

Category: Community Services

**Title:** Municipal Alcohol Policy CMS-110

Policy Number: CMS-110

Approved by: C137-2021, CW232-2021

Administered by: Community Services Department, Recreation Division

Effective: May 5, 2021

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## 1. Background

Alcohol and other controlled legal substances are key components of the social and leisure activities of many people. However, there can be negative social, legal and health impacts from uncontrolled or high-risk consumption. The consumption of controlled substances is permitted in the Province of Ontario in accordance with regulations and reasonable controls.

A Municipal Alcohol Policy is a key policy instrument to mitigate negative impacts and risks from high-risk consumption of controlled substances. The City of Brampton ("City") implemented its first Municipal Alcohol Policy in 2016 to manage the usage and consumption of alcohol on municipally-owned premises.

## 2. Purpose

The purpose of this Policy is to reduce problems associated with consumption of a controlled substance such as injury, violence and liability. This policy establishes a series of reasonable conditions, which all persons will be required to follow where the consumption of a controlled substance is permitted on or in City properties, premises, places, spaces and/or events.

## 3. Application and Scope

- 3.1 This Council Policy applies to organizers of events held on City-owned property at which a controlled substance will be served (including City-sponsored events) whether the organizers are City staff, elected officials, or members of the public.
- 3.2 This Council Policy is to be applied wherever the consumption and/or serving of a controlled substance occurs on or in a City-owned property including events that

involve alcohol through Special Occasion Permits and/or liquor licensed events under a Caterer's Endorsement as applicable.

3.3 This Council Policy does not apply to:

a) City operations which are licensed to serve alcohol

- These types of operations must possess a valid liquor sales licence and are subject to the terms and conditions of that licence;

b) Businesses which are licensed to serve alcohol on municipal property

- These types of businesses must possess a valid liquor sales licence and are subject to the terms of their particular lease agreement with the City, and the terms and conditions of that licence.

#### 4. Outcomes

- 4.1 Promote a safe, enjoyable environment and ensure the health and safety of participants at alcohol-related events on City property whether they are consuming a controlled substance or abstaining.
- 4.2 Reduce potential injury, violence and/or liability which may arise from consumption of a controlled substance.
- 4.3 Protect event organizers, participants, volunteers and the City from liability risks.
- 4.4 Encourage and reinforce responsible drinking practices for participants through the development of appropriate operational procedures, controls, training and education.

#### 5. Principles

- 5.1 **Responsibility** - Alcohol and other controlled substances should be enjoyed in a responsible and safe manner that does not interfere with people who do not wish to consume a controlled substance.
- 5.2 **Alignment** - Consumption of alcohol and other controlled substances on City property should be undertaken in accordance with all applicable, municipal, federal and/or provincial regulations and statutes.
- 5.3 **Awareness** – Fostering education to raise awareness and share relevant information about mitigating the harm and risk from the consumption of controlled substances.

## 6. Policy Statements

- 6.1 All applicable alcohol-related federal and provincial laws, policies, regulations and by-laws, including, but not limited to, those from the Alcohol and Gaming Commission of Ontario shall be adhered to and followed at all times in addition to this Council Policy.
- 6.2 All applicable and/or related Region of Peel and City of Brampton policies, directives, regulations and by-laws, including, but not limited to, those regarding fire safety and public health shall be adhered to and followed at all times in addition to this Council Policy.
- 6.3 This Council Policy shall be followed in conjunction with and in accordance with all accompanying online resources, standard operating procedures, manuals and/or guidelines regarding the consumption and sale of controlled substances on City property.
- 6.4 All online resources, standard operating procedures, manuals, standards and/or guidelines regarding the consumption and sale of controlled substances on City property shall be contained and maintained in the *Municipal Alcohol Policy Standards and Guidelines* which may be amended as required at any time.
- 6.5 The City reserves the authority to ensure compliance with this Council Policy, City By-laws, provincial legislation, and accompanying *Municipal Alcohol Policy Standards and Guidelines* including applying relevant penalties or remedial/punitive corrective actions as appropriate for any reason.
- 6.6 The City shall review all requests to hold an event on municipal property to determine if the requested location is appropriate for an event that includes the sale, service and consumption of alcohol and reserves the authority to deny or re-allocate requests based on evaluation criteria as determined by the City.
- 6.7 The City reserves the authority at its sole discretion to determine and deem an event organizer as not being in good standing with the City for any reason such as, but not limited to, past infractions, outstanding payments due etc.
- 6.8 The City shall not be responsible for any compensation to the Event Organizer or affected persons of their resulting financial, or other losses from termination of an event due to failure to comply with applicable by-laws, policies and/or the *Liquor License Act*.
- 6.9 The City reserves the authority to restrict or amend the sale and consumption of controlled substances on City property including designating physically separated locations within a property where such substances are permitted for any reason.
- 6.10 The City reserves the authority to prohibit the sale, consumption and/or serving of alcohol at specific facilities, outdoor locations and/or areas within a location such as change rooms or offices etc. and is subject to change or revision at any time.

- 6.11 The City reserves the authority to prescribe the duration and time of day that alcohol may be served or consumed on City property.
- 6.12 The City reserves the authority to mandate minimum and/or enhanced pricing for alcohol being sold or served based on total alcohol content.
- 6.13 The sale, service and/or consumption of cannabis-based products is prohibited on City property including edible cannabis and cannabis-infused alcohol beverages.
- 6.14 The sale, service or consumption of alcohol under the authority of a S.O.P is not permitted at street parties, youth focused events, and/or minor sport events where the majority of participants are eighteen (18) years of age or under with the exception of events being held in a location operating under and in accordance with a separate valid liquor sales license as per section 3.3.
- 6.15 Tailgate parties or similar outdoor events involving alcohol such as those sanctioned under a *Tailgate Event Special Occasion Permit* are prohibited on City property.
- 6.16 Event organizers and/or hosts shall ensure that all required signage provided by the City (e.g. Sandy's Law etc.) is displayed in prominent locations throughout the duration of the event as per requirements contained in the *Municipal Alcohol Policy Standards and Guidelines*.
- 6.17 Event organizers and/or hosts shall ensure that their event includes a Safe Transportation plan to reduce the possibility of impaired driving as per recommendations contained in the *Municipal Alcohol Policy Standards and Guidelines*.
- 6.18 Alcohol-only events without food being served are not permitted on City property. All events with alcohol being served must include food for event participants. The City reserves the authority to establish or amend the type and/or proportion of food that is deemed acceptable in accordance with the nature, type of scope of the event.
- 6.19 Any person or organization hosting an event on City property must have sufficient liability insurance coverage as per the City's requirements which may be amended at the City's discretion.
- 6.20 Any legal name(s) on a rental agreement must match and be the same as the person listed as the S.O.P Holder on the *Special Occasion Permit* and liability insurance certificate required for serving alcohol and/or hosting an event on City property. The person legally named on any required agreement or permit must also be on-site and present for the duration of the event.
- 6.21 The S.O.P issued for the event and all levy receipts for purchased alcohol including any associated documentation such as guest lists must be available and accessible on site for inspection if requested.

6.22 The City reserves the authority to establish minimum staffing requirements for an event and require amendments or additions to staffing at its discretion depending on the nature, type or scope of the event (e.g. police officers, security personnel etc.)

6.23 All event workers including an event organizer or host must be trained and have completed Smart Serve certification to serve or sell alcohol on City property.

## **7. Roles and Responsibilities**

### **7.1 Members of City Council**

- Required to adhere to this policy and accompanying *Municipal Alcohol Policy Standards and Guidelines* In addition to any related online resources, manuals, guidelines and/or standard operating procedures as applicable when attending and hosting events or activities serving alcohol on City property.

### **7.2 City staff**

- Ensuring that both themselves and any event workers recruited for a liquor licensed event that the City is overseeing are Smart Serve trained.
- Responsible for satisfying all requirements for safe management of an event in accordance with this Policy and accompanying *Municipal Alcohol Policy Standards and Guidelines* in addition to any related online resources, manuals, guidelines and/or standard operating procedures as applicable.
- Ensuring event organizers are provided with all required documentation outlining pertinent information including any online resources, manuals, guidelines, standard operating procedures, forms and/or terms and conditions related to this Policy.

### **7.3 External event organizers**

- Required to adhere to this policy and accompanying *Municipal Alcohol Policy Standards and Guidelines* in addition to any related online resources, manuals, guidelines and/or standard operating procedures as applicable when attending and hosting events or activities serving alcohol on City property.
- Ensuring that both themselves and any event workers recruited for a liquor licensed event that they are overseeing are Smart Serve trained.
- Enforcing requirements of the *Liquor License Act* and this Policy as applicable including carrying out their duty to report infractions or violations to City staff.

- Responsible for ensuring that all applicable agreements, permits and other mandatory municipal, federal and/or provincial requirements such as liability insurance as specified in the *Municipal Alcohol Policy Standards and Guidelines* including any accompanying online resources, manuals, guidelines or standard operating procedures to this Policy are completed to the City's satisfaction within specified timelines as applicable.

## 8. Monitoring and Compliance

8.1 This Policy shall be reviewed in accordance with the Corporate Governing Policy.

8.2 City staff designated as responsible for a City facility, space or event where a controlled substance is permitted in accordance with all applicable legislation and other requirements shall monitor and enforce compliance with this Policy and any accompanying online resources, manuals, guidelines and/or standard operating procedures as applicable.

8.3 Consequences of non-compliance

Failure to follow this Council Policy may result in:

- a) Reputational, liability, legal, health and/or security risks to the City, members of the public and organizations participating in events or activities involving a permitted controlled substance on City property.
- b) Fines and/or cancellation of any event or activity that is deemed to be in non-compliance for any reason as applicable or appropriate.

## 9. Definitions

9.1 'Alcohol and Gaming Commission of Ontario (AGCO)' refers to the provincial agency responsible for the administration of the Liquor Licence Act which regulates the sale, service and consumption of alcohol while promoting moderation and responsible use.

9.2 'Caterer's Endorsement' refers to an accommodation to a liquor sales licence authorizing the licensee to sell and serve alcohol for an event held on premises other than the premises to which the liquor sales licence applies. If an event is being conducted under a valid Caterer's Endorsement, a S.O.P. is not necessary.

9.3 'Controlled Substance' refers to a drug or chemical such as alcohol, tobacco and cannabis whose manufacture, possession, or use is regulated by a government

9.4 'Event' refers to any gathering held on municipal property at which alcohol will be served and/or sold (e.g. weddings, showers, dances, barbeques, birthday parties etc.). The duration of the event includes event set-up, operation and take-down. Events involving alcohol may take place on licensed municipal property or under the authority of a S.O.P.

- 9.5 'Event Organizer' refers to the individual responsible for the operation of an event at which alcohol will be served and/or sold. The Event Organizer (a term that shall represent the individual who has entered into a formal legal agreement with the City) is responsible for the safety and sobriety of people attending the event as well as compliance with this M.A.P. and the Liquor Licence Act and its regulations, at the event.
- 9.6 'Event Worker' refer to individuals appointed or hired by the Event Organizer, who serves or sells alcohol, or is involved in an event where alcohol is served on municipal property. Event Workers must be nineteen (19) years of age or older, been trained by a recognized alcohol server training course (e.g. Smart Serve®)
- 9.7 'Liquor Licence Act' refers to the *Liquor Licence Act, R.S.O. 1990 c. L. 19* and outlines legislation regarding the sale and service of alcohol.
- 9.8 'Minor Sport Event' refers to an event such as a sports-related banquet or competition where the focus or attendance consists of athletes under nineteen (19) years of age.
- 9.9 'Municipal Property' refers to any municipally owned or leased lands, buildings and structures.
- 9.10 'Premises' refers to the specific location where the Event Organizer intends to sell and/or serve alcohol. This includes the licensed area(s) in conjunction with all unlicensed areas accessible to event attendees such as, but not limited to, washrooms and parking lots.
- 9.11 'Serving' refers to the act of, taking drink orders, taking payment for alcoholic beverages, stocking the refrigerator or alcohol service area, and bartending.
- 9.12 'Smart Serve®' refers to a training program offered by Smart Serve Ontario designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as bars, restaurants, banquet halls and other public facilities. Smart Serve® is the only server training program that is recognized by the A.G.C.O. and approved by this policy.
- 9.13 'Special Occasion Permit (S.O.P.)' refers to a document issued by the Liquor Control Board of Ontario (LCBO) on behalf of the AGCO for one-time social events where alcohol will be sold and/or served. All alcohol for the event must be purchased under the S.O.P.
- 9.14 'S.O.P. Holder' refers to the individual (e.g. Event Organizer) who signs the application for a S.O.P. to sell and/or serve alcohol.
- 9.15 'Tailgate Special Occasion Permit' refers to a permit issued by the AGCO to allow the serving of alcohol at an event held in conjunction with, and in proximity to, a sporting event (e.g., in a parking lot), and where attendees 19 years of age or older may bring their own liquor for consumption at the tailgate event, within the permitted area.

9.16 ‘Youth Focused Event’ refers to an event where the majority of participants are eighteen (18) years of age or younger and/or where the primary focus of the event is on youth or children.

## 10. References and Resources

This Policy should be read and applied in conjunction with the following references and resources as updated from time to time. Please note that some of the following documents may not be publically available.

### External references

- [Liquor Licence Act, R.S.O. 1990, c. L.19](#)
- [Alcohol and Gaming Commission of Ontario](#)

### References to related bylaws, Council policies, and administrative directives

- [Advertising on City Property 14.5.2](#)

### References to related corporate-wide procedures, forms, and resources

- Municipal Alcohol Policy Standards and Guidelines

## Revision History

Date	Description
2021/05/05]	Approved – Replaces <i>Municipal Alcohol Policy 2016</i> (rescinded by Council Resolution No. C137-2021)
2024/05/05]	Next Scheduled Review ( <i>typically three years after approval</i> )