
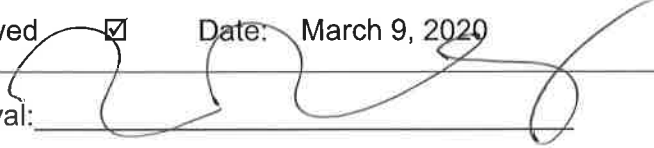


## Town of Marathon Policy

<b>Town Of Marathon</b>  	<b>Policy:</b> Municipal Facilities Alcohol Policy	<b>Section:</b> Community Services
New <input type="checkbox"/> Effective: Revised <input checked="" type="checkbox"/> Supersedes Policy dated: July 8, 2014 Reviewed <input checked="" type="checkbox"/> Date: March 9, 2020		
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### **PREAMBLE**

The Corporation of the Town of Marathon (the "Municipality") is committed to ensuring the health and safety of participants and the protection of Municipal property and facilities during events and functions held in the Municipal-owned facilities where alcohol is served.

### **Objectives of the Municipal Facilities Alcohol Policy**

The objectives of this policy are:

To recognize concern for the welfare of all at the events utilizing Municipal facilities and to reduce the incidence of alcohol related problems, to lower the liability risk and to increase the enjoyment of those using the facilities.

To provide for a balanced use of alcoholic and non-alcoholic beverages through Special Occasion Permits (SOP) so that alcohol becomes a responsible part of a social event.

To develop an environment in which those who choose to abstain can do so without penalty or pressure.

To encourage and reinforce responsible, moderate drinking practices for consumers through development of appropriate operational procedures, controls, training and education.

To respect the decision of abstainers and to encourage their participation by providing non-alcoholic beverages.

To ensure proper supervision for Municipal facilities and proper operation of Special Occasion Permit events in order to protect the organizers, the participating public, volunteers, the Corporation and its staff from liability by providing education in prevention and intervention techniques and through effective management procedures.



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To provide appropriate procedures and education to individuals or groups wishing to hold events in Municipally-owned facilities in order to ensure that all Liquor License Board of Ontario legislation pertaining to Special Occasion Permits and Catering Endorsements are properly understood and strictly complied with.

### **POLICY**

It is the Policy of the Municipality that any event or function wishing to utilize Municipal Facilities and/or property and that proposes to allow consumption of alcohol during the event or function shall adhere to the regulations contained herein as approved by Council from time to time.

### **ATTACHMENTS**

Schedule "A" - Special Occasion Permit Holder or Caterer's Endorsement Agreement


Schedule "B" – Event Organizer Checklist for Liquor Licensed Events

Schedule "C" – Proof of Purchase and Possession of Third Party Liability Insurance, Special Occasion Permit and Caterer Endorsement

Schedule "D" – Excerpt from the Liquor License Act regarding Caterer Endorsements



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### REGULATIONS FOR ALCOHOL RELATED EVENTS

The following regulations shall apply for all events or functions proposing to allow alcohol consumption in Municipal facilities or on Municipal property:

1. Municipal Facilities Eligible for Special Occasion Permits

Marathon Complex and Premises  
Lakeview Community Hall  
Municipal Office  
Peninsula Golf Course

2. Insurance

a) If the sponsoring group cannot arrange insurance, they may request to use the Municipality's coverage through the Municipality's insurance broker. In such cases, the sponsoring group is responsible for payment.

3. Damage/Security Deposit:

The sponsor must provide a security deposit of \$100.00 (cash, debit, certified cheque or money order) seven working days prior to the start of the event. The security deposit will be returned to the sponsor, less any damage expenses, within fourteen working days after the conclusion of the event. In the event that there is damage to the Municipal asset, the deposit, less the cost for repair of the damage, will be returned to the sponsor.

The cost of the repairs shall include all materials and staff time required to affect repairs. If the amount of damage exceeds \$100.00, the sponsor shall forfeit the deposit and shall be invoiced for the cost of materials and staff time over \$100.00 that is required to affect the repairs.

Sponsors who fail to pay for the cost for repairs in excess of the damage deposit will not be permitted to rent Municipal facilities for future events.

5. Statement of Acknowledgment

In order to be eligible to rent a Municipally-owned facility, the event sponsor must demonstrate to the satisfaction of the facility representatives that he/she has read the Marathon Municipal Facilities Alcohol Policy and agrees to comply with the conditions set forth in the policy.



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### 6. Consequences of Willful Non-Compliance:

Groups that fail to comply with the Municipal Facilities Alcohol Policy are subject to the following consequence:

The organization will not be allowed to rent a Municipal facility for a minimum of 18 months.

### 7. Signs:

The following signs must be provided by the event sponsor and be prominently displayed in special occasion designated facilities:

- a) The Town of Marathon strives to provide recreation facilities for the enjoyment of all members of the community. Event servers are required by law not to serve an intoxicated person or to serve anyone to the point of intoxication. Event sponsors are pleased to provide low and non-alcoholic beverages, as well as food items.
- b) Signs will also be provided, which must be posted, and warn of the dangers of drinking during pregnancy, and drinking and driving.
- c) All Special Occasion Permit event sponsors must display their acquired Liquor License.
- d) All Special Occasion Permit event sponsors must display their acquired third party insurance policy.

Signs under Section 7 (a) may be paper and/or poster style.


### 8. Server Training:

- a) In order to be eligible to rent a Municipally-owned facility, the sponsor may be required to demonstrate to the satisfaction of the facility representative that all of the event servers, door supervisors and floor supervisors have attended a Server Intervention/Smart Serve Program and have been trained in responsible server techniques.
- b) Notwithstanding the provisions of a), the sponsor is required to meet all Provincial regulations with respect to server training.



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### 9. Service on Non-Alcoholic Beverages and Food Items:

In order to be eligible to rent a Municipally-owned facility the sponsor must demonstrate, to the satisfaction of the facility representative, that non-alcoholic beverages and food items are displayed and available for purchase by consumers throughout the entire event.

### 10. Controls

a) In order to be eligible to rent a Municipally-owned facility for a Special Occasion Permit event, the sponsor must demonstrate, to the satisfaction of the facility representative, that the Municipal Facilities Alcohol Policy is understood, that the regulations will be strictly observed, and that sufficient controls are in place which will assist in ensuring compliance with the Policy.

b) The event sponsor shall obtain a Special Occasion Permit from the Liquor License Board of Ontario and shall show proof of this to the facility representative prior to the event.

c) If the event is being catered, a Caterer's Endorsement must be issued by the AGCO. This liquor sales license authorizes a holder of a valid liquor sales license to add a Catering Endorsement to their current license for no more than 10 days. The endorsement allows the licensee to sell and serve liquor at an event in any unlicensed area or in an unlicensed part of a licensed establishment. The licensee must notify the AGCO of its intention to do so by submitting a Catering Notification form at least 10 days prior to the event. A catering endorsement may not be used at a location if:

- i. The location's liquor sales license is currently under suspension.
- ii. A liquor sales license for that location has been revoked or refused; or
- iii. A business or individual cannot get a Special Occasion Permit for that location.

d) The person who signs the Special Occasion Permit Application and the Rental Agreement shall have attended a Smart Serve Program, be in attendance at the event, and shall be responsible for making decisions regarding the operation of the event.

e) All event workers must wear highly visual identification provided by the permit holder.

f) The event sponsor, as well as event monitors and servers, shall refrain from consuming alcohol during the event.

g) All event sponsors, monitors and servers shall be educated on liability issues and preventing intoxication.



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- h) A range of food shall be available and shall include a selection of non-salty foods.
- i) There shall be a limit of 4 (four) drink tickets sold at one given time. There shall be a limit of 2 (two) drinks served to an individual at a time.
- j) Marketing practices which encourage increased consumption, such as oversize drinks, double or triple shots of spirits, drinking contests, or other such activities are not permitted. Only single servings are allowed.
- k) There shall be no selling of beer with an alcohol content over 5%.
- l) Non-alcoholic and low-alcoholic beverages shall be as readily available and accessible as alcoholic beverages, and shall be displayed equally, in a clean and attractive manner.
- m) There shall be no last call announcement made, be it verbal or otherwise (no flashing of lights, announcing the time, etc).
- n) Each entrance shall be monitored by a minimum of two people 18 years of age or over.
- o) Where appropriate, the two individuals assigned to monitor the door shall be able to sell drink tickets but shall not be allowed to sell drink tickets after 1:30 a.m.
- p) Acceptable forms of photo identification shall be: an Ontario Driver's Licence; a Canadian Passport; a Canadian Citizenship Card; a Canadian Armed Forces Identification Card; a photo card issued by the Liquor Control Board of Ontario (LCBO), a Secure Indian Status Card issued by the Government of Canada; a Permanent Resident Card issued by the Government of Canada; and a photo card issued under the *Photo Card Act, 2008*. The event sponsor shall ensure that all guests are checked for identification to ensure that they are of legal drinking age.
- q) Facility seating capacity shall be strictly adhered to.
- r) The event sponsor shall ensure that the physical setting is safe for both drinkers and non-drinkers.
- s) The event sponsor shall designate at least two monitors to ensure the compliance with this policy throughout the event.
- t) The event sponsor shall supply sufficient staff to maintain service, security and to ensure that the event stays in compliance with the requirements of this policy.



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- u) In the event that a patron is intoxicated, that person shall leave the premises and not be re-admitted. Transportation for intoxicated persons shall be arranged to avoid civil liability.
- v) The event sponsor shall prevent patrons from engaging in activities that can harm themselves or others.
- w) Whenever necessary, police are to be notified by the event sponsor, or their representative, of a potentially risky situation before the situation is out of control.
- x) All exits shall be supervised.
- y) Only beer, wine and spirits purchased by the permit shall be sold on the premises.
- z) There will be no service of alcoholic, non-alcoholic or beer beverages in glass bottles or containers.
- aa) The bar area will close at 1:00 a.m., unless special circumstances have been granted by the Municipality. No patron shall be served after that time.
- bb) All entertainment shall be completed by 1:15 am.
- cc) Transportation alternatives shall be made available.
- dd) Patrons shall vacate facilities in Marathon by 2:00 a.m. The event sponsor shall govern event closings.



# Town of Marathon Policy



## Schedule "A"

### Special Occasion Permit Holder or Caterer's Endorsement Agreement

☐ Special Occasions Permit

☐ Caterer's Endorsement

Name of Special Occasions Permit Holder: \_\_\_\_\_

Name of Caterer's Endorsement: \_\_\_\_\_

Date: \_\_\_\_\_

#### Certification:

1. I have received and reviewed a copy of the Town of Marathon Municipal Facilities Alcohol Policy (CS0011).
2. I understand and agree to adhere to the terms and conditions of the Town of Marathon Municipal Facilities Alcohol Policy and the provisions of the Liquor License Act of Ontario and the regulations hereunder.
3. I understand that if an infraction of the Municipal Facilities Alcohol Policy occurs, the Town of Marathon may warn or suspend the organization from Special Occasion Permit privileges for a minimum of 18 months.
4. I understand that I can be held liable for injuries and damage arising from failure to adhere to the Liquor License Act of Ontario, or from otherwise failing to take action that will prevent foreseeable harm from occurring.
5. I understand that the Police and/or Liquor License Inspector can lay charges for infractions of the Liquor License Act of Ontario or other relevant legislation. Assistants to the Fire Marshal can lay charges for failing to comply with the Ontario Fire Code. The Alcohol and Gaming Commission will also lay charges for failing to comply with any other legislation.
6. I agree to have a transportation plan in place and it is in compliance with this policy to see all participants home safely.
7. I understand that the Special Occasion Permit and levy receipt (for liquor sale events) must be available upon request during the entire time the event is in progress. And that the form naming the designate must be posted with the Special Occasion Permit.

\_\_\_\_\_  
Permit Holder/Caterer Signature

\_\_\_\_\_  
Contact Information



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# Town of Marathon Policy



## Schedule "B"

### Event Organizer Checklist for Liquor Licensed Events

(This checklist must be signed and submitted to the Town of Marathon with all supporting information at least 2 weeks before the event).

1. Name of Event: \_\_\_\_\_
2. Location of Event: \_\_\_\_\_
3. Date and Time of Event: \_\_\_\_\_
4. Estimated Attendance at Event: \_\_\_\_\_
5. Will persons under 19 years of age be attending this event? Yes ☐ No ☐
6. Name of Event Organizer (the person and/or group sponsoring/hosting this event):  
\_\_\_\_\_
7. Name of Special Occasion Permit (SOP) holder and all official designates:  
SOP Holder:  
Name: \_\_\_\_\_ Contact #: \_\_\_\_\_  
  
Official Designates:  
Name: \_\_\_\_\_ Contact #: \_\_\_\_\_  
Name: \_\_\_\_\_ Contact #: \_\_\_\_\_
8. The safe transportation strategies that will be used at this licensed event are:  
a) \_\_\_\_\_  
b) \_\_\_\_\_  
c) \_\_\_\_\_



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## Town of Marathon Policy

9. List the names and certification numbers of the Smart Serve trained workers for this licensed event:

Name

Certification Number

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(Proof of certification must be made available upon request)

10. List the names and contact information for security staff for this event:

Name

Contact Information

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**I have received, read and understand all the Municipal Facilities Alcohol Policy regulations AND I and my event workers will observe and obey all policy regulations during this event. I hereby acknowledge that if there is anything that I do not understanding with respect to this Policy, it is my responsibility as the event organizer and/or SOP holder to contact the Town of Marathon (807-229-1340) to obtain clarification and understanding.**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Print Name of Organizer

\_\_\_\_\_  
Signature of Organizer

\_\_\_\_\_  
Print Name of SOP Holder

\_\_\_\_\_  
Signature of SOP Holder



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# Town of Marathon Policy

Schedule "C"



## Proof of Purchase and Possession of Third Party Liability Insurance Special Occasion Permit and Caterer Endorsement

I hereby declare that I, as event sponsor/caterer, have purchased third party liability insurance and a Special Occasion Permit/Caterer Endorsement and have listed the registration numbers as follows:

Location of Municipal Facility Event to Take Place: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Third Party Liability Insurance Number: \_\_\_\_\_

Special Occasion Permit Number: \_\_\_\_\_

Copies of all permits have been provided to the Town of Marathon:

☐ YES

☐ NO

Reason why no: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Sponsor Signature

\_\_\_\_\_  
Date



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# Town of Marathon Policy

## Schedule "D"

### Excerpt from the Liquor License Act regarding Caterer Endorsements

*A Catering Endorsement permits the sale and service of alcohol at an event that is held in an unlicensed area.*

*The catered event must be sponsored by someone other than the licence holder, and cannot be more than ten (10) days in duration.*

*A catering endorsement may not be used at a location if:*

- *the location's liquor sales licence is currently under suspension,*
- *a liquor sales licence for that location has been revoked or refused, or*
- *a business or individual cannot get a Special Occasion Permit for that location.*

*A licensee may provide a one-time notice to the AGCO of his/her intention to cater events in a specific area that is under their exclusive control (i.e., the licensee owns, rents or leases the area). However, under all other circumstances the licensee must notify the AGCO of each catered event by submitting a Catering Notification online via iAGCO at least ten (10) days in advance of the event. Fax requests are no longer be accepted.*

*The licensee is also required to notify their local police, fire, building and health departments the details of each catered event at least ten (10) days in advance of the event. It is the licensee's responsibility to ensure that the location where the catered event is taking place complies with all the same requirements that apply to their licensed establishment (fire, health, building, etc.).*

*For each catered event, the licensee must also:*

- *Carry a copy of the Liquor Sales Licence when transporting liquor to and from the event, and post a copy of the licence and the Catering Notification at the event.*
- *Post a Fetal Alcohol Spectrum Disorder (Sandy's Law) warning sign at the event.*
- *Ensure light meals are available at the event.*
- *Allow only the licensee or its employees to sell and serve liquor at the event and ensure that all employees are trained in accordance with the regulations on server training.*
- *Only transport and sell and serve liquor that is purchased under the Liquor Sales Licence.*

*In addition, the licensee must NOT:*

- *Sponsor the event.*
- *Cater an event exceeding ten (10) consecutive days in length.*
- *Operate an ongoing business with a sponsor.*
- *Promote the event.*
- *Sell and serve liquor at an event held in a residence.*

*As long as it is not a residence, the specified location for the catered event shall be deemed to be a licensed premises during the time of the event and the licensee shall ensure compliance with the applicable sections of the Liquor Licence Act and its regulations.*



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