claims arising from the permit or event.

RATIONALE:

Local authorities and AGCO Inspectors are informed of the date and place of the special occasion function. 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. A staff person on duty (e.g. Facility Supervisor or designate) will drop in during each event to monitor the event. This can facilitate early correction of potentially risky situations.

If an individual is injured, and if the Town of Orangeville were to be found "jointly and severely" liable, the Town of Orangeville could end up paying the total judgement should the Special Occasion Permit holder(s) 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 Safe Transportation

- 3.5.1 The permit holder(s) will be responsible for promoting safe transportation options for all drinking participants. The following are examples of safe transportation options:

- a) A designated driver selected from non-drinking participants at the event;
- b) A designated driver provided by the sponsoring group;
- c) A taxi paid either by the sponsoring group or the participant; or
- d) Buses chartered by the sponsoring group.
- e) Parking overnight is available if driver is unable to drive home. A 24 Hour Parking Permit is available at the Customer Service Desk.

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

3.6 Other

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

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 or area where alcohol consumption is prohibited. Intervention can be initiated by a member of the group using the area (if it is a group activity), a staff member of the Town of Orangeville, or by a member of the Orangeville Police Services.

- 4.1.2 A group member may intervene by informing the offending individual(s) that 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 Orangeville will intervene whenever he/she encounters a violation of the policy. Staff members can ask that the consumption of alcohol stop, staff can ask the individual or organized group to leave the area. Should the individuals or group members fail to comply; the staff member may contact the police for enforcement.
- 4.1.4 Should a member or members of an organized group violate the policy, the rental will be cancelled and participants will be suspended from using Town owned facilities for a period of one year. A letter will be sent to the contact person to notify them of the suspension. A copy of the letter will be provided to Town Council.
- 4.1.5 A member of the Orangeville Police Services may intervene in a violation of this policy on his/her initiative or in response to a request either from Town of Orangeville staff or a member of the general public. The police officer may ask that the alcohol consumption stop, or can order the individuals or organized group to leave the area. 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.
- 4.2 Areas Where Alcohol is Permitted**
- 4.2.1 A violation of this policy occurs when the Special Occasion Permit holder(s) fail to comply with the conditions of the Liquor Licence Act of Ontario, and its Regulations, or the Municipal Alcohol Risk Management Policy. A participant at the event, a Town of Orangeville staff member, a member of Orangeville Police Services or an Inspector of the Alcohol and Gaming Commission of Ontario (AGCO) can initiate intervention.
- 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 stops. 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 Orangeville staff member will intervene whenever he or she encounters a violation of the policy, depending upon the severity of the policy infraction, Town of Orangeville staff may ask the organizers of the event to stop the violation or they may close down the event. Should the organizers fail to comply, the staff members may call the police for enforcement.
- 4.2.4 Should members of Special Occasion Permit violate the policy; the group will be suspended from organized bookings and use of any Town of Orangeville facilities. A letter will be sent to the contact person and a copy sent to Town Council.
- 4.2.5 A member of the Orangeville Police Services or an Inspector from the Alcohol and Gaming Commission of Ontario (AGCO) may intervene in a violation of this policy on his/ her initiative, or in response to a request from either a Town of Orangeville 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.

RZONE POLICY – RESPECT & RESPONSIBILITY

The Corporation of the Town of Orangeville (the Town) is committed to fostering an environment where there is Respect for yourself; Respect for others; and Responsibility for your actions. The Town discourages any form of inappropriate behavior at all Town recreational programs, facilities, parks and trails, in written or verbal communications (including email or phone), or at any other location where Town staff are present.

The purpose of this policy is to promote a positive, safe and supportive environment for all members of the public and staff. In addition, this policy will encourage respect, commitment and considerate relationships between the Town and members of the public. The Town of Orangeville's recreational programs, facilities, parks and trails exist to provide residents with opportunities to participate in sport and recreational activities.

The Parks and Recreation Department promotes active living through their *in motion* program, it is aimed at increasing physical activity for the sake of your health. In promoting this program the Town operates programs, facilities, parks and trails which encourage such participation and is committed to ensuring the safety of patrons as well as staff.

The Town permits a range of community-based programs which are managed and operated by volunteers. These community-minded citizens contribute greatly to the quality of life in Orangeville. The Town endeavours to ensure that these citizens have the ability to volunteer in a safe and positive environment. Therefore, the Town through the Parks and Recreation Department ensures that measures are in place to ensure that incidents of violence or inappropriate behavior do not occur in its programs, facilities, parks and trails.

Included in this commitment is an understanding that organizations and the general public using Parks and Recreation programs, facilities, parks and trails must take primary responsibility for the behaviour of all associated with them: participants, officials, spectators, patrons, and parents/caregivers.

This policy outlines the measures and enforcement steps to be taken in order to address inappropriate behavior.

Definitions:

For the purpose of this policy, "vandalism" is defined as the malicious, willful, and deliberate destruction, damage or defacing of property owned or permitted through the Parks & Recreation Department. "Lewd, illegal or offensive materials" would include pornography, violent acts, indecency, hate, illegal gambling, profanity and material with text or imagery that has explicit or malicious intent.

APPENDIX A

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 Licence Act of Ontario and its regulations. 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 should be adopted.

1. Monitor the entrance with two people, aged 19 or over. This allows to screen for identification and to ensure underage, intoxicated or potentially troublesome patrons are not allowed admittance. It is easier to prevent problems if such people are not admitted to the event.
2. Cover each exit with an additional monitor, aged 19 or over, which allows you to take steps in preventing impaired people from driving. These steps can include a designated driver from the non-drinking participants, from the group of helpers or a taxi paid by your group or participant. If these efforts fail, staff may attempt to detain impaired drivers and call the police. It will also help prevent illegal alcohol from entering the licenced area or stop patrons from exiting the licenced area with their alcoholic beverages.
3. In order to reduce the levels of intoxication and the rate of consumption, permit holder should encourage patrons to consume food, low alcohol beverages, and non-alcoholic beverages.
4. In order to reduce the risk of intoxication, avoid serving oversize 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.
5. Ensure that there is adequate lighting, signs are visible and stairs are clear of all obstructions. As the occupier of the premises, your group is required to ensure the area is safe for both drinkers and non-drinkers. Your group may be held liable if an accident occurs due to the physical set-up of the area.
6. 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.
7. Do not contravene the Liquor Licence Act by serving minors, intoxicated patrons or by serving to intoxication. Ensure that all bartenders have Smart Serve and know the signs of intoxication and are prepared to cut off patrons.
8. Support serving staff in adhering to the Liquor Licence Act by allowing them the flexibility to offer discounts on food or non-alcoholic drinks. In doing this, it will help staff deal with 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 Licence Act. Wherever the act is violated at your event, you are at risk of being charged and of having liability action launched against you.



APPENDIX B

**PARKS & RECREATION DEPARTMENT
SPORTS ACTIVITY AGREEMENT**

1. I understand that alcohol cannot be consumed in any Town owned and operated facility, this in compliance with the Liquor Licence Act of Ontario and the Town's Alcohol Risk Management Policy.
2. I will not allow anyone to participate if I suspect they are noticeably impaired and/or near the point of intoxication.
3. I understand that if any member of my team is consuming alcohol in these facilities, a letter will be issued advising of the policy violation and indicating that all privileges and use of the facility will be revoked for a period of one year. The Orangeville Police Services, at its discretion, can take independent action.
4. I understand that should a member of my team violate the policy on a second infraction, the group will be suspended from use of any Town owned facilities for two years.
5. Prior to the use of municipal facilities, I will provide all team captains with a copy of the Alcohol Risk Management Policy.

DATED THIS DAY OF 20

Organization/Group

Signature of Representative

APPENDIX C

**PARK & RECREATION DEPARTMENT
SPECIAL OCCASION PERMIT HOLDER AGREEMENT**

Name of Team/Group _____
Please print clearly

Contact Person: _____
Please print clearly

Certification

1. I have received and reviewed a copy of the Alcohol Risk Management Policy.
2. I have read the guidelines on the reverse of the Agreement.
3. I agree to adhere to the conditions of this policy and the Liquor Licence Act of Ontario and its Regulations.
4. I understand that if an infraction of the policy occurs, the Town of Orangeville will not allow my organization use of the facilities for a period of one year. Upon a second infraction my organization will be denied all privileges within all Town owned facilities for two years.
5. I understand I can be held liable for injuries and damages 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.
6. I understand that Orangeville Town Police and a Liquor Licence Board Inspector can lay charges for infractions of the Liquor Licence Act of Ontario or other relevant legislation.
7. I agree to obtain and provide a copy of the appropriate insurance two weeks prior to the event.

Signature: _____
Contact Person

OFFICE USE
Agreement received by

Signature of Parks & Recreation Representative

Date