

**THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE
THOUSAND ISLANDS**
BY-LAW NO. 23-017

**BEING A BY-LAW TO ESTABLISH A MUNICIPAL ALCOHOL POLICY IN THE
TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS.**

WHEREAS The Council of the Corporation of the Township of Leeds and the Thousand Islands deems it expedient to establish policies;

AND WHEREAS Section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9, shall be exercised by By-law;

NOW THEREFORE The Council of the Corporation of the Township of Leeds and the Thousand Islands hereby enacts as follows:

1. **THAT** the Municipal Alcohol Policy identified as Schedule "A" attached hereto and forming part of this By-Law be hereby approved and adopted;
2. **AND THAT** this By-law shall be known and may be cited as the "Municipal Alcohol Policy";
3. **AND THAT** this By-law shall come into force and take effect on the day of passing;
4. **AND THAT** any By-law or Resolution passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

READ A FIRST AND SECOND TIME THIS 13TH DAY OF MARCH, 2023.

READ A THIRD TIME AND FINALLY PASSED THIS 13TH DAY OF MARCH, 2023.

The Corporation of the Township of Leeds and the Thousand Islands



Corinna Smith-Gatcke, Mayor



Megan Shannon, Clerk





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PURPOSE:

The Township of Leeds and the Thousand Islands (“Township”) Municipal Alcohol Policy provides for responsible management practices at functions and events held at Township owned facilities, properties, and areas where alcohol is available under the authority of a Special Occasion Permit or a Caterer’s Endorsement.

The Township has developed this Policy as a means of enhancing and promoting the social enjoyment and physical safety of everyone who uses Township facilities, properties, and areas, while at the same time preventing or minimizing any alcohol-related liability issues. The policy is intended to promote responsible drinking and smart alcohol service practices, along with supporting the requirements of the *Liquor Licence and Control Act* of Ontario, and other associated legislation and regulations.

POLICY SCOPE:

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

This Policy applies to the sale, serving and consumption of alcohol on Township property, or at locations or for events under the Township’s control, whether or not a facility is operating under a liquor license issued by the Alcohol and Gaming Commission of Ontario (AGCO), a Special Occasion Permit, a liquor licence with a Catering Endorsement, or any other approval that has been issued by the AGCO.

The following Township facilities are licensed to host events with alcohol:

- Lansdowne Community Building Hall
- Seeley’s Bay Hall



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DEFINITIONS:

“ACGO” means the Alcohol and Gaming Commission of Ontario. The AGCO is responsible for administering the Liquor License and Control Act and the Gaming Control Act, 1992. See <https://www.agco.ca/> for more information.

“Catering Endorsement” means the sale and service of alcohol at an event that is held in an unlicensed area by a licensee. The event must be sponsored by a person or entity other than the license holder.

“Event Organizer”, which term shall include the Special Occasion Permit holder, means the person who is responsible for the safety of people attending the event as well as compliance with this Municipal Alcohol Policy and the Liquor License Act of Ontario and its regulations at the event. They assume responsibility and liability for the entire operation of the event.

“Liquor License and Control Act” , means the Liquor License and Control Act, 2019 S.O. 2019, c 15, Sch 22, as may be amended from time to time and any associated regulations. See the [Liquor License and Control Act](#) for more information.

“Smart Serve” means the Smart Serve training program provided by Smart Serve Ontario for the responsible alcohol beverage service training of staff and volunteers. The Smart Serve Program is the only program recognized by the AGCO and approved by this Policy. See <https://smartserve.ca/> for more information.

“Special Occasion Permit” and **“SOP”** means a liquor license issued by AGCO for one-time social events where alcohol will be sold and/or served. For information on the types of special occasions a permit may be issued by AGCO, please visit <https://www.agco.ca/>.

“Township” means the Corporation of Township of Leeds and the Thousand Islands.



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POLICY REQUIREMENTS:

In all circumstances where an event is being held on Township property, the sale, serving and consumption of alcohol will comply with the requirements of the Liquor Licence and Control Act and its related regulations, the requirements of AGCO and this Policy.

GENERAL CONDITIONS:

For all events at which alcohol will be sold, served or consumed on Township Property, the Event Organizer must ensure that the following general conditions are met:

1. The Event Organizer must obtain a facility rental permit for the use of the property or facility at which the event is to take place from the Township. 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 Township to ensure the event meets the requirements of this Policy and for the proper management by the Township of its property.
2. In order to hold an event with alcohol on Township property, the Event Organizer 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.
3. The Event Organizer must obtain and maintain for the duration of the event appropriate insurance in the form of Commercial General Liability insurance subject to limits of not less than Two Million Dollars (\$2,000,000) inclusive per occurrence, or as otherwise prescribed by the Township, and such insurance must name the "Corporation of the Township of Leeds and the Thousand Islands" as additional insured.
4. The Event Organizer must comply with all requirements in this Policy.



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5. The Event Organizer must ensure that the original Special Occasion Permit, or liquor license with a Catering Endorsement, or any other approval obtained from the AGCO, is displayed in a prominent 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.
6. The event must comply with all applicable federal and provincial laws and regulations, and applicable municipal by-laws.

INDOOR EVENTS:

For events occurring indoors at the Lansdowne Community Building Hall or Seeley's Bay Hall, the sale, serving and consumption of alcohol is permitted only inside the building. No alcohol will be sold, served or consumed outside of the building.

OUTDOOR EVENTS:

Events occurring outdoors on Township property must meet the following additional conditions:

1. Events on public roads at which alcohol is to be sold, served or consumed are permitted only under the following circumstances:
 - a) An event on a closed public road where establishments licensed by the AGCO receive approval from the AGCO to establish or extend a patio onto the closed street,
 - b) An event on a closed public road with an enclosed area licensed by the AGCO to sell and allow the consumption of alcohol by SOP, issued to a charity or AGCO-recognized non-profit organization,

For either 1a) or 1b), the Event Organizer must obtain a Road Closure Permit and comply with all conditions associated with the permit in accordance with the Special Events Policy.



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2. Events at which alcohol is to be sold, served or consumed, occurring outdoors on Township properties, other than public roads, are permitted only under the following circumstances:
 - a) The area licensed to sell or permit the consumption of alcohol by SOP or other approval from the AGCO, which is issued to a charity or AGCO recognized non-profit organization, is enclosed, or
 - b) An event at which only a small portion of the entire event area (example: tent) is enclosed and licensed to sell or permit the consumption of alcohol by SOP or other approval from the AGCO, which is issued to a charity or AGCO recognized non-profit organization.
3. The Township will not permit the sale, serving and consumption of alcohol where existing liquor license holders (i.e., bars and restaurants) apply to establish or extend an outdoor patio and apply jointly with a charity or AGCO recognized non-profit for a SOP or other approval from the AGCO to allow patrons having servings of alcohol to leave the bar and patio area and circulate openly on the street.

EVENT ORGANIZER RESPONSIBILITIES:

The Event Organizer must provide proof that they have been granted a Special Occasion Permit or Catering Endorsement or other approval from the AGCO to the Township prior to the event. Failure to provide this documentation will result in the Event Organizer not being permitted to sell or serve alcohol at the event.

1. All alcohol permitted on the site must be purchased or approved under the SOP or other application to the AGCO. Replacement or supplementary alcohol is not permitted.
2. Acceptable forms of identification for proof of age, which include a photo, are: an Ontario Driver's license (or any Canadian Driver's license); 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



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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. Such identification shall be inspected before admitting and serving a person who appears to be under the age of 25.

3. The Event Organizer or designate must attend the event for the entire duration, including the post event clean up, and be responsible for making decisions regarding the operation of the event and safe transportation.
4. The Event Organizer or designate, and event workers shall remain sober during the entire event.
5. The Event Organizer shall permit Township staff to enter the event at all times.
6. The Event Organizer, event worker or Township staff, if present, must ensure the physical setting is safe for all attendees. All exits must be kept clear of obstruction.
7. Should the Event Organizer, event worker or Township staff become aware of a situation that could lead to injury or property damage, they must take immediate action to prevent patrons from engaging in activities or conduct that is drunkenness or riotous, quarrelsome, violent or disorderly which could harm themselves or others, or could result in property damage.
8. The Event Organizer will be available upon request to event workers who require assistance in managing a person who is refused a sale or who becomes unmanageable.
9. The Event Organizer shall ensure alcohol that is sold, served or consumed on the premises is not removed from the licensed area, or brought into a prohibited area, by a person attending the event.
10. All beverage containers must be retained within the licensed area. All beverages must be served in unbreakable cups.



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11. The serving of alcohol will cease no later than the hour specified on the SOP, Catering Endorsement or other approval from the AGCO.
12. The Event Organizer must comply with the Liquor Licence and Control Act; the Township Municipal Alcohol Policy, General Terms and Conditions of the Township Rental Agreement; Township by-laws including the Noise By-law, Special Event Policy By-law, as well as Federal, Provincial legislation and regulations (including Smoke Free Ontario Act, 2017) that apply to the use of the premises and to the holding of the event.
13. The Event Organizer shall not permit persons to enter the premises who are or appear to be intoxicated or whose presence could result in the room or venue capacity to be exceeded.
14. Where the event becomes an uncontrolled situation and the instigator or instigators refuse to leave, the Event Organizer, designate, or event worker will
 - a. ask the person(s) to leave; and
 - b. if the individual(s) refuses to leave, call the police.



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SIGNAGE:

During events where alcohol is served, the following signage, which is approved by the Township, shall be displayed in prominent locations:

1. Signage at one or more prominent places in the licensed/bar area:

PLEASE DRINK RESPONSIBLY

- Bartenders reserve the right to refuse service;
- Bartenders cannot serve alcohol to anyone who is intoxicated or appears to be at the point of intoxication;
- Bartenders cannot serve alcohol to anyone under 19 years of age – proper; I.D. must be presented to event staff when requested;
- You can only be served a maximum of two alcoholic drinks at any one time;
- There will be no “LAST CALL”

Thank you for not drinking and driving.

The R.I.D.E. program is in effect in our community.

Use a designated driver or call a friend, relative or taxi.

2. Signage at one or more prominent places in the licenced/bar area:

If there is an emergency CALL 9-1-1

You are at:

[Insert name and address of facility]



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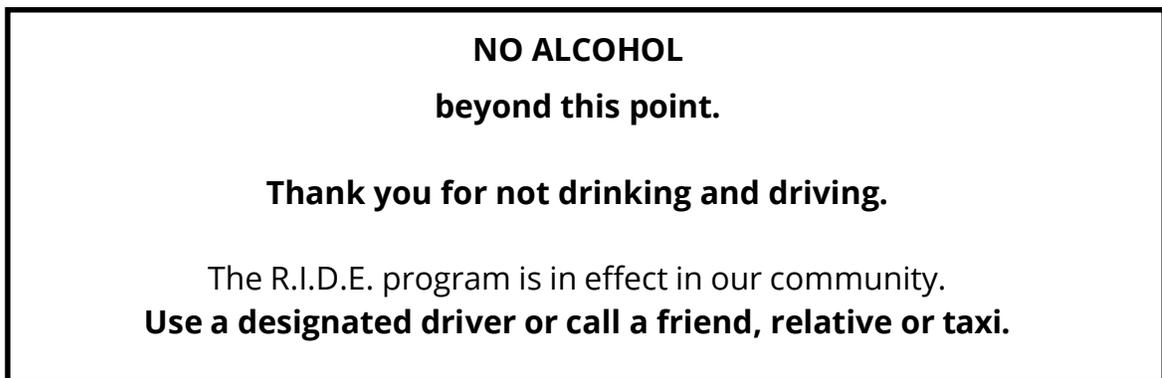
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3. Signage to be posted at the boundaries of the licensed/bar area:



4. The Sandy's Law Warning Sign that is available at:

https://www.agco.ca/sites/default/files/warnsign_clr.pdf .

The Event Organizer shall have a copy of the SOP (with any updates) or Catering Endorsement along with the list of all servers and security staff in a place where it is readily available for inspection.

MONITORING/CONTRAVENTIONS:

Non-compliance with the terms and conditions of this Policy for one or more events may result in the refusal or revocation of permission to use Township property.

LEGISLATIVE AND ADMINISTRATIVE AUTHORITIES:

[Liquor Licence Act](#)

Noise By-law

[Smoke Free Ontario Act](#)

Special Events Policy By-law