

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER 53
RESPECTING ALCOHOL IN MUNICIPALLY OWNED AND
OPERATED FACILITIES AND AT MUNICIPAL EVENTS**

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality as follows:

Short Title

1. This Administrative Order may be cited as Administrative Order 53, the *Municipal Alcohol Policy*.

Purpose

2. The Halifax Regional Municipality is committed to providing a safe, secure, and enjoyable environment for patrons, staff, citizens, and visitors by ensuring responsible practices for the use of alcohol in municipally owned and operated facilities and at municipal events. HRM is further committed to the health, well-being and safety of its citizens through the reduction of children and youth's exposure to alcohol promotion and the encouragement of alcohol consumption in accordance with Nova Scotia's Low Risk Drinking Guidelines, as are in effect on November 13, 2013.

Interpretation

3. For the purposes of this Administrative Order, "alcohol" has the same meaning as "liquor" in section 2(k) of the *Liquor Control Act*, R.S.N.S. 1989, c. 260.
4. In this Administrative Order,
 - (a) "Adult" means any person 19 years of age and over;
 - (b) "Festival" means a series of public special events that take place over one or more days at the same site and with a unifying theme. A festival may include a component that is a licensed public special event;
 - (c) "HRM owned and operated facility" means any building, park, sports field, recreational facility or event space owned and operated directly by HRM that is available for use by the public;
 - (d) "Licensee" means a person who holds a Special Occasion or Permanent License;
 - (e) "Licensed Public Special Event" means a Public Special Event that has a class 3 or class 4 Special Occasion License issued pursuant to the *Liquor Control Act* by the Alcohol & Gaming Division of Service Nova Scotia & Municipal Relations;

- (f) “Licensed Private Special Event” means a Private Special Event that has a class 1 or class 2 Special Occasion License issued under the *Liquor Control Act* by the Alcohol & Gaming Division of Service Nova Scotia & Municipal Relations;
- (g) “Permanent License” means any license issued pursuant to the *Liquor Control Act* by the Alcohol & Gaming Division of Service Nova Scotia & Municipal Relations other than a special occasion license;
- (h) “Public Special Event” means an event that is open to the public to participate;
- (i) “Private Special Event” means an event that is open only to invited guests; and
- (j) “Special Occasion License” means a license to serve alcohol issued pursuant to the *Liquor Control Act* by the Alcohol & Gaming Division of Service Nova Scotia & Municipal Relations. It may be a class 1,2,3, or 4 license, as defined in the Liquor Licensing Regulations.

Part I – Alcohol licenses permitted in facilities owned by HRM

Application

- 5. Repeal
- 5A. This Part applies to:
 - (a) all HRM owned and operated facilities; and
 - (b) all streets for which a temporary street closure has been approved by the Engineer.

Alcohol not permitted

- 6. Alcohol is not permitted in HRM owned and operated facilities or on streets for which a temporary street closure has been approved by the Engineer, except as listed in Schedule A.
- 7. Where a request is received for the sale or service of alcohol at an HRM owned and operated facility or on streets for which a temporary street closure has been approved by the Engineer not listed in Schedule A, Council may, by resolution, permit the sale or service of alcohol, subject to this Administrative Order and any other conditions Council may wish to impose.

Part II – Alcohol Advertising

Application

- 8. This Part applies to:
 - (a) all HRM owned and operated facilities;
 - (b) all Metro Transit assets, including buses, ferries, transit shelters, and transit terminals;

- (c) all bus and park benches owned by HRM; and
- (d) all billboards owned and managed by HRM, located on HRM property.

Alcohol Advertising

9. In addition to any other criteria that may be required, all alcohol advertisements submitted for a facility subject to this Part, or for placement on Metro Transit assets, bus and park benches owned by HRM, or billboards owned by HRM, must also:
 - (a) be in accordance with the *Liquor Control Act* and Regulations; and
 - (b) include messages about both the consumption of alcohol and the options for safe transportation in accordance with Nova Scotia's Low Risk Drinking Guidelines.
10. The advertisement or promotion of alcohol products or brands is not permitted in facilities subject to this Part, except:
 - (a) within an area for which a special occasion license or permanent license has been issued; or
 - (b) where it is done pursuant to an agreement under Administrative Order 55, the HRM Sponsorship Administrative Order, or Administrative Order 56, Respecting HRM Sale of Naming Rights Policy.
11. The distribution of items promoting alcohol products or brands is not permitted in facilities subject to this Part, except within an area for which a special occasion license or permanent license has been issued.

Part III – Special Events

Application

12. This Part applies to public special events, licensed public special events, and festivals, organized by HRM, whether or not they are held on HRM-owned property.

Alcohol sponsorship and promotion

13. Alcohol is permitted at a licensed public special event organized by HRM, but persons under 19 years of age are not permitted in the licensed area.
14. Alcohol sponsorship of, and the promotion of alcohol at, festivals and public special events is not permitted, except as follows:
 - (a) Alcohol sponsorship of a licensed public special event, including one that is a component of a festival, is permitted in accordance with Administrative Order 55, the HRM Sponsorship Administrative Order, provided that the logo and/or name of the alcohol sponsor is only

included on that part of any promotional material that is directly related to the licensed public special event.

- (b) Alcohol promotion associated with alcohol sponsorship of a licensed public special event, including one that is a component of a festival, is permitted provided:
 - i) It is in accordance with the *Liquor Control Act* and Regulations;
 - ii) It is contained within the area for which the special occasion license has been issued;
 - iii) It does not use any large scale products for advertising purposes that display the name or logo of an alcohol product or brand, including inflatables;
 - iv) It includes messages about both the consumption of alcohol and the options for safe transportation in accordance with Nova Scotia's Low Risk Drinking Guidelines; and
 - v) It does not promote the over-consumption of alcohol.
- (c) Alcohol sponsorship of a free transit program associated with a festival or public event is permitted.

Part IV – Facility Rentals

Application

- 15. This Part applies to licensed private special events and licensed public special events at HRM owned and operated facilities or on streets for which a temporary street closure has been approved by the Engineer.
- 16. Where individuals or groups rent an HRM owned and operated facility or use a street for which a temporary street closure has been approved by the Engineer for a licensed private special event or a licensed public special event they are the licensee for the purposes of this Part, and the following shall be included as conditions of the facility rental or use of the street:
 - (a) The licensee shall obtain a special occasion license from the Alcohol & Gaming Division of Service Nova Scotia & Municipal Relations.
 - i) The licensee shall provide proof of the Special Occasion Liquor License to HRM at least five (5) days prior to the Event.
 - (b) It is the responsibility of the licensee to comply with the terms and conditions of the license, as well as the *Liquor Control Act* and the Liquor Licensing Regulations under which the license was issued.

- (c) For licensed private special events, the licensee shall contact HRM Insurance & Risk Management Services, which will determine the appropriate level of insurance coverage required for the private special event. The licensee shall be required to provide proof of Commercial General Liability Insurance evidencing limits as required by HRM Insurance & Risk Management Services, inclusive of Bodily Injury and Property Damage and with liquor liability not excluded. Halifax Regional Municipality shall be named as an “Additional Insured” on the policy. The licensee shall provide a Certificate of Insurance evidencing proof of the above insurance to HRM no later than five (5) days prior to the event.
 - (d) For licensed public special events:
 - i) The Licensee shall provide proof of Commercial General Liability Insurance evidencing limits of not less than Five Million Dollars (\$5,000,000.00), inclusive of Bodily Injury and Property Damage and with liquor liability not excluded. Halifax Regional Municipality shall be named as an “Additional Insured” on the policy. The licensee shall provide a Certificate of Insurance evidencing proof of the above insurance to HRM no later than five (5) days prior to the event.
 - ii) The Licensee shall consult with the Halifax Regional Police to determine the security arrangements required for the event. The final security arrangements shall, at a minimum, comply with the recommendations of the Halifax Regional Police; and
 - iii) The licensee is responsible to ensure that entrances and exits to the area of the facility to which the License applies comply with the terms and conditions of the license, as well as the *Liquor Control Act* and the Liquor Licensing Regulations under which the license was issued.
 - (e) As part of the application process with HRM, the licensee shall provide the name of the individual who they have designated as being in charge of their licensed premises for the purposes of their special occasion license, and it is the responsibility of that person to remain at the Facility until all attendees have left the event.
17. Individuals or groups who fail to comply with these conditions may be refused access to the space they have rented, may lose their deposit, and may be prohibited from future rentals, at the discretion of the Chief Administrative Officer or designate.
18. To encourage alcohol consumption in accordance with Nova Scotia’s Low Risk Drinking Guidelines, HRM recommends, but does not require, the following risk mitigation strategies to licensees as examples of best practice for licensed events:
- (a) No marketing practices that encourage increased consumption;

- (b) Servers and or/those setting policy for the operation or supervision of bar staff should be certified in Serve Right (responsible beverage server training) or similar program;
- (c) No announcement of “last call”;
- (d) The licensee make available low-alcohol and no alcohol beverages;
- (e) No alcohol sales within one hour of the time authorized by their license to stop selling and dispensing liquor;
- (f) To avoid over serving, no service of more than 2 drinks per person at one time;
- (g) At an Event where tickets are provided for complimentary alcoholic beverages, no more than two tickets should be redeemed per person at one time. Distribution of these tickets should be restricted to a maximum number to avoid over consumption of alcohol, and should only be distributed to those over 19 years of age; and
- (h) Promotion of safe transportation options for attendees who consume alcohol, including: designated drivers, public transportation, taxis.

Part V – General

Implementation

19. This Administrative Order shall come into effect on the date that it is passed by Regional Council; however, HRM Business Units shall have until June 30, 2014 to bring operating practices into compliance.
20. Existing contracts for advertising, including sponsorship and/or naming agreements, as well as existing leases of space in HRM owned and operated facilities, are exempt from the application of this Administrative Order and shall be brought into compliance upon expiration of their term, including all renewals previously negotiated by HRM.
21. Nothing in the Administrative Order shall be construed to derogate from the requirements of Administrative Order 2014-010-ADM, the *Special Events Administrative Order*.

Done and passed in Council this 8th day of October, 2013.

Mayor

Municipal Clerk

I, Cathy Mellett, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on October 8, 2013.

Cathy Mellett, Municipal Clerk

Schedule A

HRM Facility Categories where alcohol is permitted

MUNICIPALLY OWNED & OPERATED COMMUNITY & EVENT FACILITIES:

SPECIAL OCCASION OR PERMENANT LICENSES ALLOWED

- ❖ Halifax City Hall – Halifax Hall
- ❖ LeBrun Centre
- ❖ North Preston Community Centre
- ❖ St. Mary's Boat Club
- ❖ Sackville Sports Stadium

MUNICIPALLY OWNED, OPERATED & SCHEDULED ATHLETIC FIELDS, BASEBALL DIAMONDS, AND FACILITIES SUITABLE FOR ADULT LEAGUE TOURNAMENT PLAY

SPECIAL OCCASION LICENSES ALLOWED

- ❖ Any All-Weather Turf Facilities
- ❖ Beazley & Big Beazley
- ❖ Bissett #1, #2, #3
- ❖ Burnside
- ❖ Canada Games
- ❖ Correctional
- ❖ Eastern Passage Common (Dennis Naugle, Bob Hilchie, Tommy Davies)
- ❖ Eisenhower
- ❖ Graves Oakley #1 & #2
- ❖ Halifax Common athletic and sports fields
- ❖ J.A. Walker
- ❖ Mainland Common
- ❖ Maybank #1, #2, #3
- ❖ Merv Sullivan
- ❖ Mic Mac #'s 1 & 2
- ❖ Prince Arthur #1, #2, #3
- ❖ Range Park (Joan and Robert Lenihan Diamonds)
- ❖ Ravenscraig
- ❖ South Common
- ❖ Superstore
- ❖ Tremont
- ❖ Wanderers
- ❖ Westridge

MUNICIPALLY OWNED, OPERATED AND SCHEDULED PUBLIC SPACES

SPECIAL OCCASION LICENSES ALLOWED

- ❖ Granville Mall
- ❖ Molson Events Plaza at the Emera Oval
- ❖ Sackville Landing

MUNICIPALLY OWNED & OPERATED FIRE HALLS

SPECIAL OCCASION and/or LICENSES ALLOWED

- ❖ Bedford
- ❖ Black Point
- ❖ Chezzetcook
- ❖ Cole Harbour/Westphal
- ❖ Eastern Passage
- ❖ Lakeside
- ❖ Meaghers Grant
- ❖ Mushaboom
- ❖ Oyster Pond
- ❖ Prospect Road
- ❖ Sackville
- ❖ Seabright
- ❖ Tangier
- ❖ Waverley
- ❖ Wellington

MUNICIPALLY OWNED, OPERATED AND SCHEDULED PUBLIC SPACES ALLOWED ONCE ANNUALLY FOR A DESIGNATED EVENT

SPECIAL OCCASION LICENSE ALLOWED

- ❖ DeWolf Park – Bedford Days

HRM STREETS WHERE ALCOHOL IS PERMITTED WHEN A TEMPORARY STREET CLOSURE HAS BEEN APPROVED

SPECIAL OCCASION LICENSE ALLOWED

- ❖ Argyle Street, between Duke Street and Blowers Street
- ❖ Grafton Street, between Carmichael Street and Prince Street

Notice of Motion: October 1, 2013
Approval: October 8, 2013

Amendment # 1 – Sections 2, Section 9 Clause B and Section 14 Subclause (iv)

Notice of Motion: November 12, 2013
Approval: November 19, 2013

Amendment # 2 – Schedule A addition of a new category

Notice of Motion: May 12, 2015
Approval: June 23, 2015

Amendment # 3 –Argyle and Grafton Streets

Notice of Motion: February 13, 2018
Approval: February 27, 2018