

Policy Name: Municipal Alcohol Policy	Policy Number: CP-2025-03
Adopted: April 30, 2025	Division/Department: Digital Government, Customer and Recreation Services
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Policy Statement

The Corporation of the Town of Midland is committed to providing a safe, secure and enjoyable environment for the patrons, staff, community members and visitors.

Purpose

It is recognized that the Town owns and manages facilities and parks where alcohol consumption requires regulation. The Town of Midland has developed a municipal alcohol policy to prevent alcohol-related problems that arise from alcohol consumption within its facilities and parks and to promote a safe, pleasant environment for those in attendance to enjoy and which will comply with Town policies and all legislation. By reducing the potential for alcohol-related problems, the Town of Midland and event organizers concurrently reduce their risk to liability actions.

Definitions

For the purposes of this Policy:

“ACGO” – Alcohol and Gaming Commission of Ontario. The AGCO is responsible for the administration of the Liquor Licence Act.

“Caterer’s Endorsement” - A liquor sales licence authorizing the applicant to sell and serve liquor for an event held on premises other than the premises to which the liquor sales licence applies.

“Event Organizer” - A person, 19 years of age or over, seeking to hold an event involving the selling and/or serving of alcohol on municipal premises. For events under a Special Occasion Permit, the permit holder is the event organizer.

“Event Organizer Designate” - A designate is a person(s) appointed by the event organizer and acceptable to the Town, who is 19 years of age or over and who has satisfactorily proven to the event organizer that she/he will act in accordance with this policy. The event organizer can identify a designate to be present at the

event when the event organizer is unable.

“Event Staff” – Any paid/volunteer person who is involved in safe alcohol service at an event. Event workers must be 18 years of age or over and be either Smart Serve trained, or Server Intervention Program (SIP) certified. Event staff may include the following positions related to safe alcohol service:

a) Floor worker - Talks with participants, monitors patron behavior, monitors for intoxication and underage drinkers, responds to problems and complaints, notifies the event organizer and security personnel of any potential problems and of individuals showing signs of intoxication, assists door monitors, when necessary, promotes safe transportation options, arranges safe transportation.

b) Door monitor - Monitors attendance and limits entry to the venue to ensure capacity is not exceeded, checks for signs of intoxication, denies admission to troublesome individuals, denies admission to uninvited individuals for private events, monitors for those showing signs of intoxication when leaving the event and arranges safe transportation, promotes safe transportation options, notifies event organizer and security personnel of any potential problems and of individuals showing signs of intoxication. Will check identification as required. Will provide wrist bands as required.

c) Licenced Security – Security personnel must be licenced in accordance with the Private Security and Investigative Services Act (PSISA). Security personnel are responsible for monitoring entrances and patrolling licenced areas and parking lots to monitor the safety and security of the establishment, its employees and patrons. They stop patrons from taking alcohol out of the licenced area, help in handling disturbances, and notify the event organizer and event staff of potential incidents. They may also terminate the event should it be determined that there is a risk to public safety or the facility.

d) Server/bartender – Checks identification, accepts payment or tickets for the purchase of alcoholic drinks, serves drinks, monitors for intoxication and underage drinkers, refuses service when patron appears to be intoxicated or near intoxication, offers non-alcoholic beverages as a substitute, and coordinates with event staff. Notifies a floor worker when patrons may need safe transportation options.

e) Ticket seller - Sells drink tickets to guests and monitors for underage drinkers and intoxication and refuses to sell to patrons at or near intoxication. May check identification depending on the nature of the event. May issue wristbands at certain events.

Any event staff roles may be amended or changed at the sole discretion of the

Town.

“Municipal Property(ies)” – All municipally owned or leased facilities and lands, excluding those leased by the Town to a third party.

“Server Intervention Program” – The former certification program to train staff and volunteers working in areas where alcohol is sold and/or served, replaced by the Smart Serve training program. The AGCO and the Town still recognize the Server Intervention Program (SIP) certification issued prior to May 1995.

“Smart Serve” – The program offered by Smart Serve Ontario, designed to train staff and volunteers who work in areas where alcohol is sold and/or served. The Smart Serve program and the Server Intervention Program Certification are the only server training programs recognized by the AGCO and approved by this policy.

“Special Occasion Permit” – A type of liquor licence issued by the AGCO for one-time social events where alcohol will be sold and/or served. All Special Occasion Permits (SOPs) are managed and controlled by the AGCO and not the Town.

“Tailgate” – public events that are held in connection with, and in proximity to, a live event and where attendees may bring their own liquor (BYOB) for consumption at the event.

“Third-Party Caterer” – any caterer that holds a liquor sales licence with a catering endorsement; the caterer will be required to provide adequate proof to the Town that their licence extends to activities off their licenced premises.

“Town” or “Town of Midland” - Corporation of the Town of Midland.

Scope

The Town of Midland recognizes three different alcohol service options for municipal properties suitable for an event involving alcohol:

1. Alcohol service provided by the Town under the Town’s liquor sales licence;
2. Alcohol service provided by a third-party caterer holding a liquor sales licence with a catering endorsement;
3. Alcohol service under a Special Occasion Permit

Objectives

1. To comply with the provincial Liquor Licence and Control Act.
2. To designate areas where alcohol is prohibited;
3. To designate areas where alcohol is conditionally permitted;

4. To provide information about municipal conditions for those holding events in municipally owned facilities where alcohol is permitted or conditionally permitted;
5. To establish roles and responsibilities of event organizers with respect to events using the liquor licence of the Town of Midland at the licenced locations within the Town's recreation centre.
6. To establish roles and responsibilities of event organizers with respect to events with alcohol service provided by a third-party holding a liquor sales licence with a catering endorsement.
7. To establish roles and responsibilities of event organizers with respect to Special Occasion Permits (SOP) and the service and/or sale of alcohol on municipal properties;
8. To provide enforcement procedures and penalties for violations of the Municipal Alcohol Policy in addition to those as contained in the Liquor Licence Act.

1. Compliance With the Liquor Licence and Control Act

All sale and consumption of liquor in Ontario is regulated by the Liquor Licence and Control Act. All events where alcohol is served and/or sold on Town property are subject to this legislation.

2. Areas designated where alcohol is prohibited

The Liquor Licence and Control Act of Ontario prohibits consumption of alcoholic beverages in public places unless a Liquor Licence or Special Occasion Permit (SOP) has been issued. In accordance with the Liquor Licence and Control Act, the consumption of alcoholic beverages is prohibited on all properties owned and/or operated by the Town of Midland including parks, sports facilities, recreation facilities, cultural facilities and service facilities, unless specifically designated otherwise.

Midland Town Council may change the designation of any park / facility / street to allow alcohol at its discretion. Event organizers are required to apply to Midland Town Council for an exemption to the prohibited use of alcohol prior to applying for their Special Occasion Permit from the Alcohol and Gaming Commission of Ontario (AGCO).

Alcohol will not be permitted at any event that is geared towards youth under the age of 19 years.

3. Areas designated for conditional use of alcohol

There are facilities and areas the Town of Midland has designated as suitable for alcohol use under the authority of a Special Occasion Permit (SOP) and Liquor Sales Licence. Midland Town Council may change the designation of any site at its discretion.

- The following facilities and areas have been designated as areas for alcohol use under the authority of a Special Occasion Permit. In addition, some Town properties are licenced by a liquor sales licence. The locations where the Town of Midland holds a liquor sales licence are indicated by an asterisk. The Town of Midland Council may at its discretion change the designation of any site.
- The Town's recreation centre at 527 Len Self Boulevard* including
 - Community Hall,
 - Seniors Room,
 - Bill Thompson Room,
 - Atlas Block Centennial Arena,
 - MMHA Arena
- Midland Cultural Centre* (licenced by the Midland Cultural Centre)
- Midland Town Hall
- Outdoor Locations
 - 660 King Street, Lawn Bowling Club
 - Harbourside Park
 - Little Lake Park
 - Midland Harbour
 - Pete Pettersen Park
 - Tiffin Park
 - Any municipal property where a business holding a liquor licence holds a current and valid approval for an Outdoor Patio on municipal property via the [Outdoor Patio and Municipal Property Usage program](#) offered by the Town of Midland.

4. Municipal conditions for events where alcohol is served and/or sold

All event organizers, including those hosting events using the Town's liquor licence and/or Special Occasion Event permits, must comply with the Liquor Licence and Control Act, as well as comply with the conditions of the Town's Municipal Alcohol Policy.

The Corporation of the Town of Midland reserves in its sole and absolute discretion the right to refuse any applicant permission to run an alcohol event on its property and to impose on the event whatever restrictions it deems appropriate to the circumstances.

The Town of Midland does not permit:

- Alcohol only events – the Town of Midland requires food and non-

alcoholic beverages to be available at all times during the event.

- Tailgate Event SOPs.
- Alcohol to be served and/or sold between 2 am and 11 am.
- Alcohol to be served and/or sold in the final hour of an event rental.
- Alcohol to be served and/or sold that is mixed with edible cannabis products.

The Town of Midland requires that:

- alcohol service and consumption areas are physically separated from non-designated areas when an event has both types of areas.
- only two alcohol drinks can be served to any one person up to 12:00 am, and after 12:00 am only one alcohol drink can be served to any one person to reduce the rate of consumption.
- food is available for all alcohol events. The Town recommends the availability of light meals, in addition to snacks, to help reduce the rate the intoxication.
- municipal properties to be vacated by the event rental end time or 2:00 am (whichever is earliest).
 - Lights are to be turned on by 1:00 am or a minimum of 1 hour before the event rental end time (whichever is earliest).
 - All alcohol is to be removed from tables by 1:30 am or a minimum of 30 minutes before the event rental end time (whichever is earliest).
- the event organizer be responsible for promoting safe transportation options for all the drinking participants. Examples of safe transportation options include designated drivers, taxi services, shuttle services and public transportation.

The Town of Midland, at their sole discretion, may require that events:

- have an event and transportation plan reviewed by local first responders, as represented by the Town of Midland Fire Chief.
- engage municipal staff or contracted services, such as Licenced Security Guards, or other staff designated by the Town be engaged to monitor alcohol events. The cost of this service will be the responsibility of the event organizer.
- engage police for events that are deemed higher risk. The cost of this service is the responsibility of the event organizer.

All outdoor events and their entertainment are governed by the Municipal Noise By-law. Exemptions to the Municipal Noise By-law may be requested from Council and will be considered on a case-by-case basis.

The Town of Midland, in the interest of public safety may, in its discretion, direct termination of an event. The Town of Midland shall not be liable to the organization/client for any costs, damages, loss of profit or any other amount for terminating the event.

The Town of Midland reserves the right to introduce other conditions from time to time at its discretion.

5. Roles and responsibilities of event organizers for licenced areas of the Town's recreation centre

Event organizers have the option to request alcohol service for their event through the Town of Midland's Liquor Sales Licence for the areas licenced within the Town's recreation centre. This request should be made at the time of the facility rental booking.

The event organizer is responsible for supporting compliance with all applicable federal, provincial and municipal laws, policies, guidelines, regulations and by-laws, including, without limitation, the Liquor Licence and Control Act and its regulations.

The event organizer is responsible for complying with all conditions of any applicable agreements with the Town of Midland, and all conditions of the Town of Midland's Municipal Alcohol Policy.

- a) *Manager, Town's recreation centre or designate* will review all requests for alcohol service. If staff approve alcohol service for the facility rental booking, Town staff be responsible for making all arrangements regarding the sale and service of alcohol for the event.
- b) The event organizer must agree to the *Facility Rental Terms and Conditions for Events with Alcohol* with the Town to rent space within the Town's recreation centre. The Town, at its sole discretion, may also require a *Special Events agreement*.
- c) The Town requires that food is available for all alcohol events. The event organizer can make suggestions for the bar menu, but ultimately the bar menu and pricing will be decided by the *Manager, Town's recreation centre or designate*.
- d) Bar pricing, including corking fees, is determined by the *Manager, Town's recreation centre or designate*. Minimum bar pricing is set by Council during the annual Fees and Charges update process.
- e) All Town of Midland staff working events under the Town's liquor licence are trained in the safe and legal service of alcohol and will follow and enforce all rules and regulations as stated by the Alcohol and Gaming Commission of Ontario and Town of Midland Policies. Therefore, the event organizer will agree to comply with all actions the Town of Midland staff take during the event.

6. Roles and responsibilities of event organizers of events with alcohol service provided by a third-party caterer holding a liquor sales licence with a catering endorsement

The event organizer is responsible for supporting compliance with all applicable federal, provincial and municipal laws, policies, guidelines, regulations and by-laws, including, without limitation, the Liquor Licence Act and its regulations.

The event organizer is responsible for complying with all conditions of any applicable agreements with the Town of Midland, and all conditions of the Town of Midland's Municipal Alcohol Policy.

- a) The event organizer must agree to the *Facility Rental Terms and Conditions for Events with Alcohol* with the Town to rent space within the Town's recreation centre.
- b) The event organizer must comply with the *Special Events Policy* for all events on all other Town property, other than the Town's recreation centre and must have a signed *Special Events agreement* with the Town.
- c) The event organizer must provide a copy of the third-party liquor licence with caterer's endorsement and contact information for the holder of the liquor licence and the responsible party for the event.
- d) All remaining alcohol products must be removed from the facility immediately after the event end time. Any remaining alcohol products left at the facility are the responsibility of the event organizer.
- e) The event organizer will agree to comply with all actions Town of Midland staff take during the event.

7. Roles and responsibilities of event organizers for Special Occasion Permit (SOP) events

In order to be eligible to rent/use a Town facility and/or municipal property for a Special Occasion event, the event organizer must obtain a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario. The event organizer is responsible for confirming their awareness of their roles and responsibilities as event organizer as designated by the Alcohol and Gaming Commission of Ontario and the Liquor Licence and Control Act.

The event organizer is responsible for supporting compliance with all applicable federal, provincial and municipal laws, policies, guidelines, regulations and by-laws, including, without limitation, the Liquor Licence Act and its regulations.

The event organizer is responsible for complying with all conditions of their Special Occasion Permit, as issued by the Alcohol and Gaming Commission of Ontario.

The event organizer is responsible for complying with all conditions of any applicable agreements with the Town of Midland, and all conditions of the Town of Midland's Municipal Alcohol Policy.

Before the Event

- a) The event organizer must agree to the *Facility Rental Terms and Conditions for Events with Alcohol* with the Town to rent space within the Town's recreation centre. Failure to do so will result in the event application being denied, even if the Special Occasion Permit has been obtained from the Liquor Control
- b) The event organizer must comply with the *Special Events Policy* for all events on all other Town property, other than the Town's recreation centre and must have a signed *Special Events agreement* with the Town. Failure to do so will result in the event application being denied, even if the Special Occasion Permit has been obtained from the AGCO.
- c) The organizing person/group must provide a copy of the Special Occasion Permit issued by AGCO to the Town of Midland booking personnel or designate at least (10) days prior to the event or as directed by Town of Midland staff.
- d) The event organizer must comply with all the conditions of the registrar of the Special Occasion Permit. In addition, the event organizer must agree to attend the event and be responsible for making decisions about the operation of the event based on the Municipal Alcohol Policy and the Liquor Licence and Control Act of Ontario. As such, the event organizer must not consume alcohol or ingest cannabis products during the event. The event organizer may choose to appoint and train an official designate who will assume all responsibilities of the event organizer during a pre-established period(s) of the event. This official designate must be identified to the Town in writing.
- e) The event organizer is responsible for ensuring they have adequate staff coverage for the event. Event staff minimum numbers recommended for safe alcohol service are defined in Appendix A.
- f) Before the event begins, the event organizer and municipal staff must ensure the physical setting is safe for drinkers and non-drinkers, and that all signage required by the Special Occasion Permit, the Town of Midland and the Liquor Licence and Control Act is posted.
- g) The event organizer is responsible for posting the Special Occasion permit and receipts for purchase of alcohol in an area visible to attendees with the ability to view both sides of the permit.

During the Event

- h) It is recommended that all event workers wear identification to prove they are an official event worker e.g. shirts or badges.
- i) All access points to the licenced area must be monitored. No access points that are required for fire or safety plans, of the event or the building, may be blocked or access restricted.
- j) As per the Special Occasion Permit, the event organizer is responsible for

ensuring that every person involved in the sale, service, sampling or delivery of liquor or in taking orders for the sale of liquor during the event is Smart Serve certified. It is recommended that at least one member of the event organization group renting a Municipal facility associated with a Special Occasion Permit be Smart Serve Ontario certified. The certified person(s) should be present at the event.

- k) The event organizer is responsible for all event staff. Event staff must not consume alcohol or cannabis products during the event while on duty and must not be under the influence of any alcohol or cannabis product consumed before the event.
- l) Non-alcoholic beverages must be available to guests at all times.
- m) All remaining alcohol products must be removed from the facility immediately after the event end time. Any remaining alcohol products left at the facility are the responsibility of the renter.
- n) The event organizer will agree to comply with all actions Town of Midland staff take during the event.

8. Enforcement procedures and penalties

A violation of this policy occurs when the event organizer fails to comply with the conditions of the Liquor Licence and Control Act of Ontario or the Municipal Alcohol Policy.

Intervention can be initiated by:

- a) A participant at the event
- b) A member of the event staff or the event organizer
- c) A staff member with recognized authority in the Corporation of the Town of Midland
- d) A municipal law enforcement officer
- e) A Police Officer
- f) An inspector of the Alcohol and Gaming Commission of Ontario
- g) The Midland Fire Department or Simcoe Muskoka District Health Unit

Enforcement Procedure:

If a violation of this policy occurs, act promptly to rectify the situation. Whenever the Liquor Licence and Control Act is violated, you are at risk of being charged and of having a liability action launched against you. It is recommended that you complete a written log of any incidents in case legal action is taken.

- i) A participant at the event should notify a member of the event organizing group of the violation.
- ii) A member of the event organizing group, the event organizer or event staff should inform the offending individual(s) of the policy violation and

ask that it stop. If this fails, call OPP 888-310-1122 or 9-1-1.

- iii) A staff member should inform the organizers of the event to stop the violation, or they may shut down the event.
- iv) Any staff member of the Town of Midland, in the interest of public safety, may, in its discretion, direct termination of an event. The Corporation of the Town of Midland shall not be liable to the organization/client for any costs, damages, loss of profit or any other amount for terminating the event.
- v) A Police Officer or Inspector from the Alcohol and Gaming Commission of Ontario will intervene if they are on site or in response to a call from a staff member and/or group member. The offending individual(s) will be informed that they are in violation of the policy and be asked to stop. The offender(s) and perhaps the organizing group may be asked to leave the facility or area. Charges may be laid against the offending individual(s) under the Liquor Licence and Control Act of Ontario and/or termination of the event may occur.
- vi) The Liquor Licence holder, S.O.P. holder and/or Event Organizer will be sent a letter advising of the violation(s), and any applied penalties.

Enforcement Penalties:

- One-time Rentals

One-time rentals that do not obey Town of Midland staff or authorities will have their event shut down and will be suspended from renting any Town of Midland facility for a period of one year.

- Recurring Rentals

First Offence

When a member(s), organized group(s) or rental(s) have violated the Municipal Alcohol Policy, and have been confronted by Town of Midland staff, the group/team will have their next facility rental cancelled and will be sent a letter advising of the violation and will indicate that no further violations will be tolerated.

Second Offence

Should members of an organized group/team/rental violate the policy within one year of receiving notice of their first violation, the group/team will have their next two rentals cancelled. A letter will be sent to the contact person notifying them of the violation and will indicate that no further violations will be tolerated.

Third Offence

Should members of an organized group/team/rental violate the policy within one year of receiving notice of their second violation, the rental will be cancelled permanently. A registered letter will be sent to the contact

person notifying them of the violation and immediate cancellation of the contract.

NOTE:

Offenders are also liable for charges/fines as applicable under the law for all infractions.

All municipal penalties may be increased upon review by the CAO.

Related Policies and Bylaws:

- Special Event Policy
- Bylaw - Outdoor Patio and Municipal Property Usage

Policy communication:

This policy will be communicated by means of:

- Posting on the Town of Midland website.
- Providing appropriate training for staff.
- Directly to event organizers looking to run events on municipal premises or event organizers wanting alcohol service at an event as part of the application or booking process.

Appendix A: Minimum Recommended Event Staff

Event staff minimum numbers recommended for safe alcohol service.

Door monitors are recommended for each access point to the alcohol service and consumption areas.

Number of guests	Bartenders	Floor Workers	Ticket Sellers	Licensed Security Staff
up to 100	1	1	0	
100 - 199	2	2 (+1 outdoor)	1	
200 - 299	2	3 (+1 outdoor)	2	(+1 outdoor)
300 - 399	3	3 (+1 outdoor)	2	(+1 outdoor)
400 - 499	3	4 (+1 outdoor)	2	1 (+1 outdoor)
500 - 599	4	5 (+1 outdoor)	3	1 (+1 outdoor)
600 - 699	4	6 (+1 outdoor)	3	2 (+1 outdoor)
700 - 799	5	7 (+1 outdoor)	3	2 (+1 outdoor)
800 - 899	5	7 (+1 outdoor)	4	3 (+1 outdoor)
900 - 999	6	8 (+1 outdoor)	4	3 (+1 outdoor)
*each additional 150 guests	+1	+1	+0.5	+1