



# **CITY OF PETERBOROUGH**

## **Alcohol Management Policy**

### **GOAL**

*The Corporation of the City of Peterborough shall ensure that all citizens and guests enjoy the right to visit any City-owned facility and that consumption of alcohol at a facility not infringe upon that enjoyment.*

*The Corporation of the City of Peterborough will establish Policies and Procedures to ensure that all reasonable measures are taken to safeguard the well being of all users of City-owned facilities.*

*Revised April 2006*

# CITY OF PETERBOROUGH

## Alcohol Management Policy

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### PREAMBLE

The City of Peterborough owns and manages facilities where alcohol consumption is not permitted, and other facilities where alcohol consumption is permitted under the authority of Special Occasion Permit. The City of Peterborough has developed an Alcohol Management Policy in order to prevent alcohol related problems that arise from alcohol consumption within its facilities and to promote a safe, enjoyable environment for those who use these facilities.

A range of problems can arise from alcohol consumption. These problems can affect not only the drinkers, but other people who use the facilities. These problems include:

- vandalism and destruction of City property
- police being called to City property
- injuries to drinkers or other individuals
- liability action arising from alcohol related incidents
- increased insurance rates as a result of alcohol related incidents
- loss of insurability should the insurers risk assessment escalate
- charges laid against the City or the Special Occasion Permit holders under the Liquor License Act
- suspension or loss of alcohol permit privileges by the Liquor License Board of Ontario
- loss of enjoyment by non-drinkers and moderate drinkers
- complaints lodged by offended parties
- withdrawal from use of facilities by people concerned about alcohol consumption
- loss of revenue due to reduced participation
- increased public concern about alcohol consumption

In many instances, these problems will not be attributable to moderate drinkers or to those who respect the rules regarding alcohol consumption. The majority of these problems will arise from drinkers who engage in four specific drinking practices:

- a) drinking to intoxication
- b) drinking and driving
- c) underage drinking, and
- d) drinking in prohibited areas

To the extent that these four drinking practices can be reduced, the likelihood of alcohol related problems will correspondingly diminish. For those who do not engage in these targeted drinking practices, the policy will be minimally intrusive. The policy is not intended to stand in opposition to legal and moderate drinking.

# **CITY OF PETERBOROUGH**

## **Alcohol Management Policy**

---

### **PROCESS**

The City of Peterborough was approached in April 1993, by the representatives of the Addiction Research Foundation and the Peterborough County-City Health Unit with respect to the need for a municipal alcohol policy.

At a presentation to City Council, Mrs. Jennifer Barr and Mr. Paul Marshall, advised Council of a province-wide campaign encouraging municipalities to develop alcohol management policies. City Council referred the matter to the Community Services Department. After some preliminary research, the Community Services Department's Recreation Division, hosted a public workshop in October 1993 in order to gather input from community groups, sports tournament organizers and advocates of controlled alcohol consumption. Following that, an Alcohol Management Policy Committee was established with representation from sport tournaments, City building managers, the City's Insurance company, the private sector, the County-City Health Unit, the Addiction Research Foundation, Peterborough Against Impaired Driving and Peterborough City Council.

Over a period of six months, this diverse group met monthly to explore issues specifically relating to alcohol consumption in City-owned buildings or on City-owned land.

The intent of this group was to introduce a policy and a series of regulations that would encourage responsible behaviour, reduce the risk of liability actions against the City or a sponsoring group, and allow all who use City operated buildings an enjoyable experience.

### **1993 ALCOHOL MANAGEMENT POLICY DEVELOPMENT COMMITTEE**

The 1993 Alcohol Management Policy Committee Members were as follows:

Alderman Paul Crough - Peterborough City Council  
Larry Oakley - Volunteer/Tournament Organizer  
Bill Clancey - Volunteer/Tournament Organizer  
Lily Rosebush - Peterborough Against Impaired Drivers (P.A.I.D.)  
Bruce Madge - Matthews & Associates Insurance, Peterborough  
Gary Watkins - Manager of Arenas  
Jennifer Barr - Addiction Research Foundation, Peterborough  
Kevin Ross - Proprietor, Jake's Eatery, Peterborough  
Sgt. Rob Hotston - Peterborough Community Police  
Bill Bowers - Volunteer/Tournament Organizer  
Paul Marshall - Peterborough County-City Health Unit  
Kevin Ready and Mary Gallop - Recreation Division, City of Peterborough

**CITY OF PETERBOROUGH**  
**Alcohol Management Policy**

---

**PURPOSE OF THE POLICY**

The Alcohol Management Policy consists of a range of regulations designed to reduce alcohol related problems and to increase the enjoyment of those who use the facilities. By reducing the potential for alcohol related problems, the City of Peterborough concurrently reduces the risk of liability actions. In this context, policy measures introduce barriers which impede the adoption of the targeted drinking practices.

The policy is divided into six sections:

- I) Responsibility of the Sponsoring Organization
- II) Operation of the Event
- III) Signage and Community Awareness
- IV) Sale of Alcohol
- V) Designated Licensed Facilities
- VI) Failure to Comply with the Alcohol Management Policy

**CITY OF PETERBOROUGH**  
**Alcohol Management Policy**

***Statement of Purpose***

It is the intention of the Corporation of the City of Peterborough  
that all reasonable measures should be taken by the City,  
and by the organizers of events where alcoholic beverages are served,  
to preserve the safety of the citizens of the city  
while permitting the enjoyment of such events by the participants.

**NOTE:** The regulations outlined in the Alcohol Management Policy are not intended to absolve Special Occasion Permit holders of their responsibility to conduct a safe event.

# CITY OF PETERBOROUGH

## Alcohol Management Policy

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### CONTROLS

**Definition:** In this policy, “sponsor” shall mean any person or group responsible for organizing an event involving alcohol in a City operated building or on City lands under the authority of a Special Occasion Permit.

#### PART 1 - RESPONSIBILITY OF THE SPONSORING ORGANIZATION

##### Regulation No. 1: Accountability

- 1a)** Individual representative(s) of the sponsor shall be identified and at least one of them must be present at the event at all times.

##### *Rationale*

- The responsibility for the safety and enjoyment of patrons at an event that involves alcohol rests with the sponsor and therefore individual representative(s) of the sponsor must be identified, and present at the event.
  - Having an individual or group of individuals identified as the responsible party will place greater emphasis on their responsibilities in operating a safe function.
- 1b)** Individual representative(s) of the sponsor will read and acknowledge the responsibilities of the sponsor and ensure that the event is carried out in strict compliance with the terms of the City's Municipal Alcohol Policy and the Special Occasion Permit (S.O.P.)

##### *Rationale*

- Individual representative(s) of the sponsor must clearly understand the risks associated with events involving alcohol

##### Regulation No. 2: Insurance

- 2a)** The City of Peterborough will not provide liability coverage for events taking place in City-owned buildings or on public lands. The sponsor is responsible for paying any insurance premium required to obtain insurance. Proof of satisfactory insurance containing a liability clause protecting the City of Peterborough.

##### *Rationale*

- In an effort to minimize the municipality's exposure with respect to liability, a sponsor must have liability coverage.
- 2b)** The City requires liability insurance with a minimum of \$5.0 million. The deductible is the responsibility of the sponsor.

# CITY OF PETERBOROUGH

## Alcohol Management Policy

---

### ***Rationale***

- The sum awarded those who have suffered injury at alcohol related events has increased dramatically in recent years so a higher level of coverage is warranted.

### **Regulation No. 3: Special Occasion Permit Requirements**

- 3a)** The sponsor shall provide to the facility operator a copy of the Special Occasion Permit, together with a list of bartenders and monitors trained in the Smart Serve Program, and a copy of their certificates, at least ten days in advance of the event.

### ***Rationale***

- The City should feel comfortable with the planning and preparation of any event operating a City building or on City land. Information contained on the permit will give City officials details about the type of event, its scope, the potential dangers, and the controls provided by the event organizers.
- 3b)** The Special Occasion Permit must be posted and clearly visible during the operation of the event.

### ***Rationale***

- It is a regulation of the L.L.B.O. to have the Special Occasion Permit posted and clearly visible during the operation of any Special Occasion Permit function.

## **PART II - OPERATION OF THE EVENT**

Regulations 5(b), 6(a), 6(c), and 6(d) shall not apply to a closed, private function for which the Special Occasion Permit permits less than 50 people.

### **Regulation No. 4: Event Controls**

- 4a)** The responsible City Department should be identified and contact names and phone numbers should be available at the event.

### ***Rationale***

- In the event that security officials, the Police Department, or Emergency officials are called to an event, it is important that a responsible City official be contacted, in an expedient manner.

## **CITY OF PETERBOROUGH**

### **Alcohol Management Policy**

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**4b)** The sponsor must operate the bar in the area designated by the facility operator and in compliance with the Special Occasion Permit. The City Department which is responsible for a facility shall review any proposal for a temporary bar location on city lands (such as a beer garden).

#### ***Rationale***

- The facility operator has designated an area of a City building that is the most appropriate for the bar, taking into account traffic flow, public safety, crowd control, etc.

**4c)** The sponsor shall ensure that identification is inspected before any person suspected to be under 19 years of age is served alcohol. The only acceptable forms of identification shall be an age of majority card, a driver's licence with photo, or a passport.

#### ***Rationale***

- Controlling service at the bar will reduce the likelihood of underage drinking.

### **Regulation No. 5: Server Training**

**5a)** The sponsor must provide at least one (1) bartender trained in Smart Serve for events up to 135 persons in attendance. For events attended by more than 135 persons, one additional Smart Serve bartender shall be provided for each 135 or fewer additional attendees. The Smart Serve bartender(s) must oversee all other servers during the operation of the bar.

#### ***Rationale***

- The Addiction Research Foundation Server Intervention Training Program has been endorsed by the Ministry of Consumer and Commercial relations, and sections of it are now used by the L.L.B.O. in considering new hotel licences.
- The Server Intervention Program, with which the City of Peterborough has been involved for many years, is an acceptable means of training staff or volunteers involved in operating alcohol related events.

## **CITY OF PETERBOROUGH**

### **Alcohol Management Policy**

---

**5b)** The sponsor must provide one (1) door monitor who shall control the entrance to the event. Any person acting as a door monitor or seller of tickets for alcohol shall be at least 19 years of age.

#### ***Rationale***

- It is important that the sponsor provide sufficient control at the entrance to the event. Anyone appearing to be intoxicated should not be permitted into the facility.

**5c)** The individual representative(s) of the sponsor, as specified in regulation 1, together with all servers, ticket seller(s), door and floor monitors, will not consume alcohol during the event, or be under the influence of alcohol consumed before the event.

#### ***Rationale***

- The law clearly states the event sponsor has a “duty to control”- that is to protect participants from harm to themselves or others. The consumption of alcohol impairs judgement and therefore those who are controlling the event should not be drinking alcohol.

### **Regulation No. 6: Security**

**6a)** The sponsor must provide one clearly identifiable floor monitor for events attended by less than 135 people. Additional floor monitors must be provided for larger events, at a rate of one per 135 or fewer additional people.

#### ***Rationale***

- Floor monitors may be able to identify troublesome situations and correct the problems before they are out of control .

**6b)** The sponsor, at his/her expense, must provide a minimum of three paid-duty police officers, as additional security if: a) the Special Occasion Permit for the event permits more than 500 people, or b) the facility operator so requests. Paid-duty police officers must be present for at least the last three hours of the licence.

#### ***Rationale***

- It is understood that larger crowds represent increased risk for event organizers. Disorderly conduct by event patrons at large events is very difficult to control and particularly difficult for volunteers. Event patrons tend to show more respect for those in a position of authority such as uniformed paid-duty officers.
- The responsibility for ensuring that an alcohol related event will be safe and enjoyable is that of the event sponsor who must bear that cost.
- The problems experienced at large events generally occur near the end of the

## CITY OF PETERBOROUGH Alcohol Management Policy

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function. Paid-duty officers will assist by minimizing the likelihood of rowdy behaviour and by ensuring the facility is cleared at the appropriate time.

- 6c) Where admission is charged to an event, patrons leaving the premises must pay admission to re-enter the premises.

**Rationale**

- Restricting unlimited access to an adjacent parking lot at events where paid admission is charged will deter those individuals who may wish to consume alcoholic beverages outside the licensed area.

- 6d) The sponsor must provide one person who is at least 19 years of age to act as security at each exit.

**Rationale**

- The ability to reduce the likelihood that individuals are consuming alcohol outside of the licensed area is enhanced if security is provided at all exits.

### PART III - SIGNAGE AND COMMUNITY AWARENESS

#### Regulation No. 7: Posting of Signs Respecting Intoxication

- 7a) The City will install a highly visible sign in the alcohol serving area of each City-owned building or on City-owned lands, containing the following statement:

**SERVING TO AND BEYOND THE POINT OF INTOXICATION**

The operators of this facility and the sponsors of this event **must not** serve alcoholic beverages to anyone who appears to be intoxicated.

It is against the law in Ontario to serve to the point of intoxication.

Bartenders reserve the right to refuse service.

No minors will be served alcoholic beverages.

# CITY OF PETERBOROUGH

## Alcohol Management Policy

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### ***Rationale***

- While there are controls to reduce the likelihood that patrons do not drink to the point of intoxication, it is the responsibility of the sponsor to ensure that individuals who appear intoxicated are not served alcoholic beverages. Signs will promote and enhance this responsibility.

### **Regulation No. 8: Promotion of the Policy**

- 8a)** A sponsor of an event will be provided with a copy of the Municipal Alcohol Policy and a checklist of responsibilities.

### ***Rationale***

- Because organizers of alcohol related events are often not aware of their responsibilities, it is appropriate to inform anyone interested in hosting an alcohol related event that (s)he is assuming a great deal of responsibility.

## **PART IV - SALE OF ALCOHOL**

### **Regulation No. 9: Sale of Alcohol**

- 9a)** The sponsor must make low and non-alcoholic drinks available. Non-alcoholic drinks must be available at a lower price than alcoholic drinks.

### ***Rationale***

- Not all patrons of a Special Occasion Permit function wish to drink alcoholic beverages.
  - Those having to choose between alcoholic drink and non-alcoholic drink at the same price, may choose the alcoholic drink.
  - Those who attend Special Occasion Permit functions are becoming increasingly aware of the importance of having a designated driver in their party, therefore make a special effort to ensure that they will leave the function safely. This will further promote this safe practice.
- 9b)** The sponsor must ensure that no beer served exceeds five and one half percent (5.5%) alcohol content. At least 25% of the total amount of beer and draft beer, available for sale at an event must be classified as “light” beer and so posted.

### ***Rationale***

- Beer that exceeds five and one half percent (5.5%) alcohol content results in individuals becoming intoxicated more quickly. It is therefore counter to the

## CITY OF PETERBOROUGH Alcohol Management Policy

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- idea of controlled alcohol consumption.
- “Light” beer has a lesser alcohol content and will reduce the likelihood of a high level of intoxication or more rapid intoxication.
- “Light” beers are generally highly popular at Special Occasions Permit functions.

**9c)** No special sales or reductions will be permitted for volume ticket purchases.

***Rationale***

- Special sales, which promote increased purchasing, could result in the unsafe practice of accelerated drinking.

**9d)** A maximum of two drinks will be served to an individual at any one time.

***Rationale***

- Limiting the number of drinks served to an individual at any one time results in a more controlled form of consumption.
- It is illegal to serve alcohol to the point of intoxication and serving an unlimited number of drinks to an individual could result in his/her intoxication.

**9e)** Beer must be served in non-breakable cups.

***Rationale***

- The practice of serving patrons beer in glass bottles is unsafe. The clean-up associated with serving beer in anything other than cups is no longer and more tedious.

**9f)** Food must be available at all times when alcohol is being served.

***Rationale***

- A Special Occasion Permit function is required to have food available for its patrons. Snacks (potato chips, pretzels, etc.) are not considered food.

**9g)** Patrons wishing to turn in unused drink tickets may do so and be fully refunded at any time during the event.

***Rationale***

- By providing the option of having unused drink tickets fully refunded, organizers are minimizing the need for patrons to practice accelerated consumption of alcoholic beverages.

**9h)** The sponsor shall ensure that no announcement of “last call” is made and that the bar simply closes at the required time.

## **CITY OF PETERBOROUGH Alcohol Management Policy**

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### ***Rationale***

- It is a practice of some to purchase as many drinks as possible immediately prior to the bar being closed. This results in accelerated drinking, which should be discouraged.
- Ensuring that patrons do not have a significant quantity of alcohol to consume immediately prior to the event closing will result in patrons vacating the premises more quickly.

# CITY OF PETERBOROUGH

## Alcohol Management Policy

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### **PART V - DESIGNATED LICENSED FACILITIES**

The following facilities which are designated as facilities for Special Occasion Permits and governed by this Policy:

#### **Buildings**

1. Peterborough Memorial Centre
  - Arena Floor
  - Peterborough and District Sports Hall of Fame
  - Lounge
2. Kinsmen Civic Centre
  - Arena floor, both pads
  - Viewing area, second floor
3. Northcrest Community Centre
  - Arena floor
  - Viewing area
4. Morrow Park
  - Morrow Building
  - Bi-Centennial Building
5. Evinrude Centre
  - Arena floor
  - Lobby area
  - Multipurpose room
6. Queen Alexandra Community Centre
  - Room 1, 3, 5
7. Peterborough Centennial Museum and Archives
8. Art Gallery of Peterborough
9. Peterborough Public Library
10. Peterborough City Hall
11. Peterborough Sport and Wellness Centre

#### **Public Land**

1. Del Crary Park
2. James Stevenson Park
3. Morrow Park
4. Eastgate Park
5. Beavermead Park
6. Westclox Park
7. Kinsmen Arena Ball Park
8. Bowers Park
9. Bonnerworth Park
10. Nicholls Oval Park
11. Millennium Park

**CITY OF PETERBOROUGH**  
**Alcohol Management Policy**

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**PART VI - FAILURE TO COMPLY WITH THE ALCOHOL MANAGEMENT POLICY**

Failure to comply with the terms of this policy will result in the following:

- 1) The Director of Community Services shall advise the sponsor, in writing, of the violation and shall indicate that, depending on the infraction, the damage deposit be forfeited. For events at the Peterborough Public Library and the Art Gallery of Peterborough, the Chief Executive Officer of the Peterborough Public Library and the Art Gallery of Peterborough, respectively, shall advise the sponsor, as indicated above, with a copy to the Director of Community Services.
- 2) Prior to any future rental, the sponsor shall meet personally with a City representative to discuss how the sponsor will ensure that the policy shall be complied with at such event.