

**THE CORPORATION OF THE TOWN OF LATCHFORD**

**BY-LAW NO. 738/06**

**BEING A BY-LAW TO** adopt a Municipal Alcohol Policy for the Corporation of the Town of Latchford.

**AND WHEREAS** Section 9(1)(a) of the Municipal Act S.O. 2001, Chapter 25, as amended, confers broad authority on municipalities to enable them to govern their affairs as they consider appropriate;

**AND WHEREAS** Section 450 of the Municipal Act S.O. 2001, Chapter 25, as amended, states that no proceeding based on negligence in connection with the exercise or non-exercise of a discretionary power or the performance or non-performance of a discretionary function, if the action or inaction results from a policy decision of a municipality made in a good faith exercise of the discretion, shall be commenced against a municipality; a member of a municipal council; an officer, employee or agent of a municipality;

**AND WHEREAS** the Ministry of Health and Long-Term Care provincial guidelines require Boards of Health to "ensure to the best of the board of health's ability that a functioning alcohol risk management policy is in place in every municipality, university, college, and recreation centre within the board of health's jurisdiction";

**AND WHEREAS** Council deems it expedient to adopt a municipal alcohol policy for the Corporation of the Town of Latchford.

**NOW THEREFORE THE** Council of the Corporation of the Town of Latchford hereby enacts as follows:

"That the Municipal Alcohol Policy for the Corporation of the Town of Latchford, attached hereto as Schedule "A" and forming part of this by-law, is hereby approved and adopted."

**READ** a first, second and third time and finally passed on the 23<sup>rd</sup> day of August, 2006.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk-Treasurer

## AGREEMENT FOR SPECIAL OCCASION PERMIT HOLDER

1. I have received and reviewed a copy of the Town of Latchford's "Municipal Alcohol Policy" guidelines for Special Occasion Permit Holders and understand the conditions and requirements contained therein.
2. I understand that I must and I hereby agree to adhere to the conditions of the Municipal Alcohol Policy and guidelines referred to in paragraph 1 above and the Liquor License Act of Ontario.
3. I further understand that if I or other individuals at the event for which this Special Occasion Permit has been granted, fail to adhere to the said Municipal Alcohol Policy, the Town of Latchford, its staff, servants or agents will take appropriate action which may include eviction, revoking of the Special Occasion Permit and the notification of the Liquor License Act authorities and/or the local police.
4. I understand that I can be held liable for injuries and damages arising from the breach of the provisions of the Liquor License Act of Ontario.
5. I do hereby remiss, release, and forever discharge the Town of Latchford from all manners of actions, causes of action, suits, debts, contracts, claims and demands whatsoever which I may have or will have or which my heirs, executors, administrators or assigns or any of them, hereafter, can, shall or may have, for or by reason of any cause, matter or thing whatsoever which may be occasioned by the rental of the municipal facility or area and in consideration of the issue of a Special Occasion Permit, I hereby agree to save harmless and keep indemnified the Town of Latchford from and against all claims and demands in respect of the use of the rented premises and in respect of the Special Occasion Permit and from and against all losses, damages, costs, charges and expenses which the Town of Latchford may sustain or incur in consequence of having rented municipal facilities or areas to me as a Special Occasion Permit Holder.
6. In the event that I contract with a licensed caterer for any event, I hereby agree to produce a copy of the caterer's license when requested by the Town of Latchford.
7. I hereby agreed that I have acquired a minimum of ~~ONE~~ <sup>TWO</sup> MILLION DOLLARS (\$2,000,000.00) in liability insurance with respect to the event for which the municipal facility or area is rented and a copy or proof of such insurance coverage is attached hereto the rental contract.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

**SCHEDULE "A"**  
**TO BY-LAW NO. 738/06**  
**CORPORATION OF THE TOWN OF LATCHFORD**  
**MUNICIPAL ALCOHOL POLICY**

**GOAL OF THE MUNICIPAL ALCOHOL POLICY**

*The Town of Latchford wishes to provide a Policy for responsible management practices at Special Occasion Permit functions held in or on Town of Latchford facilities. The Town also wishes to reduce and/or avoid alcohol related problems that could result in litigation being directed towards the Corporation, its staff, community organizations, volunteers and participants. In order that as many people as possible can enjoy our facilities in a manner that encourages the health and safety of the participants and the protection of the municipal facilities, this policy has been developed for the orderly use of alcohol during events and functions.*

**1. FACILITIES ELIGIBLE FOR SPECIAL OCCASION PERMITS**

- Latchford Community Recreation Centre
- Council Chambers
- Arena Floor Surface
- Outdoor events at the Beach Park; outside the Recreation Centre, outside the Legion Hall; or at other locations as approved by Council, *if adequately fenced.\**

**2. FACILITIES NOT ELIGIBLE FOR SPECIAL OCCASION PERMITS**

Areas are to be marked alcohol restricted

- All Latchford Recreation Parks\*
- Arena seating areas
- Arena change rooms

*\*Note Item 1*

**3. EVENTS NOT ELIGIBLE FOR SPECIAL OCCASION PERMITS**

- Youth minor sports events, including banquets
- All outdoor events (street parties)

**4. SIGNS**

The following signs shall be prominently displayed in Special Occasion Permit designated facilities:

**A) STATEMENT OF INTOXICATION**

The following statement will appear on a wall sign located in the bar areas "The Town of Latchford strives to provide recreation facilities for the enjoyment of all members of the community. Servers are required by law not to serve an intoxicated person or to serve anyone to the point of intoxication"

**B) ACCOUNTABILITY**

The following statement will appear on a wall sign located in the main exit and bar

**TOWN OF LATCHFORD RECREATION COMMITTEE  
STATEMENT OF INTOXICATION**

"It is against the law for licensed establishment to serve customers to intoxication. We do not wish harm upon any participant, nor do we wish them to harm others. For this reason, servers in our facilities are required to obey the law and not serve anyone to intoxication. We believe that people use our facilities for enjoyable social gatherings, and we are happy to provide this opportunity. Should you wish a non-alcoholic beverage, request a soda, pop, coffee or other alternative. Should you wish a smaller-than usual portion of alcohol, request a low alcohol beer, wine or mixed drink."

**MANAGEMENT PRACTICES**

**5. INSURANCE**

The sponsor of the Special Occasion Permit event being held in the municipality owned facility or area shall be required to provide proof of insurance coverage of at least ONE MILLION (\$1,000,000.00) DOLLARS in liability insurance with respect to that event and show proof to the Town of Latchford at least 2 weeks prior to said event.

**6. SERVER TRAINING**

Any person, group, Association or Corporation renting municipal facilities or areas which include the service of liquor pursuant to Special Occasion Permits will require an Addictions Research Foundation Server Intervention Course and have been trained in responsible server techniques.

**7. LOW ALCOHOL DRINKS**

Non-alcohol drinks must be available at no charge or at significantly lower than that of drinks containing alcohol.

**8. SAFE TRANSPORTATION**

Special Occasion Permit holders are encouraged to develop a safe transportation strategy for their event which should include a designated driver program combined with additional alternative home transportation options to encourage the non-driving of intoxicated participants.

Designated Driver: Designated Driver Program advertised at events and identifies designated drivers such as wearing buttons. Designated drivers receive free non-alcoholic drinks.

Alternate Transportation Options: Have a sponsor drive intoxicated participant home and/or call a friend, relative or taxi for intoxicated participant. Collect keys upon entry. If necessary call police, warn or apprehend impaired driver.

Sober Driver Spot Check Awareness: Alert people to RIDE spot checks.

**9. YOUTH ADMITTANCE TO ADULT EVENTS**

Persons under the legal drinking age shall not be admitted to adult social events except in the case of a family occasion such as a wedding, anniversary, birthday, or family-oriented events.

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|-----------------|
| <b>CONTROLS</b> |
|-----------------|

**10.** In order to be eligible to rent the facilities for a Special Occasion Permit event, the sponsor(s) must demonstrate to the satisfaction of the Municipal Staff that the Alcohol Management Policy is understood, that the regulations will be strictly observed, and that sufficient controls are in place which will assist in ensuring compliancy to the policy. These controls will include the following:

1. The event sponsor must obtain a Special Occasion Permit from the Liquor License Board of Ontario and must show proof of this to the Municipal Staff at least (1) one week prior to the event.
2. The event sponsor must provide a list of event workers at least two (2) weeks prior to the event, with Server Intervention Program registration number.
3. Entrance monitored by two (2) people over the age of nineteen (19). For groups of less than fifty (50) people, one (1) person monitoring the door is acceptable.
4. The event sponsor will receive a list of individuals who are barred from Latchford Recreation facilities.
5. Acceptable identification: Age of Majority card or Driver's License with photo. (Posters at entrance and bar)

6. Special Occasion Permit signatory must attend event and be responsible for making decisions regarding the operation of the event.
7. Event sponsor is responsible for the event, therefore, must refrain from consuming alcohol while the event is in progress.
8. All event workers must refrain from consuming alcohol while the event is in progress.
9. Event sponsor and Municipal Staff must ensure physical setting is safe for drinkers and non-drinkers.
10. Event sponsor must ensure that patrons do not engage in activities that could harm them or others.
11. All exits must be supervised.
12. A floor supervisor must be available to ticket sellers who require assistance in managing a person who is refused a sale.
13. All bottles are to be retained within the bar area and all drinks served in paper or plastic cups.
14. Licensee to abide by rules of the Municipal Alcohol Policy as enforced by municipality representative(s).
15. No marketing practices which encourage increased consumption i.e. over-sized drinks, pitchers of beer, drinking contests, volume discounts.
16. A minimum of two (2) people to sell tickets.
17. Tickets must be purchased from a designated ticket seller and redeemed at the bar.
18. Unused tickets to be redeemable for cash at any time during the event.
19. The number of tickets sold to a person at one time is limited to 10 and the number of drinks per person at one time is limited to four. Properly identify this where the tickets are sold.
20. Municipal Staff reserve the right to require the presence of two (2) police officers for the duration of an event, the cost to be borne by sponsoring group or individual.
21. Free bar events must have trained servers and floor supervisors.
22. All events workers to wear highly visual identification.
23. Police to be notified by event sponsor before a situation is out of control.
24. Encourage consumption of food, low-alcohol, and no-alcohol beverages.
25. Clearly defined ratio of event workers (door supervisors, floor supervisors, and bartenders) to be designated by the Municipality and the lessee according to the type of event: weddings and receptions (sale and no sale), social, fundraisers.
26. At masquerade events, participants to identify themselves to the event sponsor.
27. No last call.
28. Bar area to close after the last patron is served, no later than 1:00 a.m. with the exception of New Year's Eve, when this regulation may be extended by one (1) hour.
29. All entertainment to be completed by 1:15 a.m. All evidence of consumption will be removed by 1:45 a.m. with the exception of New Year's Eve, when this regulation may be extended by one (1) hour.
30. Municipal representatives with authority to demand correction and/or to shut down an event on behalf of the Town can attend all Special Occasion Permit events.
31. No beer over 5% alcohol will be sold.

## **11. COMMERCIAL LIQUOR LICENCE APPLICATIONS**

The approval of liquor license applications submitted to the L.C.B.O. for establishments in the Town of Latchford are the responsibility of Council and approvals for this shall be made by Council.

**12. POLICY IMPLEMENTATION**

A copy of the Municipal Alcohol Policy will be made available to all renters of facilities, who will be required to read the policies, comply with the policies, and sign indicating they have read and understood the policies.

**13. POLICY MONITORING AND REVISIONS**

The policy shall be reviewed periodically by the Recreation Committee based on information provided by the Recreation Chairperson or other sources, and reported to Council with suggested policy changes if required.

**14. GUIDELINES**

The sponsor of the event shall remiss, release, and forever discharge the Corporation of the Town of Latchford from all manners of actions, causes of action, suits, debts, contracts, claims and demands whatsoever which he/she/it may now or have or which heirs, executors, administrators or assigns or any of them, hereafter, can, shall or may have, for or by reason of any cause, matter or thing whatsoever which may be occasioned by the rental of the municipal facility or area and in consideration of the issue of a Special Occasion Permit, shall agree to save harmless and keep indemnified the Town of Latchford from and against all claims and demands in respect of the use of the rented premises and in respect of the Special Occasion Permit and from and against all losses, damages, costs, charges and expenses which the Town of Latchford may sustain or incur in consequence of having rented municipal facilities or areas to the Special Occasion Permit Holder.

**15. COMPLETE POLICY STATEMENT**

If you wish to review the complete policy document, please contact:

TOWN OF LATCHFORD,  
P.O. BOX 10,  
LATCHFORD, ONTARIO P0J 1N0  
Telephone (705) 676-2416

Implementation date of Aug. 23, 2006 ; Approved by Council



**IT IS THE RESPONSIBILITY OF THE APPLICANT  
TO PROVIDE PAYMENT IN FULL IN ORDER TO  
SECURE THE DATE OF THE HALL RENTAL – NO  
TENTATIVE BOOKINGS!**

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**THE FOLLOWING MUST BE SUBMITTED TO THE  
MUNICIPAL OFFICE PRIOR TO APPLICANT  
RECEIVING KEY**

- **LIABILITY INSURANCE - PARTY ALCOHOL  
LIABILITY** (Two weeks prior to event)
  - **LIQUOR LICENCE/SPECIAL OCCASION  
PERMIT** (One week prior to event)
  - **LIST OF SIP SERVERS WITH REGISTRATION  
NUMBERS** (Two weeks prior to event)
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