



Responsible Service Tip Sheet: Special Occasion Permits – **PUBLIC EVENTS**

INFORMATION SHEET FROM THE ALCOHOL AND GAMING COMMISSION OF ONTARIO



WHAT IS A SPECIAL OCCASION PERMIT?

A Special Occasion Permit (SOP) is required *any time* alcohol is offered for sale, served or consumed anywhere other than in a licensed establishment or a private place (for example, a corporate boardroom or a residence). SOPs are for occasional, special events only, and not for personal profit or running an ongoing business. There are three types of occasions for which a SOP may be issued: Private Events, Public Events and Industry Promotional Events. The following provides information specific to **Public Event SOPs**.

PUBLIC EVENT SOPS

Public Events are open to the public, such as charity fundraisers, outdoor street festivals, community festivals, etc. A SOP for a Public Event can be issued to:

- A charitable organization registered under the *Income Tax Act* (Canada); or
- A non-profit organization or association 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”; or
- “Municipal significance” for which a municipal resolution or letter from the municipal clerk or designated authority is required and indicates the event is one of municipal significance.

The event can be advertised and fundraising/profit from the sale of alcohol at the event is permitted.

The permit holder is required to purchase alcohol under the permit from an authorized government retail store (LCBO, LCBO Agency Store, The Beer Store or authorized manufacturer's retail store).

"SALE" AND "NO SALE" PERMITS

A "Sale" permit is required when money is collected for alcohol through, for example:

- Alcohol sales (cash bar) or alcohol tickets sold to people attending the event; or
- An admission charge to the event; or
- The collection of money and/or other forms of payment for alcohol before the event.

A "No Sale" permit is required when:

- Alcohol is served without charge;
- No money and/or other forms of payment is collected directly or indirectly for alcohol from guests (e.g. through admission charge or ticket sales); and
- The permit holder absorbs all alcohol costs.

OUTDOOR EVENTS

The local municipal clerk's department, police, fire and health departments must be given a written notice **30 days** before the event when expecting **fewer than 5,000 people** per day. If expecting **5,000 people or more** per day, a notice to the same group is required **60 days** prior to the event. If there is a tent, marquee, pavilion or tiered seating being used, then the local building department must be notified in writing.

If your event is taking place outdoors, you must submit a sketch or plan with your application, clearly showing the exact dimensions of the proposed permit area and the location of any tiered seating.

TIERED SEATING

If a SOP application is submitted for a location that includes tiered seating (e.g. bleachers, stadium seating, etc.), this may be indicated when you apply. If the event is outdoors, the location of the tiered seating must be clearly identified on a sketch and submitted along with the application.

DONATED ALCOHOL

Public events conducted by charitable organizations registered under the *Income Tax Act* and not-for-profit organizations/associations may accept alcohol donated by manufacturers of alcohol. Records (such as receipts or invoices) for all product must be obtained by the SOP holder and must be made available for inspection by an AGCO Inspector or a police officer. Donated alcohol must be processed by a government store (LCBO, LCBO Agency Store, The Beer Store or authorized manufacturer's retail store) under the permit.

Registered charities and non-profit organizations/associations may offer donated alcohol as a prize if a lottery licence has been issued for the event, however this alcohol must not be consumed at the event.

OUTDOOR PUBLIC EVENTS INVOLVING LIQUOR SALES LICENSED ESTABLISHMENTS

A Public Event SOP holder and a liquor sales licensee may jointly participate in an outdoor Public Event that allows patrons to carry a single serving of alcohol between the licensed area(s) and the area(s) covered by the SOP if the Public Event meets the following criteria:

- The event must be an outdoor event (e.g. street festival);
- The event must be designated "municipally significant" and the applicant must submit a resolution of municipal council or a letter from a delegated municipal official designating the event as "municipally significant"; and

- The licence holders and the permit holder have entered into an agreement to ensure there is no unreasonable risk to public safety, the public interest and the public, and no unreasonable risk of non-compliance with the *Liquor Licence Act* (LLA) and its regulations by either of the parties.

This agreement must be submitted to the AGCO for review and approval at least 30 days prior to the event.

MULTIPLE DAY EVENTS

Multiple day events can only be issued if:

- Each event is one in a series of events;
- The application for the permit is for all of the events (dates);
- The nature, purpose, location and target audience of each of the events (dates) are the same (e.g. service club monthly meeting); and
- As a result of doing so, the permit holder is not operating an ongoing business, or does not appear to be doing so.

Alcohol may be stored between event days under certain circumstances. Police and AGCO Inspectors must have full, authorized access to the location. Please see the **Special Occasion Permit Application Guide** for specific criteria and information that must be provided as part of the application process.

SOP COMPLIANCE

The AGCO uses a risk-based approach to issuing SOPs, which aids in assessing risks to public safety and the public interest. Additional documentation may consequently be required from a SOP applicant. Based on a risk analysis of the event and the applicant, conditions may be attached to the SOP. Where there is a breach of the *Liquor Licence Act* (LLA) or its regulations at a SOP event, the Registrar of Alcohol, Gaming and Racing (“Registrar”) may impose sanctions on the permit holder, including a monetary penalty or refusing to issue further permits.

Responsibilities of a Public Event SOP holder include:

- The permit holder, responsible person (as indicated on the permit) or his/her designate must be present at all times.
- The permit and alcohol purchase receipt(s) must be available for inspection.
- All areas where alcohol will be served and consumed (indoor or outdoor) must be clearly defined and separated from areas where the permit does not apply by a barrier of at least 36” (0.9 m).
- Alcohol can only be sold and served during the hours that are stated on the permit. The regular hours for the sale and service of alcohol are 11 a.m. to 2 a.m. the following day, except for New Year’s Eve (December 31) when sale and service must cease at 3 a.m. on January 1. The Registrar may restrict these hours as a condition of the permit.
- Police officers and AGCO Inspectors must be given unobstructed access to the event at all times and may revoke a SOP while the event is underway if they reasonably believe that the LLA or its regulations are being contravened.
- 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.
- Alcohol cannot be sold, served or provided to anyone who appears to be under nineteen (19) years of age without requesting identification. Proper identification must be checked for any person who appears to be under nineteen (19) years of age.
- Intoxication, disorderly conduct and unlawful gambling are not permitted.
- Encouraging immoderate consumption of alcohol is not permitted (for example, drinking contests or games).
- Non-alcoholic beverages must be available.

- Guests cannot be required to purchase a minimum number of drinks or drink tickets to enter or remain at the event, and no drink containing more than eighty-five (85) ml of spirits can be sold or served.
- There must be sufficient food available for those in attendance.
- Games of chance or mixed skill and chance (such as raffles, 50/50 draws, etc.) are not permitted unless the proper lottery licence has been obtained from the Registrar or municipality. Lottery licences are only issued to eligible charitable or religious organizations where the funds are raised for charitable or religious purposes.

It is recommended that SOP holders take the Smart Serve Responsible Alcohol Beverage Service Training Program and hire a licensed caterer and/or servers who have this certification. For more information on Smart Serve®, call 416 695-8737 or toll free at 1 877 620-6082 or visit their website at www.smartserve.ca.

For more information, please contact AGCO Customer Service at 416 326-8700 or 1 800 522-2876 (toll free in Ontario) or visit us online at www.agco.ca.