



SUBJECT: Municipal Alcohol Policy Update
TO: Environment, Infrastructure & Community Services Cttee.
FROM: Recreation, Community and Culture

Report Number: RCC-13-21

Wards Affected: all

File Numbers: 900-01, 100-02

Date to Committee: December 9, 2021

Date to Council: December 14, 2021

Recommendation:

Approve the revised Burlington Municipal Alcohol Policy as outlined in recreation, community and culture department report RCC-13-21 attached as appendix A; and

Delegate authority to the City Clerk to declare an event as having Municipal Significance so that an applicant may apply for a Special Occasion Permit through the Alcohol and Gaming Commission of Ontario.

PURPOSE:

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture

Background and Discussion:

Since 2000, the City has had a Municipal Alcohol Policy (MAP) to model responsible consumption of alcohol on municipal property.

The provincial government has made changes to Ontario's Liquor Licence Act (LLA) allowing for increased availability of alcohol. The LLA is administered through the Alcohol and Gaming Commission of Ontario (AGCO). Alcohol service is allowed on City properties – either as a licensed year-round venue like Tyandaga Golf, or LaSalle Pavilion or through a Special Occasion Permit (S.O.P) for functions such as a one day event.

The Region of Halton Public Health department is concerned about the increase availability of alcohol because of the social and health impacts to residents. In 2018, the Region established an Alcohol Action Table to develop an evidence-based and comprehensive plan to mitigate alcohol harm across the region. Committee may recall the [health data report](#) for Halton residents noting the concerns of alcohol consumption.

Since the Province has made alcohol more accessible, the Region's Alcohol Action Table has requested that municipalities within the region uphold current practices or implement even stricter requirements in their MAP's regarding access to alcohol on municipal property.

While updating the MAP, staff identified a process delay that can be mitigated by granting delegated authority to the City Clerk. The AGCO requires events that are open to the public, taking place either indoors or outdoors on public property or private property to submit a municipal resolution approving the alcohol service or a letter from a delegated municipal official designating the event as municipally significant with a S.O.P application. To expediate the approval process staff are recommending that the City Clerk be given the delegated authority to approve an event of municipal significance instead of requiring a resolution of Council. The Clerk will declare an event of municipal significance once members of SET have had the opportunity to review. If there are no concerns raised, staff will advise Clerk's to proceed with issuing the letter.

Strategy/process

Updates by the AGCO to allow more relaxed regulations prompted a need to update the City's MAP and determine if changes should be made.

The following chart outlines specific changes that the City's 2021 *Draft* MAP (appendix A) in comparison to what is identified through the AGCO:

AGCO revisions	2021 <i>Draft</i> MAP
No fencing perimeter requirement.	Minimum 3ft on all sides, any exceptions approved by SET (e.g. natural barrier).
Tailgating events allowed.	Limited areas in COB where this activity can be accommodated. Handled per request through SET.
Does not define parameters around quantity redeemed per person.	Limits redemption to 2 drinks per person at a time.
Service hours extended (8:00 AM – 2:00 AM).	Event hours remain limited at COB facilities: noon – 11PM outdoors and no later than 1AM indoors.

AGCO revisions	2021 <i>Draft</i> MAP
Non-alcoholic drinks priced lower.	Adopt volumetric pricing (i.e. higher alcohol content drinks priced higher, etc.).
Advertising/signage use & placement (i.e. outside licensed area).	Signs contained within licensed area (advertising, prices, specials) with exception to sponsorship recognition. Logo placement allowed in event area.

In addition to the above, the 2021 *Draft* MAP indemnifies the City if a contract is revoked due to non-compliance.

Although the Halton Alcohol Action table suggests stricter measures for alcohol advertising on municipal property, staff recommend allowing the S.O.P licensed area to continue to advertise sponsors, specials, etc. and to only allow sponsor recognition signage within the event footprint and exclusive to the event dates. Local event organizers have indicated a loss of revenue if the advertising conditions were to change, which could directly impact their ability to run their events at current scale and indirectly impact donations and revenue to local charities.

In Burlington, requests to host a S.O.P licensed event on public land includes a process that is handled through the Festivals and Events office in consultation with the Special Events Team (SET). However, S.O.P licenses can also be requested for public events hosted on private property (outside of operating under a caterer's endorsement) which are organized independent of the City's processes. An example of this would be publicly promoted events such as a food festival that takes place in a business owned parking lot, or a concert taking place in a farmer's field. In both private and public land cases, a letter of Municipal Significance is required to accompany the event S.O.P application to the AGCO. Current practice has requests for events on private lands going directly to the Clerk's office for approval. Going forward any request for a letter of Municipal Significance for a public event on private property will come through the Festivals and Events office and be circulated through SET for comment. Any reoccurring event that has had responsible alcohol service in the past, will be approved under the delegated authority of the Supervisor of Festivals and Events. These requests will then go to the City Clerk to provide the letter of Municipal Significance. This letter is also copied to the Ward Councillor, Building & By-Law, Roads Parks & Forestry, Fire Services, as well as Halton Regional Police Services and Halton Region Public Health.

Options Considered

The following options were considered when drafting the MAP:

Option	Pro	Con
Align MAP with the new LLA regulations	<p>Straightforward process, limited staff resources required.</p> <p>Rules and expectations are consistent between public and private property.</p> <p>Pricing is based on alcohol content as the market is increasing alcohol content in products.</p>	<p>Longer hours of service in outdoor settings which would impact area residents.</p> <p>More drinks per service instance, which may lead to irresponsible consumption and behavior.</p> <p>Minimal distinction between licensed area and unlicensed area, high risk to attendees taking alcohol beyond licensed area/minors accessing the licensed area.</p> <p>Does not align with the recommendations from the Alcohol Action Table.</p>
Uphold the existing MAP	<p>Detailed conditions of service under strict guidelines.</p> <p>More closely aligns with the recommendations of the Alcohol Action Table</p>	<p>Does not allow for bulk ticket purchase, creating increased transactions and long lines for both organizers and attendees.</p> <p>Does not outline high alcohol drinks to be priced accordingly.</p>

Staff determined using a balanced approach based on input from Halton Region Public Health and Event Organizers in developing the 2021 MAP.

Financial Matters:

All requirements are at the expense of the event organizer.

Total Financial Impact

Not applicable.

Source of Funding

Funding for S.O.P events on city property is through a user fee system.

Other Resource Impacts

Festivals and Events staff process S.O.P requests as part of their regular duties and capacity on municipal property. All members of SET are involved as part of their regular

role in the event approval process. The City Clerk's office role to provide the letter of municipal significance is within their regular duty and capacity.

Climate Implications

Inclement and unpredictable weather is a factor that outdoor event organizers face and strategies to deal with it are addressed within the events Emergency Management Plan. For events on public land, this plan is reviewed by emergency service providers through the SET committee.

Event organizers are encouraged to operate green events and are provided with information on how to reduce waste, recycling opportunities and select green initiatives including alternate transportation options, green food service supplies, etc. Organizers are requested to share this plan with their staff liaison for review.

Engagement Matters:

The 2021 *Draft* MAP was shared with Halton Regional Police Services as well as internal departments and units that deal directly with licensed events on city property including: Clerks, Roads Parks & Forestry, Fire and various units within the Recreation, Community and Culture department. In addition, it was circulated via email to the Festivals & Events Organizers Group (FEOG) which notified all current event organizers who apply to host events in Burlington. FEOG members were invited to discuss the changes, ask questions and provide input. No concerns were raised.

Conclusion:

The updates to the 2021 *Draft* MAP address the recent changes made by the AGCO and align with the recommendations outlined by Halton Region's Alcohol Action Table. By providing delegated authority to the City Clerk to issue letters of Municipal Significance allows for faster processing times for an event organizer to submit their S.O.P application to the AGCO.

Respectfully submitted,

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Supervisor, Festivals & Events

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Appendices:

- A. 2021 Draft Municipal Alcohol Policy

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.