

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NUMBER 11-42

**BEING A BY-LAW TO ADOPT A MUNICIPAL ALCOHOL
MANAGEMENT POLICY FOR THE CORPORATION OF THE
TOWNSHIP OF LAKE OF BAYS.**

WHEREAS the Section 11 of the Municipal Act S.O., 2001, as amended, provides that a municipality may pass by-laws respecting matters within the sphere of health, safety and well-being of persons and protection of persons and property, including consumer protection.

AND WHEREAS Section 450 of the Municipal Act S.O., 2001, 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 or local board made in a good faith exercise of the discretion, shall be commenced against a municipality or local board; a member of a municipal council or of a local board; or an officer, employee or agent of a municipality or local board;

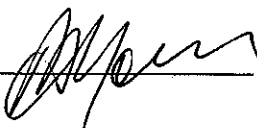
AND WHEREAS Council deems it necessary to adopt a Municipal Alcohol Management Policy for the management of alcohol usage on properties and in facilities owned by the municipality;

NOW THEREFORE the Council of the Corporation of the Township of Lake of Bays hereby enacts as follows:

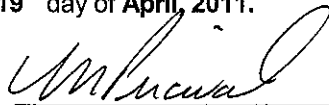
1. The Municipal Alcohol Management Policy for the Corporation of the Township of Lake of Bays, attached hereto as Schedule "A" and forming part of this by-law, is hereby approved and adopted.

READ a FIRST and SECOND time this 19th day of April, 2011.

Mayor

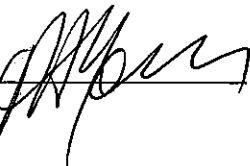


Clerk

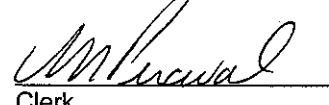


READ a THIRD time and finally passed this 19th day of April, 2011.

Mayor



Clerk



TOWNSHIP OF LAKE OF BAYS POLICY MANUAL			
Chapter:	Parks and Recreation	Index No.	RC-1.1
Section:	Municipal Property	Effective Date:	Sept 1995
Subject:	Alcohol Management	Revision Date:	Apr 19, 2011
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1	PURPOSE:
1.01	To provide the municipality with a policy for the management of alcohol during events and functions in all facilities owned and operated by the municipality, in a manner that ensures the health and safety of all participants and protection of facilities.
1.02	Policy Objectives: <ul style="list-style-type: none"> (a) To provide appropriate procedures and education to ensure that all Liquor Licence Board of Ontario legislation pertaining to Special Occasion Permits is properly understood and is strictly adhered to. (b) To provide management procedure and education to protect the participating public, volunteers, the corporation and its staff from legal liabilities which could result from lack of proper supervision and operation of Special Occasion Permit functions. (c) To encourage and reinforce responsible moderate drinking practices through the development of appropriate operational procedures, controls, training and education. (d) To provide for a balanced use of alcohol through Special Occasion Permits so that alcohol becomes a responsible part of a social function rather than the reason for the function. (e) To provide a balance of wet and dry facilities and programs so that consumers, abstainers, adults, youth and families will be adequately serviced and protected.
2	POLICY:
2.01	The following replace the Township of Lake of Bays' existing alcohol management policy within 30 days of approval.
2.02	Municipal facilities suitable for special occasion permits <ul style="list-style-type: none"> (a) The auditorium located in the Baysville Arena and Community Centre be designated as a suitable facility for the use of special occasion permit events. (b) That the arena floor surface of the Baysville Arena and Community Centre, be designated as a suitable facility for the use of special occasion permit functions when the ice surface is covered or when it is removed from the summer. (c) The auditorium of the Dwight Community Centre be designated as a suitable facility for the use of special occasion permit functions. (d) The Dorset and Baysville Senior Buildings be designated as suitable facilities for the use of special occasion permit functions.
2.03	Facilities/Parks not suitable for events <ul style="list-style-type: none"> (a) The arena dressing rooms of the Baysville Arena and Community Centre be clearly designated as areas not suitable for drinking alcohol before, during or after sport events. (b) The Baysville and Dwight Libraries be designated as areas not suitable for licensed alcohol events. (c) Municipal parks and green spaces: The Heney Lake Road Park, Van Seters Park, South Portage Park and dock, Dwight Beach, Centennial Park, Norway Pt. Park, Dwight Rink, Oxtongue Rapids Park, Hillside Park, Boat Launch Area Park and all other municipally owned green spaces not be suitable for special occasion permit functions. (d) The Township of Lake of Bays Office, Council Chambers and all other municipally owned facilities be designated as areas not suitable for licensed alcohol events.
2.04	Youth and Special Occasion Permit Events Youth events and minor sports events are not to be designated as eligible for special occasion permit events.

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2.05 Youth Admittance to Adult Events

Persons under the legal drinking age not be admitted to licensed events held after 8:30pm, being held in municipally owned facilities, except in the case of a family occasion such as a wedding or anniversary celebration. In the case of licensed events such as adult tournaments and special community events, underage youth may enter licensed areas as long as they are easily identifiable (i.e. hand stamp)

2.06 Signs

The following signs be prominently displayed in special occasion permit designated facilities.

- (a) Statement of Intoxication: The following statement will appear on a wall sign and may be printed onto serving cups and/or table talkers.

**Township of Lake of Bays
Statement of Intoxication**

“Servers in this facility are required by law not to serve anyone to the state of intoxication. People use this facility for safe, enjoyable, social activities and events. All sponsors of Special Occasion Permit events are pleased to offer low alcoholic and non alcoholic beverages to those who do not wish to drink. Thank You.”

- (b) “Ride Awareness”: The following statement will appear on a wall located at the main exits and may be printed on paper cups and/or table talkers.

“The Huntsville/Minden Detachment of the Ontario Provincial Police Reduce Impaired Driver Everywhere (RIDE) program thanks you fro helping to reduce impaired drinking everywhere in Lake of Bays and surrounding area. We look forward to personally thanking you at one of our spot-checks for leaving this event a SOBER DRIVER”.

- (c) Areas not suitable fro alcohol consumption: The following statement will appear on a wall sign in all non licensed facility areas.

“The Township of Lake of Bays thanks you for keeping this area alcohol free”.

- (d) Accountability: The following statement will appear on a wall located at main exits and may be printed on paper cups and/or table talkers.

The sign will name the sponsor of the event and will provide the address and telephone number of the Recreation Department and the Ontario Provincial Police.

2.07 Server Training and Supervision Practices

In order to be eligible for a facility rental for a special occasion function, the sponsor must demonstrate to the satisfaction of the municipality that the event supervisors, servers, floor and door monitors have attended a server training course and have been trained in responsible server techniques.

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The number of trained workers will be as follows:

At implementation of policy: one trained person per event

By June 30, 1996: one third of all event workers must have server training

By December 31, 1996: one half of all event workers must have server training

By December 30, 1997: three quarters of all event workers must have server training

2.08 Low and Non Alcoholic Drinks

In order to be eligible for a facility rental for a special occasion permit event, the sponsor must demonstrate to the satisfaction of the facility manager or designate that 35 % of the alcohol consists of low alcoholic drinks. As well, non alcoholic drinks must be offered at no charge or at a price lower than that charged for alcoholic drinks.

2.09 Safe Transportation

Event sponsor will be required to implement safe transportation strategies including a designated driver program * combined with additional alternative home transportation options ** and promotion of the policy spot check ***.

* Designated Driver

Advertise/announce the designated driver program at event

Provide non-alcoholic drinks (such as coffee, pop, juices) at no charge or at a reduced rate for the designated drivers.

** Alternative Transportation Option

Post local cab phone numbers

Have sponsor drive intoxicated participant home and/or, call a friend, relative or taxi to assist intoxicated driver and/or collect keys upon entry and/or

If necessary, call police, warn or apprehend impaired driver.

Announce alternate transportation options available at the event.

*** Police Spot Checks

Post wall and/or table signs and/or announcement that read:

The O.P.P. in Lake of Bays area appreciate your assistance in Reduction Impaired

Driving Everywhere and thank you for leaving this event a Sober Driver.

Announce the importance of leaving the event a Sober Driver

2.10 Controls

(a) Event Controls: In order to be eligible to rent a municipal facility for a special occasion permit event, the sponsor must demonstrate to the satisfaction of the facility manager or designate that sufficient controls are in place which will assist in ensuring compliance to the policy. The controls include:

(i) The event sponsor must demonstrate to the Facility Manager that the policy is understood and that regulations will be observed.

(ii) The event sponsor must obtain a Special Occasion Permit from the Liquor Licence Board of Ontario and must show proof of this to the Facility Manger prior to the event.

(iii) The event sponsor must provide a list of trained workers prior to the event

(iv) All workers must be of legal drinking age in Ontario.

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- (v) The event sponsor must provide the Facility Manager with a copy of the L.L.B.O. demonstrating the purchase of at least 35% low alcoholic beverages.
- (vi) The only acceptable form of identification for admission to a Special Occasion Permit event will be an age of majority card or a Driver's Licence with photo.
- (vii) The person or designate who signs the Special Occasion Permit Application must attend the event and be responsible for making decisions regarding the operation of the event as required by the Special Occasion Permit.
- (viii) The event sponsor is responsible for the event, and therefore must not be intoxicated or impaired.
- (ix) All event workers to refrain from consuming alcohol while on duty and therefore must not be intoxicated or impaired.
- (x) The event sponsor must ensure physical setting is safe for all in attendance.
- (xi) The event sponsor must ensure that patrons do not engage in activities that could harm them or others.
- (xii) All events must be supervised.
- (xiii) A floor supervisor must be available, upon request, to ticket sellers who require assistance in managing a person who is refused a sale.
- (xiv) All bottles must be retained within the bar area and all drinks must be served in paper/plastic cups with the exception of bottled wine during the dinner portion of an event.
- (xv) The licensee is to abide by the rules of the Municipal Alcohol Policy as enforced by a municipality representative.
- (xvi) Marketing practices which encourage increased consumption, such as oversized drinks, double shots of spirits, pitchers of beer, drinking contests, and volume discounts are not permitted.
- (xvii) Tickets must be purchased from designated ticket sellers and redeemed at the bar; a maximum of 6 tickets per purchase.
- (xviii) Unused tickets are redeemable for cash at any time during the event.
- (xix) The Facility Manager reserves the right to require the presence of two (2) police officers for the duration of an event, the cost of which will be borne by the sponsoring group or individual.
- (xx) There will be no last call.
- (xxi) The event sponsor and workers of a free bar event must abide by all the policy control measures.
- (xxii) Whenever possible, Police will be notified by the township representative or event sponsor of problem situations.
- (xxiii) The event sponsor and workers must encourage the consumption of food, low alcohol and non alcohol beverages.
- (xxiv) The bar area will close after the last person is served beyond 12:30 am, and no later than 1 am.
- (xxv) Facilities must be vacated 45 minutes after the bar area closes as specified by the Special Occasion Permit

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(xxvi) The minimum ratio of event workers designated by the event sponsor and the Recreation Department for all eligible municipal facilities and parks will be as follows:

Number of Participants	Bartenders	Ticket Sellers	Floor Supervisors	Door Supervisors
Under 100	1	1	1	1
Over 100	1	1	2	1
Over 200	2	1	3	1

(xxvii) The minimum ratio of event workers designated by the event sponsor and the Recreation Department for the Baysville Arena floor surface will be as follows:

Number of Participants	Bartenders	Ticket Sellers	Floor Supervisors	Door Supervisors
Over 300	4	2	4	4
401 to 500	5	2	5	5
501 to 600	6	2	6	6
601 to 700	7	2	7	7
701 to 800	8	2	8	8
801 to 900	9	2	9	9
901 to 1000	10	2	10	10

(b) Consequences for failure to comply: Individuals and/or groups who fail to comply to the Municipal Alcohol Policy be subject to the following consequences:

- (i) The recreation staff may report any infraction of this policy to legal authorities whenever they believe such action is required. Copies of registered letters will also be sent to the Ontario Provincial Police in Huntsville.
- (ii) Any infraction of the Lake of Bays Municipal Alcohol Policy will be reviewed by the Recreation Department. A registered letter describing the problem will be sent to the sponsor who may be refused future rental privileges.
- (iii) Future rental privileges to penalized individuals or groups will depend on demonstrating to the Facility Manager and the Municipality that all rules will be followed at future functions.
- (iv) The Facility Manager reserves the right to suspend the individual/group immediately and permanently depending on the circumstances surrounding the incident.

Where a group found to be consuming or have consumed alcohol in the arena change rooms, the lobby or in the bleachers, and/or

Where underage youth are found to have consumed or to be consuming alcohol at Special Occasion Permit and Non Special Occasion Permit Functions, and/or

Where adults and youth engage in disruptive behaviour at social events the following procedures will be followed:

- (i) The authorities may be called and/or a letter of warning from the Facility Manager may be sent by registered mail.

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- (ii) The individual(s) and/or group may be automatically suspended from all future functions and rental privileges for a period of 6 months or longer depending on the severity of the incident.

2.11 Insurance

Those sponsoring a Special Occasion Permit event in a municipally owned facility be required to purchase the insurance coverage package which provides a **minimum** of two million dollars in alcohol liability insurance.

3 ADMINISTRATION:

3.01 The event sponsor, and Recreational Department shall follow this policy.

4. REVISION CONTROL

Revision Date April 5 th , 2011	Revision Section 2.11 – Increase alcohol liability insurance from \$1 to \$2 million	Effective Date April 19 th , 2011
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5 ATTACHMENTS:

None