

# Corporate Policy and Procedure



Policy No. 05-01-03  
Page 1 of 11  
Effective Date 2011 11 22  
Supersedes 2008 07 30

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TAB: PROPERTY AND FACILITIES  
SECTION: USE OF PUBLIC PROPERTY  
SUBJECT: SERVING ALCOHOL AT CITY FACILITIES

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**POLICY STATEMENT** The City of Mississauga may permit alcohol to be served at designated City facilities, under specific conditions.

**PURPOSE** Alcohol-related problems can inhibit the safe enjoyment of City facilities by all patrons, and expose the City to financial liability. By permitting alcohol only at designated locations, and only under specific conditions, the potential for alcohol-related problems at City facilities is minimized. This policy specifies the conditions under which alcohol may be permitted in City facilities.

## SCOPE

### Applicability

This policy applies to:

- organizers of events at which alcohol will be served, including City-sponsored Events, held in any City Facility, whether the organizers are City staff, elected officials, or members of the public; and
- facilities which are under a management agreement providing exclusive use of the property, to the extent that the policy does not conflict with the provisions of the particular management agreement – the provisions of the management agreement take precedence over the policy.

This policy does not apply to:

- businesses which are licensed to serve alcohol in City facilities (such businesses must have a valid liquor licence, and are subject to the terms of their particular lease agreement with the City, and the terms and conditions of the liquor licence);

# Corporate Policy and Procedure



Policy No. 05-01-03  
Page 2 of 11  
Effective Date 2011 11 22  
Supersedes 2008 07 30

---

- City operations which are licensed to serve alcohol (such operations must have a valid liquor licence, and are subject to the terms and conditions of that licence); and
- facilities which are leased for residential use, (such facilities are subject to the terms and conditions of the lease, which is in compliance with the *Landlord and Tenant Act*).

## DEFINITIONS

For the purposes of this policy:

The “Booking Clerk” means the City staff person responsible for issuing a Rental Agreement with respect to the use of a City Facility.

A “Caterer’s Endorsement” is an addition to a liquor sales licence issued by the Alcohol and Gaming Commission of Ontario (AGCO). It permits the sale and service of alcohol at an event that is in an unlicensed area, under specific conditions. If an event is being conducted under a valid Caterer’s Endorsement, a Special Occasion Permit is not necessary.

“City Facility” includes all City-owned or leased buildings, rooms within buildings, parks, and other outdoor areas, including roads.

A “City-sponsored Event” is one which has been approved either by Council, the Leadership Team, or a department head.

“Conditions of Serving Alcohol” are specific terms and conditions that will be attached to and form part of the Rental Agreement allowing the use of the facility.

The “Person Responsible for the Event” means:

- the person named on the application for a Special Occasion Permit, the Rental Agreement and the Conditions of Serving Alcohol; or
- where the event is being conducted under the authority of a Caterer’s Endorsement, the person who is named on the

# Corporate Policy and Procedure



Policy No. 05-01-03  
Page 3 of 11  
Effective Date 2011 11 22  
Supersedes 2008 07 30

---

## Rental Agreement and the Conditions of Serving Alcohol.

A “Rental Agreement” means any agreement allowing the use of a City Facility, including a facility booking contract and any permit which may be issued for the use of roads or outdoor space, such as a Road Occupancy Permit or a Parks Permit.

A “Special Occasion Permit” is a permit from the Alcohol and Gaming Commission of Ontario (AGCO) to sell or serve alcohol at special occasions. If an event is being conducted under a valid Caterer’s Endorsement, a Special Occasion Permit is not necessary.

A “Trained Server” is a person who has been trained, through a recognized Ontario-based server program (such as Smart Serve) in the responsible serving of alcohol.

## WHERE ALCOHOL IS PERMITTED

Alcohol is permitted only at locations which have been designated by the Commissioner of Community Services as facilities or portions of facilities at which alcohol may be permitted.

Alcohol will be permitted at events held on City roads only upon the approval of the Commissioner of Transportation & Works. Issuance of a road closure permit will be conditional on the applicant obtaining a Special Occasion Permit, and conditional on the applicant following this policy. Where an applicant indicates that alcohol will not be served, the permit must clearly indicate that consumption of alcohol is not permitted on City roads.

## Designation of Facilities

Designation of facilities requires the prior approval of Mississauga Fire and Emergency Services, the Region of Peel Health Department, and the Region of Peel Police Department. The Building Division of the Planning and Building Department

# Corporate Policy and Procedure



|                |            |
|----------------|------------|
| Policy No.     | 05-01-03   |
| Page           | 4 of 11    |
| Effective Date | 2011 11 22 |
| Supersedes     | 2008 07 30 |

---

must also be consulted prior to designation.

The Commissioner of Community Services may revoke a facility's designation at any time. Further, notwithstanding any of the provisions of this policy, the City reserves the right to refuse to permit a specific alcohol related event in or on any of its properties, or within specific areas of those properties, regardless of any prior designation.

List of Designated Facilities A list of designated facilities is available from the Community Services Department Customer Service Centre or from the City's web site. The Manager, Customer Service is responsible for ensuring that a copy of the list of designated facilities, and amendments to the list, is posted to the City's web site and is made available to Customer Service Centre staff, all community centres, and Corporate Security, and is provided to the AGCO.

## CONDITIONS OF SERVING ALCOHOL

All Rental Agreements for the use of City facilities for events at which alcohol will be served will be subject to the City's Conditions of Serving Alcohol. The Person Responsible for the Event will be required to sign the Conditions of Serving Alcohol, to acknowledge that he/she has read and accepted the conditions as part of the Rental Agreement.

Specifically, by signing the Conditions of Serving Alcohol, the Person Responsible for the Event is accepting responsibility for the following:

- either obtaining a Special Occasion Permit, or hiring a caterer with a valid liquor sales licence and Caterer's Endorsement (more information on AGCO requirements for Special Occasion Permits and Caterer's Endorsements can be obtained from the AGCO);
- meeting the license/permit requirements of the AGCO, the

# Corporate Policy and Procedure



|                |            |
|----------------|------------|
| Policy No.     | 05-01-03   |
| Page           | 5 of 11    |
| Effective Date | 2011 11 22 |
| Supersedes     | 2008 07 30 |

---

*Liquor Licence Act*, and Ontario Regulation 389/91 which deals specifically with Special Occasion Permits;

- adhering to the Responsible Alcohol Management Practices outlined in this policy;
- the minimum number of Trained Servers, as specified by the City, will be in attendance at the event (the names of these servers will be required as part of the Conditions of Serving Alcohol and servers may be required to show proof of training during the event);
- the City has been provided with a certificate of insurance that includes a minimum of \$2,000,000 general liability insurance, including liquor liability coverage and adds the City as an additional insured for the event period (note that this requirement does not apply to City-sponsored Events and the amount of insurance required may be increased at the discretion of the City's Risk Manager, depending on the level and degree of risk to the City);
- the Building Division, Planning and Building Department has been contacted to confirm the need for a permit for any tent or structure, and any necessary permit has been obtained; and
- compliance with all applicable by-laws including, for events held in parks, the Parks By-law and, for events held on City roads, the Special Events Temporary Road Closure By-law.

## RESPONSIBLE ALCOHOL MANAGEMENT PRACTICES

The Person Responsible for the Event must ensure that the following responsible alcohol management practices are followed:

### General Controls

1. Controls must be in place to prevent intoxicated or rowdy

# Corporate Policy and Procedure



Policy No. 05-01-03  
Page 6 of 11  
Effective Date 2011 11 22  
Supersedes 2008 07 30

---

people from entering the event, and to ensure that the aforementioned participants will be refused service and escorted safely from the event.

2. All event workers must refrain from consuming alcohol prior to and during the event, including during breaks.
3. Door Monitors/Gate Security will be required for all events. The number of monitors/security staff required will be established by the City.
4. The Special Occasion Permit holder and the Door Monitors must be clearly identifiable (name tags, badges).
5. Non-alcoholic beverages and food must be available at all times. The supply of food must be appropriate to the number of people attending and must be within the immediate area of the bar.
6. All bottles and cans must be retained within the bar area. All drinks must be served in the containers provided by or approved by the City.
7. Non alcoholic beverages must be provided at no charge or at a cost significantly lower than alcoholic beverages.
8. Unused tickets must be redeemable for cash at any time during the event.
9. Ticket sales must end at least 30 minutes before the bar closure specified on the City permit or other City documents pertaining to the event. The City permit issued for the event supersedes all Special Occasion Permit operating hours.
10. Promotions that encourage increased consumption of alcohol

## Food and Beverage

# Corporate Policy and Procedure



Policy No. 05-01-03  
Page 7 of 11  
Effective Date 2011 11 22  
Supersedes 2008 07 30

---

(discount tickets, double shots, drinking contests, etc.) are prohibited.

## Enforcement and Accountability

11. There will be no “last call” announcement or notice.
12. Outdoor licensed areas must be clearly defined and separated from unlicensed areas by a physical barrier with a minimum height of 42” (1.106m).
13. All bar servers and at least one of the event workers in each of the following categories, where applicable, must be Trained Servers:
  - Door Monitor
  - Ticket seller
  - Floor Monitor
  - Floor Supervisor
14. The Person Responsible for the Event is responsible for clean-up of the bar area and all areas associated with the event. Failure to do so may result in additional cost being assessed to the permit holder.
15. Forms of identification which may be accepted for proof of age may include only:
  - photo card issued by AGCO;
  - photo card issued by LCBO;
  - Ontario driver’s licence with photo;
  - Canadian passport;
  - Canadian Citizenship card with photo; or
  - other government card with photo stating date of birth.
16. A copy of the Special Occasion Permit/Caterer’s Endorsement must be provided to the City one week prior to the event. The Special Occasion Permit must be posted at the event.

# Corporate Policy and Procedure



Policy No. 05-01-03  
Page 8 of 11  
Effective Date 2011 11 22  
Supersedes 2008 07 30

---

17. Appropriate signs must be posted near the bar stating:

- the legal drinking age;
- that a maximum of two alcoholic beverages can be served at one time;
- that there will be no last call;
- that any unused tickets may be redeemed for a refund at any time during the event.

Safe Transportation

18. An overview of a plan to promote safe transportation options for those attending the event must be provided. These plans should include a range of options which may include, but are not limited to:

- signs that raise RIDE awareness at entrance to the event;
- providing free non-alcoholic drinks for designated drivers;
- arranging taxi and/or shuttle bus service as appropriate.

Note: Safe transportation programs do not exempt the permit holder from abiding with AGCO regulations which prohibit serving anyone to the point of intoxication or serving an intoxicated person.

## RESPONSIBILITIES

There will be only one Person Responsible for the Event for each event. The Person Responsible for the Event must be named on the application for a Special Occasion Permit, the Rental Agreement and the Conditions of Serving Alcohol. In the alternative, where the event is being conducted under the authority of a Caterer's Endorsement, the Person Responsible for the Event must be named on the Rental Agreement and the Conditions of Serving Alcohol.

When Booking the Facility

The Booking Clerk is responsible for asking the Person Responsible for the Event if alcohol will be served. If the Person Responsible for the Event advises that alcohol will be served, the Booking Clerk will advise of the City's requirements and will provide a copy of the Conditions for Serving Alcohol. Adherence

# Corporate Policy and Procedure



Policy No. 05-01-03  
Page 9 of 11  
Effective Date 2011 11 22  
Supersedes 2008 07 30

---

to the policy, posted on the City's external website, and to the Conditions for Serving Alcohol is required by all event organizers and event staff.

## After Booking the Facility and Prior to the Event

The Person Responsible for the Event must contact the facility or, in the case of an outdoor event, a designated staff liaison to arrange a meeting to discuss specific requirements.

The Facility Manager or his/her designate, or the designated staff liaison for an outdoor event, may require that security staff (paid duty police officers or professional security services) be hired to attend the event, at the event organizer's expense. Note: Corporate Security staff are available to assist in determining security requirements and whether professional security staff should be hired.

The staff representative will advise the Person Responsible for the Event of all of the City's requirements, including requirements for the submission of

- the signed Rental Agreement;
- the signed Conditions for Serving Alcohol, including the list of Trained Servers;
- the certificate of insurance;
- a copy of the Special Occasion Permit or Caterer's Endorsement;
- a safe transportation plan;
- any required information to establish compliance with the Responsible Alcohol Management Practices outlined in this policy;
- any other required documents, such as a permit for a tent or proof of hiring outside security.

The Person Responsible for the Event must comply with the City's requirements, and must submit all required documents no later than one week prior to the event, or as requested by the staff

# Corporate Policy and Procedure



Policy No. 05-01-03  
Page 10 of 11  
Effective Date 2011 11 22  
Supersedes 2008 07 30

---

representative.

If the necessary documents are not provided as required, the staff representative will advise the Person Responsible for the Event that permission to use the particular facility will be cancelled. Should the Person Responsible for the Event wish to hold the event without alcohol, he or she will be required to obtain a new Rental Agreement that does not include provision for the serving of alcohol.

At the Start of the Event

The Person Responsible for the Event must post the Special Occasion Permit at the facility at the start of the event. Facility staff are responsible for confirming that the permit has been posted. If the permit has not been posted, facility staff will advise the Person Responsible for the Event that no alcohol may be served. If alcohol is on site, and the Special Occasion Permit is not posted, the event will be cancelled.

During the Event

The Person Responsible for the Event must ensure that all of the terms and conditions of the Special Occasion Permit, this policy, and the Rental Agreement, including the Conditions for Serving Alcohol, are met. Staff responsible for the operation of the facility will take any action necessary to enforce the policy and the Rental Agreement, including the Conditions for Serving Alcohol.

If Agreement is Not  
Complied With

In the event of non-compliance with the policy or the Rental Agreement, including the Conditions for Serving Alcohol, staff may take any of the following actions:

- advising the Person Responsible for the Event that alcohol may not be served;
- asking any individual(s) to leave the facility;
- closing the event;
- calling the police for enforcement.

Note: Staff may request assistance from Corporate Security and

# Corporate Policy and Procedure



|                |            |
|----------------|------------|
| Policy No.     | 05-01-03   |
| Page           | 11 of 11   |
| Effective Date | 2011 11 22 |
| Supersedes     | 2008 07 30 |

---

will notify Corporate Security if police are called.

Depending on the nature of the non-compliance, future requests to rent City facilities may be refused. Violations to the terms of the Special Occasion Permit issued by the AGCO may also result in penalties under the *Liquor Licence Act*.

REFERENCE: GC-0012-2008 2008 01 30  
2011 11 22 – regular policy review – minor admin updates

LAST REVIEW DATE: September, 2011

CONTACT: For more information, contact:

- room bookings - Customer Service, Community Services Department
- parks bookings - Parks, Community Services Department
- road closures - Traffic, Transportation and Works Department