



DISTRICT OF WEST KELOWNA

COUNCIL POLICY MANUAL

Pages: 1 of 8
Approval Date: 2009-MAR-10

DEPARTMENT:	PARKS, RECREATION AND CULTURE
SUBJECT:	ALCOHOL MANAGEMENT POLICY

Policy Statement:

To provide for the management of alcohol consumption on District of West Kelowna (DWK) property while considering the culture and needs of the community, the health and safety of individuals, the protection of property, the diverse views of the community and the need to balance the non-use of alcohol at public and private events.

NOTE: Should Council wish to proceed with a Liquor Primary License, for the Mount Boucherie Community Centre, this policy will be amended.

Purpose:

1. To prescribe procedures relating to education, which promote an understanding of all provincial legislation and regulations and DWK policies pertaining to alcohol consumption.
2. To provide procedures and programs relating to alcohol consumption which promote the safety of individuals and the protection of property.
3. To prescribe procedures that reinforces low-risk drinking practises.
4. To promote the incorporation of safe transportation provisions into events where alcohol consumption is permitted.
5. To follow the liquor control and licensing regulations.
6. To reduce risk to the DWK.

POLICY

1. DEFINITIONS AND INTERPRETATION

In this policy:

“**Act**” means the Liquor Control and Licensing Act – RSBC 1996 C.267;

“**Alcohol**” means Liquor as defined in the Act;

“**DWK**” means the District of West Kelowna and its administration;

“District Municipal property” or **“property”** means premises that are owned or controlled by the District of West Kelowna, listed in Schedule “A”;

“Consumer” means a person who drinks alcohol at an event;

“Council” means the District of West Kelowna Council;

“Designate” means any individual who is so named, in the prescribed form, by the license holder;

“Event” means any specially scheduled assembly of individuals for a common purpose and is not intended to include regular ongoing activities;

“Alcohol staff/Event worker” includes:

- All employees, volunteers or other individuals engaged in serving alcohol, monitoring alcohol consumption, or providing security;
- The license holder and any designates;
- Event workers serving alcohol must be in a uniform used to identify them.

“Events Aimed at Youth” or **“Events Attracting Youth”** includes:

- Events where the majority of participants or spectators are youth;
- Events whose promotions are specifically directed at youth;

“License holder” includes

- The individual to whom the special occasion or permanent liquor license is issued;
- Any individual who is named, in the prescribed form, by the license holder to be a designate;

“Permanent license” means a permanent liquor license as defined in the regulations;

“District of West Kelowna policy” or **“policy”** means this alcohol management policy;

“Principal activity” means an activity without which the event could not proceed;

“Private special event” means an event that is attended by personal invitation only;

Liquor Control and Licensing Branch definition: To qualify as a private special event, attendance must be limited to invited guests, members and staff of an organization, or persons to whom advance tickets have been given or sold. If uninvited attendees or members of the general public are allowed to participate, the event is no longer a private special event, but rather a public special event.

A private special event includes:

- A social, cultural, recreational, religious, sporting or community event;
- A tasting event to acquaint the public with products from a winery, brewery, or distillery;
- A celebration of a family occasion, including, but not limited to, weddings, christening, bar mitzvahs or other religious occasions, birthdays or wedding anniversaries.
- Pre-wedding parties (bachelor and bachelorette party, stag and stagette night/party) do not qualify for a private or public Special Occasion License and must be held in a licensed establishment or a residence.

“Public special event” means an event is not a private event as described in the act;

Liquor Control and Licensing Branch definition: A public special event is a community or public celebration (community festival, outdoor concert) where anyone may attend. Events are public if they are held in a place open to the public, such as park, open room in a community centre, business open to the public or outdoor location such as a parking lot.

Distilled spirits, other than spirit-based coolers, are not generally permitted. Beer, wine, cider and coolers may be sold.

Local government and police approval are needed for all public special events, and may be necessary for some private special events.

“**Regulations**” means the liquor control and licensing act regulations;

“**Server**” means the event worker who delivers an alcoholic beverage to a consumer;

“**Special occasion license**” means a public or private special occasion license as defined in the regulations;

Special Occasion Licenses are regulated by the Liquor Control and Licensing Branch, Ministry of Public Safety and Solicitor General, and administered by the Liquor Distribution Branch.

“**Spectator seating area**” includes

- tiered seating from which viewing a public spectator event is intended, and;
- areas adjacent to tiered seating being used for viewing a public event;

“**Youth**” means a person under the age of majority established by the Age of Majority Act – RSBC 1996 C.7;

2. GENERAL

- 2.1 Alcohol consumption on DWK property listed in schedule “A” is permitted under a special occasion license or as approved under operational guidelines when it is:
 - in a designated area listed in schedule “A”;
 - in compliance with the entire policy, and;
 - must comply with BC Liquor regulations and local police requirements
- 2.2 Alcohol consumption will only be permitted at public events in designated areas approved by staff.
- 2.3 The licensee shall only set up a liquor area in a pre-approved location determined by the DWK
- 2.4 All park approved liquor service areas must be fenced allowing sufficient control measures and universal access.
- 2.5 The park licensee must tear down and complete clean up immediately following the event to ensure public safety for subsequent park users.
- 2.6 Security staff is to check ID at the door. In the case of sporting events, security staff or cashiers selling alcohol tickets will check ID at the point of sale. Only the following ID is to be accepted as proof of age.
 - B.C. or Government Photo ID
 - B.C. Photo Drivers Licence
 - Valid Passport
- 2.7 Bar to close $\frac{3}{4}$ hour before the end of the event. In the case of a hockey game beer/alcohol sales will end at the time of the puck dropping at the beginning of the 3rd period.
- 2.8 There will be no last call at any event.
- 2.9 Admit liquor inspectors and police into premises covered by the special occasion license.

3. TRAINING

- 3.1 The license holder must demonstrate that they and their designate(s) have successfully completed the prescribed training course for “licensee(s)” under the act and regulations and that they are in attendance for the duration of the event.

4. THIRD PARTY LIABILITY INSURANCE

- 4.1 All licence holders for events taking place on district municipal property will be required to produce evidence of * \$5,000,000 (five million dollars) third party liability insurance, naming the DWK as additionally insured. An alternate amount may be required based on the decision of the director.

5. EVENT WORKERS

- 5.1 The license holder is responsible for ensuring the prescribed number of event workers are present and are aware of their responsibilities and that those responsibilities are carried out.
- 5.2 The prescribed number of event workers will be based on the type of event and determined by the director/designate.

6. SECURITY

- 2.3 It is the responsibility of the license holder to provide an inside and outside environment that keeps event workers and attendees safe from physical harm during the event on DWK property. DWK staff will provide information to the event operator on the number of licensed security personnel required to host their event.

7. INTOXICATED PATRONS

- 7.1 The Act prohibits the selling or giving of liquor to an intoxicated person. Further, an intoxicated person is not permitted to remain in the licensed area. The license holder has a responsibility and right under the Act to forbid a person to enter or request a person to leave the premises “if for any reason he believes the presence of that person in the licensed establishment is undesirable or that person is intoxicated”.
- 7.2 If a person becomes intoxicated it is the responsibility of the license holder to take reasonable steps to ensure that the person does not harm himself/herself or others upon being escorted from the event.
- 7.3 In no circumstances will alcohol be served to youth.

8. FOOD AND BEVERAGES

- 8.1 Low alcohol and non-alcoholic beverages must be readily available.

9. SAFE TRANSPORTATION

- 9.1 In order to prevent drinking and driving, the licensee will be responsible to provide a ride program (bus, taxi, designated driver) or alternate transportation for guests under the influence of alcohol or drugs. The program must be submitted to DWK as part of the application.

10. SIGNS

- 10.1 A sign outlining rules pertaining to alcohol consumption at the event must be posted near the bar. If there is no bar, a sign must be posted where it is reasonably visible to consumers and potential consumers.
- 10.2 The licence holder must post signs educating the public on the dangers of alcohol consumption and encouraging consumers to take responsibility for controlling their own alcohol consumption throughout the site at any event where alcohol may be consumed.
- 10.3 The DWK may in its discretion post signs prohibiting alcohol consumption in areas where alcohol consumption is either illegal or not permitted.
- 10.4 Post liquor license in a prominent location at the event.

11. ACCOUNTABILITY

- 11.1 Any breach of contract by the licence holder may result in the suspension of or rejection of future applications.

12. ADVERTISING

- 12.1 Permanent alcohol product advertising is not allowed on DWK property in connection with events aimed at youth. As there are liquor establishments and/or the promotion of alcohol in place at Royal LePage Place presently, there will be a transition period till September 1, 2010 before fully implementing this clause.
- 12.2 Event names that convey the message that drinking alcohol is the principal activity must not be used.

13. ALCOHOL SALES

- 13.1 Events where alcohol is sold will have event cash handling staff designated to sell tickets or tokens at one counter for alcohol. The tickets or tokens will then be presented to other event staff that will pour and serve the alcohol. At no time will the same staff perform the same duty.
- 13.2 Set drink prices, provided they are posted and apply to individual drinks, only. Multiple drink specials are not permitted.
- 13.3 No patron can be served more than two (2) drinks per serving.
- 13.4 Serve spirits by the individual drink. A person may not be given or sold a bottle of spirits.

14. CLEAN UP FEE

- 14.1 The licensee agrees to pay additional fees over and above the regular rental fee to cover the cost of additional clean up. The fee shall be based on the type of event hosted.

15. PROCEDURE FOR APPLICATION/APPROVAL

- 15.1 Apply in writing with ten business days notice for permission to purchase a special occasion license. (See Application Form). Verification of the Security Company retained will accompany the application.

- 15.2 A letter of authorization will be provided by the DWK enabling the licensee to obtain a special occasion license. (See Sample Letter of Authorization). Authorization will be granted by: Director of Parks, Recreation and Culture or his/her Designate,
- 15.3 Book and sign a standard Rental Contract for the rental and clean up fee.
- 15.4 Provide proof of Certificates of Insurance naming the DWK as additionally insured.
- 15.5 Provide a signed Operating Procedures Form as proof of consultation with PRC Administration. The purpose of this is for the licensee to gain a full understanding of DWK rules and regulations.
- 15.6 Provide copy of special occasion license to DWK 48 hours in advance of the function.

16. RESPONSIBILITIES OF THE DISTRICT OF WEST KELOWNA

The DWK will ensure that:

- 16.1 Events where alcohol is consumed are required to have adequate security on duty. If security is not present the event will be cancelled.
- 16.2 Any violation of DWK rules and regulations are reported to the DWK and/or the RCMP.
- 16.3 Inappropriate behavior due to the consumption of alcohol is identified and dealt with immediately. Patrons exhibiting rowdy, disruptive behavior will be escorted from the building or turned over to the police if necessary.
- 16.4 Consumption is restricted to approved areas of the building only. Individuals will be approached and politely but firmly told that their behavior is against the law. If alcohol is removed, no further action will be taken. Physical confrontation should be avoided and no attempt should be made to remove a person physically for violation of the policy. Persons not wishing to cooperate will be reported to the RCMP.
- 16.5 All incidents, including patrons being escorted from the building, will be documented in an incident report and submitted to the DWK PRC Director or his/her designate.

SCHEDULE "A"

SPECIAL OCCASION LICENSES IN DISTRICT OF WEST KELOWNA

Designated areas in DWK where alcohol may be consumed under a special occasion license or operational guidelines.

<p>Mount Boucherie Community Centre</p> <ul style="list-style-type: none"> - Jim Lind Arena (JLA) - Royal LePage Place (RLP) 	<p>Address: 2760 Cameron Road Kelowna, British Columbia</p>	<ul style="list-style-type: none"> - Arena floor – JLA & RLP - Main lobby - - Seating Area-RLP - Change Room #6 and #7 RLP Concerts Only - Upstairs Lobby-RLP - Downstairs Lobby-RLP - Court Yard
<p>Community Portable Building</p>	<p>Address: 2760 Cameron Road Kelowna, British Columbia</p>	<ul style="list-style-type: none"> - Main Area
<p>Parks</p> <ul style="list-style-type: none"> - Westbank Community Park - Kinsmen Athletic Park - Webber Rd Community Park 	<p>3737 Old Okanagan Hwy. 3170 Shannon Lake Rd. 2829 Inverness Rd.</p>	<p>-</p>

SCHEDULE "B"

District of West Kelowna

Department of Parks, Recreation and Culture

ADDENDUM TO RENTAL CONTRACT

ORGANIZATION NAME: _____
(Please Print)

RENTER'S NAME: _____
(Please Print)

NATURE OF EVENT: _____

DATE & TIME OF EVENT: _____

- LOCATION OF EVENT:**
- _____ **Mount Boucherie Community Centre-Jim Lind Arena**
 - _____ **Mount Boucherie Community Centre-Royal LePage Place**
 - _____ **Mount Boucherie Community Centre - Portable**
 - _____ **Westbank Community Park**
 - _____ **Kinsmen Athletic Park**
 - _____ **Webber Rd Community Park**

On behalf of my organization, I acknowledge that I have received and reviewed the information contained in the ICBC "Get Home Safe Kit" and the DWK's alcohol policy provided as a part of this rental contract.

I also acknowledge and agree that any person or community group that organizes an event where alcohol is being served has a personal and legal responsibility for the safety and well-being of guests and attendees, and neither ICBC, the DWK nor its staff assumes any obligation or responsibility whatsoever for implementation and/or compliance with this policy.

Signature of Renter: _____

Date: _____