



Policies & Procedures: Creating a Municipal Alcohol Policy

Municipal Alcohol Policies (MAPs) are essential in mitigating the risks of alcohol-related incidents and injuries on municipal property, thereby reducing the municipality's exposure to liability. These policies ensure that clear and responsible guidelines are established to aid in the prevention of alcohol-related problems while allowing for the safe enjoyment of municipal facilities.

The objectives of a Municipal Alcohol Policy include:

- a. Preventing alcohol-related accidents and injuries.
- b. Reducing the risk of liability for the municipality.
- c. Providing a safe environment for facility users.
- d. Establishing clear guidelines for the responsible use of alcohol in municipal facilities.

By implementing and adhering to these guidelines, municipalities can effectively minimize the potential for alcohol-related issues, safeguard the well-being of patrons, and protect against legal liabilities.

Legislation

Occupiers' Liability Act

Several provinces in Canada have Occupiers' Liability Acts (OLAs) that outline the legal principles governing the

duties and liabilities of occupiers. These acts establish the duty of care owed by occupiers to individuals who enter their premises.

Please review your province's OLA and consult a legal professional for more information on Occupier's Liability.

Alberta

British Columbia

Manitoba

New Brunswick¹

Newfoundland and Labrador¹

Nova Scotia

Ontario

Prince Edward Island

Saskatchewan

Joint and Several Liability

Joint and Several Liability is a legal doctrine that makes each party to a claim both jointly and separately liable for any judgement of damages. Should one party not be able to fulfill their portion of the judgement, the plaintiff has the right to seek recovery from another party to the judgement who has the resources to contribute more than their portion, even if they were only found to be 1% liable.

¹ Please note that NB and NFLD do not have their own OLAs but do follow common law doctrine of occupier's liability. Please consult a legal professional for more information on occupier's liability.

Alcohol Liability Policy

An Alcohol Liability Policy provides host liquor liability for the organizers of an event. In today's climate, any individual or group who hosts an alcohol-related event should purchase host liquor liability insurance. As an owner, if your facility is to be rented for an alcohol-related event, the purchase of such insurance (such as a PAL – Party Alcohol Liability – Policy), and proof of the purchase should be a condition of the rental agreement.

Liability of Occupiers

As an occupier, you are responsible for the people you allow to enter and remain on the premises, including intoxicated individuals and troublesome individuals. You must take reasonable steps to prevent foreseeable events from occurring; however, occupiers are not required to endanger themselves in this pursuit.

Proper condition and suitability of the premises are also the concern of the occupier. The property must be up to code, have suitable handrails and exits that are in good condition, and be free from trip and fall hazards. If serving alcohol, the property must be safe for both sober and intoxicated individuals.

Occupiers carry liability for the activities they allow on their premises. If you allow unsafe activities, such as drinking contests, dancing on tables, or events like a stag and doe on your premises to take place unchecked, you may be liable for any unfortunate outcome.

Remedies

In order to avoid any incidents from occurring on your premises, you should:

- Operate the facility with reasonable care for the safety of the user.
- Keep the facility in safe repair.
- Inspect the facility for hidden hazards.
- Remove hazards or warn of their presence.
- Prevent or control unsafe activities on the premises.
- If you have an expanded area, you may want to implement a Wrist Band Policy. Only those who wear the Wrist Band will be served Alcohol. So, if security was to see someone drinking without the wristband, they would know it was acquired by other means.
- Have a Municipal Alcohol Policy.
- Require a rental agreement.

Guidelines for Developing the Policy

Relevant Sections

1.0 Policy Statement

2.0 Definitions

3.0 Identify Suitable Premises for Serving Alcohol

3.1 Identify Events in Which Alcohol Can Be Served

3.2 Penalties for Serving Alcohol at Prohibited Events/Areas

4.0 Conditions for Serving Alcohol

4.1 Rental Agreement

4.2 Special Occasion Permit

4.3 Alcohol Liability Insurance

5.0 Mandatory Personnel

6.0 Liquor Service Training

7.0 Entry and Controls

8.0 Sale of Alcohol and Serving Practices

9.0 Insurance and Indemnification

10.0 Procedures for Dealing with Patrons

10.1 Intoxicated Persons

10.2 Problem Patrons

11.0 Designated Drivers/Safe Transportation Policy

12.0 Signage

13.0 What is NOT Allowed

14.0 Conclusion and Resources

Suggested Framework

Throughout Canada, municipalities strive to promote safe alcohol consumption and prevent serving alcohol to intoxicated individuals. While the fundamental objectives are consistent, each province and territory has its own set of regulations and requirements for alcohol service. These differences include varying names and processes for permits, distinct liquor control boards, and unique responsible beverage service training programs.

It is important to review your respective provinces website to stay informed about the latest regulations and requirements.

1.0 Policy Statement

The purpose of the policy statement is to promote a safe environment for all municipally owned and operated facilities. For example, a policy statement could begin, "This policy has been developed to reduce alcohol-related problems that can arise from alcohol consumption."

2.0 Definitions

Event: Any gathering held at municipal premises where alcohol will be served and/or sold. The duration of the event includes setup, operation and cleanup.

Event Organizer: A person, 19 years of age (or 18 years of age depending on your province's legal drinking age) or over, seeking to hold an event involving the sale and/or service of alcohol on municipal premises. For events under a Special Occasion Permit (SOP) or its equivalent, the permit holder is the event organizer.

Event Worker: Any paid or volunteer person involved in safe alcohol service at an event. Event workers must be 18 years of age or over and be trained in a recognized responsible beverage service program. Event workers may include the following roles:

- **Floor Supervisor:** Interacts with participants, monitors patron behaviour, addresses intoxication and underage drinking, responds to problems and complaints, notifies the event organizer and security personnel of potential issues, and promotes safe transportation options.
- **Door Supervisor:** Manages event attendance, checks for signs of intoxication, denies entry to troublesome or uninvited individuals, and promotes safe transportation options. May check identification and provide wristbands as required.
- **Licensed Security:** Monitors entrances, patrols licensed areas and parking lots, ensures safety and security of the venue, stops patrons from taking alcohol outside the licensed area, and handles disturbances. May terminate the event if public safety or the facility is at risk.
- **Server/Bartender:** Checks identification, sells or exchanges tickets for alcoholic drinks, serves drinks, monitors for intoxication and underage drinking, refuses service to intoxicated patrons, offers non-alcoholic beverages, and coordinates with event staff.
- **Ticket Seller:** Sells drink tickets, monitors for underage drinkers and intoxication, and refuses sales to intoxicated patrons. May check identification and issue wristbands.

Municipality: The name of the Municipality this MAP belongs to. For example: "Corporation of the City of _____".

Municipal Premises: All municipally owned or leased facilities and lands, excluding those leased by the municipality to a third party.

Permit Holder: Signs the alcohol permit, is the general manager of the event and assumes responsibility and liability for the operation of the event.

Responsible Service Program: Training programs such as Smart Serve, ProServe, Serving it Right (SIR) or the Server Intervention Program (SIP) that educate staff and volunteers on safe alcohol service. These programs are recognized by provincial regulatory agencies.

Special Occasion Permit (SOP) or Equivalent: A type of liquor licence issued by provincial alcohol regulatory agencies for one-time social events where alcohol will be sold and/or served. SOPs or their equivalents may be issued for different types of events, which can vary by province. These typically include:

Private Event: An event where only invited guests will attend. The event cannot be advertised, and there can be no intent to gain or profit from the sale of alcohol.

Public Event: An event open to the public, conducted by a registered charity, not-for-profit entity, or for an event of municipal, provincial, national, or international significance. The event can be advertised and allow for fundraising or profit from the sale of alcohol.

Industry Promotional Event: An event held to promote a manufacturer's products through sampling. There can be no intent to gain or profit from the sale of alcohol.

Private, public, and industry promotional events can take place both indoors and outdoors, including in pavilions and temporary structures.

Tailgate Event: A public event held outdoors, typically associated with a live professional, semi-professional, or post-secondary sporting event. Professional sporting events might feature major league teams, while semi-

professional events could involve minor league teams. Post-secondary sporting events may include extramural, varsity, or intercollegiate sports teams. At a tailgating event, attendees aged 19 (or 18 depending on your province's legal drinking age) and older can bring their own liquor (BYOB) for consumption. The event can be advertised, and the sale and/or service of alcohol is permitted.

3.0 Identify Suitable Premises for Serving Alcohol

Considering relevant provincial regulations, the areas in which alcohol can be served should be clearly outlined and identified. As a standard, the premises must be safe for both sober and intoxicated guests. For example, if there is a choice between an upper-floor room and a lower-floor room, the lower-floor rental would be more advisable as it may be safer for intoxicated guests due to the absence of stairs. Your Municipal Alcohol Policy should clearly outline the municipal facilities in which alcohol can be served.

3.1 Identify the Events Where Alcohol Can Be Served

This section of the policy should clearly outline the municipally owned or operated properties where alcohol can be served, such as a hall in an arena or community centre, as well as those where alcohol cannot be served. These typically include beaches, parks, parking lots, arena dressing rooms, bleachers, and sports fields.

3.2 Penalties for Serving Alcohol at Prohibited Events/Areas

Your municipality should institute a system of penalties for those who fail to comply with your rules of where and when alcohol can be served. For example, if someone rents out a municipal property for an event such as a stag and doe or a wedding reception and fails to comply with the rules in your policy, inform them that they will not be permitted to rent municipal property ever again.

4.0 Conditions for Serving Alcohol

The following are important components that a renter must complete prior to being rented a municipal facility in which to serve alcohol.

4.1 Rental Agreement

All renters of municipal facilities should be required to fill out a rental agreement. A copy of your Municipal Alcohol Policy should be given to the renter with the rental agreement.

4.2 Special Occasion Permit

All renters should be required to provide a special occasion permit (SOP) or its equivalent prior to the event. Permits need to be purchased well in advance of the event. Applications can typically be found online at the respective provincial alcohol regulatory agency's website or at select liquor stores. All liquor for the event must be purchased with the SOP or its equivalent at licensed vendors, and receipts for the alcohol must be available at the event.

- Ontario: Alcohol and Gaming Commission of Ontario (AGCO) issues Special Occasion Permits.
- British Columbia: Liquor and Cannabis Regulation Branch (LCRB) issues Special Event Permits.
- Alberta: Alberta Gaming, Liquor and Cannabis (AGLC) issues Special Event Licences.
- New Brunswick: New Brunswick Gaming, Liquor and Security Licensing Branch, Department of Public Safety issues Special Occasion Permits.
- Newfoundland and Labrador: Newfoundland and Labrador Liquor Corporation (NLC) issues Special Event Permits.
- Prince Edward Island: Prince Edward Island Liquor Control Commission (PEILCC) issues Special Occasion Permits.
- Nova Scotia: Nova Scotia Alcohol, Gaming, Fuel and Tobacco Division (AGFT) issues Special Occasion Licenses.

Provincial regulations may have specific amendments and types of special occasion permits. For more detailed information on regulatory amendments affecting the Special Occasion Permit program, please visit your respective provincial alcohol regulatory agency's website.

4.3 Alcohol Liability Insurance

All renters of municipal facilities should be required to provide proof of purchase of alcohol liability insurance. If any of these conditions are not met or if infractions occur, inform the license holder that they are committing a violation and contact the appropriate provincial regulatory authority if they do not comply.

5.0 Mandatory Personnel

As a condition of rental, there should be numerous staff requirements for the event, we recommend an employee be onsite when events are taking place. All bartenders and

servers should be required to be trained in a recognized responsible service program (e.g., Smart Serve, ProServe). Only certified bartenders or a liquor inspector are allowed behind the bar. Prior to the event, you can provide the renter with a list of certified bartenders, servers, and monitoring staff, or you must require proof that their personally hired bartenders and servers are certified. At no point before or during the event should bartenders or servers consume alcohol.

There should also be sufficient staff present to monitor entrances, exits, guest alcohol consumption, and liquor ticket sales. The chart below gives the suggested guidelines in Ontario for staff per the number of patrons (these numbers may vary slightly by province). Depending on the size of the event and the facility, formal security and/or an off-duty police presence may be advisable. The municipality can offer to provide personnel at an additional cost.

Number of Participants	Bartenders	Floor Supervisors	Door Supervisors	Ticket Sellers
Under 25	1	0	1	0
25 to 50	1	1	1	1
51 to 100	2	2	2	2
101 to 200	2	3	3	2
201 to 300	3	3	3	3
301 to 400	3	3	4	3
401 to 500	4	4	4	5
501 to 750	6	6	6	6
751 to 1300	8	8	8	8 ²

6.0 Liquor Service Training

All individuals who serve alcohol at an event licensed by a special occasion permit (SOP) should be trained in a recognized responsible beverage service program, such as Serving it Right Serve in British Columbia, or its equivalent in other provinces. Renters of municipal facilities should be required, as part of the rental agreement, to use certified bartenders and servers, as well as monitoring staff. The owner of the premises should provide renters with a list of certified bartenders.

Responsible beverage service programs cover a variety of important topics for servers and bartenders, including recognizing and preventing intoxication; dealing with guests who have had too much to drink; legal responsibilities as a provider of alcohol; and techniques to reduce the risk of alcohol-related liability.

7.0 Entry and Controls

Controls at the entry of the event help to prevent both the admittance of minors to an event serving alcohol, as well as the entrance of already intoxicated persons to your premises. A person trained in a recognized responsible beverage service program should be placed at the entrance of the event to turn away minors and intoxicated individuals, as well as anyone attempting to bring in their own alcohol. Acceptable identification must be presented prior to admittance.

The acceptable forms of identification may vary by province but typically include:

- A driver's licence with a photograph of the person to whom the licence is issued.
- A Canadian Passport.
- A Canadian citizenship card with a photograph of the person to whom the card was issued.
- A Canadian Armed Forces identification card.
- A photo card issued by the provincial alcohol regulatory agency.
- A Secure Indian Status Card issued by the Government of Canada.
- A Permanent Resident Card issued by the Government of Canada.
- A photo card issued under the Photo Card Act, 2008.

This list of acceptable identification must be posted at the entrance of the facility. It is the responsibility of the permit holder to ensure that no minors or intoxicated patrons are served, and that bartenders, servers, and personnel abstain from alcohol consumption during the event.

Below is a suggested policy statement entry and control requirements:

"Signs must be posted near entrances and in bar areas designated for alcohol use, stating:

'In [Municipality name], you must be [legal drinking age] or older to attend a Special Occasion Permit Event. The only acceptable proof of age is photo identification.'

You may also wish to include:

'Exceptions may be made in the case of a family occasion such as a wedding or anniversary. However, alcohol must not be served to individuals under the legal drinking age.'

² This table is an example from Ontario. It is important to check your province's guidelines for mandatory personnel guidelines.

8.0 Sale of Alcohol and Serving Practices

Municipal facilities should have a standard set of practices for the sale and service of alcohol. All alcohol must be purchased under the special occasion permit (SOP) or its equivalent from sanctioned retailers as outlined in your provincial regulations. Typically, the permit must be available for inspection by regulatory authorities and police.

To promote responsible consumption, no more than four tickets should be sold to any one individual at a time, with no discounts for bulk purchases. After midnight, the maximum number of tickets that can be bought by one person should be reduced from four to two, and patrons should be allowed to redeem unused tickets. The sale of shooters should be controlled from the bar serving area, and liquor for shooters must be from the stock purchased under the SOP or its equivalent. Non-alcoholic beverages must be provided at a significantly reduced cost or for free, and low-alcohol products must be available. An adequate supply of food must also be available for those attending the event.

Renters should be given specific time constraints for the event, such as:

“The bar should close at 1:00 am or 2:00 am, and no announcement of ‘last call’ should be made. Entertainment should conclude by 1:15 am or 2:15 am, and the facility should be vacated by 1:45 am or 2:45 am.” All alcohol must be removed from the premises immediately following the event.³

Consider implementing a policy where no last call is announced before the bar closes. This can be communicated with a sign at the entrance to the halls in facilities designated eligible for a special event permit, stating, “There will be no last call.” This policy indicates clearly that the municipality is committed to safe serving practices and that last-minute “stocking up” will not be permitted. Last call usually results in rapid overconsumption and leads to high blood alcohol levels that may peak after an event and result in impaired driving.

9.0 Insurance and Indemnification

It is best practice for the renter to obtain insurance and provide a certificate of insurance 10 days prior to the event.

Due to the higher risk exposure for events where alcohol will be served, consider requiring a liability limit of \$5,000,000.

Party Alcohol Liability (PAL) Insurance provides protection from liability when lawsuits are brought against organizations that host functions with alcohol service. If the renter is not an organization, they should provide a Certificate of Insurance for the PAL Policy as well as a Certificate of Insurance (COI) from the individual’s insurance broker confirming Homeowner’s Liability.

In addition, a Hold Harmless and Indemnification clause in favour of the municipality should be included in the rental agreement. The municipality should be added to the renter’s policy as an additional insured. It is recommended that the solicitor for the municipality write this section.

10.0 Procedures for Dealing with Patrons

With regard to dealing with intoxicated or problem patrons, the protection and safety of the staff should be the chief priority, following the provisions of the Occupational Health and Safety Act.

10.1 Intoxicated Persons

When dealing with intoxicated persons, the front door staff at an event has the right to refuse entry. Personnel at the event should monitor patrons’ alcohol consumption and be aware of someone who is consuming excessively. Alternative transportation options such as taxi or rideshare services should be made available to ensure safe transport home. If intoxicated individuals insist on driving, or become violent and unsafe, the police should be called, and an incident report should be completed.

10.2 Problem Patrons

Staff should be trained on how to deal with problem patrons. If a patron is proving to be disruptive, confrontational, or violent, the police should be called.

11.0 Designated Drivers/Safe Transportation Policy

The permit holder is responsible to ensure that there is safe transportation available for all drinking participants at their event. Specific designated drivers should be assigned, and

³ In Ontario, if an SOP has been issued for an outdoor event that includes both licensed and unlicensed areas, patrons can move freely between these areas with a single serving of alcohol under certain conditions and where permission has been granted by the Registrar of Alcohol and Gaming. Changes to Regulation 389/91 effective August 2, 2011, require applicants for a Public Event SOP to provide 30 days’ notice to the AGCO and local municipality for events with fewer than 5,000 people, and 60 days’ notice for events with 5,000 or more people.

taxis should be provided and paid for by the permit holder in order to ensure that no intoxicated individual drives away from the event.

12.0 Signage

A variety of signage must be visibly posted for the patrons of the event to see. All facility rules, including maximum person capacity, should be posted. A sign at the entrance regarding valid proof of identification must be posted. Inside the event, a sign for ticket sales as well as a sign identifying low-alcohol and non-alcoholic beverages should be posted. A Statement of Intoxication must be posted at the bar and ticket-selling counter. An example of this sign is as follows:

“It is against the law (Liquor Licence Act of Ontario) to serve customers to intoxication. For this reason, servers are required to obey the law and not serve anyone to intoxication. Non-alcoholic beverages are available.”

Additional Recommended Signage Includes:

- Call 911 in an emergency.
- Drink Responsibly.
- No alcohol beyond this point.
- Warning: Drinking alcohol during pregnancy can cause birth defects and brain damage to your baby (Sandy's law).
- Low-risk drinking guidelines – [Canada's Low-Risk Alcohol Drinking Guidelines \[brochure\] \(ccsa.ca\)](#).

Other required signage can be found on your province's alcohol regulatory agency's website.

13.0 What is NOT Allowed

The following activities should not be allowed at municipal facilities:

- Alcohol raffles.
- Drinking games.
- Discounting the price of drinks.
- Presenting alcohol as a prize for any game.

14.0 Conclusion and Resources

Ensuring the safe and responsible service of alcohol at municipal facilities is crucial for the safety and enjoyment of all attendees. By following the guidelines outlined in this document, event organizers can help mitigate risks.

For further assistance and to ensure all requirements are met, please refer to the [Checklist for Facility Rental with Liquor Service](#) and the [Checklist for Facility Rentals](#) on our Risk Management Centre of Excellence.