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STAFF REPORT: Recreation Department



REPORT TO: Infrastructure and Recreation
MEETING DATE: May 14, 2013
REPORT NO.: DOR 13 32
SUBJECT: Application Process For Hall Rentals Under Alcohol and Gaming Commission of Ontario Regulations
PREPARED BY: Aaron McMullen, Facility Manager

A. Recommendations

THAT Council receive Staff Report DOR 13 32 “Application process for Hall Rentals Under Alcohol and Gaming Commission of Ontario Regulations” for information purposes;

AND THAT Council direct staff to implement the proposed application process for Hall rentals as contained in this report at this time;

AND THAT Council direct staff to bring forward a further report to determine options for future sale of alcohol at municipal facilities.

B. Background

As of July 1, 2012, The AGCO has introduced changes to the way Ontarians can apply for Special Occasion Permits (SOP’s). The AGCO previously provided 7 categories to describe the type of event Ontarians could apply for when requesting an SOP. As of July 1, 2013, the AGCO have reduced these categories from 7 to 3. These categories include Industry Promotional Events, Public Events and Private Events.

Industry Promotional Event SOP’s

Industry Promotional Event SOP’s are for the purpose of promoting a manufacturer’s product at an event. The Industry Promotional Event SOP replaces 3 of the previous for which an SOP were issued: Trade Show, Consumer Show and Market Research.

Public Event SOP’s

Public Event SOP’s are issued for events that are open to the general public, such as charity fundraisers, outdoor street festivals, community festivals, etc.

An SOP for a Public Event can be issued to:

- A charity registered under the Income Tax Act (Canada); or
- A non-profit organization or association organized to promote charitable, educational, religious or community events

An individual or business may also apply for a Public Event SOP if organizing or conducting an event of;

- “provincial, national or international significance” as agreed to by the registrar of the AGCO; or
- “municipal significance” for which a municipal clerk or designated authority is required and indicates the event is one of municipal significance

Public Event permit holders may advertise the event.

Funds may be raised from the sale of alcohol.

Private Event SOP's

Private Event SOP's replaces the previous Reception Event category.

Private Event SOP's are typically issued for events such as weddings, birthdays, funerals, bridal showers, buck and does, etc.

Private Events have specific guidelines that must be followed under AGCO regulations;

- The event must be for invited guests only
- The event must **not** be advertised to the public including by way of flyers, newspapers, internet or radio. The event cannot be open to the public
- There can be no intention to gain from the profit from the sale of alcohol
- Games of chance or mixed chance and skill (e.g. raffles, 50/50 draws, roulette, crown and anchor, etc.) are not permitted at Private Events.

Private Event SOP's can be either a “No Sale” event or “For Sale” event.

A **No Sale SOP** is required when:

- Alcohol is served without charge;
- No money is collected directly or indirectly for alcohol from guests wither before or during the event; and
- The permit holder absorbs all alcohol costs

A **For Sale SOP** is required when money is collected for alcohol through, for example

- Alcohol sales (cash bar);
- An admission charge to the event which covers the cost of alcohol; or
- The sale of alcohol tickets sold to people attending the event.

Of the changes made by the AGCO, the Private Event SOP functions (weddings, buck and does, etc.) affect the rental process for the Beaver Valley Community Centre the greatest. Of the 3 categories, staff believe that Private Events run the greatest risk to the municipality when it comes to liability due to the nature of the events.

Staff have reviewed information received from the AGCO, as well as other municipalities and developed an enhanced application process for the rental of the Beaver Valley Community Centre. Staff feel the following steps allow the municipality to capture the regulations prescribed by the AGCO while increasing the control of event

rentals and ensuring all required measures are in place prior to the rental agreement being signed and reducing the amount of risk to the Town.

The following steps would be completed through the proposed application process;

Step 1 – Receive Pre Application Material & Application – Hall Rental Application and Special Occasion Permit Application

Staff will require a completed Hall application and completed Special Occasion Permit application prior to submission to the AGCO (for review by Staff) to complete the application process and move to the next step.

Step 2 – Application Review

Staff will determine if the date for the facility is available, expected attendance numbers and all other information comply with appropriate facility use.

Staff will review the Special Occasion Permit application for the type of event (Industry, Public or Private) the renter is applying for and determine if the application meets the AGCO regulations for the desired event.

If documents meet the criteria, move to the next step.

Step 3 – Contract

Staff will provide the renter with a contract outlining all the information in regards to the rental agreement. The renter will be required to review and sign.

In addition to the contract, Staff will also require the renter to review and sign the Private Event SOP Rental Conditions when operating a Private Event Function, such as;

- A minimum of 2 pay duty police officers will be required for Buck and Does
- A minimum of 2 Smart Served Trained Bartenders will be required and paid for by the renter employed
- A minimum of 1 Smart Served Trained ticket seller will be required and paid for by the renter
- A Minimum of 2 Smart Served Trained door personnel will be required and paid for by the renter
- The event must be for invited guests only. A guest list will be required 45 days before the date of the event.
- A Program of the Events during the function will be required 45 days before the date of the event
- A copy of all renter expenses related to the cost recovery from the sale of alcohol must be submitted no later than 45 days before the date of the event.
- The Liquor Licence, issued by the Liquor Control Board of Ontario (LCBO), must be presented to Municipal staff no later than 25 days before the event date.

- The event must not be advertised to the public including by way of flyers, newspapers, internet or radio. The event cannot be open to the public
- There can be no intention to gain from the profit from the sale of alcohol
- Games of chance or mixed chance and skill (e.g. raffles, 50/50 draws, roulette, crown and anchor, etc.) are not permitted at Private Events.
- Liability Insurance is required to operate a Private Event SOP within the Beaver Valley Community Centre, while naming The Town of the Blue Mountains as additionally insured.
- No alcohol shooters will be permitted on site.

These signed conditions will be returned with the completed contract.

Step 4 – Staff Review

Staff will review all the information in regards to the contract and rental conditions.

Step 5 – Renter Submissions

The renter is required to submit a guest list, the LCBO issued Liquor Licence, a copy of the certificate of insurance, a list of the program events, a list of all expenses related to alcohol sale cost recovery and full payment for the rental.

Staff will review to ensure compliance.

Step 6 – Letter of Compliance

Staff will issue a letter of Compliance to the renter but also will forward a copy to the AGCO registrar to show renter compliance and Municipal due diligence.

Step 7 – Staff Monitoring

Staff will be required to ensure compliance to all municipal rules in addition to all AGCO regulations prior and during the event. If compliance is not achieved to at any time, staff will contact AGCO staff and provide all appropriate information. It is suggested by staff, in the case of non-compliance the renter will not be allowed to utilize the facility for the requested event and will forfeit the hall rental fee.

Staff will also be required to complete a log sheet for each event, signed off and submitted to the Facility Manager for records.

C. The Blue Mountains' Strategic Plan

Providing a strong, well managed municipal government

Supporting the development of social and recreational programs to meet the broad range of needs in the community

D. Environmental Impacts

None at this time

E. Financial Impact

Additional costs as proposed would be at the expense of the renter

F. In Consultation With

Troy Speck, Chief Administrative Officer
Alcohol and Gaming Commission Staff
Charlie Watts, Blue Mountains O.P.P.

G. Attached

None at this time

Respectfully submitted,

Aaron McMullen, Facility Manager

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