

**TOWNSHIP OF ESSA
POLICY AND PROCEDURE MANUAL**

Department:	Clerks/Administration	Date:	November 7, 2012
Subject/Title:	Special Occasion Permit Approvals (for Alcohol Related Events)		
Policy Number:	A07-06	Date Approved:	June 15, 2013
		Resolution No.:	CW117-2013
Supersedes	A07-06 September 2007	Effective:	June 16, 2013

1. AUTHORITY

Liquor Licence Act, R.S.O 1990, Regulation 389/91

2. POLICY STATEMENT AND RATIONALE

A Special Occasion Permit (SOP) is required any time alcohol is offered for sale or served anywhere other than in a licensed establishment or a private place (for example, a corporate boardroom). SOPs are issued for *occasional special events only*, and not to operate an ongoing business.

The Corporation of the Township of Essa and its Management recognize the importance of public and community events that are provided in a safe environment having regard for Provincial regulations pertaining to the inclusion of liquor related activities. As such this policy has been implemented to streamline the approval process between departments dealing with such approvals.

3. SCOPE

Individuals (or groups) wishing to hold an event where liquor will be served must apply for a Special Occasion Permit (SOP) through the Liquor Control Board of Ontario. As part of the approval process for such permit(s), approvals must be granted from the municipality in the form of a letter of non-objection (with approvals from each department and/or specific conditions as indicated by each particular department), and sometimes will require a resolution of Council declaring the event to be a *Municipally Significant Event*. (For events falling within the classification of "municipally significant", a resolution from Council is required.)

Application

This policy applies to municipal staff charged with the designation of signing authority for the issuance of approvals for such types of public and/or private events, whereby alcohol is offered for sale or served anywhere other than in a licensed establishment or a private place (by invitation only).

In accordance with Regulation 389/91 of the *Provincial Liquor Licence Act (Special Occasion Permits)*, all public events falling within the classification of "*Municipally Significant Events*", the applicant must give written notification before the event is to take place to the Clerk, a **minimum** of 30 days before the event is to take place (if it is

expected that fewer than 5,000 people will attend the event); or 60 days before the event is to take place (if it is expected that more than 5,000 people will attend the event).

Definitions

Private Event SOP's are typically issued for events such as weddings, birthdays, funerals, bridal showers, etc. **Private events are for invited guests only** and the event must not be advertised to the public, including by way of flyers, newspaper, internet or radio. The event cannot be open to the general public, and there can be no intention to profit from the sale of alcohol at the event.

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. A Public Event permit holder may advertise the event and can fundraise or profit from the sale of alcohol.

A 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, with its own constitution and by-laws, and organized to promote charitable, educational, religious or community objects.

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 Alcohol and Gaming (the Registrar); or
- “**municipal significance**”^{**} for which a **municipal resolution** or letter from the municipal clerk or designated authority which designates the event as one of municipal significance is required.

****Municipally Significant Events** are defined as *public events that are held within the Township of Essa that are made available to the public at large that:*

- Enhance or promote community assets (ie: parks, trails);*
- Encourage, attract and promote community involvement and/or participation at little or no cost;*
- Partner with and/or provide a venue for local businesses, organizations and residents to form part of the activities (ie: vendors, facilitate an event activity).*

Examples of municipally significant events would be the shutting down of the main street for a “midnight madness” type of event whereby alcohol would be permitted to be carried by patrons of legal age from one area to another.

Industry Promotional SOP is intended to promote a manufacturer’s product(s). These events may be open to the general public or for invited guests only. They can be either “Sale” or “No Sale” liquor events. There can be no intent to profit from the sale of alcohol at the event. Samples for tasting at the event may be provided to those attending the event, and orders for alcohol may be taken. Samples at these events must be provided by a manufacturer or AGCO licensed representative of a manufacturer or an

event organizer acting on behalf of either. All orders must be processed through authorized government retail stores.

An Industry Promotional event can also be for the purposes of conducting market research on a product. Market research events must be held by a manufacturer, or by an AGCO licensed representative of a manufacturer, or on behalf of a manufacturer by another party authorized by the manufacturer to represent them. If an event organizer or an AGCO licensed representative is conducting the market research or providing samples on behalf of a manufacturer, the event organizer must make available upon request a letter from the manufacturer authorizing them as their representative to conduct market research.

4. PROCEDURE AND IMPLEMENTATION

- a. The Clerk's Office is the intake agent for all special occasion permit requests. Applicants are required to submit a letter to the municipality indicating the following:
 - Name and contact information of the event organizer, association, organization;
 - Description of the Event (Private, Public, Industry Promotional Event) including target audience, entrance fees and activities;
 - Date and Time of Event (including times when alcohol will be served);
 - Logistics of the Event - Indoor/Outdoor, location, written property owner consent if public event held on private property, security measures for event, number of servers, etc);
 - Purpose of the event and how it benefits the Township of Essa;
 - Number of people attending (or approximation);
 - Proof of insurance in the amount of \$ 2 million naming the Township of Essa as an additional insured.
- b. The **applicant is responsible for submitting a sketch/drawing** that clearly shows buildings, access, fire routes, fencing, parking, location of tent (if applicable), location of washrooms (if outdoors), etc.
- c. The applicant is responsible for paying the appropriate fee(s) associated with the issuance of such permits (ie: Special Occasion Permit Fee, Building Permit Application Fee, Fire Department Inspection Fee, etc.). Please refer to the Township of Essa's Schedule of Fees.
- d. The Clerk's Office is responsible for sending/emailing a copy of the letter/application as well as the proposed site plan to the following departments for their review and/or approval of the event:
 - Council (if declaration of event as "municipally significant" is required)
 - Fire Department
 - Building Department
 - Planning and Development Department
 - By-law Enforcement Department
 - Public Works Department
 - County of Simcoe (if applicable)

- OPP (contact via email)
 - Health Unit
- e. Where necessary, each Department Head shall provide the applicant with a listing of conditions to be met that are necessary for approval of the event. Each department shall provide the same listing to the Clerk (or Clerk's designate) for information.
- f. Upon successful inspections and/or conditions being met, all approvals are to be provided to the Clerk's Department, whereby the Clerk (or designate) shall communicate the approval/decline to the applicant providing the applicant with a letter stating such approval/decline. In the event that the municipality declines the approval, the letter to the applicant will outline reasons for the decline based on the comments provided from the various departments.
- g. Upon receipt of municipal approval from the respective departments, the applicant is to provide a copy of the municipality's approval to the OPP and the Simcoe Muskoka District Health Unit separately. Should the applicant's request be declined by the municipality, the Clerk's Department will forward a copy of the decline to the OPP via email.

5. SUMMARY

Effective July 1, 2012, amendments in the form of Ontario Regulation 389/91 make it necessary for this municipality to have a policy in place defining *Events of Municipal Significance*. As such, this policy has been updated to reflect necessary changes. The use of such a policy will help in streamlining the process for approvals/declines of such applications based on the amendments to the *Liquor Licence Act*.