

THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	Community Services	Policy No.:	
Department:	Recreation & Culture	Approval Date:	March 18, 2024
Division:	Special Events	Approved By:	CR120/2024
		Effective Date:	March 18, 2024
Subject:	Municipal Alcohol Policy	Procedure Ref.:	
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1. POLICY

1.1. It is the policy of The Corporation of the City of Windsor (“City”) that, when alcohol is to be sold, served or consumed at events held on City property or at locations or events under the City’s control, these activities are carried out in a safe and responsible manner and in accordance with all local and provincial guidelines.

2. PURPOSE

2.1. The Municipal Alcohol Policy (“Policy”) is required to:

- 2.1.1. Provide direction for the sale, serving and consumption of alcohol on City property or at locations or events under the City’s control.
- 2.1.2. Provide appropriate and reasonable procedures and education to individuals or groups wishing to hold events in municipal recreation facilities in order to encourage and enforce responsible drinking practices and adherence to the Liquor License and Control Act.
- 2.1.3. Reduce problems associated with excessive consumption and to reduce liability.
- 2.1.4. Provide a balance of opportunities for wet and dry functions and facilities in order to ensure that adults, youth and families, either consumers or abstainers, will be adequately serviced and protected.
- 2.1.5. Honour the decision of abstainers not to drink alcohol and to encourage their participation by ensuring the provision of alternative, non-alcoholic drinks.
- 2.1.6. Be proactive in the reduction of incidents including injury and death through the implementation of a municipal alcohol policy.
- 2.1.7. Develop a municipal alcohol policy that is easy to read and understand in order to maximize its use and compliance.
- 2.1.8. Ensure all requirements of the Alcohol Gaming and Commission of Ontario (“AGCO”) and Liquor License and Control Act are met and adhered to.

3. SCOPE

3.1. The Municipal Alcohol Policy applies to all City staff, volunteers, community partners who either manage or have control over City property, rental clients and organizers of events on City property, at which alcohol will be sold, served or consumed.

3.2. This Policy applies to the sale, serving and consumption of alcohol on City property or at locations (collectively referred to as “City Property”), whether or not a facility is operating under a liquor licence issued by the AGCO, a Special Occasion Permit, a liquor licence with Catering Endorsement, or any other approval that has been issued by the AGCO. City Property includes the following;

- All City-owned properties including outdoor (parks) and indoor (community centres) facilities
- All properties leased by the City
- City Highways including the travelled portion of the Highway (roadway), boulevards, sidewalks or other areas of the Highway,
- Properties controlled by local boards over which City Council may require general policies be followed,
- Events held by the City at partner or third-party premises, and,
- City Properties under a Public-Private Partnership Agreement, as determined on a case by case basis by the Executive Director, Recreation and Culture or designate.

4. RESPONSIBILITY

4.1 The Chief Administrative Officer and Commissioners are responsible to;

4.1.1 Support this Policy and ensure compliance and adherence by all City Departments

4.2 The Executive Director of Recreation & Culture is responsible to;

4.2.1 Ensure all staff are familiar with the Policy and its guidelines

4.3 Department Manager(s) are responsible to;

4.3.1 Permit the use of City Property for an event at which alcohol will be sold, served or consumed, in accordance with this Policy and applicable by-laws.

4.3.2 Require immediate correction and or termination of an event on behalf of the City of Windsor for reasons outlined in this Policy. This may include the right to revoke a permit to hold an event or prohibit the sale, serving or consumption of alcohol at an event on City Property, as more specifically

set out in the rental or facilities permit or agreement for the event on City Property.

4.4 Event Owner - All 3rd party organizations (Event Owners) who are holding an event where alcohol is being sold, served or consumed at a City property or at a location under the City's control is responsible to;

4.4.1 Complete and sign documentation required by the City to confirm that the event Owner has received, read, understood, and has undertaken the steps to comply with this Policy and the governing rules and regulations within their permit, rules and regulations set in this policy and regulations set forth by the AGCO.

5. GOVERNING RULES AND REGULATIONS

The consumption of alcohol is prohibited in all public places such as parks, arenas, and community centres unless a Special Occasion Permit or licence for the facility has been obtained.

For all events at which alcohol will be sold, served or consumed on City Property, the event owner must ensure that the following General Conditions are met:

- 5.1 The Event Owner must obtain a permit for the use of the property or facility at which the event is to take place from the City Department having operational jurisdiction over the property or facility, or having responsibility for the event if it is occurring on third party property.
- 5.2 The Event Owner must provide, at their own cost, information required by the responsible City Department in support of its application for such permit. The permit must specify the date, duration, nature, purpose and expected attendance at the event, as well as any other details of the event that may be required by the City Department to determine if the event meets the requirements of this Policy and for the proper management by the City of its property.
- 5.3 The sale, serving and consumption of alcohol may take place only on property the City identified in Section 3.2 of this policy and under the conditions outlined in this Policy.
- 5.4 In order to hold an event with alcohol on City Property, the Event Owner must obtain a Special Occasion Permit (SOP) or have a Catering Endorsement for the event from the AGCO, or other approval issued by the AGCO, and must, at all times during the event, comply with applicable regulations, processes and best practices of the AGCO, including those relating to Smart Serve Guidelines.
- 5.5 The Event Owner must obtain and maintain for the duration of the event appropriate insurance in the form of Commercial General Liability Insurance that includes liquor liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000) inclusive per occurrence, or as otherwise prescribed by the Executive Director of Recreation & Culture, having operational jurisdiction over the property or facility at which the event is taking place with the concurrence of the City Solicitor, and such insurance must name the City as additional insured.
- 5.6 The Event Owner must comply with the Event Owner Responsibilities as outlined in section 4.4 of this Policy.

- 5.7 During events at which alcohol is to be sold, served or consumed, a bilingual sign with wording including the following information shall be displayed in a prominent location immediately within each licensed area where alcohol is to be sold, served, consumed or distributed in any manner:
- servers are prohibited from serving alcohol to:
 - participants under 19 years of age
 - intoxicated persons,
 - anyone who appears to be at the point of intoxication, and
 - ask your server about safe transportation options
- 5.8 Glass containers (bottles, glassware or carafes) are not permitted in the above locations, with the exception of within bar service areas.
- 5.9 The Event Owner must ensure that the original special occasion permit (SOP), or liquor licence with a Catering Endorsement, or any other approval obtained from the AGCO, is posted in a conspicuous location in the licensed/server area or must keep it in a place where it is readily available for inspection, for the duration of the event.
- 5.10 The event must comply with all applicable federal and provincial laws and regulations, and applicable municipal by-laws.

DEFINITIONS

AGCO: Alcohol and Gaming Commission Ontario

Event Owner: Any person(s) 19 years of age or over who applied to obtain and has been granted permission to hold an event involving the sale or consumption of alcohol on premises as defined in this Policy.

SOP: A special occasion permit issued by the AGCO as required under the Liquor Licence Act, that is needed any time alcohol is offered for sale, served or consumed anywhere other than in a licensed establishment or a private place. SOP's are for occasional, special events only and not for personal profit or running an ongoing business.

Highway: Includes a common and public highway, street, avenue, parkway, driveway, square, bridge, viaduct, or trestle under the jurisdiction of the City, any part of which is intended for, or used by, the general public for the passage of vehicles and includes the area between the lateral property lines thereof

Roadway: That part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all the roadways collectively

Sidewalk: Those parts of the Highway set aside by the City for the use of pedestrians

6 RECORDS, FORMS AND ATTACHMENTS

- 6.1 Appendix A – Relevant Contact Numbers
6.2 City of Windsor Special Events Manual
6.3 City of Windsor Special Events Procedure