

Date: 2024-05-08

Subject: **Municipal Alcohol Policy**

Secondary Title: 2024 Revision

Contact: **Anand Patel, Director, Recreation**

Report Number: Community Services-2024-391

Recommendations:

1. That the report from Anand Patel, Director, Recreation to the Committee of Council Meeting of May 8, 2024, re: **Municipal Alcohol Policy**, be received;
2. That the existing Municipal Alcohol Policy (CMS-110) dated May 5, 2021, be rescinded and replaced with the revised Municipal Alcohol Policy, substantially in accordance with *Appendix A* attached to this report;
3. That staff be directed to initiate the implementation of the revised policy (see *Appendix A*) and accompanying Municipal Alcohol Policy Standards and Guidelines (see *Appendix B*) as outlined in this report to take effect in Q2 2024; and
4. That staff be authorized to update the Municipal Alcohol Policy Standards and Guidelines (see *Appendix B*) that supplements the Municipal Alcohol Policy in accordance with the principles and/or policy statements contained therein as required.

Overview:

- **The City of Brampton implemented its first formal Municipal Alcohol Policy in 2016 with its most recent revision taking place in 2021.**
- **The City of Brampton is committed to continuing to provide safe and enjoyable City premises to its residents and visitors through the development and application of the proposed revised Municipal Alcohol Policy (see *Appendix A*).**
- **The policy and accompanying documentation aim to minimize the City's liability exposure associated with alcohol-related events, including harm-reduction.**

- **Staff recommend that Council approve the proposed revised Municipal Alcohol Policy which is in compliance with Council’s governing policy framework, and direct staff to proceed with implementation of the revised policy.**
- **The accompanying Municipal Alcohol Policy Standards and Guidelines (see Appendix B) aligns with current best practices of municipalities for the management of alcohol-related events as determined through benchmarking. It follows guidelines for the development of municipal alcohol policies published by the Centre for Addiction and Mental Health, Public Health Ontario and the Ontario Recreation Facilities Association.**

Background:

The Canadian Centre on Substance Use and Addiction defines a municipal alcohol policy (herein referred to as “MAP”) as a civic policy tool that aligns with provincial liquor laws and outlines the appropriate use of alcohol on municipally owned or managed property such as parks, beaches, arenas, sport stadiums and community centres. In addition, a MAP is intended as building on existing provincial or regional legislation or policies to tailor it to the needs of a specific local community. Further general information regarding municipal alcohol policies in Ontario can be found at <https://www.ccsa.ca/sites/default/files/2019-04/CCSA-Municipal-Alcohol-Policy-Ontario-2017-en.pdf>

In May 2014, an internal audit report recommended that a formal and comprehensive Municipal Alcohol Policy be developed and implemented to manage risks and liability from the harms of alcohol being served, sold and/or consumed at events held on City property. In response to this recommendation, City of Brampton Council (herein referred to as “Council”) approved the City of Brampton’s initial MAP on September 16, 2015, taking effect in May 2016. This MAP has allowed the City to be in a better position to manage the rental and use of municipal spaces for the purpose of alcohol-related events, including ensuring Event Organizers are aware of their responsibilities under the *Liquor Licence and Control Act* and their accountability to the City of Brampton (herein referred to as “City”).

The current MAP was developed based upon the Municipal Alcohol Policy Guide created by the Centre for Addiction and Mental Health and the Ontario Recreation Facilities Association in 2003. This guide includes a Quality Measures Form outlining the six (6) key components that are considered essential to having an effective policy. These components were incorporated into the development of the City’s MAP including:

1. Designation of properties, facilities, and events;
2. Management practices;
3. Prevention strategies;
4. Enforcement procedures;
5. Signage; and

6. Ongoing policy support.

Current Situation:

The City hosted 813 private and public events in 2021, 2022 and 2023 through rental agreements at recreation and corporate facilities across the City that involved alcohol through a Special Occasion Permit issued by the Alcohol and Gaming Commission of Ontario (herein referred to as “AGCO”). While this does not represent a large proportion of rentals overall, it is nonetheless a significant number of events given the inherent risks associated with alcohol. Changes to the *Liquor Licence and Control Act* along with the legalization of cannabis have elevated those risks.

In recent years, some municipalities in Ontario have updated (or are in the process of updating) their policies and procedures for alcohol-related events held on municipal property, including currency with provincial legislation and regulations related to alcohol. This work provides a good body of material and practice to draw on in revising a Municipal Alcohol Policy.

Since the successful implementation of the MAP in 2016, there have been a number of critical and significant legislative changes including the legalization of cannabis in 2018, amendments to the *Liquor Licence and Control Act* in 2019 & 2021 and the establishment of a five (5) year currency period to the Smart Serve® training program by the AGCO in 2023. In addition, Council approved a revised governance framework with the implementation of a new Governing Policy and related framework in 2018. As per the City’s Governing Policy, the MAP must be reviewed and updated in accordance with the mandated three (3) year update cycle.

In general, in alignment with best practices, a policy articulates a course of action with broader implications for an organization and/or sets a direction or intention to influence and determine decisions and actions. A policy is usually intended to be high-level and provide direction, principles and outcomes that may have legislative or significant public impact. Other policy tools such as standard operating procedures are more suited to capture detailed processes and/or step-by-step guidance or “how to” do something in support of a broader policy.

The Recreation Division consulted with Corporate Policy to ensure that the required consistency, accountability and transparency were reflected in the revised policy attached as *Appendix A* to this Report. The revised policy and the accompanying Municipal Alcohol Policy Standards and Guidelines attached as *Appendix B* satisfy requirements of Council’s approved governing policy framework including the use of required templates and reflecting applicable legislative changes.

Development of Revised 2024 Policy

The proposed revised MAP attached as *Appendix A* to this report that is recommended for approval was updated by the Recreation Division. This work

included facilitating a comprehensive review of the current program, examining established business practices and protocols, coordinating consultation exercises with internal City partners and leading a collaborative cross-departmental working group in achieving project deliverables.

The cross-departmental working group consisted of staff representing the following departments/divisions:

- Community Services
 - Parks Business Services and Administration
 - Performing Arts
 - Recreation
- Corporate Support Services
 - Events & Protocol
- Legislative Services
 - City Clerk's Office
 - Enforcement & By-law Services
 - Insurance & Risk Management
 - Legal Services
- Office of the CAO
 - Corporate Policy
- Public Works and Engineering
 - Facility Services & Operations

Overview of Revised 2024 Policy

The proposed revised MAP (see *Appendix A*) aligns with Council's approved governing policy framework and provides the City with key advantages such as:

- Authority and discretion to regulate alcohol sales, service and consumption on City property;
- Clearly articulated outcomes and principles the City is trying to achieve with the Policy;
- Specific policy statements to mitigate the risks and/or harm associated with liberalized amendments to the *Liquor Licence and Control Act* such as, but not limited to:
 - 6.3 and 6.4 confirming that Event Organizers must also follow any applicable accompanying documentation including online resources and the revised *Municipal Alcohol Policy Standards and Guidelines*.
 - 6.9 re-confirming that the City will continue to enforce physically separated serving and consumption areas for alcohol (status quo).
 - 6.11 re-confirming that the City can regulate the hours of alcohol service (recommend keeping with the existing 11AM as the earliest possible start time).
 - 6.13 to restrict the sale, service or consumption of any cannabis products on City property including mixing with alcohol.
 - 6.15 re-confirming that tailgate parties are prohibited on City property.

- 6.18 re-confirming that all alcohol events must continue to serve food.
- 6.23 updating that the Event Organizer and Event Workers must hold a current (within five (5) years of expiration) Smart Serve® certification to serve or sell alcohol on City property.

In addition to the recommended revised Council Policy attached as *Appendix A* to this report, there is an accompanying revised *Municipal Alcohol Policy Standards and Guidelines* (MAPSG) document attached as *Appendix B* to this report. The MAPSG contains updated detailed procedures, protocols and requirements associated with hosting an event with alcohol on City property.

The revised MAPSG includes the following:

- Administrative or requirement changes such as staffing levels or enforcement procedures can be updated by staff at any time as required by legislation or for other reasons such as public health emergencies, new Council policies, By-law requirements etc.
- Contains detailed procedural information such as obtaining liability insurance, rental agreement requirements and enforcement protocols etc.

Next Steps

Upon endorsement of the recommendations set forth in this Report, staff will implement the revised MAP and accompanying guidelines by the end of Q2 2024.

1. Launch

Any new requirements or process changes will take effect with new requests received in Q2 2024 after the revised MAP Program has been officially launched (expected in May 2024). Any event which is booked, or a Special Occasion Permit obtained prior to the launch date of the revised MAP can continue to operate under the existing provisions of the 2021 MAP during the transition period.

2. Public Campaign

The revised MAP will be communicated to the general public through a public communications campaign. The campaign will be focused on educating Event Organizers, providing clarification about what is and is not permitted as per enactments to the *Liquor Licence and Control Act* and any new or revised processes. The public campaign will include publishing of the revised policy and guidelines along with updating web content and communication materials.

Corporate Implications:

Financial Implications:

There are no direct financial implications. Costs associated with a new public launch campaign, updated communication materials (e.g. brochures etc.), additional signage and updated staff training can be funded through existing operating budget allocations within the Community Services Department.

Other Implications:

The implementation of the revised 2024 MAP Program will require updated staff training and communications with all affected departments and divisions to advise of new approaches and relevant updates. The Recreation division will lead this coordination as required.

Strategic Focus Area:

The recommendations contained in this report directly support the Health & Well-Being and Government & Leadership focus areas of the current Strategic Plan and *Brampton 2040 Vision*.

Conclusion:

The revised 2024 Municipal Alcohol Policy has been developed as a means to promote the health and safety of participants and staff at alcohol-related events held on City property. This is achieved through a responsible and managed approach to the serving and consumption of alcoholic beverages.

Through the approval of this policy, the City of Brampton will continue and strengthen the ability to reduce alcohol-related liability, risks and harm while promoting a healthy and safe environment for all to enjoy.

Authored by:

Reviewed by:

Scott Bilodeau
Coordinator, Compliance
Recreation

Anand Patel
Director
Recreation

Approved by:

Submitted by:

Bill Boyes
Commissioner

Marlon Kallideen
Chief Administrative Officer

Community Services

Attachments:

- Appendix A – Municipal Alcohol Policy (2024)
- Appendix B – Municipal Alcohol Policy Standards and Guidelines