

UNIVERSITY OF TORONTO

ALCOHOL SERVICE RULES AND REGULATIONS

In addition to the applicable legislation, the University had established the following rules and regulations under authority granted by the *Campus Alcohol Policy* and the *Liquor Licence Act* of Ontario. These rules and regulations apply to all alcohol-related events at the University of Toronto subject to the University Alcohol Policy.

There are a number of liquor licences within the University of Toronto. Each licence holder is accountable for all activities which occur under the auspices of the liquor licence held in his or her name - both with respect to common law and statute law. Notwithstanding this, the Dean, Principal or Officer responsible for the space in which events occur is accountable for all activities occurring on the premises.

1.0 Purpose, Authority and Scope

In accordance with the University's *Campus Alcohol Policy*, the University of Toronto Alcohol Service Rules and Regulations are designed to inform event organizers, service providers and users with clear descriptions of the terms and conditions governing licensed alcohol service on campus. These rules and regulations address both the statutory requirements and the University's goal of encouraging responsible service practices in licensed service.

The authority to enforce these rules and regulations is vested in the University's licence holders through provincial statutes and policies

The University of Toronto Alcohol Service Rules and Regulations are applicable to campus areas and events subject to provincial statutes

These rules and regulations are applicable to all campus areas and events subject to provincial statutes including but not limited to The Liquor Licence Act and The Liquor Control Act.

The University of Toronto Alcohol Service Rules and Regulations are the shared standards to which all designated licence holders of the University of Toronto refer for directing the respective operations. While each designated licence holder within the University of Toronto may develop such additional policies, rules and regulations taking into consideration the structure, organization and resources within the division, the University of Toronto Alcohol Service Rules and Regulations serve as the basic foundation upon which further regulations are based.

2.0 Licence Administration

a) Provincial legislation and institutional policies provide licence holders with a range of powers to exercise their duties.

These powers include, but are not limited to:

- The right to restrict access to licensed facilities and events to those who meet conditions of admission as defined by provincial laws or institutional policies.
- The right to limit and/or refuse alcohol service to guests at a facility or event if such service were to be in violation of provincial laws or institutional policies.
- The right to have a guest removed from a facility or event if the guest's continued presence would be in violation of provincial laws or institutional policies, or poses a risk to the safety of staff or other guests.

- b) In order to efficiently administer the terms and conditions of the licence and ensure compliance with laws, policies, rules and regulations, campus licence holders may delegate the powers vested in the licence holder to other campus offices, agencies or individuals. These offices, agencies or individuals may act on the licence holder's behalf to interpret laws, policies, rules and regulations, and may use the power of the licence holder to ensure compliance. When the authorized office or agency is not a department of the University of Toronto or when the authorized individual is not an employee of the University, a formal agreement between the University and the office, agency or individual is required.
- c) The Alcohol and Gaming Commission of Ontario also invests in each campus licence holder the duty and power to monitor and regulate the advertising, promotion and marketing of beverage alcohol including the activity of alcohol manufacturers on campus as described below.
- d) The current list of campus licence holders and delegated officers and agencies is contained in Appendix A of the Rules and Regulations.
- e) In addition to the campus licence holder, delegated office or agency, authorized representatives of municipal and provincial agencies as well as police officers hold powers to interpret and enforce compliance with sections of the *Liquor Licence Act* and provincial regulations.

3.0 Terms and Conditions of Service

3.1 Purchase of Alcohol by Event Organizers

- a) Alcohol to be served at licensed facilities and events must be purchased in accordance with the *Liquor Licence Act*. All orders for alcohol to be served at licensed events must be placed through the licence holder (who may delegate this responsibility to an agent acting on his or her behalf).
- b) All records of transactions, inventories and disbursements must be kept in a manner specified by the *Liquor Licence Act* and institutional policies.
- c) Each licence holder and his or her delegated office or agency may have specific requirements for their jurisdiction.

3.2 Hours of Service

While provincial legislation establishes the hours in which alcohol may be served at a licensed facility or event, each licence holder, campus office or agency delegated to administer the licence may set within the legal range the hours of service which it will permit to take place.

3.3 Staffing

- a) Both provincial statutes and responsible service standards require adequate supervision and staffing of licensed facilities and events. The licence holder, delegated office or agency shall determine the appropriate numbers and duties of staff required for the safe conduct of the event based on the size, duration, type of event, demographic of participants, and physical layout and location of the facility or event.

- b) Prior to participation in alcohol service, all staff involved in alcohol service including servers, bartenders, cashiers, door and monitoring persons must be certified through the University of Toronto Server Training Program for Staff and Volunteers, or a certified server programme considered acceptable to the University of Toronto. Appendix B contains the criteria for acceptance of programmes other than the U of T certification programme and the conditions on the types of events at which non- U of T certified servers may be used to provide alcohol service.
- c) Managers of licensed facilities, event organizers and persons who act in a supervisory capacity at licensed facilities and events must be certified through the University of Toronto Server Training Program for Managers and Event Coordinators.
- d) In accordance with the *Liquor Licence Act*, staff must not consume alcohol before or while working at licensed campus events.
- e) Certified service staff at licensed events and facilities are legally obligated and authorized to limit service of alcohol to only those persons who may lawfully possess or consume alcohol. No one may coerce, intimidate or otherwise force a server to supply alcohol to someone if in the opinion of the server such service would be a breach of law.

3.4 Access, Service, Menus and Pricing

- a) Prior to admitting persons to licensed events or providing services at licensed facilities, event organizers or facility supervisors will verify that persons are qualified to participate in the event. Where events are limited to ticket holders or members of a group, signs will be posted outside the venue stating the admission conditions.
- b) Inspectors or investigators from the Alcohol and Gaming Commission, Inspectors from municipal Fire, Health or Building Departments, or Police officers on duty must be given access to licensed areas upon demand.
- c) In accordance with the *Liquor Licence Act and Regulations*, persons under 19 years of age are prohibited from consuming, possessing or otherwise obtaining alcohol either directly or indirectly. A person who is at least 18 years of age may serve alcohol in a licensed area.
- d) Any one of the following documents is considered acceptable proof-of-age:
- An Ontario Photo Identification Driver's Licence
 - A valid Canadian passport
 - A Canadian Citizenship Card containing a photograph.
 - A Canadian Armed Forces Identification Card
 - A BYID photo identification card issued by the Liquor Control Board of Ontario.
- e) Servers may accept at their discretion and risk an alternative form of proof of age which includes in one document the following features:
- A recent photograph of the bearer
 - A clearly indicated date of birth showing the bearer is 19 years of age or older
 - A statement or title identifying a valid issuing authority
- f) Where persons under 19 years of age will be participants at licensed events or facilities, event organizers or supervisors of licensed facilities will ensure to the satisfaction of the licence holder, delegated office or agency that there are adequate measures and controls in place to limit possession or consumption alcohol to only those persons permitted by law.

- g) All menus and products at licensed facilities and events will be in compliance with the *Liquor Licence Act and Regulations* with regards to selection, pricing, portions and merchandizing of products.
- h) To promote responsible alcohol use on campus, no person should be served more than 2 drinks¹ at any one time. In addition, individual portion servings of an alcoholic beverage may not contain more than 2 ounces of distilled spirits. No more than one 2 ounce serving of spirits may be sold or served at any time to a person.
- i) Outsized containers such as carafes or bottles of wine and pitchers of beer may not be served unless an appropriate means of service and supervision is provided to the satisfaction of the licence holder, delegated office or agency.
- j) At all events serving beverage alcohol, one choice of a light alcohol beverage will be offered on the beverage menu.
- k) At licensed events or facilities, beverage products with alcohol content higher than that contained in a standard drink e.g., liquor coolers, shall be sold at a higher price in relation to standard drink products beverages.
- l) In accordance with the *Liquor Licence Act and Regulations*, reasonably priced non-alcoholic beverages and food (including light meals) must be available and listed on menus.
- m) Where events or licensed facilities are operating on a cash bar basis, announcement of “last call” is prohibited as it may encourage unreasonable consumption of alcohol at the end of the event.
- n) Where ticket sales are used for alcohol service transactions, ticket sales shall cease at least 15 minutes before the closure of the bar.

4.0 Local Policies and Practices

Organizers and coordinators of events have a number of responsibilities under the *Liquor Licence Act of Ontario*, the *Campus Alcohol Policy*, the *Occupier’s Liability Act*, and common law. In order to fulfill these obligations, local policies may be established by each liquor licence holder for events held under the authority of the licence held in his or her name.

- a) Local policies should be developed in consultation with the appropriate college, faculty or divisional officers and in consultation with other appropriate staff.
- b) Local policies must reinforce and support the University-wide regulations established under the *Campus Alcohol Policy*.
- c) Local policies should clearly describe acceptable service procedures and the responsibilities of all staff as well as the products available for sale and service.
- d) Emergency procedures must clearly define the duties, functions and responsibilities of each staff member in the event of a fire, a medical emergency and any other incident which poses a foreseeable risk to the safety of guests and staff (e.g. fights and other violence, bomb scares, power failures, etc.).

¹ a “drink” is defined as one 12 ounce bottle of beer, one 5 ounce glass of wine, or 1.5 ounces of distilled spirits.

- e) In addition to participation in the University's Server Training Program, staff should receive training with respect to local policies, other issues of concern to the licence holder, and information specific to the areas in which events are held (e.g. locations of alarm stations and telephones, appropriate phone numbers to call in case of emergency, procedures for reporting a fire or other emergency, and procedures for clearing the premises).
- f) Detailed procedures for refusing service to intoxicated persons must be included in local policies. The procedure should clearly state who the server is to notify in case of problems, how that should be done, and when it should be done.
- g) Local policies must include detailed procedures for caring for intoxicated guests (including options for transportation home and/or overnight accommodation).
- h) Local policies should address issues related to other potential problems, how to identify them, and how to handle them appropriately.

The University's Server Trainer and the Office of Student Affairs are available to assist in the development of local policies.

5.0 Special Occasion Permits and Caterers Endorsements

From time-to-time, events may be planned at the University of Toronto in conjunction with an event sponsor who wishes to provide their own licence or permit. For example, an event sponsored by an embassy or consular office.

In any situation where a Special Occasion Permit or a external Caterers Endorsement licence is used to provide alcohol service on University of Toronto premises, the University retains the primary role of occupier of premises and is obligated to ensure that

- The premises are physically safe for the participants in the event.
- The activities at the event pose no harm to participants or staff.
- The conduct of guests and staff pose no harm to participants or staff.

5.1 Special Occasion Permits

Where a Special Occasion Permit is proposed for use on University of Toronto premises, the following conditions shall apply:

- a) The Special Occasion Permit shall only be issued for an area not already on a University of Toronto liquor licence.
- b) The University of Toronto Alcohol Service Rules and Regulations shall apply to events conducted under the authority of a Special Occasion Permit.
- c) The designated licence holder or delegated officer or department with responsibility for the division in which event will operate under a Special Occasion Permit will be used shall retain the right to review the plans for the event and require revisions if deemed necessary.
- d) The designated licence holder or delegated officer or department shall ensure that all conditions of the Special Occasion Permit are met including but not limited to verification of purchases and inventories allowed on the permit, hours of service and number of participants, and the eligibility of the service staff.

e) The designated licence holder or delegated officer or department may require the Dean, Principal or Officer responsible for the space in which event will take place signs approval for the proposed event.

5.2 External Caterer's Endorsement

There may be instance where an event sponsor may choose to provide service through the use of a licensed service provider under a Caterer's Endorsement provision.

Where an external licence holder's Caterer's Endorsement is proposed for use on University of Toronto premises, the following conditions shall apply:

a) The External Caterer's Endorsement shall only be permitted for an area not already on a University of Toronto liquor licence.

b) The University of Toronto Alcohol Service Rules and Regulations shall apply to events conducted under the authority of an External Caterer's Endorsement.

c) The designated licence holder or delegated officer or department with responsibility for the division in which event will operate under an External Caterers Endorsement will be used shall retain the right to review the plans for the event and require revisions if deemed necessary.

d) The designated licence holder or delegated officer or department shall ensure that all conditions of the External Caterer's Endorsement are met including but not limited to verification of purchases and inventories allowed on the permit, hours of service and number of participants, and the eligibility of the service staff.

e) The designated licence holder or delegated officer or department may require the Dean, Principal or Officer responsible for the space in which event will take place signs approval for the proposed event.

6.0 Live Entertainment

Occasionally, alcohol-related events include live entertainment. Some entertainers, as part of the contractual agreement made between the event organizer and the entertainer(s), require the event organizer to provide food and beverages to the entertainer(s) and their staff. In addition, an allowance for a number of guests, to be admitted to the event free of charge is frequently required. The following regulations apply to live entertainment during alcohol-related events.

a) All performers, production crew members, and guests of the performers are subject to all regulations established under the *Campus Alcohol Policy* and the *Liquor Licence Act and Regulations*, as well as the U of T Alcohol Service Rules and Regulations. Compliance includes statute sections concerning the legal drinking age and proof of age.

b) Guest lists for performers must be provided to the licence holder or the authorized person acting on his or her behalf no later than one hour before the event. The admittance of guests is subject to the admissions regulations established under the Alcohol Service Rules and Regulations (e.g. identification).

c) All alcohol consumed in licensed premises must be obtained from the bar. Alcohol may not be carried in and out of licensed areas.

d) The Liquor Licence Act and Regulation sections related to providing free alcohol to guests applies to individuals under contract such as DJ's and other entertainers.

e) The University and or the designated licence authority reserves the right to review all contract documents including riders for entertainment proposed for licensed facilities and events.

7.0 Areas in which Alcohol may be Sold, Served and Consumed

Under the *Liquor Licence Act and Regulations*, alcohol may be sold, consumed and served only in areas which are designated under the authority of a licence or permit issued by the Alcohol and Gaming Commission of Ontario. Consumption, possession and service of alcohol other than in the areas on a licence are prohibited.

In some areas of the University which are considered "private" alcohol may be consumed but not sold. At the University of Toronto, only the following areas are considered private:

a) Individual residents' rooms in the University's residences;

b) Residence common areas (including patios immediately adjacent to town house style residences) which are not normally accessible to the public and are not accessible to the public during the time at which alcohol is consumed;

c) Other indoor places which are not normally accessible to the public and which are not accessible to the public during the time at which alcohol is consumed; and

The following are not considered private areas: meeting and conference rooms; teaching areas; hallways; open (shared) work areas; entrance areas such as foyers, lobbies, atria; all outdoor areas; or any area which is listed as part of a liquor licence.

The following are not considered acceptable spaces for licensing for alcohol service and consumption: laboratories; spaces in or near areas in which dangerous and/or toxic substances are present and/or handled; areas with tiered seating, or any other area in which an activity poses a foreseeable risk of injury.

In addition to the above conditions;

i) The University may establish specific guidelines or regulations related to private functions held in private areas (e.g. the University's *Residence Party Guidelines*).

ii) Private functions held in private areas may not be advertised in any way.

iii) Admittance to private functions held in private areas is limited to the hosts of the event and their personally invited guests.

iv) The Dean, Principal or Officer responsible for the space in which the event occurs is accountable for all activities occurring in relation to these events.

v) No activity involving alcohol may interfere with or impose upon the conduct of the University's teaching, research or ancillary pursuits.

8.0 External Bookings

Occasionally external organizations (not including “student societies”² or “recognized campus groups”³) wish to hold an event on campus under the authority of one of the University’s liquor licences. Normally this involves a contractual agreement between the organization (or a promoter) and the University and/or a department under the authority of a licence holder.

In addition to the other regulations established under the authority of the *Campus Alcohol Policy* and the *Liquor Licence Act*, the following regulations are applicable when an external organization wished to hold an alcohol-related event on campus and should be included in the contractual agreement made between the organization and the University and/or a group acting under the authority of a licence holder.

- a) All events held under the authority of a University liquor licence are subject to the University’s regulations established under the *Campus Alcohol Policy* and the *Liquor Licence Act and Regulations* and the Alcohol Service Rules and Regulations.
- b) Bookings by an external organization are subject to approval by the designated licence holder or the delegated officer or department.
- c) All alcohol consumed in licensed premises must be obtained from the designated licence authority. Alcohol may not be purchased or provided directly from a manufacturer or agent of a manufacturer.
- d) The sale and service of alcohol is the sole responsibility of a licence holder or a person acting under the authority of a licence holder. In accordance with regulations under the *Liquor Licence Act*, external organizations may not be involved in the sale of alcohol and may not share in the proceeds from alcohol sales.
- e) All event staff (including security staff) are responsible to the licence holder or the authorized person acting on his or her behalf. The licence holder or the authorized person acting on his or her behalf is responsible for hiring all event staff.

9.0 Advertising and Promotions

The designated licence holders or delegated officers or departments retain the right to approve in advance any and all advertising or promotional material proposed for a licensed event of facility. Material for advertising and promotional purposes includes both text and graphic images.

In reviewing proposed advertising and promotional material three criteria must be met.

- The material meets legal standards including those established by the Alcohol and Gaming Commission of Ontario as well as the Human Rights Code.
- The material does not convey or promote irresponsible alcohol use.
- The material does not discredit the University of Toronto or any component division of the University of Toronto.

² organizations on whose behalf the University collects a compulsory non-academic incidental fee.

³ groups which are recognized by the University under the *Policy on the Recognition of Campus Groups*.

9.1 Advertising

9.11 Content

- a) Advertising may include: date(s), hours, location, and entertainment. The only reference to alcohol permitted is a general statement indicating the types of alcohol available and that the event is licensed by the AGCO.
- b) Cover charges (if any) must be indicated on the advertisement.
- c) More specialized information than that described above must have the approval of the University licence holder and the AGCO.
- d) References to prices of beverages, irresponsible use of alcohol, or dangerous activities are prohibited.
- e) Text or images including graphics such as cartoon characters which may appeal to underage persons are not permitted.

9.12 Media

- a) The designated licence holder or delegated officer or department responsible for an area in which a licensed event is planned shall retain the right to review and approve the media by which the advertising and promotional material will be distributed including web sites and other internet vehicles.
- b) Distribution of materials must conform to municipal bylaws and University of Toronto policies concerning posters, banners and flyers.
- c) Advertising in conjunction with alcohol manufacturers, distributors or agents must have prior approval of the University and the AGCO. One month's notice is required for advertising in conjunction with alcohol manufacturers. (See below).

9.2 Promotions

Promotions are activities that encourage people to patronize licensed facilities or events. The following conditions apply:

- a) Alcoholic beverages may not be offered as prizes.
- b) Draws (door prizes or raffles) or contests which require an exchange of money are not permitted unless held under authority of a lottery licence.
- c) Prizes awarded may not exceed \$ X in value. The total value of prizes awarded in any one evening may not exceed \$ X.
- d) Competitions may not include the consumption of liquor (e.g. boat races).
- e) Any promotions run in conjunction with alcohol manufacturers are subject to the restrictions described below.

- f) Promotional material (e.g. posters, coasters, table tent cards, banners, and uniforms) provided by alcohol manufacturers must be approved by the University licence holder and the AGCO prior to use.
- g) Inducements to consume alcohol are prohibited.
- h) The purchase of alcohol may not be a condition for participation in a contest.

9.3 Manufacturer Sponsored Promotions

When a representative of an alcohol manufacturer has proposed a promotional activity to be held in conjunction with a licensed event on campus, or when a campus group has proposed that a manufacturer participate in the planning and operation of an activity held in conjunction with a licensed event on campus, the terms, conditions and procedures outlined below must be followed.

- a) The campus sponsor must be officially recognized by the University of Toronto. Sponsorship may not be made by an individual.
- b) The sponsoring campus group must notify the designated licence holder or delegated officer or department of the planned event or activity in advance.
- c) The manufacturer must present to the designated licence holder a copy of the proposal for a sponsored event on campus. The proposal must include dates, times, location(s), sample of advertising copy and promotional materials, and an outline of activities to be held at the event. The University and designated licence authority reserve the right to require any amendment or alterations to the proposal.
- d) The designated licence authority or delegated officer or department will notify the manufacturer and the campus sponsor of the approvals including amendments which may be required by the university.
- e) Advertising for the event may not take place until all of the above steps have been taken.
- f) It is the responsibility of the sponsoring campus group to ensure that the terms and conditions covering the promotion as approved by the University are met.

Appendix A

University of Toronto Designated Licence Authorities

| <u>Licence Holder</u> | <u>Division</u> | <u>Authorized Officer/ Contact</u> |
|--------------------------|---|------------------------------------|
| Catherine Riggall | 89 Chestnut Street | Clayton Hillis |
| Professor Kwong-loi Shun | University of Toronto At Scarborough | Peter Smith |
| Christine Capewell | University of Toronto At Mississauga | Gale Richter |
| Catherine Riggall | St. George Campus Excluding the following: | Clayton Hillis |
| Professor Paul Gooch | Victoria University In the University of Toronto | Tony Smits |
| Arlene Stein | Hart House (Gallery Club) | Arlene Stein |
| Harry Collie | GSU | Ed Kwaptisz |
| Peter Venton | University of St. Michael's College In the University of Toronto | Duane Rendle |
| Faculty Club | Faculty Club | Leanne Pepper |
| Geoffrey Seaborn | University of Trinity College In the University of Toronto | |

Appendix B

Terms and Conditions for Service by Staff Certified Outside the University

Where licensed events propose the use of service staff not certified by the University of Toronto Server Training Programme the following terms and conditions shall apply. Designated licence authorities or delegated officers and departments may apply additional terms and conditions including requiring proof of valid Worker's Insurance Certificate and liability insurance.

1. Eligibility for Acceptance of Certification.

a) The University of Toronto will only accept and recognize certification through a programme in current operation in Ontario.

b) The University of Toronto will only accept and recognize certification through a programme applicable for general use in the industry, not limited to a specific type of facility or licence.

2. Verification of Certification

a) The University of Toronto through the designated licence authority or delegated officer or department will require a server employed in alcohol service on campus to provide acceptable evidence that certification has been issued by an eligible programme prior to work on campus.

b) Where a certificate or other document issued by eligible training programme does not include a photo identification feature, the certified server may be required to provide photo identification to authenticate their server certificate.

3. Facilities and Events

Unless otherwise specified by the designated licence holder or delegated officer or department, the use of servers certified outside of the University of Toronto is limited to events operating under either a Special Occasion Permit or an external caterer using a Caterer's Endorsement.

Service of alcohol carried out by servers certified outside of the University of Toronto must be supervised by a University of Toronto employee certified in alcohol service by the University of Toronto with authority and ability to ensure compliance with applicable policies, rules and regulations.

4. Policies and Procedures

a) The University of Toronto through the designated licence authority or delegated officer or department will make available to the management of the external service provider a copy of the University of Toronto Campus Alcohol Policy, The Alcohol Service Rules and Regulations and any other relevant policy documents with the expectation that the material will be supplied to the service staff prior to work on campus.

b) The University of Toronto through the designated licence authority or delegated officer or department may require the external service provider to supply to the University of Toronto a copy of the policies, procedures and materials for staff which describe the company's standing procedures for interventions particularly with respect to dealing with intoxicated persons.

5. Sanctions

The University of Toronto through the designated licence authority or delegated officer or department reserves the right to apply sanctions to external service providers for violations of alcohol policies rules and regulations.