



**Policy:** Municipal Alcohol Policy  
**Category:** Corporate  
**Policy Number:** 102-03-2020  
**Effective Date:** February 22, 2020  
**Revised Date:**

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## MUNICIPAL ALCOHOL POLICY

### PURPOSE:

The Township of Lucan Biddulph recognizes the need to promote and ensure responsible alcohol consumption at Township owned facilities, and as such adopts the attached document (Schedule A) as its formal Municipal Alcohol Policy (MAP).

This policy may be reviewed on an annual basis by Municipal Council.

*Cathy Burghardt-Jesson*

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Mayor

*Ron Reymers*

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CAO/Clerk



## TOWNSHIP OF LUCAN BIDDULPH

# Municipal Alcohol Policy

### **MISSION STATEMENT:**

The Township of Lucan Biddulph wants residents and visitors to enjoy the various facilities and parks. In order for the Township to ensure the health and safety of its participants, minimize risk and liability and to protect the municipal facilities, this Policy has been authored to outline the orderly use of alcohol during events and functions, under the townships Permanent Liquor Licence or an SOP on municipal owned grounds. The following document outlines these regulations.

### **OBJECTIVES:**

- 1) To provide appropriate procedures, and education, to individuals or groups wishing to hold events in municipally-owned facilities ensuring that rules pertaining to serving of alcohol are properly understood and strictly complied with as outline by the *Liquor Licence Act*.
- 2) To provide guidelines for proper supervision, and operation, of serving alcohol to assist event sponsors in running safe events. Thus protecting the Township of Lucan Biddulph and its staff from liability.
- 3) To encourage and reinforce responsible, moderate drinking practices for consumers through the development of appropriate operational procedures, controls, training and education.
- 4) To honor the decision of abstainers not to drink alcohol and to encourage their participation by providing alternative, non-alcohol drinks.
- 5) To provide for a balanced use of alcohol through Special Occasion Permits so the alcohol becomes a responsible part of a social function rather than the reason for it.
- 6) To be proactive in the reduction of incidents including injury and death through the implementation of a municipal alcohol policy.

## **Responsible Beverage Service**

Small Events such as Family gatherings and dinners being deemed Low Risk, have the option to utilize the Lucan Community Memorial Centre permanent liquor licence, where the renter will have access to bartending staff, alcohol stock as well as municipal staff to ensure adequate control and compliance of the liquor licence act and regulations.

Or

The renter may apply to utilize their own SOP (refer to appropriate definitions of Public and Private Events), where they will be required to supply fully smart served trained individuals to run alcohol service. At all times the renter will then be responsible for maintaining full control and compliance with the liquor licence act and regulations. Municipal staff retains the right at any time to halt alcohol service if any violations of the act are committed or poor enforcement of the act and regulations are taking place. Events wishing to apply for a SOP must notify the Municipality of Lucan Biddulph – Parks and Recreation department at the time of booking. The Applicant must provide event details as to their intent and control of alcohol service.

## **Important Definitions**

**Private Event:** For events where only invited guests will attend. These events cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.

**Public Events:** For events that are open to the public. Public events can be advertised and allow for fundraising/profit from the sale of alcohol. Public Event SOPs are only issued to registered charities, non-profit organizations whose object is to promote charitable, educational, religious or community objects, or to events designated as being of municipal, provincial, national or international significance.

## **Events**

Public Events held in Lucan Biddulph facilities can operate their event through the permanent liquor licence or under a SOP. A Public Event SOP may be issued to registered charity organizations, not for profit entity for the advancement of educational, religious or community objectives or for events that are of municipal, provincial, national or international significance.

Private Event No Sale SOP may be acquired for events where only invited guests will attend and deemed low risk by the Municipality. These events cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.

For events attracting fewer than 5,000 people, an applicant for a Public Event must provide 30 days' notice to the AGCO, the Municipality of Lucan Biddulph – Parks & Recreation Department, OPP-Lucan Detachment, and the local Fire Department.

For events exceeding 5,000 people, 60 days' notice must be provided to the AGCO, the Municipality of Lucan Biddulph – Parks & Recreation Department, OPP-Lucan Detachment, and the local Fire Department. Notification letters must include event location, date and time of beverage service and a detailed sketch of the area to which the SOP or Caterer's endorsement will apply.

Events wishing to apply for a No Sale SOP must notify the Municipality of Lucan Biddulph – Parks and Recreation department at the time of booking. The Applicant must provide event details as to their intent and control of alcohol service and allow Municipal staff to review if event qualifies as a Low Risk event. At any point the Municipality retains the right to deny the use of an SOP.

Any persons who acquires an SOP without approval of the Township of Lucan Biddulph and is denied use, will not be reimbursed for costs incurred associated with said SOP.

### **Events– Hosted under the auspices of the Lucan Community Memorial Centre's Permanent Liquor Licence**

- Renter is allowed to fully advertise the event
- Event can be open to the public – guests do not have to be invited
- Allowed to profit through beverage sales – donation or share of the proceeds is allowed
- Absolutely **no** 50/50 draws, no raffles and no door prizes using the Townships licence
- Absolutely **no** games of chance, however games of skill are permitted
- A silent auction and/or live auction of items is permitted

### **Bring Your Own Wine (BYOW) Endorsement**

Events wishing to use the Lucan Community Memorial Centre BYOW endorsement must make such requests to the Parks & Recreation department 60 days prior to the event. BYOW applies only to commercially-made wine – not spirits or beer. A \$5 corkage fee will apply per bottle, ONLY any unused (sealed) bottles may be removed from the premises. We will not be re-corking opened bottles. All wine bottles and glass must be removed from the tables by 9pm. A BYOW endorsement may only be used under the Lucan Community Memorial Centre permanent liquor licence and not in conjunction with an SOP.

### **Catering Endorsement**

Events wishing to host their special event in an unlicensed part of any Lucan Biddulph facilities may operate through a Catering Endorsement of the Lucan Community Memorial Centre liquor sales licence. Holders of a liquor sales licence, with a catering endorsement, are permitted to sell and serve alcohol beverages at events held in unlicensed areas other than a licensed establishment. Through a catering endorsement, the Lucan Community Memorial Centre licence can be used at other facilities within Lucan Biddulph. A group or individual can request this service for their special event. The licensee (Municipality) must submit a catering notification form to the AGCO

at least 10 days in advance of the event. The licensee is also required to notify police, fire, building and health departments of the details of each catered event.

Through a catering endorsement, special events can continue to operate through the Lucan Community Memorial Centre permanent liquor licence, allowing compliance at all facilities in Lucan Biddulph. Municipally catered events will **not** be hosted outside the boundaries of Lucan Biddulph or its properties. Request for service within Lucan Biddulph must be provided to staff at least 60 days prior to event, allowing staff adequate time to prepare document for AGCO approval. Hosting catering endorsements is a service and a privilege and can be denied.

### **Barriers – Outdoor Events**

Outdoor events and/or extension of a facility to include an outdoor area, must be properly fenced, where beverages are being served and consumed. Event fencing is the responsibility of the renter to arrange and setup, as displayed in the sketch provided to the AGCO.

### **Gambling**

Games of chance/luck or mixed chance and skill such as raffles, 50/50 draws, and/or door prizes, are not permitted unless the proper licence has been obtained from the province or municipality. Licences are only issued to eligible organizations with charitable or religious purposes. Visit [www.agco.on.ca](http://www.agco.on.ca) for info/clarification. A live and/or silent auction and games of skill are acceptable.

### **Food Service**

An adequate access to food is required when alcohol is being served and is the responsibility of the rental party to provide. Chips, peanuts and popcorn do not constitute as appropriate food.

### **Proof of Liability Insurance**

Events operated under the auspices of a SOP must provide proof, that they have purchased a minimum of two million dollars in Liability Insurance with the Township of Lucan Biddulph being named as a co-insured. This must be submitted to the Parks & Recreation Department staff two weeks prior to your event.

### **Security Controls**

For safety and control, the Municipality of Lucan Biddulph reserves the right to require the presence of OPP and/or professional trained security at any event where beverage service is provided. The financial responsibility is that of the rental party and/or event organizer. Their function is to provide security, check ID upon entrance to event, ensure compliance with liquor licence act and its regulations, and MAP policies and to assist staff when/if necessary. It is the responsibility of the renter to ensure proper management, control and safety at their special event.

### **Limitations to Beverage Service at Events held in Municipal Facilities**

- Serving to intoxication is prohibited
- Do not encourage excessive consumption of alcohol
- 4 drink limit per person per visit to the bar, drink limit of 2 per person per visit after 12:00 am
- Maximum 4 tickets at one time. 1 hour prior to stop-service, ticket sales must reduce to 2 per person
- Drinks must not be discounted by quantity
- Guests cannot be required to purchase a minimum number of drinks or drink tickets
- JELLO shooters are not permissible
- All drinks must be served in non-glass containers
- All double shot drinks will be served in a large cup, all doubles count as two drinks
- Non-alcoholic beverages will be available at a reduced rate
- All ages events must use wrist bands to identify legal drinking age
- Entry of an intoxicated person must be denied

### **Hours of Operation for the sale and service of alcohol**

Stop service time will not extend past 1:00 am unless discussed and arranged with Parks & Recreation Department staff prior to the event. No "Last Call" will be announced. Any unused tickets will be refunded at any time during the event, up to and including 15 minutes after the bar has closed. All signs of liquor must be cleared 45 minutes after the bar has closed. This includes clearing of all glasses and bottles off the tables.

### **The "Big Five" Liquor Licence Infractions**

The "Big Five" Liquor Licence Infractions that pose the greatest risk to public safety and are the primary focus for AGCO Inspectors. They are as follows:

1. Serving minors
2. Permitting drunkenness, serving intoxicated patrons
3. Overcrowding
4. Disorderly behavior
5. Serving after hours, and failing to clear

**As a result, event can be closed down, OPP involved and charges laid. These offences almost always lead to disciplinary action by the AGCO in the form of a monetary penalty, or suspension and/or revocation of the liquor licence.**

## **Recognizing signs of Intoxication**

There are many signs of intoxication. They vary from person to person, and include:

- Inappropriate speech volume
- Increase or decrease in the pace of speech
- Slurred words
- Deterioration of gross motor control; a person may stagger or fall
- Deterioration of fine motor control; causing inability to pick up coin etc.
- Tiredness
- A decrease in alertness
- Red or glossy eyes and/or heavy eyelids
- Excessive sweating
- Noticeably shallow breathing
- Strong smell of alcohol from the person

## **Age Identification**

One of the most serious infractions of Ontario's liquor laws is the selling and/or serving of alcohol beverages to persons under the age of 19.

Liquor may not be sold or served to anyone under 19 years of age. Only persons 18 years or older may sell, serve or handle liquor in a licenced establishment.

Serving alcohol to minors is against the law and can lead to disciplinary action by the AGCO, charges by police or possible civil liability. The only acceptable forms of age identification are:

- Ontario Driver's licence with photo
- Canadian Passport with a photo
- Canadian Citizenship Card
- Canadian Armed Forces Identification card
- Secured Indian Status card issues by the Government of Canada
- Permanent Resident Card issues by the Government of Canada
- A photo card issued under the Photo Card Act 2008

By law, the Ontario Health Card is not an acceptable form of ID, however if it is offered voluntarily, you may accept it at your discretion. As a reference to the above, it can be used as a secondary form of ID.

## **Steps to checking ID**

1. Ask the guest to remove ID from their wallet (never remove yourself)
2. Examine the ID in a well-lit area and take time to examine it close
3. Hold the ID in your hands to see or feel if ID has been altered

## **Safe Transportation**

The risk of liability is high when a patron under the influence of alcohol leaves an event where alcohol is served. Event organizer must assume responsibility for promoting safe transportation for all patrons consuming alcohol. Examples of safe transportation include designated drivers, taxis or a bus service. Please ensure adequate signage is posted at the entrance/exit of your event, indicating taxi service contact information.

## **Share of Net Profit**

Under a permanent liquor licence, the facility operator is legally allowed to provide a share of the net profit or make a donation to the rental party.

### **Net Profit sharing of beverage sales**

Net profit sharing on beverage sales, on events under the auspices of the Lucan Community Centre Liquor Licence, will be calculated as follows:

- Private Events = Buck & does, weddings, anniversary celebrations, birthday parties, company/organization member functions will receive 65% of the net profit.
- Public Events = registered charity organizations, not for profit entities, or government organizations will receive 85% of the net profit.
- Documentation will be provided to the renter, indicating:

1. The gross revenue received through bar sales, and total expenses
2. Net profit share that they will receive

The Township of Lucan Biddulph will NOT incur any deficit to provide liquor service for the renting party. Should the expenses of bar exceed the revenue the renting party will be liable to pay the difference and it will be added to the final invoice. If there is a profit we will enter into the net profit sharing model above, and a cheque will be issue by the Municipal Treasurer and provided to the renter, within two-three weeks directly following the event.

Profit shares will not be provided the day of the event

## **Lucan Community Memorial Centre Alcohol Service**

A request for bar service delivery provided under the auspices of the Lucan Community Memorial Centre licence must be submitted to municipal staff by the rental party at least 60 days prior to the event. Municipal staff are responsible for all aspects of the bar operation, including purchasing of alcohol beverages. Through consultation between municipal staff and the rental party, it will be determined what beverages will be provided for your event – beer, spirits, wine and coolers. Premium beer, spirits and wine are not generally stocked. When requested for an event, an

upcharge fee will be charged on your rental invoice, to accommodate the increased cost of purchase.

Municipal bar staff will be hired to provide full beverage service for your event. For events utilising the sale of tickets to ensure transparency, the rental group must provide at least one smart serve trained individual to provide ticket sales, cash handling and counting inventory after the event. Employee compliment and hours of operation will be determined by your event schedule and estimated attendance, in consultation with Parks & Recreation Department staff. All bartenders, ticket sellers and floor/door supervisors must be Smart Serve certified. The Township of Lucan Biddulph will deem appropriate adequate minimal coverage of all staffing dependant risk level of all events.

### **Rental Fees**

Regular facility rental fees apply to all events. If no profit is made from beverage sales the remainder of expenses will be added to the rental of the facility.

### **Tipping of Beverage Staff**

From time to time, tips are provided to staff from patrons happy with the service provided. Tips will be split equally between the beverage serving staff.

### **Smart Serve Training and Responsible Service**

Ticket sellers and beverage servers must have smart serve training. Copies of Smart Serve Training of all ticket sellers and servers must be presented to Municipal staff two weeks prior to event. Training can be acquired on line at [www.smartserve.ca](http://www.smartserve.ca). All ticket sellers and beverage servers must abstain from consuming alcoholic beverages, prior to and while performing this service.

### **Capacity of Lucan Community Memorial Centre:**

Main Hall – 576

Lions Active living Centre – 200

Arena Bowl & Floor – 2800

Main Hall Mezzanine – 188

Main Lobby (North) – 127

It is the responsibility of the renter to ensure that the number of persons in the facility do not exceed the lawful capacity.

Monitoring the number of individuals entering your event is important. Exceeding the capacity of facilities is an offense and can put your guests in danger. Arm bands can be used at large events, where it may be difficult to monitor the capacity. It would be necessary to monitor the number of patrons entering and leaving, therefore not exceeding the capacity. The number of people permitted includes the Event organizers, volunteers and guests.

## Schedule "A"

Failure to comply with the Lucan Biddulph Municipal Alcohol Policy and the *Liquor Licence Act*, may result in your event being terminated. The Township of Lucan Biddulph, the AGCO and/or OPP have the authority to cancel, intervene in or terminate an event as a result of violations. Unobstructed access must be allowed, should an AGCO Inspectors and/or OPP visit your event.

It remains the responsibility of the Event Organizer to manage and control the special event, and if necessary; to take appropriate actions, including stop-service of beverage sales, ending the event, vacating Municipal property, and ensuring safe transportation options are provided. Regardless of the reason for termination of the event, the Township of Lucan Biddulph will not be responsible for any compensation to the renter for financial losses. Should you require further clarification of the Municipal Alcohol Policy and/or policies and procedures pertaining to operation of beverage service in Lucan Biddulph facilities, please do not hesitate to contact Parks & Recreation Department staff at (519) 227-4442 or the Township office at (519) 227-4491.