

City of Toronto Municipal Alcohol Policy

Last updated September 4, 2014

City Council Approval Date – August 27, 2014

Effective Date – January 2, 2015

Table of Contents

TABLE OF CONTENTS	2
BACKGROUND	3
<i>Introduction</i>	3
<i>Goal</i>	3
<i>Objectives</i>	3
<i>The Special Occasion Permit or Catering Endorsement</i>	4
<i>City Approval</i>	4
GLOSSARY OF TERMS	5
DESIGNATION OF PROPERTIES AND EVENTS	8
<i>Properties and Facilities Eligible for Alcohol Service and Consumption</i>	8
<i>Properties and Facilities Ineligible for Alcohol Consumption</i>	8
<i>Events Not Eligible for Alcohol Consumption</i>	8
OPERATING PROCEDURES & STANDARDS	9
<i>Insurance</i>	9
<i>Roles and Responsibilities</i>	10
<i>Specific Requirements</i>	12
ENFORCEMENT	16
IMPLEMENTATION PLAN	16
POLICY MONITORING AND REVIEW	16
REFERENCES CITED	17

Background

Introduction

The City of Toronto's Municipal Alcohol Policy (MAP) promotes the health and safety of participants at Special Occasion Permit (SOP) or Catering Endorsement Events on City property through a responsible, managed approach to the serving and consumption of alcoholic beverages.

Many problems can arise from excessive alcohol consumption on municipal property, including injury, violence and liability. This policy describes many things an Event Organizer must do to prevent dangerous situations involving alcohol from arising. It also outlines the roles and responsibilities of the Event Organizer and Event Workers.

This policy was most recently updated by Toronto Public Health in consultation with City divisions and other stakeholders from November 2013 to July 2014. The revised MAP qualifies as a "Blue Ribbon policy" as described in the MAP guidelines developed by the Centre for Addiction and Mental Health (CAMH).¹ The 2014 revisions ensure that the MAP better addresses the elements and components identified in the CAMH guidelines as essential to having an effective MAP. An interdivisional implementation working group will determine details of enforcement and evaluation of the MAP and implement the revised policy.

Goal

The goal of the City of Toronto MAP is to set out the conditions and requirements under which City properties may be used for events that include the serving and consumption of alcoholic beverages. The permission to hold such Events is contingent on full responsibility being assumed by the Event Organizer and is subject to obtaining prior approvals, such as an SOP from the Alcohol and Gaming Commission of Ontario (AGCO) and a City Permit.

Furthermore, the goal of the MAP is to make Event Organizers aware of operating practices and standards and their responsibility to ensure that these are in place during Events. These operating practices and standards promote a safe environment for participants and staff and reduce alcohol-related problems and any potential liability to the City, its staff, volunteers, community organizations and participants of the Event.

Objectives

The objectives of this policy are specifically to:

- Outline operational procedures to Event Organizers, including information about their responsibilities and how to limit their liability.
- Outline City of Toronto properties, facilities, and areas where alcohol may and may not be served.
- Outline how the MAP will be enforced and penalties for not complying with the MAP.
- Encourage and support responsible drinking practices for individuals who choose to consume alcohol.

The Special Occasion Permit or Catering Endorsement

The SOP is issued through designated Liquor Control Board of Ontario (LCBO) locations on behalf of the AGCO and permits the holder to sell or serve liquor outside a licensed establishment. In addition, the AGCO allows holders of a liquor sales license with a Catering Endorsement to sell and serve alcoholic beverages at an event in an unlicensed area. The licensee is required to notify the AGCO ten days prior to the event.

Depending on the nature of the Event, the AGCO and/or the City staff responsible for the intended venue may require a Letter of Municipal Significance from the local Community Council before granting permission for the Event. Information on how to obtain a Letter of Municipal Significance is found on the City's website under the topic "Alcohol" in the Event Planning Guide.

Event Organizers must comply with the requirements of the SOP or Catering Endorsement, and all applicable laws including but not limited to the Liquor License Act (LLA) and its regulations. **The MAP is not a substitute for compliance with these requirements and laws.**

City Approval

After AGCO approval has been issued, the Event Organizer must obtain the appropriate approval from the City (referred to throughout the MAP as a Permit) in order to hold their Event on City property. City staff will review the request and verify proof of SOP or Catering Endorsement. The Event Organizer must ensure to the satisfaction of City staff that all requirements outlined in this policy are understood and will be followed prior to City staff issuing any Permit. City staff will determine if a City representative should attend an Event. The City's representative has the authority, on behalf of the City, to shut down an Event if the Event Organizer does not comply with the MAP.

Glossary of Terms

Access Point means, for indoor Events, any entrances and exits to an Event location, for outdoor Events, means any entrances or exits to the licensed bar area.

Alcohol and Gaming Commission of Ontario (AGCO) formerly the Liquor Licence Board of Ontario is a regulatory agency that reports to the Ministry of the Attorney General.

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

Bartender means an Event Worker serving or selling alcoholic beverages.

Canada's Low-Risk Alcohol Drinking Guidelines are guidelines that include recommended limits on alcohol consumption so that people who choose to drink can make informed choices. Following these guidelines can reduce health and safety risks and harms related to alcohol such as injuries, motor vehicle collisions, violence and chronic diseases.

Catering Endorsement. The holder of a liquor sales licence may add a Catering Endorsement to their licence. The endorsement allows the licensee to serve beverage alcohol at an event in an unlicensed area or in an unlicensed part of a licensed establishment. The licensee must notify the AGCO of its intention to do so by submitting a Catering Notification form at least ten days prior to the event.

City means City of Toronto.

City Property means City-owned buildings, facilities, parks, public squares and City public right-of-ways which are eligible to host Events.

Designate means a person appointed by the Event Organizer to be their representative and who has satisfactorily proven to the Event Organizer that s/he will act in accordance with the MAP.

Door Monitor means an Event Worker who supervises any Access Point of an Event, checks identification, and keeps out intoxicated, violent or aggressive individuals. The Door Monitor also monitors for signs of intoxication when participants leave the event and recommends safe transportation options.

Event means an event held on City property at which alcohol will be served and/or sold under the authority of a Special Occasion Permit or Catering Endorsement and with City approval. This includes private events, where only invited guests attend, events open to the public and industry promotional events.

Event Organizer means any person or organization applying to hold an Event on City property and includes the person or organization on whose behalf such person is applying or seeking permission to hold the Event. It also includes the person whose name is listed as a permit holder on a Special Occasion Permit and may also be the holder of the Catering Endorsement. Where this term is used it includes his/her Designate.

Event Workers 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. This term includes Bartenders, Ticket sellers, Door monitors, and Floor monitors.

Floor Monitors means Event Workers who are responsible for monitoring participants' floor activity, including monitoring for signs of intoxication, during the course of an Event. Floor Monitors may also assist Door Monitors in their duties controlling Access Points.

Letter of Municipal Significance is a letter from the local Community Council declaring that the event is an "Event of Municipal Significance". Such a letter may be required by the AGCO or City staff before granting permission for an Event.

Liquor License Act (LLA) outlines the laws regarding the sale and service of alcohol.

Municipal Alcohol Policy (MAP) is a local policy that specifies the requirements and conditions under which alcohol may be sold and served at municipally owned properties and facilities under the authority of a Special Occasion Permit or Catering Endorsement and City Permit. In this document MAP refers to the City of Toronto Municipal Alcohol Policy.

Municipal Properties are all municipally owned or leased lands, buildings or structures.

Permit includes any written authorization, contract, approval, or facility rental agreement issued or required to be issued by the City as permission for an Event.

Proof of Age Identification is outlined by the AGCO as including:

- A driver's licence with a photograph of the person to whom the licence is issued.
- A passport.
- Canadian citizenship card with a photograph of the person to whom the card was issued.
- A Canadian Armed Forces identification card.
- A secure certificate of Indian status issued by the Government of Canada.
- A photo card issued by the Liquor Control Board of Ontario.
- A permanent resident card issued by the Government of Canada.
- A photo card issued under the *Photo Card Act, 2008*.

Smart Serve™ Program means the 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 AGCO. 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 AGCO or Registrar of Alcohol and Gaming. The SOP authorizes the holder to sell or serve liquor at 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 property, except in accordance with this policy.

Standard Drink means:

- 12 oz or 341 ml. of beer with 5% alcohol or
- 5 oz or 142 ml. of wine with 12% alcohol or
- 1 ½ oz or 43 ml. of spirits with 40% alcohol

Ticket Sellers are Event Workers who sell or otherwise provide tickets (to a maximum of two tickets per individual at any one time) for redemption for alcohol, refuse to provide tickets to participants who are at or near intoxication, and refunds tickets upon request.

Designation of Properties and Events

Properties and Facilities Eligible for Alcohol Service and Consumption

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

City staff will review all requests to hold an Event on City property to determine if it is an appropriate location for such an Event. City staff may explicitly designate where in the facility or on the property alcohol service and consumption is and is not permitted.

Decision criteria include:

- Nature of the proposed Event (i.e. private versus public)
- Duration and hours of the proposed Event
- Impact upon neighbouring properties and other facility users
- Projected number of participants at the Event
- Public safety considerations for participants and City staff
- Proximity to public transportation services
- Adequate availability of space, parking and washrooms
- Adequate availability of water and electrical supply

Individual City divisions have the final authority to determine site setup requirements and approvals for Events.

Properties and Facilities Ineligible for Alcohol Consumption

The following areas are generally ineligible for alcohol service or consumption, unless the area is designated as an area for alcohol consumption under the authority of a Liquor License:

- Entrance lobbies of Community and Recreation Centres
- Dressing rooms
- Bleachers (i.e. tiered seating areas)

City staff may also designate other areas as ineligible for alcohol consumption. These are communicated to the Event Organizer upon review of their application.

Events Not Eligible for Alcohol Consumption

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

Operating Procedures & Standards

Insurance

The Event Organizer must provide proof of insurance by way of submitting an original Certificate of Insurance to the appropriate City staff. The Certificate of Insurance must be in effect for the date(s) when the municipal property is to be used or occupied for the Event. The insurance will:

- Identify the City of Toronto as an additional insured with respect to the Event.
- Include coverage for bodily injury and property damage liability.
- Include a Host Liquor Liability endorsement.
- Set a **\$2,000,000* (Two Million Dollars)** minimum per occurrence limit for general liability coverage, or an amount determined by the City staff responsible for the venue in consultation with the Manager of Insurance and Risk Management.

*A **\$5,000,000 (Five Million Dollars)** minimum per occurrence limit is required for the following:

Anticipated Attendance

- More than 3,000 persons per day anticipated

Scale of Event and at Risk Activities

The Permit process would take into consideration:

- Length and frequency of activity: How many days and how often the event occurs
- Number of venues, roads or sites: Single or multiple site/venue
- Quantity of City Permits required
- City coordination required: Number of services, divisions required and complexity of the event
- If the event also incorporates activities that carry additional risk such as Bouncy Castles, Amusement Rides, pyrotechnical displays, etc.

The Event Organizer must provide the City of Toronto with a completed Insurance Certificate, the SOP or Catering Endorsement, and any required Permit at least 30 days prior to the Event. Failure to submit any of these documents may result in the City withholding permission for the Event.

Roles and Responsibilities

This section outlines many of the roles and responsibilities of the Event Organizer and Event Workers. These responsibilities are not limited to those included below.

Event Organizer/Designate

The Event Organizer must:

- Be 19 years of age or older.
- Attend for the entire duration of the Event.
- Not consume alcoholic beverages while working at the Event.
- Comply with the MAP, the SOP or Catering Endorsement, any Permit and all applicable laws and regulations, including but not limited to the LLA and its regulations.
- Assume responsibility for all decisions regarding the operation of the Event.
- Organize, plan, set up for and clean up after the Event.
- Use Event Workers who are certified under an AGCO-approved server training program (e.g. Smart Serve™) and provide a list of Event Workers who have completed training to City staff.
- Be familiar with Canada's Low-Risk Alcohol Drinking Guidelines and promote these Guidelines in training sessions with Event Workers.
- Ensure sufficient number of Door Monitors to adequately control all Access Points to the Event.
- Ensure Floor Monitors, when required, are not unreasonably distracted during the performance of their duties.
- Ensure that Event Workers are clearly visible by wearing identifiable clothing (e.g. hat or T-shirt) or identity badges.
- Post the SOP or Catering Endorsement in a visible location on the premises to which the Permit applies or have it readily available for inspection.
- Ensure alcohol consumption does not occur in unauthorized locations.
- Ensure the safety of people attending the Event, including those who are removed from the Event.
- Organize and plan for safe transportation options (e.g. designated drivers, taxis).
- Respond to emergencies.
- Report any incidents to City staff within 48 hours of the incident.
- In addition, it is recommended that Event Organizers allow community-based organizations to provide substance use prevention and harm reduction information and/or outreach support at Events as needed. Toronto Public Health can provide contact info for organizations that provide this type of service.

Event Workers

Event workers, including Bartenders, Ticket Sellers, Door Monitors and Floor Monitors, have a range of roles and responsibilities, as appropriate to their position. These are specified in Table 1.

Table 1. Roles and Responsibilities by Category of Event Worker

Roles/ Responsibilities	Bartenders	Ticket Sellers	Door Monitors	Floor Monitors
Be 19 years of age or older.	✓	✓	✓	✓
Be certified under an AGCO-approved server training program (i.e. Smart Serve™).	✓	✓	✓	✓
Enforce minimum age drinking laws and verify Proof of Age for individuals who appear to be under 25 years of age.	✓	✓	✓	✓
Not consume alcoholic beverages while working at the Event.	✓	✓	✓	✓
Be familiar with Canada's Low-Risk Alcohol Drinking Guidelines.	✓	✓	✓	✓
Be easily identifiable by City staff, e.g. wear badges, caps.	✓	✓	✓	✓
Not be unreasonably distracted while performing their duties.	✓	✓	✓	✓
Ensure participants do not engage in activities that could potentially harm themselves or others.			✓	✓
Not allow entrance to minors (except at weddings or Events for families).			✓	
Not allow entrance to intoxicated, violent or aggressive persons.			✓	
Monitor participants' consumption of alcohol including, but not limited to, watching for visible signs of intoxication.	✓	✓	✓	✓
Have knowledge of the safe transportation plan for the Event including how to arrange for the safe transportation of intoxicated persons leaving an Event.	✓		✓	✓
Refuse service when a person appears to be intoxicated or near intoxication and offer a non-alcoholic substitute.	✓	✓		
Serve standard-sized drinks.	✓			
Serve no more than two standard-sized drinks per person per visit to the bar.	✓			
Offer non-alcoholic drinks, including free, cold drinking water.	✓			

Specific Requirements

Event Supervision & Security

City staff, in consultation with the Event Organizer, will determine the number of Event Workers required for each Event. The nature (e.g. private versus public) and location (e.g. indoors versus outdoors) of the Event, the expected attendance, and if applicable, the type of bar operation (e.g. open bar versus cash bar) and number and size of outdoor licensed bar areas operated in conjunction with the Event will have an impact on the number of Event Workers required.

Table 2 provides a suggested ratio of Event Workers according to the number of Event participants. This is intended as a guide only. The City reserves the right to adjust the minimum Event Worker to guest ratio on an Event-by-Event basis.

Table 2. Suggested Number of Event Workers

Number of Event participants	Minimum Number of Bartenders	Minimum Number of Floor Monitors	Minimum Number of Door Monitors (per Event Access Point)	Minimum Number of Ticket Sellers
Under 25	1	0	1	0
25 to 49	1	1	1	1
50 to 99	2	1	2	1
100 to 199	2	2	2	2
200 +	2 + 1 for every additional 200 event participants	2 + 1 for every additional 200 event participants	2 + 1 for every additional 200 event participants	2 + 1 for every additional 200 event participants

At the discretion of City staff, professional security services and/or pay-duty police may be required at the Event or at Access Points of licensed bar areas, at the Event Organizer's expense.

Bar Operation

The bar should be located in an area that allows Event Workers to see and monitor Event participants while they are consuming alcohol.

Outdoor licensed bar areas must be clearly defined and separated from unlicensed areas by a physical barrier with a minimum height of 0.9 metres (36 inches).

All bottles must remain in the bar area. For safety reasons, drinks must be served in plastic or paper cups or non-breakable containers. Exceptions to these requirements may be permitted at the discretion of City staff.

Alcohol sale and service must end at least a half hour before the bar closure time specified on the Permit or SOP or Catering Endorsement, whichever is earlier. 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.

Guests cannot be required to purchase a minimum number of drinks (or drink tickets) to enter or remain at the Event. The maximum number of drink tickets sold (or drinks served) to any individual is two (2) per visit to the ticket seller (or bar). Participants must be allowed to collect refunds for unused drink tickets at any time when the bar is open and for at least 30 minutes after bar closing.

The bar must close at the time indicated on the Permit (no later than 1 a.m.) or on the SOP or Catering Endorsement — whichever is earlier.

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 one-third 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.

Practices which encourage the increased consumption of alcohol are not allowed. Specifically, oversize drinks, double shots, drinks containing more than 85ml of spirits, pitchers of beer, drinking contests, "free-pouring" and volume discounts are not allowed. Raising awareness of Canada's Low-Risk Alcohol Drinking Guidelines among Event participants can promote low-risk drinking to reduce health and safety risks.

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 and served at Events. Event Organizers and participants may not sell, bring, or consume homemadeⁱ alcoholic beverages or their own alcoholic beverages at Events.

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 will make arrangements so that participants have unrestricted access to a supply of running water, at no charge. Event Organizers are required to promote the availability of fresh drinking water to patrons and indicate clearly where the water stations are.

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 Events. Foods high in carbohydrates help to slow down the absorption of alcohol into the bloodstream and therefore reduce the risk of intoxication.

ⁱThe AGCO specifies that homemade wine and beer can be served but not sold only at certain private events.

Drink Monitoring System

All Events must have a drink monitoring system in place, which ensures that patrons do not drink to the point of intoxication. Relying solely on visible signs of intoxication is not as effective as monitoring consumption. Examples of drink monitoring systems are outlined in Smart Serve™ training.

As part of an effective drink monitoring system, it is essential that Event Workers be vigilant and not unreasonably distracted in the performance of their duties.

Safe Transportation

Event Organizers must make provisions for the safe transportation of any intoxicated participants leaving the Event and promote safe transportation options for Event participants who consume alcohol. The risk of injury and liability is high when an impaired driver leaves an event where alcohol is served. Intoxicated patrons can injure themselves and others even if they are walking or cycling. It is important for Event Organizers to be alert to the possibility of these events occurring.

Safe transportation options help to reduce and prevent risks of harm and liability. These options include:

- Having a designated driver program in place (including advertising of such a program at the Event).
- Providing free non-alcoholic drinks for designated drivers.
- Requesting that a sober friend or relative assist a potentially intoxicated person.
- Promoting the use of taxis or public transportation if the individual is adequately able to care for him/herself.
- Providing taxi chits or transit tokens if the individual is adequately able to care for him/herself.

Event Workers must be prepared to call the police RIDE (Reduce Impaired Driving Everywhere) program if an intoxicated participant insists on driving.

Signage

In addition to any signage required by law, including the Liquor License Act and its regulations, the City requires that the Event Organizer post the following information near each bar area:

- 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 25 years of age, the bartender, other event worker or City of Toronto staff can request Proof of Age Identification, such as an approved government-issued photo I.D. card.

- At any one time, you may only be served a maximum of two drinks.
- It is against the law for bartenders, servers or participants to provide alcohol to anyone who is, or appears to be, intoxicated.
- You can purchase alcohol until one half hour before the bar closes. There will be no "last call".
- Thank you for not drinking and driving. The R.I.D.E. program is in effect in our community. Use a designated driver or call a friend, relative or taxi.
- Restricted (alcohol ineligible) areas (i.e. No Alcohol Beyond this Point).
- WARNING: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby. (This sign is available at: www.agco.on.ca/pdfs/en/warnsign_bw.pdf.)
- Information on Canada's Low-Risk Alcohol Drinking Guidelines. (For an example, see: <http://www.ccsa.ca/Resource%20Library/2012-Canada-Low-Risk-Alcohol-Drinking-Guidelines-Poster-en.pdf>.)

In addition, Event Organizers should promote messages such as the importance of staying hydrated, and that free water is available to help with that, while clearly indicating where drinking water stations are located.

City staff will provide guidance on signage format, wording and posting locations as part of the Permit process.

If it is anticipated that English will not be read by the majority of participants, then the above-noted signs must be translated into the language of the majority of the participants and posted in addition to the English signs.

Advertising

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

Event names which convey the message that drinking is the principal activity or the purpose of the Event are not permitted.

Enforcement

City staff may randomly monitor Events.

If the Municipal Alcohol Policy is violated, or any law is broken, City staff can, at their discretion:

- Close down the Event immediately and/or
- Refuse to issue future Event Permits to the Event Organizer and/or
- Place conditions on the operation of future Events by the Event Organizer, such as increasing the per occurrence insurance requirements.

Implementation Plan

Within three months of adopting the policy, an inter-divisional working group will develop and implement a strategy to communicate its requirements to affected divisions, staff and Event Organizers. The effective date for the policy is January 2, 2015.

Policy Monitoring and Review

The policy shall be formally reviewed every 5 years by an inter-divisional workgroup based on information gathered from Event Organizers, City staff, Event participants and other stakeholders.

For more information about:

Please call:

Special Occasion Permits
Alcohol and Gaming Commission of Ontario

416-326-8700
416-326-8700
1-800-522-2876

City of Toronto Municipal Alcohol Policy

311

Alcohol and Health Issues —
Toronto Health Connection
Centre for Addiction and Mental Health

416-338-7600
416-535-8501

References Cited

¹ Municipal Alcohol Policy Guide: A Practical Resource for Successfully Managing Drinking in Recreational Settings. Centre for Addiction and Mental Health. Developed by Claire Narbonne-Fortin, Margaret Rylett, Ronald R. Douglas, Louis Gliksman, 2003. Retrieved February 22, 2014 from:
http://www.camh.ca/en/education/about/services/camh_library/Documents/Repository%20of%20CAMH%20Documents/MAP_PolicyGuide.pdf