

City of Toronto's

# MUNICIPAL ALCOHOL

Policy

## The City of Toronto Municipal Alcohol Policy Staff Information

2001/2002



## **Background**

The City of Toronto's Municipal Alcohol Policy (MAP) promotes the health and safety of people at events on City property through a responsible, managed approach to the consumption of alcoholic beverages.

The policy describes many things a person or group holding an event on City property under a Special Occasion Permit (SOP) needs to do to prevent dangerous situations involving alcohol, and to promote low-risk drinking. It also outlines your responsibilities as a City employee, and how you can protect yourself from liability.

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## **The Special Occasion Permit**

The Special Occasion Permit (SOP) is issued by the Alcohol and Gaming Commission of Ontario (AGCO). It allows the permit holder to sell or serve liquor during a special occasion under the regulations of the Liquor Licence Act.

### **Eligible locations for SOP events**

City locations including City-owned buildings, facilities, parks, properties, public squares and City public right-of-ways may be locations for SOP events.

The event organizer must obtain the appropriate permit or approval from the City in order to hold an event on City property. City staff will review all requests to hold an SOP event on City property to determine if it is an appropriate location for such an event. Evaluation criteria could include:

- Nature, duration and hours of the proposed event
- Impact upon neighbouring properties and other facility users
- Participant, City staff and public safety considerations
- Proximity to public transportation services
- Adequate availability of space, parking and washrooms
- Adequate availability of water and electrical supply.

The event organizer must provide proof to City staff that servers have Smart Serve training (i.e. the Smart Serve certificate) in order to receive a City-issued permit or approval for an SOP event.

City staff have the authority to deny a City-issued permit or approval for a proposed SOP event at any City location if they consider it inappropriate.

***Alcohol is not allowed at events targeted exclusively to youth under 19 years of age held at City locations.***

### **Insurance**

The Special Occasion Permit holder must purchase third-party liability insurance for their event. This insurance will:

- Set a \$2,000,000 minimum per occurrence limit, or an amount determined by the City's Manager of Insurance and Risk Management  
*and*
- Identify the City of Toronto as an additional insured with respect to the permitted event.

City staff must see proof of insurance for an SOP event at least 10 days *before* the event is to take place, and *before* they can issue a permit or approval for the event.

## **Training**

In order to hold an SOP event on City property, the event organizer must ensure that all people serving and selling alcohol at the bar, serving drinks to tables, and all entrance monitors have completed a Smart Serve Program or AGCO-approved server intervention training.

The event organizer must provide proof that servers have Smart Serve training (i.e. the Smart Serve certificate) to City staff in order to receive a City-issued permit or approval for an SOP event.

City staff who are involved in the management or approval of an SOP event must also have taken the Smart Serve Program and received specific training about the City's Municipal Alcohol Policy.

## **Food and Beverages**

High alcohol beers (over 5.6%) are not permitted. Of the total volume of beverages available for sale at the event, at least 35% must be of low alcohol content. A low alcohol beer is beer with an alcohol content of 4% or less. Low alcohol wine is a wine with an alcohol content of 11% or less.

Non-alcoholic beverages must be available, either at no charge or at a cost of less than half the price of the lowest-priced alcoholic beverage.

Event organizers must provide and encourage the consumption of food. Chips, peanuts, and other such snacks do not qualify as food. Sandwiches and other light meals are considered appropriate for such events. The Liquor Licence Act requires that food be served at an SOP event. Foods high in carbohydrates help to slow down the absorption of alcohol into the bloodstream and therefore reduce the risk of intoxication.

Practices which encourage increased consumption of alcohol are not allowed. Specifically, oversize drinks, double shots, pitchers of beer, drinking contests and volume discounts are not allowed.

Only alcoholic beverages purchased from a licensed retail store such as the LCBO, The Beer Store, or stores of Ontario wineries and breweries may be sold/served at SOP events held at City locations. *Event organizers and participants may not sell, bring, or consume home-made alcoholic beverages or their own alcoholic beverages at SOP events held on City property.*

## **Bar Requirements and Operation**

The bar should be located in an area that allows the bartender(s), ticket sellers, and floor monitors to see and monitor event participants while they are consuming alcohol.

The bartender must not serve any person more than two alcoholic drinks at any one time.

All bottles must remain in the bar area. For safety reasons, drinks must be served in plastic or paper cups or non-breakable containers. *Glasses may be permitted at the discretion of an appropriate City representative.*

Ticket sales must end at least a half hour before the bar closure time specified on the City permit. There must be no last call for the bar. *Last call usually encourages high and rapid consumption of alcohol and results in high blood alcohol levels just as the event is ending, which may lead to impaired driving.*

Practices that encourage increased consumption of alcohol, such as discounting of ticket prices for volume buying, are not allowed.

The bar must close at the time indicated on the City permit or the SOP – whichever is earlier.

Under no circumstances must a person under the age of 19 be served, or be allowed to consume, an alcoholic beverage. The only acceptable identification for proof of age is an Ontario Photo Card, a passport, or a driver's licence with photo.

Tickets must not be sold to anyone who is, or appears to be, intoxicated.

### *Outdoor Licensed Bar Areas*

In addition to the bar requirements listed above, outdoor licensed bar areas must be clearly defined and separated from unlicensed areas by a physical barrier with a minimum height of 1.06 metres (42 inches). The Special Occasion Permit holder is responsible for cleaning-up the outdoor beverage area at the end of the event. A security deposit must accompany the application in case a major clean-up or repairs are required after the event.

## **Floor Monitoring/Event Workers**

Event workers (the permit holder or his/her designate and persons working for the permit holder) must not consume alcoholic beverages while they are working at the event, or after the bar is closed and the event is over.

The permit holder, or his/her designate, must attend for the duration of the event and be responsible for decisions regarding the operation of the event.

Event workers must ensure that participants do not engage in activities that could potentially harm themselves and others.

Event workers should be easily identifiable by City staff, e.g. wear badges, caps.

### *Number of floor monitors*

The Special Event Permit holder must ensure that floor monitors are present for the entire event. The role of the floor monitor is to ensure that the SOP requirements and the requirements of the City's Municipal Alcohol Policy are carried out. *City staff, in consultation with the Special Occasion Permit holder, will determine the number of monitors required for each SOP.* As a guideline, apply a ratio of at least one floor monitor per 100 participants. The nature and location of the event, the expected attendance, and if applicable, the number and size of outdoor licensed bar areas operated in conjunction with the event, will have an impact on the number of floor monitors required.

City staff will determine if a City representative should attend an SOP event. *The City's representative has the authority, on behalf of the City, to shut down the event.*

### *Security*

In some cases, and at the discretion of the appropriate City staff member, security services and/or pay-duty police may be required at the event, at the permit holder's expense.

For indoor events, all entrances to the event must be supervised by two event monitors. All exits must also be supervised by an event monitor.

For outdoor events, all entrances to licensed bar areas must be supervised by two event monitors who are 19 years of age or older, and who have been trained under the Smart Serve Program. The City may also require that entrances to licensed bar areas be supervised by police officers or professional security staff.

## **Accountability**

If the Municipal Alcohol Policy is violated, or any law is broken, there will be consequences for the permit holder, up to and including withdrawal of privileges to hold future events on City property.

If the Municipal Alcohol Policy is violated, City staff can, at their discretion, :

- close down the event immediately
- and/or
- refuse to issue future facility permits to the event organizers.

## **Signage**

A sign concerning rules of the event must be posted near the bar. These signs are provided by the City in English to the permitter. The content of the sign is as follows:

- The legal drinking age in Ontario is 19. You cannot drink any alcoholic beverages at this event if you are under 19 years of age.
- If you appear to be under 19, the bartender, other event staff and City of Toronto staff can request proof of age. The only acceptable proof of age is:
  - A driver's licence with photo
  - An Ontario Photo Card
  - Passport.
- You can purchase bar tickets until one half hour before the bar closes. There will be no last call.
- At any one time, you may only purchase bar tickets sufficient for up to two drinks.
- It is against the law for bartenders, servers or participants to provide alcohol to anyone who is, or appears to be, intoxicated.

If the event participants do not understand English, the permit holders(s) must post the contents of the City sign translated into the language(s) of the majority of the participants, as well as the English sign.

## **Safe Transportation**

Permit holders must ensure that provisions have been made for safe transportation of intoxicated participants, should any participant be or become intoxicated.

Plans for safe transportation could include such options as:

- a designated driver program (including advertising of such a program at the event)
- free non-alcoholic drinks for the designated drivers
- arrangements for event sponsors to drive intoxicated patrons home
- taxi chits
- calls to the police if intoxicated participants insist on driving.

## **Advertising**

Events sponsored by alcohol manufacturers must include messages about responsible consumption of alcohol.

Alcohol sponsorship is not allowed for events which are aimed at youth (under 19 years of age).

Event names which convey the message that drinking is the principal activity or the purpose of the event, must not be used.

## **Promotion**

City staff should encourage event permit holders to:

- place notices about responsible drinking at each table
- use bar glasses, promotional materials and napkins imprinted with messages about responsible drinking.

## Frequently Asked Questions

**Q. Where can I obtain a Special Event Permit?**

**A. *Special Event Permit application forms are available at your local liquor store or call the Alcohol and Gaming Commission at 416-326-8700.***

**Q. Can I get the Special Occasion Permit at the same time and at the same location as I get the facility permit?**

**A. *No, these are completely different permits. Facility permits are issued by the City of Toronto, while Special Occasion Permits are issued by the Alcohol and Gaming Commission.***

**Q. How can I become Smart Serve trained?**

**A. *Call Smart Serve at 416-695-8737. Opportunities for training may exist within each district. Call your local staff training representative.***

**Q. Under what circumstances can a City staff member close down an SOP event?**

**A. *Any violation of the Liquor Licence Act or Toronto Municipal Alcohol Policy can result in shutting down events.***

**Q. Why can't I bring my own liquor or home-made alcoholic beverages to an SOP event?**

**A. *Only alcoholic beverages purchased from a licensed retail store such as the LCBO, The Beer Store, or stores of Ontario wineries and breweries may be sold/served at SOP events held at City locations. Event organizers and participants may not sell, bring, or consume home-made alcoholic beverages or their own alcoholic beverages at SOP events held on City property.***

**Q. Do I have to use a floor monitor?**

**A. *Yes, floor monitors are an important part in maintaining a safe environment. While floor monitors don't have to exclusively walk the floor, keeping an eye on activity is required.***

**Q. Most of the people at my SOP event don't read English as their first language, and won't understand the City's sign. What should I do?**

**A. *All signage should be translated into other languages by the host to ensure everyone drinks responsibly.***

**Q. I don't think a participant should drive home because he's intoxicated – but he refuses to take a cab. What should I do?**

**A. Use the “buddy system”. Get a friend of his to speak to the person. If they refuse all options and insist on driving, call the police at Operation Lookout, 416-808-RIDE (7433), or by cell phone at \*DWI.**

**Q. What kind of event insurance should I get and where can I buy it?**

**A. Contact your insurance broker, or the City can provide Alcohol Liability if you prefer.**

**Glossary of Terms**  
**(for the purpose of the City of Toronto Municipal Alcohol Policy)**

**AGCO** means Alcohol and Gaming Commission of Ontario, formerly the Liquor Licence Board of Ontario.

**Alcohol** means a product of fermentation or distillation of grains, fruits or other agricultural products, and includes synthetic ethyl alcohol.

**Beer** means any beverage containing alcohol in excess of the prescribed amount obtained by the fermentation of an infusion of barley, malt and hops or any similar products in drinkable water.

**City-issued permit/approval** means a permit or approval issued by the City of Toronto authorizing the applicant to use a City location for an event.

**City location** means City-owned buildings, facilities, parks, properties, public squares and City public rights-of-way which are eligible to host SOP events.

**Event monitors** means paid and/or volunteer workers at an event who hold positions of responsibility in the operation of the event and who help ensure that the requirements of the Municipal Alcohol Policy are carried out.

**Smart Serve Program** means the Smart Serve training program offered by Smart Serve Ontario, a division of the Hospitality Industry Training Organization of Ontario. The Smart Serve Program is the only responsible beverage service training program that is recognized by the Alcohol and Gaming Commission of Ontario. It has been designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as in bars, restaurants, banquet halls, and other public facilities.

**Special Occasion Permit (SOP)** means a permit issued by the Alcohol and Gaming Commission or Registrar of Alcohol and Gaming. The SOP authorizes the holder to sell or serve liquor on a *prescribed* special occasion. *Prescribed* means prescribed by the regulations made under the Liquor Licence Act. An SOP does not allow consumption of alcohol on City of Toronto property, except in accordance with this policy.

**Special Occasion Permit Event (SOP event)** means any event held on a City location at which alcohol will be served and/or sold under the authority of a Special Occasion Permit.

**For more information about:**

**Please call:**

Special Occasion Permits

416-326-8700

Alcohol and health issues –  
Toronto Health Connection

416-338-7600

Centre for Addiction and Mental Health

416-535-8501

Alcohol and Gaming Commission  
of Ontario

416-326-0330

City of Toronto Municipal Alcohol Policy

416-338-0338