

Association of Manitoba Municipalities Municipal Alcohol Policy

INTRODUCTION

The _____ (Municipality) owns and manages facilities/property where alcohol consumption is permitted under the authority of an occasional permit, as issued through the Manitoba Liquor Control Commission.

The _____ (Municipality) has developed this Municipal Alcohol Policy in order to:

- Establish rules for appropriate alcohol consumption in municipal facilities and on municipal property.
- Promote moderate, responsible consumption for those who choose to drink.
- Reduce the risk of alcohol-related occurrences/problems and subsequent liability risk.

Although a Municipality may not be able to eliminate risk entirely, the development of this policy is a reflection of the Municipality taking effective steps to manage and reduce the chances of alcohol-related problems.

A range of problems can occur as a result of alcohol misuse which affects not only the person or persons misusing, but other people who use the facilities and generally, the community at large. Such problems may include:

- Alcohol related accidents/injuries.
- Liability action/suits.
- Increased insurance premiums.
- Police being called to municipal property.
- Vandalism and destruction of property.
- Loss of enjoyment by those who choose not to drink and by moderate drinkers at these special occasion events.

When renting or otherwise using municipal facilities/property for an event under an MLCC occasional permit, the occupier* (permit holder) can also be held liable in a law suit for alcohol related injuries. Occupier's Liability is defined as: Any person who has immediate care and control of the premises and the power to admit or exclude others. ***Note:** For purposes of this policy, occupier and permit holder are synonymous.

This policy is intended to support legal and responsible drinking and the regulations set-out under the Liquor Control Act. The Municipal Alcohol Policy (MAP) provides a framework for effectively managing and reducing the liability risks of the municipality and of the occupier/permit holder. In so doing, the chance that guests attending the event will become involved in alcohol-related mishaps and/or accidents will be reduced.

1.0 MUNICIPAL PREMISES/PROPERTY DESIGNATED FOR CONDITIONAL USE OF ALCOHOL

1.1 Appendix A outlines the municipal facilities/properties which are designated as suitable for occasional permit events.

Note: The Municipality to develop and attach Appendix A.

2.0 CONTROLS

In order to be eligible to rent or otherwise use a municipal facility/property for an occasional permit event, the individual responsible for the event must demonstrate to the satisfaction of the _____ or his/her designate, that there will be sufficient controls in place to prevent foreseeable harm related to alcohol-related incidences. In addition to the following, the permit holder is required to adhere to any other regulations set-out under the occasional permit as issued by the Manitoba Liquor Control Commission.

2.1 Minors

2.1.1 Minors are prohibited from purchasing, handling, serving or consuming liquor.

2.1.2 Any guest who is youthful-looking (eg. appears to be 23 years of age or younger) wanting to buy drink tickets or consume liquor, will be asked to produce proof of age by the seller of the drink tickets and/or by the server (bartender). Valid photo identification is to be provided by the guest.

2.1.3 Minors are not allowed to help clean-up empty/leftover liquor glasses.

2.2 Liquor Sales/Service

2.2.1 Liquor service is to be limited to 2 drinks to any one person at a time.

2.2.2 A maximum of 4 drink tickets may be sold to/purchased by one person at any one time.

2.2.3 Non-alcoholic beverages and food are to be available at all times. Food service is to be provided as stated on the application for an occasional permit and in sufficient quantity for the number of people attending.

2.2.4 No liquor, other than that authorized under the occasional permit, is to be brought to, served and/or consumed at the event. It is recommended that 50% of the beer allowable for purchase be of low-alcohol content (lite).

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- 2.2.5 Liquor is only to be sold/served between the hours specified on the occasional permit. Liquor may be consumed for an additional 30 minutes following the sold/serve termination time.
 - 2.2.6 All liquor is to be removed from the tables within 30 minutes following the sold/serve termination time.
 - 2.2.7 “Last call” is not to be announced.
 - 2.2.8 Marketing practices which encourage increased consumption, eg. double shots, drinking contests, volume discounts, are not permitted.
 - 2.2.9 Alcohol is not to be offered or given as a prize in a contest.
 - 2.2.10 Liquor is not to be removed from the facility/property by guests attending event.
 - 2.2.11 Liquor is to be served by a professional bartender.

2.3 Intoxication

- 2.3.1 Drunkenness and disorderly conduct are not permitted.
- 2.3.2 If an individual does however, become intoxicated at the event, the permit holder and/or event workers are to take appropriate action to prevent the guest from driving and arrange for safe transportation.
- 2.3.3 The permit holder has the right to refuse admittance to guests who appear intoxicated.
- 2.3.4 Alcohol is not to be sold and/or served to a guest who appears to be intoxicated.

2.4 Permit Holder, Event Workers and volunteers

(Security guards, bartenders, servers, ticket sellers, etc.)

- 2.4.1 The permit holder is to be in attendance at the event at all times.
- 2.4.2 The permit holder is responsible for decision-making during the event, therefore, must refrain from consuming alcohol during the event.
- 2.4.3 Event workers will regularly empty ashtrays, pick up empty containers/glasses, etc. from tables and clean up spills promptly.
- 2.4.4 Event workers must be 18 years of age and older.
- 2.4.5 As event workers are required to make responsible decisions throughout the duration of the event, they should refrain from consuming alcohol during the event.

2.4.6 All entrances and exits to the event are to be supervised at all times.

2.4.7 A minimum of 2 security guards are to in attendance at the event at all times (does not apply to weddings, anniversaries and family reunions).

2.5 Premises

2.5.1 A municipal official (or designate) will be on hand to supervise, as well as to assist the permit holder with the policy and use of the facility/property.

2.5.2 The facility/property is to be vacated by _____ (date/time).

2.5.3 The facility/property is subject to inspection by other municipal officials (or designates), the police and Liquor Control Commission inspectors at any and all times. Any of whom can intervene with a policy violation.

2.5.4 The permit holder assumes responsibility for any unnecessary damage to the facility/property and agrees to pay for any such damage.

3.0 OTHER CONSIDERATIONS

3.1 When planning an occasional permit event, the permit holder/event organizers may want to consider the following:

- Adopt a “safe transportation plan” such as: designated driver program for the event.
- Serve shots in large beer glasses to allow for additional mix.

4.0 SIGNAGE

4.1 It is not possible for the police and the Liquor Control Commission inspectors to check on all occasional permit events all the time. Posting signs provide guests with valuable information regarding where they can direct their concerns and on two requirements of servers.

Sign A:

Provides guests with information as to where they can direct their concerns. It includes:

Name of Permit Holder _____

Event Sponsor (if applicable) _____

Municipality Name

Municipal Office Address and Phone Number

Local Police/RCMP Detachment
Address and Phone Number

Manitoba Liquor Control Commission
1555 Buffalo Place
Winnipeg, MB (204) 284-2501

Sign B:

Alerts guests to two regulations servers must follow. It includes:

It is against the Liquor Control Act of Manitoba:

- To serve anyone to the point of, or who is, intoxicated.
- To serve anyone alcohol who is under the age of 18 years.
Valid (photo ID) proof of age will be required on request (MLCC poster to be displayed)

5.0 ENFORCEMENT

- 5.1 A violation of this policy occurs when the occupier/permit holder fails to comply with the conditions of the Liquor Control Act (Manitoba) or the Municipal Alcohol Policy.
- 5.2 A member of the event organizing group (the permit holder and/or event workers) shall intervene by informing the offending individual/guest of the policy violation and asking that the violation be stopped.
- 5.3 A municipal official (or designate) will intervene whenever he or she encounters a violation of the policy. Depending upon the severity of the policy violation, the official (or designate) may ask the permit holder or event workers to stop the violation or the official may close down the occasional permit portion of the event or close down the event entirely and have the facility/property vacated—without refund. If the permit holder fails to comply, officials (or designates) may call the police for assistance.

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- 5.4 Depending on the severity of the policy violation and having been warned by a municipal official (or designate) of the violation, the permit holder will be sent a follow-up notice, advising of the violation and that no further violations will be tolerated.
- 5.5 Should the permit holder violate the policy within one year of receiving notice of their first violation, the permit holder will be suspended from occasional permit privileges at all municipal facilities/property for a period of one year.

6.0 POLICY REVIEW

- 6.1 This policy will be reviewed annually by the Municipal Council. Changes/revisions to the policy will be made as agreed by the Council.

7.0 APPLICATIONS

- 7.1 Applications for an occasional permit are approved and issued by the MLCC. Applications can be obtained by contacting:

Manitoba Liquor Control Commission
1555 Buffalo Place
Winnipeg, MB (204) 284-2501

- 7.2 Unless otherwise authorized by MLCC, advertising of the event is prohibited.
- 7.3 All individuals/groups wanting to use municipal owned facilities/property for an occasional permit event must also obtain the approval of the Municipal Council or their designate.

Applications can be obtained by contacting:
(To be filled in by the Municipality).

8.0 INSURANCE

Individuals or groups sponsoring an Occasional Permit function at a facility listed in the Municipal Alcohol Policy, where liquor shall be sold for profit or attendance exceeds 150 persons, shall show proof to the municipal official or designate at least two (2) weeks prior to the event, that they have a minimum of \$2,000,000 Comprehensive General Liability insurance coverage and that the RM of _____ is named as an additional insured.

The permit holder will indemnify and save the RM of _____ harmless from all claims arising from the permit or function.

Individuals holding small functions such as anniversaries, 75th birthdays or wedding showers may, at the discretion of the municipal official or designate, be exempt from the mandatory insurance requirement, however, insurance coverage is strongly recommended to protect the permit holder from liability claims.

9.0 OCCASIONAL PERMIT HOLDER AGREEMENT

NAME OF PERMIT HOLDER: _____

SPONSOR (If applicable): _____

CERTIFICATION:

The Permit Holder has received and reviewed a copy of the Municipal Alcohol Policy.

The Permit Holder agrees to adhere to the conditions of the policy and to the rules and regulations of the Liquor Control Act (Manitoba).

The Permit Holder understands they can be held liable for injuries and damages arising from failure to adhere to the Liquor Control Act (Manitoba) or from otherwise failing to take action that prevents foreseeable harm from occurring.

The Permit Holder understands that the police and/or a Liquor Control Commission inspectors can lay charges for violations of the Liquor Control Act (Manitoba) or other relevant legislation.

SIGNATURE: _____
(Permit Holder)

Address: _____

Phone Number: _____

OFFICE USE ONLY

Received by: _____

Date: _____

10.0 PREMISES/PROPERTY RENTAL AGREEMENT

PREMISES/PROPERTY: _____

I/We the undersigned, agree to rent the above named facility/property on _____ from _____ to _____ for the event of _____.

I/We further agree to abide by and comply with the rules and regulations associated with the occasional permit as issued by MLCC and with the Municipality's Alcohol Policy.

The amount of rent to be paid is _____ and includes fees for: _____

Municipality to insert other information as required/appropriate.

Dated this _____ day of _____ 20_____

Facility/Property Designate: _____

APPENDIX "A"

- 1.1 Appendix A outlines the municipal facilities/properties which are designated as suitable for occasional permit events.

Note: The Municipality to develop Appendix A.