

CORPORATE POLICY & PROCEDURE

POLICY TITLE: ALCOHOL, CANNABIS, AND SMOKING
POLICY NO.: CS-5.20-P

Chapter:	Corporate Services		
Section:	5. Property and Risk Management		
Effective Date:	March 26, 2021	Last Review Date:	March 26, 2021
Approval Authority:	Board of Directors		
Issued to:	All TRCA Employees		
Policy Owner:	Property and Risk Management		

1. PURPOSE

- 1.01. The purpose of this Policy is to provide guidance on smoking and on the sale, service, and consumption of alcohol and cannabis at Toronto and Region Conservation Authority's (TRCA) facilities or events.

2. SCOPE

- 2.01. This Policy applies to all TRCA facilities and operations, as well as events held on TRCA property.
- 2.02. This Policy does not apply to TRCA staff in a personal capacity at all TRCA facilities and events held on TRCA property. All employee-related matters are addressed by *HR-4.01-P Code of Conduct Policy*.

3. POLICY

- 3.01. No sale or consumption of alcohol, cannabis or tobacco is permitted on TRCA properties or at TRCA events except as allowed by law and by this Policy.
- 3.02. Alcohol is not allowed at events targeted exclusively to youth under 19 years of age held at TRCA locations.
- 3.03. Smoking or consumption of tobacco or cannabis is not permitted at TRCA properties except as allowed by this Policy or where otherwise indicated at a TRCA property or facility.
- 3.04. No person is permitted to be in an intoxicated condition because of the use of alcohol, cannabis or any other substance while on TRCA premises.

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4. RESPONSIBILITY

- 4.01. **Facility Managers and Event Managers** are responsible for:
- (a) Reviewing local municipal by-laws and public health directives for their facility or event;
 - (b) Posting notices as indicated in this Policy; and
 - (c) Notifying vendors of the requirements of this Policy.
- 4.02. **TRCA Staff** involved in events or operations involving the sale and consumption of alcohol, or the consumption of recreational cannabis, are responsible for being familiar with this Policy. This includes, but is not limited to, event organizers or managers of facilities to which members of the public are attending and all other staff are responsible for compliance with this Policy.
- 4.03. On motion from TRCA's Board of Directors, TRCA may accept, revise or rescind this Policy.

5. PROCEDURE

General Alcohol Consumption

- 5.01. Alcohol consumption is only permitted in the following locations on TRCA property or at TRCA events:
- (a) An area licensed under the *Liquor License Act*;
 - (b) A permitted campsite;
 - (c) A motor vehicle equipped with sleeping accommodation and cooking facilities while it is parked and being used as a residence at a permitted TRCA campsite; or
 - (d) An area with a valid Special Occasions Permit, Catering Endorsement, or other valid Liquor Sales permit.
- 5.02. TRCA will during certain times of the year designate some facilities as dry, at which point alcohol will not be permitted to be possessed or consumed. TRCA will consider failure to comply with such a Policy as grounds for removal from the facility. TRCA will post notice of such a Policy clearly to all permit holders and facility entrants at those given times.

Eligible Locations for the Special Occasions Permit (SOP)

- 5.03. TRCA may consider TRCA-owned buildings, facilities, parks, properties to be locations for SOP events. The following criteria will be reviewed when considering an SOP event on TRCA property:
- (a) Nature, duration and hours of the proposed event;
 - (b) Impact upon neighboring properties and other facility users;
 - (c) TRCA staff and public safety considerations;
 - (d) Proximity to public transportation services;
 - (e) Adequate availability of space, parking and washrooms;
 - (f) Adequate availability of water and electrical supply; and
 - (g) Ability to comply with all other provisions of this Policy.

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- 5.04. All SOPs must be issued by the Alcohol and Gaming Commission of Ontario (“AGCO”). Once the SOP has been approved, the Event Organizer must submit evidence of the SOP to TRCA to obtain the appropriate approval for the SOP event.
- 5.05. Granting of a TRCA permit to host an event or use that includes the serving and consumption of alcohol is contingent on full responsibility and liability being assumed by the event organizer and furthermore on compliance with any additional conditions as may be required by TRCA.
- 5.06. If an event is being held at different TRCA facilities, a separate SOP is required for each location.
- 5.07. Provision of an SOP does not guarantee approval by TRCA for the event to proceed. TRCA reserves the right deny a TRCA-issued permit or approval for a proposed SOP event at any TRCA managed locations.
- 5.08. The SOP holder must purchase third-party public liability insurance for their event. This insurance will include:
- (a) A minimum \$2,000,000 (Two Million Dollars) per occurrence limit for small scale events (less than 3000 people expected per day);
 - (b) A minimum \$5,000,000 per occurrence limit or large-scale events (greater than 3000 people expected per day);
 - (c) Identify TRCA as an additional insured with respect to the permitted event;
 - (d) Include a host liquor liability endorsement;
 - (e) Higher limits may be required as requested by Property and Risk Management after considering among other things:
 - Length and frequency of activity
 - Number of venues
 - Incorporation of other activities that include additional risk (adventure tourism activities, amusement rides, pyrotechnics, etc.)
 - (f) The event organizer must provide TRCA with a valid evidence of insurance, the SOP and any other required documents at least 10 days prior to the Event. Failure to submit any of these documents may result in the TRCA withholding permission for the event, and the event organizer forfeiting any deposits.
- 5.09. TRCA may request a reasonable damage deposit be made for use of TRCA space by higher risk events or activities.

Food, Beverages and Responsible Consumption

- 5.10. The following apply to all events or facilities where alcohol is served on TRCA managed property. In general, the Event Organizer or Facility Manager responsible for an event or facility where alcohol is being served is expected to encourage responsible drinking by ensuring the following practices:
- (a) Non-alcoholic beverages must be available, either at no charge or less than the price of alcoholic beverages being sold at all events or facilities where alcohol is served on TRCA managed property

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- (b) Event organizers must provide and encourage the consumption of food. Chips, peanuts, and other such snacks do not qualify as food. Sandwiches and other light meals are considered appropriate for such events.
- (c) Practices that encourage immoderate consumption of alcohol is not permitted (for example, drinking contests or games, and discounting of ticket prices for volume buying). Practices which encourage increased consumption of alcohol are not allowed. Specifically, oversize drinks, double shots, pitchers of beer, drinking contests and volume discounts are not allowed.
- (d) Only alcoholic beverages purchased from a licensed retail store such as the Liquor Control Board of Ontario (LCBO), The Beer Store, or stores of Ontario wineries and breweries may be sold/served at SOP events held at TRCA managed land. Event organizers and participants may not sell, bring or consume home-made alcoholic beverages or their own alcoholic beverages at SOP events held on TRCA managed land. The permit and alcohol purchase receipt(s) must be available for inspection upon request by AGCO Compliance Officials or police officers
- (e) Under no circumstances may a person under the age of 19 be served, or be allowed to consume, an alcoholic beverage or be sold vouchers for an alcoholic beverage. If there is any doubt about a person's age, servers must ask for an acceptable form of identification. Servers must ID any individuals who appear to be under the age of 25. Acceptable forms of identification include:
 - Ontario Driver's License
 - Canadian Passport
 - Canadian Citizenship Card
 - Canadian Armed Forces Identification Card
 - Photo card issued by the LCBO, entitled Bring Your ID (BYID) (The AGCO accepts this identification for applicants of all lines of business.)
 - Secure Indian Status Card issued by the Government of Canada
 - Permanent Resident Card issued by the Government of Canada
 - Photo card issued under the *Photo Card Act, 2008*
- (f) Alcohol, or vouchers for alcohol, must not be sold or served to anyone who is, or appears to be, intoxicated.
- (g) The SOP holder is responsible to ensure that an intoxicated person does not enter the licensed premises, and anyone who becomes intoxicated does not remain in the licensed premises.
- (h) All Events must have a drink monitoring system in place, which ensures that patrons do not drink to the point of intoxication. Relying solely on visible signs of intoxication is not as effective as monitoring consumption. Examples of drink monitoring systems are outlined in Smart Serve training.
- (i) Servers must not dispense any person more than two alcoholic drinks at any one time.

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Bar Requirements and Operation

- 5.11. Bars should be located in areas that allow Event Workers to see and monitor Event participants while they are consuming alcohol.
- 5.12. All areas where alcohol will be served and consumed (indoor or outdoor) must be readily distinguishable from areas where the permit does not apply.
- 5.13. All empty alcohol containers must remain in the bar or licensed area.
- 5.14. Alcoholic drink sales must end at least 30 minutes prior to the bar closure time specified on the TRCA-issued permit. There must be no last call for the bar. Last call usually encourages high and rapid consumption of alcohol and results in high blood alcohol levels just as the event is ending.
- 5.15. All signs of sale and service must be cleared within forty-five (45) minutes of the end time stated on the permit. This includes the removal of all partially consumed and empty bottles, and glasses that contain(ed) alcohol.
- 5.16. All bars must close at the time indicated on the TRCA-issued permit, the SOP, the Catering Endorsement, or other License, whichever is earlier.

Event Workers and Security

- 5.17. Event Organizers are responsible for ensuring that an adequate number of event workers are available for the size and type of their licensed event.

TRCA, in consultation with the Event Organizer, will determine the number of Event workers required for each Event. This will be based on:

- (a) The nature of the event (private versus public);
 - (b) The location of the event (indoor versus outdoor);
 - (c) The expected attendance;
 - (d) The type of bar operation (open bar versus cash bar); and
 - (e) Any other factors relevant to the need for additional event staff.
- 5.18. The Event Organizer must ensure that adequate floor monitors are present for the entire event. The role of the floor monitor is to ensure that the SOP requirements and the requirements of the TRCA alcohol Policy are carried out.
 - 5.19. Event Workers involved in the sale or handling of alcohol must have proof of Smart Serve, or other AGCO certification, available while they are working and be at least 18 years of age.
 - 5.20. Event Organizer and Event Workers (the permit holder or his/her designate and persons working for the permit holder) must not consume alcoholic beverages while they are working at the event, or after the bar is closed and the event is over.
 - 5.21. The Event Organizer or his/her designate, must be present for the duration of the event and be responsible for decisions regarding the operation of the event.

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- 5.22. Event Workers must ensure the participants do not engage in activities that could potentially harm themselves and others.
- 5.23. Event Workers should be easily identifiable to TRCA staff, e.g. wear badges, caps.
- 5.24. TRCA staff will determine if a TRCA representative should attend an SOP event. The designated TRCA staff representative will have the authority, on behalf of TRCA, to shut down the event.
- 5.25. The Event Organizer shall provide security sufficient to ensure that unauthorized persons do not attend the event and that the conditions of the permit, and applicable regulation, are observed. In some cases, and at the discretion of TRCA management, pay-duty police may also be required at the event. TRCA may also require that entrances to license bar areas be supervised by police officers or professional security staff.
- 5.26. Costs of providing security as well as all other Event Workers shall be borne by the Event Organizer.

Signage

- 5.27. In addition to any signage required by law, including the Liquor License Act and its regulations, TRCA requires that the Event Organizer post the following information near each bar area:
 - (a) The legal drinking age in Ontario is 19. No persons under 19 years of age shall drink any alcoholic beverages at a TRCA-issued permitted event.
 - (b) If anyone appears to be under 25 years of age, the bartender, other event staff and/or TRCA staff can request proof of age and the acceptable forms of ID including a photo and date of birth.
 - (c) Alcohol may be purchased until one half hour before the bar closes. There will be no last call.
 - (d) At any one time, patrons may only be served up to two drinks.
 - (e) It is against the law for bartenders, servers or participants to provide alcohol to anyone who is, or appears to be, intoxicated.
 - (f) The capacity of the licensed area.
- 5.28. If the majority of event participants do not speak English, the permit holder(s) must post the contents of the signs translated into the language(s) of the majority of the participants, as well as the English sign.
- 5.29. The Event Organizer must display a sign cautioning that consumption of alcohol during pregnancy can cause Fetal Alcohol Spectrum Disorder (FASD), as per Sandy's Law.
- 5.30. Event Organizers should promote messages such as the importance of staying hydrated, and that free water is available while clearly indicating where drinking water stations are located.

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Safe Transportation

- 5.31. Permit holders must ensure that provisions have been made for safe transportation of intoxicated participants, should any participant be or become intoxicated.

Plans for safe transportation may include, but are not limited to:

- (a) a designated driver program (including advertising of such a program at the event);
- (b) free non-alcoholic drinks for any designated drivers;
- (c) arrangements for event sponsors to drive intoxicated patrons home;
- (d) taxi chits (receipts to be provided for money owed);
- (e) Promoting the use of taxis by posting locally available taxi numbers at an event;
- (f) calls to the police if intoxicated participants insist on driving.

Accountability

- 5.32. If this Policy is violated, TRCA management or their designate can, at their own and exclusive discretion:
- (a) close down the event immediately; and/or
 - (b) refuse to issue future facility permits to the event organizers.

Smoking of Tobacco and Cannabis

- 5.33. No tobacco or cannabis products will be sold at any TRCA point of sale.
- 5.34. All TRCA properties and facilities are required to comply with the *Smoke Free Ontario Act*, as well as municipal by-laws for the respective location of the event.
- 5.35. Smoking is prohibited including but not limited to within:
- (a) 9m of any entrance or exit to a TRCA building or inside of any building;
 - (b) 9m of any or inside of any enclosed workspace;
 - (c) 9m of any window or opening into an enclosed workspace or building;
 - (d) 9m of any public shelter or picnic shelter;
 - (e) 9m of any permanent or temporary outdoor venue, public gathering space or public square;
 - (f) 9m of a patio of any bar or restaurant;
 - (g) 20m of any buildings or the grounds surrounding private schools, where the private school is the only occupant of the premises;
 - (h) 20m of any outdoor seating area accompanying a permanent or temporary sports or entertainment area;
 - (i) 20m or in any Children's playgrounds;
 - (j) 20m of any sporting areas or seating adjacent to sporting areas;
 - (k) 20m of the grounds or within any community recreational facility; or
 - (l) Inside any owned, rented, or leased TRCA fleet vehicle or equipment.
- 5.36. Each Facility Manager shall post a 10cm x 10cm Tobacco Sign, an Electronic Cigarette Sign or a Tobacco and Electronic Cigarette Sign as issued by the local public health unit or the Ministry of Health at each entrance and exit to any enclosed workspace or public building and in sufficient numbers to ensure all staff are aware

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that smoking and use of electronic cigarettes is not allowed in the enclosed workspace or area.

5.37. Facility or Event Managers may delineate and post a sign designating an area where smoking is permitted in part of a facility or the grounds of a facility where smoking is not otherwise prohibited.

5.38. Facility or Event Managers may further restrict smoking as necessary to ensure the health and safety and to assist in the operation of their facility or event, provided such further restrictions are clearly displayed to all members of the public and staff on site.

6. DEFINITIONS

6.01. **“Community Recreational Facility”** means a community recreational facility is an enclosed public place or enclosed workplace that offers athletic and recreational programs to the local community and is owned or operated by:

- (a) a not-for-profit corporation;
- (b) an organization registered as a charity;
- (c) the province; or
- (d) a municipality.

6.02. **“Event Organizer”** means the person responsible for an event or program that involves the sale or service of alcohol, tobacco or cannabis at a TRCA facility or property.

6.03. **“Event Worker”** means a person working at an event where alcohol, tobacco or cannabis is served or sold at a TRCA facility or property.

6.04. **“Smoking”** means to:

- (a) Smoke or hold lighted tobacco
- (b) Smoke or hold lighted cannabis; or
- (c) To use an electronic cigarette.

6.05. **“Special Occasion Permit”** The Special Occasion Permit (SOP) is a permit issued by the Alcohol and Gaming Commission of Ontario. It allows the permit holder to sell or serve liquor during a special occasion under the regulations of the Liquor License Act.

7. ADMINISTRATION

Administered by the Clerk’s Office

Review Schedule:	5 Years	Next Review Date:	March 26, 2026
Supersedes:	<i>Alcohol at TRCA Permitted Functions Policy and Procedures (2008-06-27)</i> <i>Non-Smoking Policy (2015-03-19)</i>		

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Related Legislation, Regulations and Guidelines:	Ontario's Liquor Licence Act, RSO 1990, c L.19	
	Ontario's Liquor Licence Act, R.R.O. 1990, REGULATION 718	
	Ontario's O. Reg. 70/09: Possession of Liquor in Certain Parks and Conservation Areas	
	Ontario's O. Reg. 389/91: Special Occasion Permits	
	Ontario's Smoke-Free Ontario Act, 2017, SO 2017, c 26, Sch 3	
Related Policies and Policy Tools:	CS-5.20-P Attachment 1: Summary of Municipal Smoking and Cannabis By-Laws	
Revision History		
Version Number	Version Date	Description
1	March 26, 2021	Policy went into effect.