



MUNICIPALITY OF **West Elgin**

Staff Report

Report To: Council Meeting
From: Heather Bouw, Clerk
Date: 2023-04-27
Subject: Request for Declaring a Municipally Significant Event

Recommendation:

That West Elgin Council hereby receives the report from H. Bouw, Clerk re: Request to Declaring a Municipally Significant Event; and

That West Elgin Council hereby _____.

Purpose:

The purpose of this report is to provide Council with a request to Declare a Municipally Significant Event and get Council's decision on the Declaration and provide Council with information on possibly developing a policy regarding Declaring Municipally Significant Events in the future.

Background:

The Alcohol and Gaming Commission of Ontario (AGCO) is responsible for administering the *Liquor Licence and Control Act, 2019* (LLCA), which together with its regulations and the standards and requirements established by the Registrar establish the licensing and regulatory regime for most aspects relating to the sale, service and delivery of liquor in Ontario.

Among its responsibilities in the liquor sector, the AGCO oversees the administration of the Special Occasion Permit (SOP) program, which allows for the sale and service of liquor on special occasions, such as cash bars at weddings or private receptions, as well as larger scale events that are open to the public, such as charity fundraisers.

An SOP is required any time liquor is offered for sale anywhere other than in a liquor licensed establishment.

A permit may be issued for the following types of events:

- **Private Events** are limited to invited guests only and may not be publicly advertised. There can be no intent to gain or profit from the sale of liquor at the event.

- **Public Events** are open to the public. These events can be advertised and fundraising and/or profit from the sale of liquor at the event is permitted. There are several types of eligible public events:
 - Public events include events of provincial, national or international significance, or events designated by a municipal council or its delegate as an event of municipal significance.
- **Charity Events** are public events conducted by a charitable organization registered under the Income Tax Act (Canada), or a non-profit association or organization for the advancement of charitable, educational, religious or community objects.
- **Tailgate Events** are public events that are held in connection with, and in proximity to, a live sporting event and where attendees may bring their own liquor (BYOB) for consumption at the event.
- **Industry Promotional Events** are public events held to promote a manufacturer's product(s). Manufacturers or a licensed representative (or an event organizer acting on behalf of either) can provide or sell samples at cost or less and take orders for liquor purchases.
- **Auctions** are conducted by a charitable organization, administrator or executor of an estate or law enforcement officer acting within the scope of their duties. Auctions may be conducted wholly or partly online.

West Elgin has not received a request for this declaration in sometime and in researching this Declaration, staff found that many other Municipalities have policies with regard to doing this. Staff did contact the municipal insurance provider and were told that as long as the requestor provides proof of insurance, naming the municipality as co-insured, and that it does not take place on Municipal property, there is no risk to the Municipality and they had no concerns about Council declaring this event municipally significant.

The requestors have provided a letter outlining how the event is municipally significant and proof of insurance. Should Council agree to declare this event municipally significant, a letter would be supplied to the requestor and the requestor will still need to apply to the AGCO for the Special Occasion Permit and meet their criteria for issuing such a permit.

Included as an attachment to this report is an example of the procedures for declaring a municipally significant event from Middlesex Centre, so Council can see if they wish to have staff develop such a policy for future.

Financial Implications:

None.

Policies/Legislation:

Liquor Licence and Control Act, 2019 (LLCA),

Respectfully submitted by,

Heather Bouw, Clerk

Report Approval Details

Document Title:	Request to Declare A Municipally Significant Event - 2023-29-Clerks.docx
Attachments:	<ul style="list-style-type: none">- Brandywine Letter to municipality.pdf- Brandywine - Letter of Support MK.pdf- Brandywine - Letter to emergency services.pdf- MC - MUNICIPALLY SIGNIFICANT EVENT DESIGNATION PROCESS AND APPLICATION.pdf
Final Approval Date:	Apr 21, 2023

This report and all of its attachments were approved and signed as outlined below:

Heather Bouw