



Town of Halton Hills  
Municipal Alcohol Procedures  
March 23, 2015

## **TABLE OF CONTENTS**

### **Purpose**

### **Purpose of the Operating Standards and Procedures**

### **Definitions**

### **SECTION 1 - Designation of Properties and Events**

1.1 Properties Eligible for SOP Events

1.2 Tiered Seating

1.3 Events Not Eligible for SOP Events

### **SECTION 2 – Management Practices**

2.1 Municipal Designation

2.2 Municipal Notification

2.3 Agreement between Event Special Occasion Permit Holder & Liquor Sales Licensee

2.4 Areas to Which Special Occasion Permit Applies

2.5 Conditions Regarding an Application for Special Occasion Permit

2.6 Role of Town Staff

2.7 Role of Event Organizer

2.8 Conditions for the Use of Alcohol in Town Facilities/Properties

2.9 Advertising

2.10 Insurance

2.11 Event Workers

2.12 Entry and Monitoring

2.13 Serving of Alcohol

2.14 Security Plan

## **SECTION 3 – Safe Transportation Strategy**

## **SECTION 4 - Signage**

4.1 Signage Required at Events

## **SECTION 5 – Actions to Enforce**

5.1 Premises Where Alcohol is not Allowed

5.2 Premises Where Alcohol is Allowed

## **SECTION 6 – Policy Support**

## **SECTION 7 – Appendices**

Appendix A - Designated Properties

Appendix B - Event Checklist

Appendix C – Server Information

Appendix D – Activity Agreement

Appendix E – Agreement for Special Occasion Permit Holders

Appendix F – Signage

## **Purpose**

The Town of Halton Hills is committed to providing a safe and enjoyable environment for facility and park users and therefore has established reasonable conditions, which all persons are required to follow where the consumption of alcohol is permitted on Town property.

## **DEFINITIONS:**

For the purpose of this Policy, the following terms have the definitions set out below.

**AGCO** means “The Alcohol and Gaming Commission of Ontario”.

**Caterer’s Endorsement** means an endorsement to a liquor license issued by the AGCO that permits the sale and service of beverage alcohol to an Event that is in an area other than a licensed establishment. The catered Event must be sponsored by someone other than the license-holder, and the Event cannot be longer than ten (10) days.

**Delegate, in reference to the Event Organizer** means an employee, agent, servant, representative, partner or other individual designated by the Event Organizer to manage the Event or to ensure compliance with the Event Organizer’s responsibilities under the Municipal Alcohol Policy.

**Event** includes all Events requiring a Special Occasion Permit/License by the AGCO that take place in municipally owned facilities or parks. Events may be public or private.

**Event Organizer** means any person or organization applying to hold an Event on Town property and includes the person or organization on whose behalf such persons apply or seek permission to hold the Event, the person whose name is listed as the permit holder on a Special Occasion Permit, and the person listed as a sponsor on a Caterer’s Endorsement for such Event.

The Event Organizer is:

- The person responsible for signing the Rental Agreement, and/or
- The person named as such on the Special Occasion Permit, or
- A designate who has been mutually agreed upon by the Town and the person who signed the Rental Agreement.

**Event Worker** means any representative (paid or unpaid), agent, partner, employee, servant, contractor or other individual or entity working on the Event for the Event Organizer, and includes volunteers, the Event Organizer, an Event Organizer’s Delegates, Servers and Event Workers.

**Fortified Drinks, Extra-strength drinks** means any drink with more alcohol content than a Standard Drink defined below. Many coolers and some brands of beer and wine contain more alcohol than a standard drink.

**Licensed/Permitted Event Area** means the area identified by the permit or license where alcohol will be stored and served, as per the conditions of the license/permit.

**Liquor License Act or LLA** means the *Liquor License Act*, R. S. O. 1990. c. L.19 as amended and includes applicable Regulations passed pursuant to the Act.

**Municipal Significance (or an Event that is Municipally Significant)** means an Event for which a municipal resolution or letter from the municipal clerk or designated authority is required and indicates the Event is one of municipal significance.

**Municipal Alcohol Policy** means “The Town of Halton Hills’ Municipal Alcohol Policy” and includes this document.

**Publicly Advertised** means an Event which is made known to the public for their attendance, utilizing advertisement sources such as flyers, newspaper, radio, web communities or formal announcements.

**Registrar** means “the Registrar of Alcohol and Gaming” within the meaning of the *Alcohol and Gaming Regulation and Public Protection Act, 1996*.

**Server** means an Event Worker (paid or unpaid) serving or selling alcohol beverages or selling or providing tickets for redemption for such alcohol, or who is acting as a bartender.

**Smart Serve** means the certification program for responsible service training to all individuals who serve alcohol beverages or who work where alcohol beverages are served in the Province of Ontario.

**SOP** means a “Special Occasion Permit” issued pursuant to Section 19 of the *Liquor Licence Act*.

**Standard Drink** means, in the case of:

- **Beer:** 12 oz. or 341 ml. of beer with 5% alcohol by volume
- **Wine:** 5 oz. or 142 ml. of wine with 12% alcohol by volume
- **Spirits:** 1 ½ oz. or 43 ml. of spirits with 40% alcohol by volume

Each of these standard drinks has 0.6 ounces or 17 ml. of pure alcohol.

**Third Parties** means those individuals, corporations, or partnerships with which the Town is at arm’s length within the meaning of the Income Tax Act (Canada) and excludes Town Affiliates.

**Town** means “The Corporation of the Town of Halton Hills”.

**Town Property(ies), or Town Premises** means those facilities, lands, buildings, structures, premises or other real property for which the Halton Hills is the legal owner, lessee or over which the Town otherwise has authority to grant use.

**Town Staff** means Town staff that is identified by the Town as the contact for either Municipal Alcohol Policy purposes or the Town property in question, as the context requires

## **SECTION 1 – DESIGNATION OF PROPERTIES AND EVENTS**

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 alcohol is prohibited on all properties owned or operated by the Town, including parks, parkettes, sports facilities, recreation facilities, municipally owned roadways, cultural facilities and service facilities, unless specifically designated otherwise.

### **1.1 Properties Eligible for SOP Events**

Alcohol may only be sold or served in facilities that are licensed under the *Liquor License Act*. For those facilities and properties that are not licensed, The Town has developed a “Designated Properties” list (Attached as Appendix A), identifying Town properties where Events with alcohol being served under an SOP or a Caterer’s Endorsement may be approved. Town Council may change the designation of any site at its discretion.

The Town reserves the right in its sole discretion to refuse an Event Organizer permission to hold their Event on Town Property, and for reasons other than the Municipal Alcohol Policy including conflicting events, renovations or uses.

The Director of Recreation and Parks or his/her designate has the right to approve or deny requests for alcohol at Events on Town Property that are not on the Designated List.

Regardless of an approval for a property not on the Designated Properties List, the Event Organizer and their Event will be subject to the Municipal Alcohol Policy unless the approval specifically provides otherwise.

For greater certainty, upon the date the Municipal Alcohol Policy comes into effect the Municipal Alcohol Policy is intended to apply to all Town Properties, with the following exceptions:

- a. Those Town Properties under the care, management or control of Town Affiliates who only allow events on Town Properties pursuant to a Liquor License. For the purpose of the Municipal Alcohol Policy “Town Affiliates” means those Boards of Directors/Executive, corporations or other corporate entities that are not at arm’s length with the Town within the meaning of the *Income Tax Act* (Canada) ;

- b. Those Town Properties under the care, management or control of Town Affiliates for which property owner approval is required before adoption of the Municipal Alcohol Policy unless the existing leasing, licensing or other contract between the Town and the Town Affiliate contains provisions mandating the adoption of Town policies or the contract otherwise allows the Town to impose compliance with the Municipal Alcohol Policy;
- c. Those Town Properties for which the Town has an existing and valid contract with Third Parties with respect to the use of the Town Properties except to the extent that the Town is permitted under the terms of said contract to mandate the adoption of Town policies or the contract otherwise allows the Town to impose compliance with the Municipal Alcohol Policy.

### **1.2 Tiered Seating**

The Town does not approve the sale or service of alcohol for fixed tiered seating or temporary tiered seating (i.e., bleachers).

### **1.3 Events Not Eligible for Special Occasion Permit**

The serving of alcohol will not be permitted at any Events where the focus of the Event is for youth under the age of 19.

## **SECTION 2 – MANAGEMENT PRACTICES**

### **2.1 Municipal Designation**

Except as specifically noted below, the designation of an Event as Municipally Significant is required where an organization's Event is both (a) outdoors and (b) involves an agreement between the SOP holder and a liquor sales licensee (e.g., bars and restaurants) to allow a patron to take a single serving of alcohol between the respective permitted and licensed areas. The purpose of this agreement is to ensure there is no unreasonable risk to public safety, the public interest and the public, and no unreasonable risk of non-compliance with the Liquor License Act and Regulations by either of the parties. This agreement must be sent to the Alcohol and Gaming Commission of Ontario at least 30 days prior to the Event, and must be approved by the Registrar. No municipal designation of "municipal significance" is required where the Special Occasion Permit applicant is either a charitable organization registered under the *Income Tax Act* or a non-profit association or organization for the advancement of charitable, educational, religious or community objects.

Any other person or group may also be issued a Public Event SOP, however, in this case the Event must first be designated either by the municipality as one of municipal significance, or by the Registrar of Alcohol and Gaming as one of provincial, national, or international significance. A request for municipal designation must be submitted by the applicant as part of the application process. A municipality is not under any obligation to provide a designation to an applicant for an Event SOP.

A municipal designation may take the form of a resolution of council or a letter from council's authorized designate (e.g. Municipal Clerk) on municipal letterhead and stating that the municipality deems the Event as one that is significant to the community. While a particular Event may receive a designation from a municipality, the Registrar ultimately decides if the necessary criteria have been met in order for a permit to be issued.

**NOTE:** Individuals or groups looking to hold a different kind of Event for which an SOP is required (Trade Show, Auction, Reception, Private Event, Consumer Show, Diplomatic Events and Market Research Events) do not require a designation of Municipal Significance prior to acquiring a Special Occasion Permit.

## **2.2 Municipal Notification**

SOP applicants for all Public Events are required to provide thirty (30) days' notice to municipal officials (e.g. recreation and parks office, police, fire and health departments) prior to the start of the Event if fewer than five thousand (5,000) people are expected to attend. If the Event is expected to attract five thousand (5,000) or more people, 60 days' notice prior to the start of the Event is required.

## **2.3 Agreement between Event SOP Holder and Liquor Sales Licensee**

An Event Organizer can enter into an agreement with a liquor sales licensee, allowing patrons to carry a single serving of alcohol between the Permitted Event Area and the Licensed Event Area (e.g. bar, patio). The Registrar will review the agreement to ensure the parties have reasonably addressed issues of public safety and public interest.

## **2.4 Areas to Which Special Occasion Permit Applies**

SOP applicants are required to define the proposed area within which the sale, service and consumption of alcohol will take place. Events taking place outdoors are not required to restrict alcohol sale, service and consumption to designated beer tents, and may be expanded to include other areas that are part of the Event.

If the Event is taking place on municipal property, the municipality has the ability to either establish or approve areas to which the SOP applies, or not approve the Event at all.

Regardless of the size of the proposed licensed area, a 0.9 meter partition must be in place in order to distinguish the areas in which alcohol is allowed from the areas in which alcohol is not allowed. Sufficient security must be provided by the Event Organizer to ensure alcohol is sold, served and consumed in compliance with the *Liquor License Act* and regulations. In determining whether security is sufficient, the Event Organizer shall consider the nature of the Event, the size of the premises and the age and number of persons attending the Event. Identification must be checked at each point of entrance and guests legally permitted to consume alcohol at the event must be clearly identified (using bands, stamps, etc.). It is the Event Organizer's responsibility to pay for any additional fees incurred for hosting the Event (i.e., fencing, security, police, etc.)

## **2.5 Conditions Regarding an Application for a Special Occasion Permit**



Any Event Organizer who wishes to serve alcohol at a designated property must sign an agreement stipulating the conditions under which alcohol may be served (Attached as Appendix D). In addition, the Event Organizer who signs the agreement form must obtain a Special Occasion Permit from the AGCO. The Special Occasion Permit (SOP) holder/Event Organizer must ensure all conditions of the *Liquor License Act* and these procedures are adhered to at the Event, and must supply the Town with a copy of the Special Occasion Permit no less than five (5) business days prior to the Event.

The Event Organizer (as indicated on the SOP) or his/her delegate must be present at all times.

The Town is under no obligation to allow licensed Events to be held on its property. If the Town chooses to allow such Events, it may impose whatever restrictions it deems appropriate.

The Event Organizer must fully recognize his/her responsibilities to:

- (a) prevent participants from becoming intoxicated; and
- (b) protect participants from foreseeable harm; as fundamental strategies in reducing the risk of complaints, injury, and liability.

## **2.6 Role of Town Staff**

Town Staff will provide written educational information or sources to the Event Organizer identifying the conditions and requirements of the Municipal Alcohol Policy and Procedures upon request. Upon application, Town Staff will provide an Event Checklist (Attached as Appendix B) to ensure the Event Organizer has been made aware of the requirements under the Municipal Alcohol Policy.

The Director of Recreation and Parks or designate for the property in question, will approve or reject the application and use of Town Property for the Event involving alcohol based upon compliance with Municipal Alcohol Policy requirements, and may add such conditions as in their sole discretion are advisable for the particular property or Event. Separate approvals may still be required depending upon the location and Event. Additionally, where necessary approvals have been obtained, agreements for use of Town Property in a form and content satisfactory to the Town Solicitor may be required .

The Director of Recreation and Parks or designate may, provided it is in writing, waive any of the minor specific requirements of: (a) serving alcohol set out in clause **2.13** of this document; or (b) Event Worker identification and clothing as set out in clause **2.11.7**. Such waivers are in the sole and absolute discretion of the Recreation and Parks Director or designate as to whether it is appropriate for the Event, provided that no such waiver shall relieve the Event Organizer, the SOP holder/Event Organizer, alcohol caterer or Event Workers from their legal obligations. Examples of such minor waivers that may be considered are having wine served to tables in bottles or the use of glassware for weddings or similar receptions.

The Town reserves the right to determine and approve who can serve as bartenders, servers, or Event Workers, at its sole and absolute discretion.

## **2.7 Role of the Event Organizer**

### **2.7.1**

The Event Organizer is responsible for the management and control of the Event including but not limited to:

- Organization and planning
- Set up (unless provided by the facility)
- Training of their designates and other Event Workers
- Inspection of the Town Premises
- Alcohol service and sales
- Safety and sobriety of people attending the Event including those persons turned away to control the Event or because of intoxication
- Control of access to the Town Premises at all times during the occupation and use of the Town Premises
- Response to emergencies including contacting Police or other emergency services
- Return of the Town Premises in vacant and proper condition
- Compliance with the *Liquor License Act* and the Town's Municipal Alcohol Policy and any other conditions imposed upon the permission for use of Town Property granted by the Town.

### **2.7.2**

All alcohol-related functions are required to have Smart Serve trained personnel responsible for the serving of alcohol. The Event Organizer, or designate, will provide to the Town a list, including names, addresses and Smart Serve registration numbers, for all bartenders, and Event Workers a minimum of five (5) business days in advance of the Event (See Municipal Alcohol Policy Server Information Form Attached as Appendix C). When unforeseen circumstances prevent a person on the submitted list from participating, substitutes may be used. Whenever possible, the names, addresses and registration numbers of substitutes must be submitted prior to the Event,. For regular facility users, a standing list of bartenders, servers, and Event Workers may be submitted, provided that only those on the list will be used at any Event.

### **2.7.3**

Where the Event Organizer is not the person named as the holder of the SOP, or as the sponsor for a Catering Endorsement, or the person applying for such permit or sponsorship for the liquor permit required for the Event, both the Event Organizer and the person so named/applying shall be signatories to the required agreement with the Town.

### **2.7.4**

It is the Event Organizer's responsibility to ensure that Event Workers and patrons follow the conditions and requirements laid out in the *LLA*, the Municipal Alcohol Policy and all agreements for use of Town Premises, and that a sufficient number of trained Event Workers are in attendance and are applied as needed to, manage and control the Event

and the use of the Town Property in fulfillment of the responsibilities of the Event Organizer and the Event Workers.

The Event Organizer may designate an individual or individuals to help with management of the Event and compliance with the Municipal Alcohol Policy, but in no event shall such delegation relieve the Event Organizer of their responsibilities, liabilities or duties pursuant to the Municipal Alcohol Policy or pursuant to any agreement with the Town.

#### **2.7.5**

The Event Organizer has a duty to report to Town Staff details of any incident: (a) that involves bodily injury or property damage; (b) where a Liquor Inspector under the *LLA* has made a report on any incident or violation; or (c) where the Event Organizer is aware or has been made aware of any *LLA* or Municipal Alcohol Policy violations. Police shall be informed by the Event Organizer as appropriate. Reports to Town Staff shall be made no later than 24 hours after the conclusion of the Event, but shall be made immediately where repairs or other action is required to make Town property secure or safe for use. The Event Organizer is responsible to make an immediate report to Town Staff if the facility or premises becomes unsafe for use, and to take all necessary steps to protect and exclude persons, erect barriers, give warnings and provide any other protection needed until Town Staff take control over the unsafe area.

#### **2.7.6**

The Event Organizer must supply the Town with the following no less than five (5) business days prior to the Event:

- A copy of the Special Occasion Permit
- A list (including names and addresses and Smart Serve registration numbers) of all bartenders, servers and Event Workers who are certified in Smart Serve. The Town reserves the right to determine and approve who can serve as bartenders, servers, or Event Workers, at its discretion (See Municipal Alcohol Policy Server Information Form, attached as Appendix C)
- Activity Agreement Form (Attached as Appendix D)
- Agreement for Special Occasion Permit Holders Form (Attached as Appendix E)
- Proof of adequate insurance

The Town reserves the right to cancel the Event if the above requirements are not received within the prescribed time.

### **2.8 Conditions for the Use of Alcohol in Town Facilities/Properties**

The Municipal Alcohol Policy will apply to all Events where alcohol is served under an SOP, a Caterer's Endorsement, or license. The Event Organizer must comply with the *Liquor License Act*, and all of the provisions of the Town's Municipal Alcohol Policy. The Event Organizer must also ensure compliance by other persons involved in the Event, including but not limited to

- the caterer/licensee for alcohol service,
- the person to whom the SOP is issued (if different from the Event Organizer), and

- the sponsor for the purposes of the Caterer's Endorsement.

## **2.9 Advertising**

When advertising an Event for which a Special Occasion Permit has been issued, the Event Organizer may advertise that alcohol will be sold and/or served, providing that the advertising:

- is consistent with the principle of depicting responsibility in use or service of alcohol;
- promotes a general brand or type of alcohol and not the consumption of alcohol in general;
- does not imply that consumption of alcohol is required in obtaining or enhancing any of the following:
  1. social, professional or personal success,
  2. athletic prowess,
  3. sexual prowess, opportunity or appeal,
  4. enjoyment of any activity,
  5. fulfillment of any goal, or
  6. resolution of social, physical or personal problems;
- does not appeal, either directly or indirectly, to persons under the legal drinking age (19 years) and is not placed in media that are targeted specifically at people under that age;
- does not associate consumption of alcohol with driving a motorized vehicle, or with any other activity that requires care and skill or has elements of physical danger;
- does not depict motorized vehicles in motion in advertising showing the consumption of alcohol, unless the motorized vehicle is a form of public transportation;
- does not suggest any illegal sale, purchase, gift, handling or consumption of alcohol; and
- is in compliance with the AGCO Registrar's advertising guidelines.

## **2.10 Insurance**

The Event Organizer must provide an original Certificate of Insurance and obtain confirmation of acceptable form and content of the insurance from the Town before occupying Town Premises for the Event. The Certificate of Insurance must be in effect for the date(s) on which the Town Property is being used or occupied by the Event Organizer (this should include dates needed for set up and take down).

The Certificate of Insurance must provide proof of a minimum of Five Million Dollars (\$5,000,000) Commercial General Liability coverage issued by an insurance company satisfactory to the Town that is licensed to carry out business in Ontario and which must at a minimum include the following:

- A Host Liquor Liability endorsement
- Coverage for bodily injury and property damage liability
- The Town of Halton Hills shown as an additional insured to the policy
- Show that coverage is in effect on the date(s) of the Event.

- Must be submitted a minimum of five (5) business days prior to the Event along with other required documents – see section 2.7.6
- The actual insurance limits and provisions required may be amended at any time at the discretion of The Town of Halton Hills.

## **2.11 Event Workers**

### **2.11.1**

It is the Event Organizer's responsibility to ensure that all Event Workers participating in the Event are at least 18 years of age, are familiar with and carry out the requirements of the Town's Municipal Alcohol Policy and are familiar with the Town Premises or facility in use. The Event Organizer shall not use any Event Worker unless the Event Organizer is satisfied they have been adequately trained and prepared to carry out the responsibilities assigned.

### **2.11.2**

The Event Organizer and all Event Workers must not consume alcohol during their attendance on Town Premises or facilities, including specifically while working the Event, while the bar is closed and after the Event is over. As a condition for use of the facilities, the Event Organizer will be required to sign a form agreeing that they and other Event Workers will not consume or be impaired by alcohol (Attached as Appendix E).

In order to provide a safe environment and to control illegal or potentially harmful behaviour, Event Organizers must supervise entrances and exits. By controlling entry, organizers are expected to prevent underage, intoxicated, rowdy or unauthorized people from gaining access to the Event, and thereby reduce the likelihood of problems occurring.

### **2.11.3**

The Event Organizer or their delegate must attend the Event for its entire duration, including the post-Event clean up, and must remain in attendance until the premises are vacated, and shall be responsible for making all decisions regarding the operation of the Event and safe transportation.

### **2.11.4**

The following chart outlines the minimum ratio of Event Workers to guests and is to be strictly adhered to:

The Event Organizer shall decide the actual numbers, training and types of Event Workers above minimums as required for management and control of the Event, control of the premises and compliance with the SOP. The Town reserves the right to adjust the minimum Event Worker versus guest ratio on an event-by-event basis.

## Guest to Event Worker Ratio

Number of Guests	Location	Smart Serve Certified	18+ Years Not Certified
Under 50	Each Door Entrance	0	0
	Each Bar	2	0
	Each Bar Ticket Location	1 (where applicable)	0
	Floor	1 (Host)	0
50-100	Each Door Entrance	1	0
	Each Bar	2	0
	Each Bar Ticket Location	1 (where applicable)	0
	Floor	1 (Host)	0
Over 100	Each Door Entrance	1	As required
	Each Bar	2	
	Each Bar Ticket Location	1 (where applicable)	As required
	Event Area	1:100 guests	As required

All Door Entrance/Access points to the licensed area must be staffed or monitored by an Event Worker. Each venue will require a varying number of Door Entrance/Access point Event Workers dependent on the layout of the venue.

A minimum of 2 Smart Serve-certified bartenders are required at an Event serving alcohol, regardless of the number of guests.

### 2.11.5

Regardless of the chart above, the Event Organizer is required;

- a. to consider the need for: (i) their own training; (ii) additional Event Workers above the specified minimums without limiting the needs for staffing; (iii) planning for possible attendance for the Event and sufficient Event Workers; and (iv) limiting attendance to ensure they meet their responsibilities in this clause;
- b. to decide the actual numbers and types of Event Workers or other security above the specified minimums, and to provide for their training, supervision and instruction, all as necessary to: (i) manage and control the Event; (ii) control the use of the premises; (iii) control access to areas where alcohol is allowed to be served or consumed; and (iv) comply with their SOP, Caterer's Endorsement, the *Liquor License Act* and Municipal Alcohol Policy responsibilities;
- c. to ensure that all persons acting as bartenders and Servers be certified as trained under Smart Serve (a minimum of 2 regardless of the number of guests); and
- d. to meet their obligations in clauses (a), (b) and (c) above, recognizing that

the Town reserves the right to adjust the minimum number, or types, of Event Workers on an Event-by-Event basis.

#### **2.11.6**

Event Workers shall wear an I.D. nametag and/or clothing that is highly visible in a crowd so that they can be easily identified. Provision of this identification and clothing is the responsibility of the Event Organizer.

### **2.12 Entry & Monitoring**

It is the added responsibility of the Event Organizer to train and inform the Event Workers of the following:

- Persons who appear to be under 25 years of age shall be required to show their photograph identification, in a form specified under the *Liquor License Act*, at the ticket purchase area and/or the alcohol service area.
  
- Acceptable identification for a person includes any of the following, provided that the identification has not expired, contains both a photograph of the person and the person's birth date, and has been issued by the listed government or government agency:
  - Ontario Driver's License with a photo
  - Canadian passport
  - Canadian Citizenship Card with photo
  - Canadian Armed Forces Identification Card
  - Liquor Control Board of Ontario "Bring Your Identification" (BYID) photo card
  - Secure Indian Status Card (Canadian)
  - Permanent Resident Card (Canadian),
  - Any photo card issued under the *Photo Card Act, 2008*

If there is dispute or doubt, Event Workers can request a final ruling from the Event Organizer or designate. Notification regarding this procedure (Attached as Appendix F) must be posted at the entrance to the premises.

For large events, it is recommended that wristbands that identify the age of the participant be used.

#### **2.12.1 Refusal of Entry, Removal of Persons**

The Event Organizer is responsible for ensuring, and shall ensure, that any imposed capacities for facilities and outdoor areas are not exceeded during the course of the Event, and that there are sufficient Event Workers as per the guest to worker ratio (see 2.11.4) to control all access points to the Event.

The Event Organizer shall ensure that the Event is managed and controlled to prevent dangers to attendees and other persons present, and shall not allow persons to enter the

premises that are or appear to be intoxicated. The Event Organizer and Event Workers shall exercise their rights to remove, or deny entry to, intoxicated persons, aggressive persons, or to unauthorized youths or youths found drinking alcohol.

The Event Organizer is responsible for ensuring that Event Workers are supported or assisted as required, that safe transportation options are offered or arranged where required, and that Event Workers carry out their responsibilities. If underage drinking is encountered, Event Workers must also report the findings to the Event Organizer or caterer under the Caterer's Endorsement.

No persons shall be allowed to consume alcohol outside of the areas designated for consumption by either the SOP or Town agreement.

If intoxication, riotous, quarrelsome, violent, aggressive or disorderly conduct is observed at the Event, the Event Organizer and the Event Workers will:

- First ask the person to leave and, if the person refuses to leave, call the Police; and
- Seek any necessary assistance and transportation to maintain control and management of the Event and to ensure the safety and protection of persons including Event Workers

### **2.13 Serving of Alcohol**

In hosting an Event, the Event Organizer must ensure and carry out the following:

- Only alcohol identified on the SOP and identified and stamped by the appropriate vendor (LCBO, beer and wine stores) may be made available for sale and/or consumption.
- Homemade wine and/or beer can only be served but not sold at a wedding or other religious event. An Event is considered to be a religious event when it is presided over by an officiant. The wine and/or beer must be made by a member of the family hosting the Event, and must be acquired by the Event Organizer free of charge.
- Registered charities and not-for-profit organizations or associations are the only groups that may receive free alcohol from manufacturers for an SOP Event. All other alcohol served at an SOP Event must be purchased from a government store (LCBO, The Beer Store, manufacturer's retail store).
- Alcohol tickets will not be sold to anyone under the age of 19 years, or to persons apparently under the age of 25 who do not produce proper identification.
- Alcohol will not be sold or served to anyone under the age of 19 years, or to persons apparently under the age of 25 who do not produce proper identification.
- All Smart Serve-certified bartenders will have authority regarding decisions to refuse service to individuals who are rowdy or appear intoxicated.



- Ticket sales for alcohol shall be limited to 4 tickets at one time per person. Discounts will not be offered for the volume purchase of tickets. Tickets must clearly identify if it is a non-alcohol or alcohol drink.
- Only Smart Serve-trained persons shall be designated to sell tickets.
- No practice will be used to encourage increased consumption (e.g., double shots, 2 for 1, oversized drinks, etc.).
- Where beer is available, at least 30% of the beer offered for sale must be a light variety (being beer with 4% alcohol by volume or less).
- Low alcohol options will be highlighted by either displaying containers or by posting their availability.
- No Fortified Drinks or Extra-Strength Drinks shall be available.
- The Event Organizer will ensure that the portion of spirits served (e.g., 1 ounce, 1 ¼ ounces, 1 ½ ounces) and the price per serving will be posted at the ticket or serving counter.
- All beverages served at the Event shall be served in plastic or wax coated cups – no glass, no bottles – and will be limited to a single standard serving, that is 16 ounces of regular beer, 1 ½ ounce or less of spirits, and 5 ounces or less of wine. In the event that pitchers of draft and/or bottles of wine are permitted to be sold/served, the limit will not exceed a 48 ounce pitcher of beer or 1 liter of wine. The Director of Recreation and Parks or designate may, at his/ her discretion, exempt an event from the requirement of using plastic or wax-coated cups.
- The Director of Recreation and Parks or designate may, provided it is in writing, waive any of the minor specific requirements of serving alcohol as specified in Section 2.13 of this document.
- All beverage containers whether containing alcohol or not, must remain in the designated service area, except as waived in writing by the Director of Recreation and Parks.
- Non-alcohol beverages must be available throughout the Event at a moderate cost to guests. It is strongly recommended that non-alcohol drinks be provided FREE of charge to identified designated drivers.
- There must be sufficient food available for those in attendance. This requirement is not satisfied by snack foods such as chips, peanuts, and popcorn. The holder of a license for premises in a theatre is not required to have light meals available if alcohol is sold and served for a maximum of one hour before the performance, during intermission and for a maximum of one hour after the performance.

- Except for New Year's Eve (December 31), the hours for the sale and service of alcohol under an SOP (for an indoor event) are 11 a.m. to 2 a.m. the following day. On New Year's Eve (December 31), sale and service of liquor under an SOP are 11 a.m. to 3 a.m. the next day (January 1). However, the Registrar may restrict the hours of sale and service as a condition of the permit. SOP hours of sales and service now mirror those of licensed establishments. Municipal noise and other by-laws further restrict the hours for outdoor events. The Director of Recreation and Parks or designate may, exempt an Event from this requirement, but the Event will remain subject to compliance with SOP requirements.
- "Last call" will not be announced but sales and service of alcohol must cease a minimum of 30 minutes prior to the closing of the Event.
- The Event Organizer must refund any alcohol tickets purchased but unused during the Event, and will post a sign to this effect (Attached as Appendix F).
- Marketing practices which encourage increased consumption of alcohol shall be prohibited (e.g. oversized drinks, double shots, pitchers (except where specifically permitted), drinking contests, volume discounts).
- Alcohol shall not be offered as a prize in a contest. The purchase or consumption of alcohol in order to qualify for a prize is not allowed.
- No persons shall be allowed to bring their own alcohol to the Event or to pour their own alcohol drinks.

## **2.14 Security Plan**

The Event Organizer, if determined necessary by the Director of Recreation and Parks or designate, shall submit a security/operational plan when an Event is Publicly Advertised or when anticipated attendance or the type of event warrants such a plan.

Security/operational plans may be required to be submitted under Municipal Alcohol Policy and shall be approved by Police, Fire, EMS and a Liquor License Inspector under the *LLA*. At the discretion of the Police, Fire, EMS and such Liquor License Inspector, the security and operation plans must be amended to cover all their requirements. All costs associated with the preparing and complying with security/operational plan shall be the responsibility of the Event Organizer. The Director of Recreation and Parks or designate has authority to resolve any disputes with such requirements that do not involve compliance with statutes or regulations.

### **2.14.1**

People with concerns regarding alcohol consumption during the Event should be directed to the Event Organizer (or their designate). Should those concerns not be addressed in an expedient and satisfactory manner, those with concerns are encouraged to contact the Halton Regional Police. To assist with control of the Event, the Event Organizer will post a sign approved by the Town, stating the name of the Special Occasion Permit holder and

the telephone numbers for The Recreation and Parks Department, the Alcohol and Gaming Commission of Ontario and Halton Regional Police.

#### **2.14.2**

At the discretion of Halton Regional Police, the Town reserves the right to require the presence of police officers for the Event with the full cost of the officer(s) to be the responsibility of the Event Organizer.

#### **2.14.3**

Where applicable, Town staff is authorized under the Municipal Alcohol Policy, and reserves the right, to demand correction of any non-compliance with these Procedures, and is authorized to shut down an Event on behalf of the municipality (see Section 5). If a staff member shuts down an Event they must inform their Supervisor and the Halton Regional Police.

### **SECTION 3 – SAFE TRANSPORTATION STRATEGY**

The Event Organizer is responsible for promoting safe transportation options for attendees of the Event or contacting police as appropriate, including for persons who may be denied entry or removed from the Event under the Municipal Alcohol Policy.

These safe transportation options include:

- Promoting a designated driver strategy, such as the names of persons that will use a vehicle to transport intoxicated persons to a place of safety (the designated driver strategy should also include plans for backup transportation options for safe transport of participants including those for whom the intoxicated person may be responsible); and/or,
- Promoting taxis, buses, or other forms of alternate transportation; and/or,
- Requesting a friend, relative, or taxi to assist a potentially intoxicated person.
- Notifying the Police in the event that an apparently intoxicated person attempts to drive a vehicle.

The Event Organizer or designate, must remain on the premises at least until all attendees have left the property at which the Event is located.

Participants at licensed Events should be advised that they are permitted to leave their vehicles on-site overnight should they take alternate transportation home. Parking tickets issued for such vehicles will be cancelled by the Town upon application by the owner of the vehicle, provided that the vehicle is picked up the following day. It may be necessary to have someone associated with the Event, who is not impaired, to move a vehicle to an agreed location at the premises in order to facilitate snow removal.

Event Workers must ensure that participants do not engage in activities that could potentially harm themselves or others, and must be trained by the Event Organizer on their responsibilities and safe transportation options.

#### **SECTION 4 - SIGNAGE**

The Event Organizer shall post signage for the Event as required under the guidelines of the AGCO, *LLA* and the Municipal Alcohol Policy. The required signage shall include the following:

- SOP (acquired from AGCO) – The permit and levy receipt must be onsite and available to show for inspection, if asked.
- Warning signs respecting Fetal Alcohol Syndrome as specified in the *LLA* (to be posted regardless of the requirements under the *Liquor License Act*).
- Signage clearly outlining the licensed and unlicensed areas.
- To assist with control of the Event, the Event Organizer will post a sign approved by the Town, stating the name of the Special Occasion Permit holder and the telephone numbers for The Recreation and Parks Department and the Alcohol and Gaming Commission of Ontario and local Police.
- Price List of drinks.
- An approved sign with the following wording shall be displayed in addition to the signs listed above, in a prominent location immediately within each licensed area:

#### **SERVICE GUIDELINES**

- Servers are prohibited from serving alcohol to participants under 19 years of age.
- Proper I.D. must be presented to Event Staff when requested.
- Service is limited to 4 drinks per person at one time.
- All purchased but unused alcohol tickets are redeemable for purchase price.
- Intoxicated persons or anyone who appears to be at the point of intoxication will be refused entry and/or service.
- Ask your server about safe transportation options.

See samples of approved signage (Attached as Appendix F)

## **SECTION 5 – ACTIONS TO ENFORCE**

## 5.1 Premises Where Alcohol is Not Allowed and Allowed

### 5.1.1

All permit applications for use of municipal controlled facilities or areas may be required to pay a compliance deposit in relation to the Municipal Alcohol Policy. The amount of the deposit will be at minimum \$1,000. The Director of Recreation and Parks or designate may increase or reduce the amount at their discretion taking into consideration the specific facility or area and the proposed use. The deposit will be returned at the end of the permitted use provided that the terms and conditions of the Town Municipal Alcohol Policy and Procedures have been met. The Director of Recreation and Parks Department or designate may waive the compliance deposit where circumstances warrant (for example, activities which only involve young children or organizations with a previously good compliance record).

Incident	Action – Follow Up	Consequence
<p><b>Level 1:</b></p> <p>Do not adhere to the guidelines of the Municipal Alcohol Policy and 1<sup>st</sup> time violation.</p>	<ol style="list-style-type: none"> <li>1. Event Organizers or group members, municipal staff, or the Halton Regional Police may intervene if there is a policy violation.</li> <li>2. An Event Organizer or group member may intervene by informing the offending individual(s) that the Municipal Alcohol Policy prohibits alcohol consumption and ask that the violation stop.</li> <li>3. Group members should feel encouraged to intervene.</li> <li>4. Should difficulties arise from such interventions, the Event Organizer or group member should seek assistance from a municipal staff person or from the Halton Regional Police.</li> <li>5. Town Staff can ask that the consumption of alcohol stop and/or they can ask the individual or group to leave the premises, or shut down the Event, depending on the circumstances and the nature of the violation.</li> <li>6. Should the individuals or group members fail to comply, Town staff may call Halton Regional Police for enforcement.</li> </ol>	<ul style="list-style-type: none"> <li>• Organized groups which have violated the Municipal Alcohol Policy and have been so notified at the time of the violation will receive a registered letter indicating that no further violations will be tolerated.</li> <li>• If a specific individual or individuals can be absolutely identified as being in violation of the policy, a compliance deposit of \$100/per individual, cash or certified cheque, will be required if not already on file, prior to the next scheduled use.</li> <li>• Should a violation be deemed to have occurred and a specific individual or individuals cannot be absolutely identified, a compliance deposit in the amount of \$1,000 cash or certified cheque will be required from the permit holder if not already on file, prior to the next scheduled use.</li> </ul>

Incident	Action – Follow Up	Consequence
<p><b>Level 2:</b></p> <p>Do not adhere to the guidelines of the Municipal Alcohol Policy and 2<sup>nd</sup> time violation.</p>	<ol style="list-style-type: none"> <li>1. Event Organizers or members, municipal staff, or the Halton Regional Police may intervene if there is a policy violation.</li> <li>2. An Event Organizer or group member may intervene by informing the offending individual(s) that the Municipal Alcohol Policy prohibits alcohol consumption and ask that the violation stop.</li> <li>3. Group members should feel encouraged to intervene.</li> <li>4. Should difficulties arise from such interventions, the Event Organizer or group member should seek assistance from Town staff or from the Halton Regional Police.</li> <li>5. Town Staff can ask that the consumption of alcohol stop and/or they can ask the individual or group member to leave the premises, or shut down the event, depending on the circumstances and the nature of the violation.</li> <li>6. Should the individuals or group members fail to comply, Town staff may call Halton Regional Police for enforcement.</li> </ol>	<ul style="list-style-type: none"> <li>• The individual or permit holder will be suspended from use of the premises for a period of one week or one activity, whichever is greater, and its compliance deposit will be forfeited.</li> <li>• Should the group be a periodic or intermittent user of the facility or area, the Director of Recreation and Parks or designate may elect to impose an alternate suspension, consistent with actual patterns of use.</li> <li>• The offending individual(s) and permit holder will be notified of this second violation by registered letter.</li> <li>• If a specific individual or individuals can be absolutely identified as being in violation of the policy for a second time, a compliance deposit of \$200 per individual, cash or certified cheque, will be required prior to the next approved use.</li> <li>• Should a second violation be deemed to have occurred and a specific individual or individuals not be absolutely identified, a compliance deposit in the amount of \$2,000 cash or certified cheque will be required prior to the next approved use from the permit holder.</li> <li>• The compliance deposits are in addition to the one week suspension for regular users.</li> </ul>

Incident	Action – Follow Up	Consequence
<p><b>Level 3:</b></p> <p>Do not adhere to the guidelines of the Municipal Alcohol Policy and 3<sup>rd</sup> time violation.</p>	<p>1. Notification to the league or service club governing body (if applicable)</p>	<ul style="list-style-type: none"> <li>• The individual or permit holder will have its contract for use of the facility or area cancelled for the remainder of the current season or a time determined by the Director of Recreation and Parks or designate.</li> <li>• The second compliance deposit will also be forfeited due to the violation.</li> <li>• The offending individual(s), team and league will be notified of this third violation and the applicable penalties by registered letter.</li> </ul>

**5.1.2**

The Town will not be responsible for any refunds, costs or losses incurred by the event or its patrons if municipal staff deems it necessary to close down an Event or impose a suspension from further use.

**5.1.3**

A member of the Halton Regional Police or an Inspector from the Alcohol and Gaming Commission of Ontario may intervene in a violation of this policy at his or her initiative, or in response to a request from either Town staff or a member of the public. Depending upon the particulars of the infraction, charges may be laid under the *Liquor License Act* 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*.

**SECTION 6 – POLICY SUPPORT**

The Municipal Alcohol Policy will undergo a periodic review based on change within the industry, modification of industry standards, updates or amendments to the *Liquor License Act* or other applicable regulations. A call for review may be initiated by the following: Recreation and Parks Department, Infrastructure Services or Corporate Services.



## APPENDIX A

### Designated Properties

Designated properties list, areas where alcohol consumption is permitted under authority of a special occasion permit.

Updated: February 2014

1. Acton Arena & Community Centre/Acton Seniors Centre
2. Acton Sports Park
3. Acton Fire Station
4. Cedarvale Cottage
5. Cedarvale Park
6. Devereaux House
7. Dominion Gardens Park
8. Gellert Community Centre
9. Gellert Community Park
10. Georgetown Fairgrounds
11. Georgetown Fire Station (Maple)
12. Georgetown Fire Station (Eighth Line)
13. Georgetown Seniors Centre
14. Glen Williams Park
15. Halton Hills Civic Centre
16. Halton Hills Cultural Centre/John Elliott Theatre
17. Hornby Community Centre
18. Hornby Park
19. Limehouse Park
20. Lions Club Park
21. McKenzie Smith-Bennett Park
22. Mold-Masters Sports-Plex and Park
23. Norval Community Centre
24. Norval Park
25. Prospect Park
26. Prospect Park Pavilion (Boathouse)
27. Trafalgar Sports Park

## APPENDIX B



Town of Halton Hills  
1 Halton Hills Drive  
Halton Hills ON L7G 5G2  
www.haltonhills.ca

### RECREATION AND PARKS DEPARTMENT EVENT CHECK LIST

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When insurance is purchased through the Town: The Special Occasion Permit (Liquor License) must be submitted to the Recreation and Parks Department a minimum of five days before the rental.

- When supplying your own insurance: The insurance required must be a minimum of five million dollar Commercial General Liability and must cover licensed events. 'The Corporation of the Town of Halton Hills' is required to be added as additional insured. The insurance certificate provided is to be completed by your insurance provider and submitted a minimum of five days before your rental.
- Special Occasion Permit (Liquor License) is required a minimum of five days prior to your rental. The Event Organizer named on the Special Occasion Permit must be the same as on the Town Facility permit. Please ensure the license includes all areas where alcohol will be consumed i.e. Gellert Kinsmen Hall, Beer Tent.
- Please read the Municipal Alcohol Policy provided, complete and return the Activity Agreement Form and the Agreement for Special Occasion Permit Holders a minimum of five days before your rental.
- Your bartender(s) contact information and a copy of their Smart Serve certification numbers must be provided to us no later than five days before your rental. Please complete the Municipal Policy Server Information form provided with this information.
- The six signs provided are to be in plain view and easily seen by those attending the event.
- Selling of draw tickets, 50/50 draws etc.: Must obtain a license and approval from the Clerk's Department at the Town of Halton Hills Civic Centre under the Lottery Licence by-law.
- Lottery Licensing, Stag and Doe events with Wheels of Fortune or Black Jack Tables etc. The Province only issues licenses to qualifying charitable and non-profit organizations for gaming events. All other types of events held by non-charitable organizations such as 'fun nights' or 'poker night' for the purpose of entertainment does not qualify for a provincial lottery and gaming licence and independent legal advice should be obtained to see if permitted at all or in a municipal facility. Non-charitable gaming is subject to the Criminal Code of Canada.

Please be advised that the Town of Halton Hills will not permit any of these activities until Town staff receives proof of licence.

A Social Gaming Licence is only issued in conjunction with a charitable event. Applicants must apply to the Alcohol and Gaming Commission of Ontario. Information on how to apply is available on their website at [www.agco.ca](http://www.agco.ca).

**APPENDIX C**



Town of Halton Hills  
 1 Halton Hills Drive  
 Halton Hills ON L7G 5G2  
 www.haltonhills.ca

**RECREATION AND PARKS DEPARTMENT  
 MUNICIPAL ALCOHOL POLICY SERVER INFORMATION**

Event Name: \_\_\_\_\_ Event Date: \_\_\_\_\_

Event Location: \_\_\_\_\_

Name	Address	Phone Number	Smart Serve #

Shift: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Shift: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The personal information on this form is collected under the authority of Section 11 of the Municipal Act. The information is used for the purpose of processing this application and payment program administration and aggregate statistical reporting.

## APPENDIX D

### Activity Agreement Form

As Event Organizer for \_\_\_\_\_  
Group / Organization (print)

1. I understand alcohol cannot be consumed in facilities and areas owned by the Town of Halton Hills except in compliance with the *Liquor License Act*, regulations enacted thereunder, permits and/or licenses issued thereunder, and the Municipal Alcohol Policy.
2. I understand that if any member of my group/organization consumes 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. Subsequent rentals may be subject to the payment of a compliance deposit. Independent action may be taken by Halton Regional Police or the Alcohol and Gaming Commission of Ontario, at their discretion.
3. I understand that if any member of my group/organization violates the Municipal Alcohol Policy for a second time within one year of receiving a warning, our group/organization will forfeit its Municipal Alcohol Policy compliance deposit, and will be suspended from using the facility. Should our use of the facility or area be infrequent, a parallel level of suspension will be applied by the Director of Recreation and Parks.
4. I further understand that if a third violation of the Municipal Alcohol Policy occurs, my group/organization will be suspended for a minimum of one year and compliance deposit forfeited.
5. I will not allow anyone to compete or otherwise participate in our activities if I suspect he or she is impaired by alcohol or may otherwise be incapable of participating safely.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Position: \_\_\_\_\_

Contact Telephone Number: \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX E

### AGREEMENT FOR SPECIAL OCCASION PERMIT HOLDERS

1. As the Special Occasion Permit holder, I have received, reviewed and understand the contents of the Town of Halton Hills Municipal Alcohol Policy.
2. I agree to adhere to the conditions of the Municipal Alcohol Policy and the *Liquor Licence Act* of Ontario.
3. I understand if an infraction of the Municipal Alcohol Policy occurs, the Town of Halton Hills or the Halton Regional Police may take any or all of the following steps:
  - close the event at the time of the infraction;
  - rule my Municipal Alcohol Policy compliance deposit to be forfeited;
  - suspend group/ organization from further use of municipal facilities/areas for a period of up to one year or greater.
4. I agree that the Town of Halton Hills will not be responsible for any costs or losses incurred if municipal staff or others in authority deem it necessary to close down the event due to an infraction of the Municipal Alcohol Policy.
5. I understand I can be held liable for injuries, damages and costs 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 to participants, goods, or members of the general public.
6. I understand that the Halton Regional Police or a Liquor License Inspector can lay charges against me for infractions under the *Liquor License Act* of Ontario or other relevant legislation.
7. I agree to obtain Five Million Dollars liability insurance for the event, to name the Town of Halton Hills as 'additional insured', and to supply proof of insurance to the Town of Halton Hills at least five days prior to the event.
8. I have attached a list of the names, addresses and registration numbers of servers and monitors who are trained and certified through the SMART SERVE Program.
9. I agree the Event Organizer and Event Workers will not consume or be impaired by alcohol while working the Event.

Date of Event: \_\_\_\_\_ Name (Please Print): \_\_\_\_\_

Location of Event: \_\_\_\_\_ Signature: \_\_\_\_\_

S.O.P. Number: \_\_\_\_\_ Position: \_\_\_\_\_

Date: \_\_\_\_\_ Telephone Contact Number: \_\_\_\_\_

# APPENDIX F

## SIGNAGE

All signs must be posted in plain view and easily seen by those attending the event.

### 1. Event Details and Emergency Telephone Numbers

- Permit Holder
- Date of Event
- Contact telephone numbers for Town of Halton Hills, AGCO, Police

### 2. Alcohol Risk Management Policy

The Town of Halton Hills Municipal Alcohol Policy applies at this Event.

### 3. Servers' Requirements

Bartenders and other Event Workers have the right to refuse service. They are required by law not to serve an intoxicated person or to serve anyone to the point of intoxication.

Serving people who are under 19 years of age is an offence under the *Liquor License Act* of Ontario. Alcohol cannot be passed from a person of legal drinking age to a person who is under the legal drinking age.

Persons under the age of 19 are not permitted to purchase or consume alcohol under the *Liquor License Act* of Ontario. Acceptable form of identification must be produced upon request.

### 4. Sale Limit

**LIMIT:** 4 drinks per purchase (tickets or direct sale)

**NOTE:** All purchased but unused alcohol tickets are redeemable for purchase price until 30 minutes prior to the end time of the Event.

Under the *Liquor License Act* of Ontario, the Event Organizer must ensure that any alcohol drinks are not sold for less than \$2.00 including taxes (may change based on size of serving of liquor, based on the set minimum).

#### PRICE LIST:

1. Beer (up to 12 oz.)	\$ _____
2. Wine (up to 5 oz.)	\$ _____
3. Liquor (1 oz. shot)	\$ _____
4. Non-Alcohol Drinks	\$ _____

### 5. Fetal Alcohol Spectrum Disorder

Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby.

### 6. Safe Transportation – List of Local Taxi Services and Telephone Numbers

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Event Organizer Initials