


Item No. 11.1.8
Halifax Regional Council
April 29, 2014

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original signed by 
Richard Butts, Chief Administrative Officer

Original Signed by 
Mike Labrecque, Deputy Chief Administrative Officer

DATE: April 29, 2014

SUBJECT: HRM Municipal Alcohol Policy Proposed Public Consultation Approach

ORIGIN

March 5, 2013 Halifax Regional Council:

1. Approved proposed Administrative Order 55, Respecting HRM Sponsorship, as outlined in the March 16, 2012 staff report with the following amendment: “Alcohol sponsorships must contain a responsible drinking component” to become effective 120 days from the date of approval;
2. Approved proposed Administrative Order 56, Respecting HRM Sale of Naming Rights, as outlined in the March 16, 2012 staff report to become effective 120 days from the date of approval;
3. a) Requested staff work with key partners in the community to establish a process and scope for approval by Regional Council, towards developing a Municipal Alcohol Policy for HRM; and
b) The process should be based on consultation with the public and broad community partners and should include an environmental scan of latest research as well as best practice policies in other municipalities.

October 8 2013, Halifax Regional Council:

1. Approved the proposed Administrative Order number 53: HRM Municipal Alcohol Policy, as outlined in Attachment to the September 26, 2013 staff report with the following amendment: to add “special occasion or permanent licenses” for municipally owned and operated facilities to Schedule A;

RECOMMENDATION ON NEXT PAGE

2. Gave Notice of Motion of Regional Council's intention to amend Administrative Order 55, the HRM Sponsorship Administrative Order, as set out in Attachment C of the September 26, 2013 staff report; and
3. Requested staff outline to Council a public consultation process that will focus on the further opportunities for municipal policy outlined under additional considerations in the report and that would lead to a comprehensive MAP and to report back to Regional Council in a COW session.

November 19 2013, Halifax Regional Council:

1. Amended Administrative Order 53, the Municipal Alcohol Policy as set out in Attachment B of the October 28, 2013 staff report;
2. Directed staff to include Capital Health recommendations 2 through 4 and the discussion with UNSM be explicitly included in discussion, debate and possible recommendations flowing from the future public consultation, and the results of this consultation be included in the report to Regional Council; and
3. The private and confidential Report dated October 21, 2013; Administrative Order 53: HRM Municipal Alcohol Policy, Legal's Advice on the Proposed Ban of Alcohol Advertising, be released to the public.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, s. **43 (3)**: The Council shall provide direction on the administration, plans, policies and programs of the Municipality to the Chief Administrative Officer.

Halifax Regional Municipality Charter, s. **61 (3)**: "The property vested in the Municipality, absolutely or in trust, is under the exclusive management and control of the Council, unless an Act of the Legislature provides otherwise."

Halifax Regional Municipality Charter, s. **67 (1)**: The Council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law. **(3)**: In addition to matters specified in this Act or another Act of the Legislature, the Council may adopt policies on any matter that the Council considers conducive to the effective management of the Municipality.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Direct staff to proceed with Phase I of the public consultation process consisting of a statistically accurate telephone survey on the eight focus areas listed in Table 1, in the Background section of this report;
2. Direct staff to conduct Phase II of the proposed public consultation, which would entail more detailed engagement with the community in areas identified in Phase I; and
3. Ask staff to report back with the results of the consultation at a later date.

BACKGROUND

A Municipal Alcohol Policy (MAP) is a tool for communities who want to reduce alcohol-related risk at municipally owned facilities and special events, and limit the exposure of alcohol advertising and promotion to children and youth. In March of 2013, Regional Council requested staff develop a process and scope toward the development of a MAP for HRM based on consultation with the public and broad community partners, including an environmental scan of latest research as well as best practice policies in other municipalities.

Following a jurisdictional review across Canada and a number of US States; as well as an internal environmental scan of HRM's municipal operations, it was determined there were a number of practices in place that aligned with the MAPs examined, and number of initiatives that could be undertaken in a short period of time by the Municipality. Therefore, Council was provided with a draft Municipal Alcohol Policy for immediate consideration. HRM's MAP was approved on October 8, 2013.

On October 7, 2013 a memo to Regional Council from Capital Health proposed four amendments to the approved HRM MAP. Council referred the amendments to staff for consideration requesting a report back within 30 days. Staff provided their recommendations on the four amendments to Council on November 19, 2013, supporting the first amendment to replace the phrase "responsible alcohol consumption" with "alcohol consumption in accordance with Nova Scotia's Low Risk Drinking Guidelines". Staff did not recommend the remaining three.

Council adopted the staff recommendation to amend the language to align with the Low Risk Drinking Guidelines, but did not support the remaining three staff recommendations. Rather, Council asked for the three amendments to be included in discussion, debate, and possible recommendations flowing from future public consultation; and the results of the consultation to be included in the report to Regional Council.

This report is intended to address the last two outstanding HRM MAP issues, which include:

- 1) Recommendation #3 from the October 8, 2013 Council Report: Outline of a public consultation process focussing on further opportunities for the municipal policy outlined under additional considerations; and
- 2) Recommendation #2 from the November 19, 2013 Council Report: Include the remaining Capital Health recommendations 2 through 4 in the future public consultations.

Table 1: Public Consultation Focus

The additional considerations listed in the Oct. 8th report identified during the research and consultation phase of drafting HRM's Municipal Alcohol Policy include:

- 1. Consider amendments to HRM's community plans and land use by-laws to determine appropriate locations for each type of new licensed establishment. These amendments would take into account a variety of planning matters including such items as the proximity of licensed establishments to schools,**
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- daycares or community facilities frequented by children.
2. Review sponsorship and advertising conditions for external event organizers who utilize HRM properties or receive sponsorship funding from HRM. Some recent examples of these include Tall Ships, Sandjam, Pop Explosion and major sporting events.
 3. Review agreements with third parties or volunteer groups which operate HRM owned facilities to determine where they align with the MAP; and where they don't, determine the impact if they were required to align to the MAP.
 4. Work with the Province of Nova Scotia and encourage the systematic review of policies pertaining to the availability of alcohol, such as hours and days of sale as well as outlet density.
 5. Continue to encourage the Province to work with industry partners to review and update its responsible beverage service training for bar staff and consider mandatory training similar to other Canadian cities.
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The remaining amendments (2 through 4), to HRM's Municipal Alcohol Policy proposed by Capital Health include:

1. Prohibit alcohol advertising or promotion at HRM owned and operated facilities or for placement on Metro Transit assets, bus and park benches owned by HRM, or on billboards owned by HRM (except in an area for which a special occasion license or a permanent license has been issued or pursuant to an agreement under Administrative Order 55 or 56).
2. Prohibit Alcohol sponsorship of a free transit program associated with a festival or public event. Funds may be given as a gift for a free transit program but the gift will not be advertised or communicated to the public.
3. Make Part IV of the approved HRM MAP Facility Rentals risk mitigation strategies a requirement rather than best practice.

DISCUSSION

Public Consultation Design

A two phased approach is being recommended for the MAP public consultation. The first phase would seek public opinion and get direction on which items require additional consultation. The second phase would provide more detailed feedback from specific stakeholder groups as required.

Phase I of Public Consultation

In an effort to get a sense of the key areas of interest among the general public, a quantitative, statistically accurate telephone survey is recommended as Phase 1 of the consultation. The survey will determine the degree of public concern with the eight items listed in Table 1, by measuring the community's familiarity with the issues; their opinion of how HRM is dealing with the topics; relative importance; and gap analysis. Those items identified as being a concern by the community in the survey, will undergo additional consultation in Phase 2.

In addition, staff are recommending a two pronged approach in phase I for the additional consideration (number three listed above), “Review agreements with third parties or volunteer groups which operate HRM owned facilities to determine where they align with the MAP; and where they don’t, determine the impact if they were required to align to the MAP”. HRM has a complex governance structure for the operation of many of its facilities. The variety of operating models is unique compared to other municipalities in which a MAP has been implemented. As a result, the variety of operating contracts with third parties and volunteer boards would create additional implementation and enforcement challenges. To understand implications of applying the Council approved MAP on non-HRM operated facilities, it is recommended that direct stakeholder consultation be conducted in addition to the public survey. The stakeholder engagement will take into account the diverse communities across HRM and the impacts of implementing the MAP. Stakeholder surveys and focus group meetings will form the basis of this engagement.

Phase II of Public Consultation

Phase II would occur in areas identified as a priority by the public, through the survey administered in Phase I. This second round of consultation may utilize in house resources such as the on-line Shape Your City community engagement tool, stakeholder focus groups and meetings, public meetings, interviews, and other engagement tools as required. Specific stakeholder groups would include metro Universities, Capital Health, UNSM, etc.

Should Council approve this approach, staff will proceed and report back with the results of the consultation at a later date.

FINANCIAL IMPLICATIONS

Phase I Survey – approximately \$15,000

Public consultation – degree and costs to conduct consultation to be determined based on phase 1 survey results and level of interest indicated by survey participants

Public Consultation Promotions - \$8,000

The HRM costs associated with this recommendation can be accommodated within the approved 2014/2015 operating budget for cost centre A301 – Admin – FICT.

COMMUNITY ENGAGEMENT

This is a follow up to a previous report, where the following groups were consulted:

- Union of Nova Scotia Municipalities
- Public Health, Capital Health
- Addictions Prevention & Treatment Services, Capital Health
- Nova Scotia Licensing Alcohol and Gaming
- Nova Scotia Liquor Corporation - Corporate Social Responsibility
- Mayor’s Roundtable on Violence Consultant
- Customer Service Unit - Parks, Forestry & Recreation City of Toronto

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications

ALTERNATIVES

Council could choose to amend any aspect of the consultation process recommended above.

ATTACHMENTS

- Attachment A: October 8 Council Report - Administrative Order Number 53: HRM Municipal Alcohol Policy
- Attachment B: November 19 Council Report – HRM Municipal Alcohol Policy Amendments

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Marion Currie, Government Relations & External Affairs 490-6422

Report Approved by:

Jennifer Church, Managing Director, Government Relations & External Affairs 490-3677

Bruce deBaie, Managing Director, Corporate Communications 490-6787

Brad Anguish, Director, Community & Recreation Services 490-4933

For Eddie Pottar, Director, Metro Transit 490-6720

Doug Trassler, Fire Chief Halifax Fire & Emergency 490-5542

John Traves, Director, Legal Services 490-4219

Jane Fraser, Director, Planning & Infrastructure 490-7166

Report Financials Approved by:

Greg Keefe, Director, Finance & ICT/CFO 490-6308

ORIGINAL SIGNED

Item No. 11.1.3
Halifax Regional Council
October 8, 2013

TO: Mayor Savage and Members of Halifax Regional Council

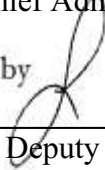
SUBMITTED BY:

Original signed by



Richard Butts, Chief Administrative Officer

Original Signed by



Mike Labrecque, Deputy Chief Administrative Officer

DATE: September 26, 2013

SUBJECT: Administrative Order Number 53: HRM Municipal Alcohol Policy

ORIGIN

December 6, 2011 Motion of Regional Council
March 5, 2013 Motion of Regional Council

LEGISLATIVE AUTHORITY

Administration **43 (3)**: The Council shall provide direction on the administration, plans, policies and programs of the Municipality to the Chief Administrative Officer.

Powers **67 (1)**: The Council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law. **(3)**: In addition to matters specified in this Act or another Act of the Legislature, the Council may adopt policies on any matter that the Council considers conducive to the effective management of the Municipality.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Approve the proposed Administrative Order Number 53: HRM Municipal Alcohol Policy (Attachment A); and
2. Amend Administrative Order 55, the HRM Sponsorship Administrative Order, as set out in Attachment C.

BACKGROUND

A motion was adopted by Regional Council on December 6, 2011 requesting a staff report to develop a policy on accepting funds from alcohol companies for HRM sponsored events and facilities to be completed in time for 2012/13 budget discussions that will ensure an informed and public debate.

On March 5, 2013, Regional Council adopted a motion that Halifax Regional Council:

1. Approve proposed Administrative Order 55, Respecting HRM Sponsorship, as outlined in the March 16, 2012 staff report with the following amendment: “Alcohol sponsorships must contain a responsible drinking component” to become effective 120 days from the date of approval, and;
2. Approve proposed Administrative Order 56, Respecting HRM Sale of Naming Rights, as outlined in the March 16, 2012 staff report to become effective 120 days from the date of approval.
3. a) That staff work with key partners in the community to establish a process and scope for approval by Regional Council, towards developing a Municipal Alcohol Policy for HRM
b) The process should be based on consultation with the public and broad community partners and should include an environmental scan of latest research as well as best practice policies in other municipalities.

In March of 2013, Regional Council requested that staff develop a process and scope toward the development of a Municipal Alcohol Policy (MAP) for HRM. Parallel to that, Capital Health released its report *Municipal Alcohol Policies: Options for Nova Scotia Municipalities*, as a resource to municipal leaders and staff who want to change the culture of alcohol through municipal policy. The report provided examples of municipal by-laws and policies that have been used to reduce alcohol related harm. Since that time, consultation with key stakeholders has occurred; a jurisdictional review was completed; and an environmental scan of associated current HRM business practices was conducted.

Following an environmental scan of HRM operations, it was determined there are a number of practices in place within HRM that align well with the MAPs examined, and additional initiatives that can be undertaken in a short period of time, independently. Therefore, Council is being provided with a draft Municipal Alcohol Policy for consideration at this time. Other initiatives; that Council could consider over the longer term with further community consultation, have been included at the end of this report.

DISCUSSION

Introduction

In April of 2007, the national alcohol strategy, *Reducing Alcohol-Related Harm in Canada: Toward a Culture of Moderation*, was made public to tackle issues arising from alcohol misuse and its negative impacts. Australia, England, Ireland and other nations have developed alcohol strategies, however each of these countries struggle with a similar challenge: how to acknowledge the role alcohol use plays in society, while simultaneously addressing the harms associated with over consumption. The approach to this is similar for all levels of government developing public policy which falls within their purview; to develop an awareness of the negative impacts of over consumption and reducing alcohol related harm through promoting a culture of moderation.

Municipal Alcohol Strategies are a tool for communities looking for ways to better manage and reduce the number of alcohol-related issues at municipally owned facilities and special events. They can provide direction on keeping events safe, as well as helping to create a healthier community by discouraging misuse and limiting exposure of alcohol advertising and promotion to children and youth.

The control of alcohol production, consumption and reduction of alcohol related harm fall largely under provincial and federal jurisdictions. The following are examples of the policy tools/regulations in Nova Scotia that address issues related to alcohol as referenced in the Municipal Alcohol Policies: Options for Nova Scotia Municipalities Report.

Federal:

- Canadian Code of Advertising Standards – regulates how alcohol industries can market their products and sets guidelines for acceptable advertising in Canada (Advertising Standards Canada, 2012).

Provincial:

- The provincial government has exclusive regulatory authority over the sale of liquor in Nova Scotia. The Nova Scotia *Liquor Control Act* is the vehicle through which the provincial government exercises its authority – regulating the Nova Scotia Liquor Commission, availability of liquor, advertising and sponsorship of alcohol, penalties and prohibitions on the use and sale of alcohol, etc. Licensing is responsible for preventing under-age drinking, over consumption, overcrowding or unsafe conditions in licensed premises, minimizing illegal activities in and around liquor establishments and minimizing the potential negative impact of liquor sales on neighbourhoods and communities. Where necessary, the Province enforces compliance.
- The Alcohol and Gaming Division of Service Nova Scotia and Municipal Relations is the licensing and regulatory entity for the public consumption of alcohol in the province.

Municipal:

- The Municipal role is three pronged: 1) municipalities can play an advocacy role in an effort to effect change in legislation that is within the purview of other levels of government, as well as work with community stakeholders to promote change around the culture of alcohol consumption; 2) municipal regulation such as licensing, zoning, and bylaws allow Council to exert indirect control on the sale of liquor, and; 3) municipalities hold the authority to implement effective alcohol related policies which have the potential to increase the enjoyment and safety of the people who use city owned and operated facilities and recreation areas or who participate in city events.

To be successful, all levels of government must work together, take responsibility for creating a culture of moderation, and be empowered to take action to minimize alcohol-related harm.

Jurisdictional Review

Nearly half of the municipal governments in the province of Ontario have developed Municipal Alcohol Policies (MAP). MAP development began in that province in the late 1970s, due to the concern for the number and extent of alcohol-related problems occurring at public and private licensed events held at municipally owned venues.

More recently, provinces across Canada including Ontario, British Columbia, Manitoba and Nova Scotia, have been providing resources for local governments who want to develop a MAP. According to the Province of British Columbia's *Guide to Creating Municipal Alcohol Policy*, MAPs have been effective at reducing disorder and vandalism, reducing policing and community costs resulting from alcohol-related issues, and protecting the local governments from liability.

The MAPs researched during the jurisdictional review, typically provide direction on alcohol use and promotion on city owned property; including community recreation centres, halls, sports facilities and fields, parks and beaches, as well as some guidance on sponsorship options. MAPs are guided by, but do not supersede provincial liquor regulations. In some ways, the MAP serves as a refinement of the liquor licenses, tailored specifically for the events and facilities in each community. Although a MAP cannot change or waive the licensee's obligations under a license, it can include augmented requirements that are appropriate for city owned facilities, and events that are hosted in them.

Across Canada

Staff conducted a jurisdictional review of existing MAPs across Canada. The existing MAPs in Ontario typically address the same areas. They include:

1. Designation of properties and facilities
2. Management practices
3. Prevention strategies
4. Enforcement procedures and penalties
5. Advertising
6. Ongoing policy support

The jurisdictional review did not identify any Canadian city outside of Ontario which formally adopted an alcohol policy. However, some cities do have specific policies which align with formal MAPS dealing with specific operational approaches, such as advertising. Provincial governments continue to encourage the development of alcohol policies at the municipal level. The Province of British Columbia announced their MAP program for local governments in 2012. Whistler and Maple Ridge are currently the only municipalities in British Columbia (BC) with draft policies. Similarly, the City of Nanaimo developed a Liquor Control Strategy which provides clarity on the implications of the province's changes to regulations that control the sale of liquor in BC. The Association of Manitoba Municipalities developed a template for local governments to use when developing a MAP. However, there is a lack of detail on whether any Manitoba municipalities have used it to develop a policy. In February of 2012; seeking to promote healthy lifestyle to their citizens, the City of Saskatoon implemented a transit advertising policy which prohibits the advertising of alcohol on their city buses and other transit properties.

United States

Although a cursory review did not uncover any formal municipal policy examples from the United States, there were some specific initiatives which aligned with municipal alcohol policy. For example, in the City of Los Angeles, alcohol ads have been banned from 6,000 bus benches and efforts are under way to ban alcohol ads on all public property. Similarly, San Francisco has banned alcohol advertising on city buses. In 2012, the City of Boston introduced new legislation banning alcohol advertising on state property. In addition, the Massachusetts Bay Transportations Authority no longer permits alcohol advertising on its property, including subway cars, trains and buses. Caution must be exercised when looking into jurisdictions outside of Canada, as their legislative framework may be different.

Nova Scotia

According to Health Promotion and Protection's paper *Changing the Culture of Alcohol Use: An Alcohol Strategy to Prevent and Reduce the Burden of Alcohol-Related Harm in Nova Scotia*, one in five Nova Scotia drinkers (15 years of age and older) consume alcohol in a way that negatively impacts their health and well-being. Their strategy concludes the issue is not that Nova Scotians drink alcohol, but rather the harmful patterns of over drinking results in a significant economic burden shared by all Nova Scotians. The 2013 Capital Health document, *Municipal Alcohol Policies: Options for Nova Scotia Municipalities*, states alcohol use is embedded in virtually all aspects of our society, playing a role in our culture, economy, politics, health status and relationships. Considering a large majority of adult Canadians report consuming alcohol, Capital Health Nova Scotia suggests it is important to understand the different ways alcohol can impact communities, and how Municipalities can lead the way in supporting healthy outcomes.

As early as 1989, the Municipality of Digby enacted an alcoholic beverage policy which stipulates no liquor is to be kept or consumed in their municipal building. In 2010, the Municipal

Alcohol Project; a Provincial forum, offered insights into the complex relationship that Nova Scotians have with alcohol. Discussions at the forum identified the need for municipal engagement in better understanding and reducing alcohol's negative impacts. The project was completed in 2011 and included the participation of three Nova Scotia municipalities; the Town of Bridgewater, Town of Antigonish, and the Town of Wolfville. Partners included the District Health Authorities and the Nova Scotia Department of Health & Wellness and the Union of Nova Scotia Municipalities (UNSM). The report encouraged municipal governments and local communities to explore and implement effective policies that reduce harms and support moderate alcohol use.

The UNSM has not addressed a provincial wide approach for municipalities wanting to create a MAP, however, they have identified it as a priority policy issue. UNSM is considering the next phase of the Municipal Alcohol Project to help identify ways in which municipalities and partnering organizations can bring change to the context of alcohol use and its related harms.

Halifax Regional Municipality's initiatives that support a MAP

An environmental scan was completed to determine what HRM is currently doing that aligns with directives contained within local alcohol policies. At present, HRM has a number of policies, initiatives and operating procedures already in place that align with existing MAPs.

Community Partnerships & Advocacy:

- Halifax Regional Police (HRP) and RCMP participate in a number of initiatives related to the over consumption of alcohol. These are described in detail in Attachment B.
- HRM participates in annual Partners for Safer Downtowns meetings with the HRM Business Improvement Districts (BIDs).
- The newly launched Good Sport Program sponsored by HRM, encourages participants to sign a pledge stating that they will refrain from consuming alcohol during an event held at the Halifax Metro Centre, and will provide a safe ride home to their companions. In return, the Metro Centre provides them with a free soft drink.
- The Dalhousie University Community Committee (DUCC) is an advisory group with a mandate of enhancing the relationship between the university and the community. Committee membership includes residents, students, HRM Council, HRP, Spring Garden Road Business Association, the University of King's College and Dalhousie. One positive outcome of this committee was the creation of a designated police patrol, one of only two at a Canadian university.

Public Safety Strategy: Downtown Bar-Scene:

- HRP and RCMP participate in a number of initiatives in response to HRM's Public Safety Strategy and the downtown bar scene. These are described in detail in Attachment B.

HRM owned Facilities and Assets:

- No alcohol consumption or signage/promotion is permitted in HRM owned and operated neighbourhood community centers, arenas, fitness centres pools, beaches, splash pads,

301 of HRM's 337 athletic fields and ball diamonds, courts, parks, playgrounds, outdoor gyms, BMX and skate parks. One exception related to the promotion of alcohol is the Emera Oval, where Regional Council approved a naming agreement with Molson Coors for the Plaza portion of the facility in 2012.

- Sports fields and arenas promote a zero tolerance policy with respect to the consumption of alcohol on those premises by all users.
- HRM strongly recommends managers of, and volunteer bartenders in municipally owned/community operated community centres; that hold valid licenses through NS Alcohol and Gaming, attend the province's Serve Right Training Program. HRM has a budget for safety training of volunteers and provides funding for this course at no cost to those community groups. The course focuses on keeping both the guest and the public safe while continuing profitable, enjoyable, and hospitable service.

Events & Sponsorship:

- HRM Administrative Order 55 Respecting HRM Sponsorship includes a clause whereby alcohol sponsorships must contain a responsible drinking component.
- Events for those 19 years of age and older, sponsored by an alcohol company, contain responsible consumption and safe trip home messages.
- HRM attempts to ensure physical distance or create a schedule which separates events that hold a liquor license from those that are targeted to families or youth.
- Halifax Regional Police in conjunction with the HRM Special Events Task Force, assess scheduled events that include the serving of alcohol through a risk assessment. Pursuant to this assessment HRP recommends the security arrangements for the event based on the type of event, the location, and the anticipated size and demographic of the crowd.

Land Use Planning

- Research suggests when there are multiple occupants in one dwelling, there is an increased risk of high-risk drinking, property damage, public intoxication and noise issues. In 2005, Council approved amendments to the Peninsula Land Use Bylaw which limit the development of dwellings containing an excessive number of bedrooms, and large dwellings on comparatively small lots within low and medium density neighbourhoods of Peninsular Halifax. Council has recently requested staff to extend the limitations on bedrooms to the R2A Zone on the Peninsula as well.

Improved Transportation

- In 2012, Halifax Regional Council; in the interest of increased public safety, extended the open taxi zone hours in the downtown core. The extension of hours, is intended to aid in persons wishing to exit the downtown areas quickly after bars close.

HRM Staff Support & Policy

- HRM's Employee & Family Assistance Program (EFAP) provides addictions counselling to help employees with addiction related issues, before they become serious and potentially affect their ability to maintain active employment.
- HRM's Staff Substance Abuse Prevention Policy; which attempts to ensure the safety of

employees, clients and the general public, along with the protection of property and the efficient operation of the HRM, states employees must not possess alcohol during working hours on HRM premises or in HRM owned or leased vehicles.

Framing of the Municipal Alcohol Policy

Based on the jurisdictional review conducted, there are generally three primary objectives that guide the development of a MAP.

1. Increase the enjoyment and protect the safety of the people who use municipal community facilities and recreation areas and who participate in municipal events.
2. Reduce disorder and vandalism; reduce policing and community costs resulting from the over indulgence of alcohol, and protect the Municipality from liability issues.
3. Reduce the exposure of alcohol promotion/consumption to children and youth.

According to the Centre for Addiction and Mental Health (CAMH), Canada's largest mental health and addiction teaching hospital, there are key components of a Municipal Alcohol Policy. They are the designation of properties, facilities and events where alcohol is permitted; management practices when alcohol is provided; prevention strategies to prevent people from over consuming; and enforcement procedures and penalties defining consequences.

The City of Nanaimo's Liquor Control Strategy articulates certain guiding principles. They suggest there is no quick fix to resolving liquor related issues in the community. Sustainable approaches will require a broad array of initiatives. A range of tools will be required to effect change, including bylaws that govern zoning, noise and public nuisances; business licensing; and public safety initiatives/programs. Partnerships and encouraging civic responsibility is important in addressing issues related to alcohol. Balancing the health and vitality of the community with the rights and responsibilities of both consumers and establishments is fundamental to success of a MAP.

Proposed Municipal Alcohol Policy

Based on research and consultation, adopting the draft document would see HRM having a best practice approach to a MAP. The draft policy (Attachment A), has been developed based on existing initiatives found during the jurisdictional review and the internal HRM environmental scan. HRM's draft is more robust in its approach than many of the existing Canadian models, as it includes recommendations outside of the traditional recreation facility context. Examples of these additions include sponsorship, alcohol advertising on municipal property, and designation of events. The draft describes HRM's goals and objectives to be achieved, and contains detailed information under the following categories:

1. Designation of Municipal Facilities/Properties

The draft MAP applies to those facilities and/or properties owned and operated by HRM, and does not include facilities like the Metro Centre, Halifax Forum or Cole Harbour Place, which are operated by external groups. The draft does not permit alcohol on any HRM owned and operated facility, except those specified in Schedule A, where a Special

Occasion License or permanent license is allowed. These include:

- Community and Event Facilities;
- HRM Operated and Scheduled Outdoor Athletic Fields, Baseball Diamonds and Facilities Suitable for Adult League Tournament Play;
- HRM Operated Fire Halls; and
- Specified Public Spaces

The draft policy includes a clause enabling Council to permit by resolution, alcohol at any location under special circumstances.

2. *Alcohol Advertising:*

- HRM is under no obligation to sell advertising space; however, once it has decided to do so, it must do so in accordance with the principles of the *Canadian Charter of Rights and Freedoms*, including the right to freedom of expression. Any limits imposed by HRM on advertising may be subject to a court challenge. As such, the MAP will allow for the advertisement of alcohol in any HRM owned and operated facility, and placement on Metro Transit assets, as well as bus and park benches or billboards owned by HRM. In order to meet HRM's objectives of reducing children and youth's exposure to alcohol promotion and encouraging responsible alcohol consumption, the MAP requires that any alcohol advertising be in accordance with the *Liquor Control Act* and Regulations, and include messages about responsible consumption in accordance with Nova Scotia's Low Risk Drinking Guidelines. Where advertising is not sold, alcohol promotion in HRM owned and operated facilities will only be permitted in areas where a special occasion or permanent liquor license has been issued; where a sponsorship arrangement has been made in accordance with HRM's sponsorship Policy (Admin Order 55) and/or where a naming rights agreement has been approved by Regional Council in accordance with HRM's Naming Rights Policy (Admin. Order 56).

3. *Special Events*

- *Designation of Events:* The serving of alcohol at HRM organized festivals and public special events is permitted provided the licensed area is restricted to those 19 years of age and older, and is in accordance with the *NS Liquor Control Act* and Regulations.
- *Alcohol Sponsorship and Promotion:* The promotion of alcohol can only be included on promotional material in direct connection with the licensed public event; be contained within the licensed area; and not promote over consumption. The distribution of alcohol promotional items is permitted in the licensed area only. The Policy allows for alcohol sponsorship of free transit associated with a festival or event. All sponsorship and promotion of alcohol allowed under the MAP must include messages about responsible consumption and safe transportation and be in accordance with Nova Scotia's Low Risk Drinking Guidelines.

4. *Facility Rentals*

- *Licensed Events:* Alcohol is only permitted in those HRM owned and operated facilities listed in Schedule A the Municipal Alcohol Policy.

- *Insurance:* The licensee using an approved HRM property for a public special event will be required to provide proof of Commercial General Liability Insurance with limits of not less than five million dollars, inclusive of bodily injury and property damage and not excluding alcohol, and name HRM as additional insured. Where it is a private special event, the licensee must consult with HRM Insurance & Risk Management Services, who will determine the appropriate level of insurance coverage for the event.
- *Licensed Public Special Events:* The Licensee shall consult with the Halifax Regional Police to determine the security arrangements required; entrances and exits are supervised in accordance with the *Liquor Control Act*; and no marketing practices are in place that encourage increased consumption.
- *Consequences for failure to comply:* Failure to comply with conditions set out in the MAP may result in the individual being refused access to the space, loss of deposit and/or loss of future rental privileges.
- *Risk Management Best Practice:* A list of best practice recommendations are included in this section to inform Licensees how to reduce the risk of alcohol related harm and liability at their function, while using HRM property. Due to jurisdictional authority and implementation challenges, HRM would not be able to effectively and legally enforce the items in the list and as a result they are being provided as recommendations.

5. General

- *Implementation:* Business Units will have until June 30, 2014 to bring operating practices into accordance with the MAP.

The attached draft MAP includes those practices that currently exist or are able to be implemented by HRM independently within a short timeframe. Although many of these practices are already in place, formalizing them through policy will ensure consistency and accountability.

Additional Considerations

During the course of research and consultation, additional opportunities with respect to municipal alcohol were raised. These have not been included in the draft document before Council for consideration, as they would require further research, analysis and consultation to understand the broad impacts to the community and the Municipality. They include:

Municipal Policy

1. Consider amendments to HRM's community plans and land use by-laws to determine appropriate locations for each type of new licensed establishment. These amendments would take into account a variety of planning matters including such items as the proximity of licensed establishments to schools, daycares or community facilities frequented by children.
2. Sponsorship and advertising conditions for external event organizers who utilize HRM properties or receive sponsorship funding from HRM. Some recent examples of these include Tall Ships, Sandjam, Pop Explosion and major sporting events.

3. Agreements with third parties or volunteer groups which operate HRM owned facilities. HRM has a complex governance structure for the operation of many of its recreation facilities. The variety of operating models is unique compared to other municipalities in which a MAP have been implemented. As a result, the operating contracts with third parties and volunteer boards would create additional implementation and enforcement challenges.

In addition, the municipality could consider additional advocacy efforts on matters outside the direct responsibility of HRM. These efforts could be considered after further research and consultation with stakeholders.

Advocacy Role

1. Work with the Province of Nova Scotia and encourage the systematic review of policies pertaining to the availability of alcohol, such as hours and days of sale as well as outlet density.
2. Continue to encourage the Province to work with industry partners to review and update its responsible beverage service training for bar staff and consider mandatory training similar to other Canadian cities.

Staff will undertake to review the Admin Order within 12 months of its implementation and as required report back to Council on areas requiring further consideration.

FINANCIAL IMPLICATIONS

For the years 2009 – 2012 under a previous contract with Pattison Outdoor, Metro Transit received advertising revenue in the order of \$46,650 from alcohol related sources. A new contract with Pattison Outdoor was negotiated and finalized in 2013; any restrictions on alcohol related advertising will impact Pattison's current revenue guarantee and necessitate contract amendments.

COMMUNITY ENGAGEMENT

In developing the draft HRM MAP, internal Business Unit staff and external stakeholders were engaged in an effort to better understand and assess some of the key issues with respect to developing an alcohol policy. In addition the internal staff meetings helped to determine what business practices currently exist, where immediate change could occur and potential impact on revenue and business continuity; if any. When meeting with external stakeholders, the discussion focused on key characteristics of MAPs; examples of best practice policy; and whether there were any opportunities for partnerships in the future. The stakeholders consulted include:

- HRM Business Unit Staff
- Union of Nova Scotia Municipalities
- Public Health, Capital Health
- Addictions Prevention & Treatment Services, Capital Health

- Medical Officer of Health, Capital Health
- Manager, Licensing Alcohol and Gaming
- Nova Scotia Liquor Corporation - Corporate Social Responsibility
- Consultant, Mayor's Roundtable on Violence; Dalhousie University
- Manager, Customer Service Unit Parks, Forestry & Recreation City of Toronto
- City of Saskatoon City Solicitor's Office

Should Council conclude further engagement is required, the draft MAP would be used as a guide for community consultation.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

ALTERNATIVES

1. Amend attached draft MAP
2. Defer decision pending further consultation

ATTACHMENTS

Attachment A: Draft Administrative Order 53: HRM Municipal Alcohol
Attachment B: Halifax Regional Police/RCMP List of Major Initiatives related to the
Overconsumption of Alcohol
Attachment C: Amending Administrative Order Number 55, HRM Sponsorship
Administrative Order
Attachment D: Proposed Changes to Administrative Order Number 55, HRM Sponsorship
Administrative Order

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Marion Currie, Government Relations & External Affairs, 490-6422

Financial Approval by: _____
Greg Keefe, Director of Finance & ICT/CFO, 490-6308

Report Approved by: _____
Jennifer Church, Managing Director Government Relations & External Affairs, 490-3677

Brad Anguish, Director Community & Recreation Services, 490-4933

For Eddie Robar, Director Metro Transit, 490-6720

Jean Michel Blais, Chief Halifax Regional Police, 490-6500

(Sections 10, 20 and Schedule A only)

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 responsible alcohol consumption.

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. This Part applies to all HRM owned and operated facilities.

Alcohol not permitted

- 6. Alcohol is not permitted in HRM owned and operated facilities, except as outlined in Schedule A.
- 7. Where a request is received for the sale or service of alcohol at an HRM owned and operated facility 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 responsible consumption of alcohol and 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 responsible consumption of alcohol and 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.
- 16. Where individuals or groups rent an HRM owned and operated facility 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:
 - (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 responsible alcohol consumption, 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.

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 _____, 2013.

Cathy Mellett, Municipal Clerk

Schedule A

HRM Facility Categories where alcohol is permitted

MUNICIPALLY OWNED & OPERATED COMMUNITY & EVENT FACILITIES:

SPECIAL OCCASION 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 PERMINANT LICENSES ALLOWED

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

Major Initiatives related to the Overconsumption of Alcohol

*Created by Halifax Regional Police Public Relations
Last Updated September 4, 2013 at 1:30 p.m.*

On-going Dialogue with the Province – In 2007, HRM’s Chief of Police and Public Safety Officer worked with the Province to discourage deep discount pricing of alcohol that led to binge drinking. In 2008, the Minister of Labour and Workforce Development announced a minimum drink price increase to \$2.50. The discussion continues with Alcohol and Gaming Division staff and the Minister responsible for Service Nova Scotia & Municipal Relations to open the dialogue on reducing bar hours. Given that Halifax has the latest bar hours in the country, the aim of police is to reduce the hours of accessibility to alcohol. Research shows that reducing the accessibility of alcohol decreases alcohol-related harms.

‘Operation Fall-Back’ – Held every autumn since 2004, Operation Fall Back is a campaign aimed at reducing noise complaints, property damage and public intoxication in the residential areas surrounding our universities. The campaign, which was created in response to citizens’ concerns, occurs annually each September and features a combination of education, increased high-visibility patrols and directed enforcement in known complaint areas. At Dalhousie, the partnership continues throughout the year, with a dedicated patrol program beginning in October when ‘Operation Fall-Back’ has concluded; Halifax Regional Police provides a cruiser and Dalhousie University pays the staffing costs for two officers who patrol designated neighborhoods around Dal and King’s campuses at peak times on selected dates in the school year, such as Halloween and Saint Patrick’s Day.

‘Operation Christmas’ – Every year, the HRP/RCMP Integrated Traffic Unit concentrates their efforts on combatting impaired driving throughout the month of December. The unit conducts checkpoints throughout the region to ensure that drivers on our roadways are sober and educated on the dangers of getting behind the wheel when under the influence of alcohol and/or drugs. Additionally, checkpoints are conducted throughout the year whether by the Traffic Unit or Patrol Officers.

‘Operation Red Nose’ – From 2006-2011, Operation Red Nose offered safe rides home to party-goers throughout the holiday season. Dedicated volunteers from the community along with corporate groups participated in the program and responded to requests for safe rides home on Friday and Saturday nights, beginning the latter part of November through to the middle of December. Halifax Regional Police and Halifax District RCMP participated in the annual launch of Operation Red Nose to show support for an initiative that offers citizens another safe ride home and helps to stop impaired driving. Note: The program was cancelled in 2012 and there are no plans for its reinstatement in 2013.

Safe Walking Corridor – In 2009, a working group with representatives from HRM, HRM Regional Councillors, Dalhousie University and Saint Mary’s University collaborated to assess the walking corridors from the downtown core to the universities using Crime Prevention Through Environmental Design (CPTED) principles. As a result, trees were trimmed and lighting was improved along the routes and a safe corridor walking route brochure was provided to all residents along those corridors. This corridor is used regularly by those students visiting the downtown bar scene and returning to campus or off-campus residences.

Presentation to Nova Scotia Chiefs of Police Association – In late 2010, Doctor Robert Strang, Nova Scotia’s Chief Medical Officer, gave a presentation on the harmful effects of alcohol to the Nova Scotia Chiefs of Police Association. A discussion also took place on how we can work together on getting this message out to citizens throughout the province.

Partnership with the Committee for Safe Student Drinking – In 2010, the Dalhousie Committee for Safe Student Drinking (comprised of Dalhousie medical students), in cooperation with Nova Scotia Addiction Services, partnered with HRM’s Public Safety Officer on a project focused on shifting the holding cells for intoxicated individuals from the ‘drunk tank’ to a ‘sobering centre.’ This was seen as an ideal opportunity for intervention towards healthier habits of alcohol consumption. The committee also worked on a restorative justice project with the goal of modifying the behaviour of students who abuse alcohol by diverting them from a court process to an education program. This resulted in a one-time education session in 2011 with people who were ticketed for Liquor Control Act (LCA) offences. The session strived to change people’s behaviours around excessive and harmful drinking. Those offenders who attended the session had their ticket under the LCA withdrawn.

Education on the Harmful Effects of Alcohol Abuse – Since 2011, HRP has been giving Addiction Services Nova Scotia pamphlets to prisoners held in HRP custody for intoxication immediately prior to their release. The pamphlet provides information on the harmful effects of alcohol abuse and information to link people who want help to the services that can assist them.

PASS Program – In 2011, a partnership between police, bar owners, the Alcohol & Gaming Division and the Restaurant Association of Nova Scotia (RANS) saw the creation of the Patron Accountability Safety and Service (PASS) program, which strives to encourage and promote a safe and comfortable environment for patrons frequenting licensed establishments as well as staff. This bar suspension program increases the bar industry’s responsibility to their patrons and helps to curb the stigma of drinking related issues and violence associated with the bar industry in downtown Halifax.

Crime Prevention Coffee Sleeves – In January 2012, the HRM Public Safety Office partnered with Dalhousie Security and Coburg Coffee to help fight crime one coffee at a time. Coffee sleeves on hot beverages featured one of three crime prevention tips aimed at changing people’s behavior to decrease residential break and enters, thefts from motor vehicles and binge drinking.

Culture of Alcohol Forum – Through a partnership with Addiction Services and community partners, the Public Safety Officer co-hosted a public forum on the culture of alcohol misuse in HRM in September 2012. In a world café fashion, more than 40 engaged citizens moved from table to table, sharing experiences and concerns. What was encouraging about the event was that no one was pointing fingers saying the bars have to do something or the police are responsible. We all recognized it’s a community issue and everyone has a role to play. As one participant aptly put it, “We need to change the culture so alcohol is not the event.”

Dalhousie Restorative Justice Pilot Project – Launched in 2012, the Dalhousie Restorative Justice Pilot Project – a partnership between police, NS Department of Justice and Dalhousie University – provides an opportunity for students involved in Liquor Control Act and minor criminal offences to be diverted from the court system and take part in a restorative justice model that seeks to repair the harms to community and modify the behaviour of the offender.

Downtown Safety Strategy – On June 1, 2012, HRP implemented a refocused strategy that was aimed at curbing violence downtown and making the area safer for the public. It primarily addresses assaults and public intoxication, and involves targeted patrols between the hours of 12 midnight – 5 a.m. each Thursday, Friday, Saturday and any Sunday of a long weekend. The strategy involves beat officers wearing traffic vests to increase their visibility and actively engaging in conversations with the public, patrons and staff. Officers look for people who have had too much to drink and are more at risk of being involved in an incident either as an instigator or a victim. Officers also conduct walk-throughs of licensed establishments to address the assaults occurring inside. Following are the results of the results after the first year of the strategy being in place:

- ❖ The number of serious assaults (assault causing bodily harm, assault with a weapon and aggravated assault) was down in the downtown core from a five year average of 68 incidents to 32 incidents last year (-52%). In Peninsular Halifax, the five year average of 340 incidents was down to 239 incidents last year (-29%).
- ❖ The total number of assaults (serious and common assaults) was down in the downtown core from a five year average of 196 incidents to 161 incidents last year (-17%). In Peninsular Halifax, the five year average of 902 incidents was down to 707 incidents (-21%).

Liquor Enforcement Unit – The HRP Liquor Enforcement Unit and the Nova Scotia Alcohol and Gaming Division regularly partner to enhance education and enforcement efforts regarding the underage sections of the Liquor Control Act and the Liquor Licensing Regulations. Regular Inspections by Liquor Enforcement Unit and Alcohol and Gaming Division members have sent a clear message to the licensee community in the Downtown Core that inspections will be a heavily monitored aspect of their day to day business. The Liquor Enforcement Unit has also delivered an Over Service information pamphlet to licensed establishments in Downtown Halifax, Spring Garden Road Downtown and Dartmouth areas.

Quality-of-Life Pamphlet – For the last several years, HRP Community Response Officers have distributed a quality-of-life pamphlet to students at Dalhousie University, Kings College, Saint Mary's University and Nova Scotia College of Art and Design during frosh week.

Releasing Impaired Driving Statistics & Promoting Campaign 9-1-1 -- HRP and RCMP issue a monthly joint media release about impaired driving statistics for the previous month, and also use this opportunity to promote Campaign 9-1-1 which encourages citizens to immediately report impaired driving offences to 9-1-1. These media releases are also posted to the HRP website and social media sites to reach citizens directly.

Strong Relationship with MADD Canada – Halifax Regional Police has a strong relationship with MADD Canada and regularly supports their efforts to stop impaired driving. For example, as part of the Red Ribbon awareness campaign, every HRP cruiser will eventually display a red ribbon bumper decal to reinforce MADD's message and show our commitment to the fight against impaired driving.

Educating Partners on Detecting Impaired Drivers – Halifax Regional Police Community Response Officers and Community Relations/Crime Prevention officers have provided training to community partners such as Esso, Oland and Halifax Harbour Bridges to educate their staff on how to detect impaired drivers. With truck drivers spending a significant number of hours on the

road each year and Bridge Commission staff witnessing countless drivers each day, this initiative increases the number of people who are trained in detecting signs of impairment and aids in the fight against impaired driving.

Programming to High School Students – Each year, HRP’s School Response Officers deliver programming to high school students on Fatal Vision, Safe Grad and PARTY (Preventing Alcohol and Risk Related Trauma in Youth). We also partner with MADD Canada in schools to deliver programming to students about impaired driving.

**Attachment C
(Amending policy)**

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 55
RESPECTING HRM SPONSORSHIP POLICY**

BE IT RESOLVED by the Council of the Halifax Regional Municipality that Administrative Order 55, the HRM Sponsorship Policy Administrative Order, is amended as follows:

1. Section 5.12 is amended by adding the words “and comply with Administrative Order 53, the Municipal Alcohol Policy” after the word “component” and before the period at the end of the sentence.

HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 55
RESPECTING HRM SPONSORSHIP POLICY

Whereas it is the desire of Halifax Regional Municipality to foster private sector sponsorship to assist in the provision of municipal events, programs and services consistent with HRM's vision, mission and values.

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 Number 55, the HRM Sponsorship Administrative Order.

Purpose

- 2.1 This policy is intended to create a framework for accepting sponsorship. The purpose of the policy, as outlined, is to:
 - a) enhance municipal programs, events and services without additional cost to the taxpayer;
 - b) provide employees with corporate guidelines and procedures based on best practices;
 - c) ensure fairness, transparency and accountability of the sponsorship process.

Scope

- 3.1 This policy applies to:
 - a) all HRM business units;
 - b) all arrangements entered into between HRM and persons or bodies corporate that involve consideration for sponsorship rights.

- 3.2 This policy does not apply to:
- a) gifts;
 - b) naming of HRM assets;
 - c) funds obtained from the Provincial or Federal government;
 - d) third parties operating an HRM asset under a management agreement, facility lease agreement or memorandum of understanding (MOU); and
 - e) HRM grants or contributions to third parties which may, as a condition of approval, include a requirement that HRM's support be acknowledged;
 - f) HRM sponsorship of third parties' activities.

Definitions

- 4.1 For the purposes of this sponsorship policy:
- a) Consideration includes money, value-in-kind or a combination of money and value-in-kind;
 - b) Gift means a monetary contribution to HRM for which there is no reciprocal commercial benefit expected, or required, from HRM;
 - c) HRM asset includes an HRM-owned property, complex, structure, building, or portion thereof;

General Principles

- 5.1 Sponsorship shall be established in a manner that ensures access and fairness, and results in the optimal balance of benefits to HRM and the community.
- 5.2 Sponsorship may not compromise HRM's ability to carry out its functions fully and impartially.
- 5.3 Sponsorships must not conflict with the terms and conditions of existing naming rights agreements or sponsorship agreements.
- 5.4 Sponsorship rights will be compatible with the nature of the sponsored program, event or asset and compatible with the target audience.

- 5.5 Prospective sponsors shall bear all costs associated with the preparation and submission of any sponsorship proposal, and the Halifax Regional Municipality will, in no case, be responsible or liable for those costs.
- 5.6 Granting of sponsorship rights will not result in additional costs for HRM, excluding costs incurred during the solicitation and authorization process, or costs incurred to fulfill conditions of sponsorship.
- 5.7 HRM's Corporate Identity Standards shall be adhered to when granting sponsorship rights.
- 5.8 Market value of the sponsorship opportunity shall be considered when granting sponsorship rights.
- 5.9 The granting of sponsorship rights shall not include an express or implied obligation, on the part of HRM, its agencies, associations, boards, working groups, or commissions, to purchase the sponsor's products and services or to endorse either the sponsor itself, or the sponsor's products or services.
- 5.10 Sponsors are prohibited from making statements which suggest the sponsor's products and services are endorsed by the municipality.
- 5.11 Neither the submission of a sponsorship proposal nor the acceptance of the sponsorship proposal submission shall be construed as a contract.
- 5.12 Alcohol sponsorships must contain a responsible drinking component and comply with Administrative Order 53, the Municipal Alcohol Policy.

Authority to Approve Sponsorship

- 6.1 Sponsorships up to and including \$25,000 per annum may be authorized by the Divisional Manager(s) in the responsible business unit(s) or their designate(s).
- 6.2 Sponsorships over \$25,000 up to and including \$50,000 per annum may be authorized by the Director of the responsible business unit(s) or their designate(s).
- 6.3 Sponsorships over \$50,000 up to and including \$100,000 per annum may be authorized by the DCAO or CAO.
- 6.4 Sponsorships over \$100,000 per annum shall be authorized by Regional Council.

Roles & Responsibilities

- 7.1 HRM business units will:
- a) determine the process by which sponsorship shall be solicited;
 - b) solicit, negotiate, prepare and administer sponsorship arrangements, including contract management;
 - c) consult with HRM Legal Services, Finance, Corporate Communications and Procurement, as appropriate.

Use of Funds

- 8.1 Proceeds received by HRM through the sale of sponsorship rights are to be used for:
- a) the enhancement or maintenance of the sponsored event, program or service, or combination thereof;
 - b) investments whose proceeds contribute to the delivery of HRM services.
 - c) such other purposes as agreed upon in the terms of the sponsorship agreement.

Item No. 11.1.2
Halifax Regional Council
November 19, 2013

TO: Mayor Savage and Members of Halifax Regional Council

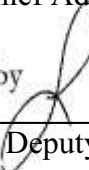
SUBMITTED BY:

Original signed by



Richard Butts, Chief Administrative Officer

Original Signed by



Mike Labrecque, Deputy Chief Administrative Officer

DATE: November 12, 2013

SUBJECT: HRM Municipal Alcohol Policy Amendments

ORIGIN

October 8 2013, Halifax Regional Council Approved Administrative Order Number 53: HRM Municipal Alcohol Policy. In addition, four (4) amendments proposed by Capital Health were Referred to staff for consideration as to how they would fit within the policy for report back to Regional Council within 30 days.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, s. **43 (3)**: The Council shall provide direction on the administration, plans, policies and programs of the Municipality to the Chief Administrative Officer.

Halifax Regional Municipality Charter, s. **61 (3)**: “The property vested in the Municipality, absolutely or in trust, is under the exclusive management and control of the Council, unless an Act of the Legislature provides otherwise.”

Halifax Regional Municipality Charter, s. **67 (1)**: The Council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law. **(3)**: In addition to matters specified in this Act or another Act of the Legislature, the Council may adopt policies on any matter that the Council considers conducive to the effective management of the Municipality.

RECOMMENDATION

It is recommended that Halifax Regional Council amend Administrative Order 53, the *Municipal Alcohol Policy* as set out in Attachment B hereto.

BACKGROUND

In March of 2013, Regional Council requested staff develop a process and scope toward the development of a Municipal Alcohol Policy (MAP) for HRM. Following a jurisdictional review and an environmental scan of municipal operations, it was determined there are a number of practices in place that aligned with the MAPs examined, and additional initiatives that could be undertaken in a short period of time, independently. Therefore, Council was provided with a draft Municipal Alcohol Policy for immediate consideration which was approved on October 8, 2013.

In an October 7, 2013 memo, staff from Capital Health proposed a number of amendments to Regional Council, which included the following:

1. Replace the phrase “responsible alcohol consumption” with “alcohol consumption in accordance with Nova Scotia’s Low Risk Drinking Guidelines”.
2. Prohibit alcohol advertising or promotion at HRM owned and operated facilities or for placement on Metro Transit assets, bus and park benches owned by HRM, or billboards owned by HRM except in an area for which a special occasion license or a permanent license has been issued or pursuant to an agreement under Administrative Order 55 or 56.
3. Amend Section 14c so alcohol sponsorship of free transit programs is not permitted.
4. Make Part IV Facility Rentals Risk Mitigation Strategies a requirement, with the exception of the server training which has not been made mandatory by the Province to date.

Council requested staff give consideration to the amendments proposed by Capital Health and determine if the amendments fit within the existing MAP within a 30 day period.

In addition, Council requested staff follow up by outlining a public consultation process, focussing on the five additional opportunities listed in the October 8 Council Report. Staff are in the process of preparing a response to that motion. A subsequent report will be provided to Regional Council.

DISCUSSION**Capital Health’s Proposed Amendments**

In developing the HRM MAP, internal Business Unit staff and external stakeholders were engaged in an effort to better understand and assess some of the key issues with respect to developing an alcohol policy. Staff developed the MAP taking various points of view into consideration.

The external stakeholder meetings included staff from Public Health Services, Capital District Health Authority and Addictions Prevention & Treatment Services. In response to the MAP

presented to Regional Council on October 8, 2013, staff from Capital Health proposed a number of amendments. To address the amendments, staff recommend the following approaches:

1. *Capital Health recommends replacing the phrase “responsible alcohol consumption” with “alcohol consumption in accordance with Nova Scotia’s Low Risk Drinking Guidelines”, as set out in Attachment B.*

Staff recommend Regional Council support this amendment as the current Low Risk Guidelines align with the intent of HRM Municipal Alcohol Policy. The Low Risk Drinking Guidelines assist people to moderate their alcohol consumption and reduce short and long-term alcohol-related harm.

2. *Capital Health recommends HRM prohibit alcohol advertising or promotion at HRM owned and operated facilities or for placement on Metro Transit assets, bus and park benches owned by HRM, or billboards owned by HRM except in an area for which a special occasion license or a permanent license has been issued or pursuant to an agreement under Administrative Order 55 or 56.*

Staff do not recommend Regional Council impose a ban on alcohol advertising and promotion following a review by Legal Services. In order to meet HRM's objectives of reducing children and youth's exposure to alcohol and encourage low risk drinking, the current MAP requires any alcohol advertising submitted for an HRM owned or operated facility or for placement on Metro Transit assets, bus and park benches owned by HRM, or billboards owned by HRM, to be in accordance with the *Liquor Control Act* and Regulations and include messages in accordance with Nova Scotia's Low Risk Drinking Guidelines. The *Liquor Control Act* and Regulations include regulation of the content of alcohol advertising in Nova Scotia. Further, under the current MAP, the advertisement or promotion of alcohol products or brands is not permitted in HRM-owned and operated facilities except in areas where a special occasion or permanent liquor license has been issued, where a sponsorship arrangement has been made in accordance with HRM's sponsorship Policy (Administrative Order 55), or where a naming rights agreement has been approved by Regional Council in accordance with HRM's Naming Rights Policy (Administrative Order 56).

3. *Capital Health recommends amending clause 14c so alcohol sponsorship of free transit programs is not permitted.*

Staff do not recommend Regional Council support this amendment. The MAP sets out an alcohol policy which includes increasing the enjoyment and protecting the safety of the people who use municipal community facilities and recreation areas and who participate in municipal events. Sponsorship of free transit during large scale events and festivals is a public service which helps to provide and enhance service, transport large crowds of people, reduce congestion on the streets and provide safe transportation options to event participants, as demonstrated during the 2013 Natal Day Festival.

To communicate a commitment toward the low risk drinking objectives, Council could continue to allow alcohol sponsorship of free transit, but request that any recognition of the alcohol sponsorships must be consistent with the spirit of the alcohol policy. For example, require any promotional materials include messages consistent with Nova Scotia's Low Risk Drinking Guidelines, and limit the size, quantity and location of signage.

4. *Capital Health recommends HRM make Part IV Facility Rentals risk mitigation strategies a requirement rather than best practise, with the exception of server training. Server training would remain as a best practise and not a requirement.*

Staff do not recommend Regional Council support this amendment, as HRM does not regulate the sale of liquor. Rather, the Alcohol & Gaming Division of Service Nova regulates the sale of liquor in the Province, and as such has jurisdiction over those items.

The Province imposes terms and conditions on the license. The holder of the license granted pursuant to the *Liquor Control Act* ("LCA") is allowed to have and sell liquor on the licensed premises subject to the terms and conditions of the license and the provisions of the LCA and the regulations. Restrictions on the sale of alcohol on the licensed premises would need to be imposed by the Province and not the Municipality.

In addition, if the risk mitigation strategies were mandatory, there would be increased liability to the Municipality, additional resources needed for enforcement and added facility rental costs associated with those requirements in an effort to monitor compliance and security.

FINANCIAL IMPLICATIONS

No financial implications at this time

COMMUNITY ENGAGEMENT

There was no community engagement required in the writing of this report

ENVIRONMENTAL IMPLICATIONS

No environmental implications as a result of this report

ALTERNATIVES

- I. *Capital Health's recommendation to replace the phrase "responsible alcohol consumption" with "alcohol consumption in accordance with Nova Scotia's Low Risk Drinking Guidelines"*

Regional Council could direct staff to not amend the Municipal Alcohol Policy but reference the Nova Scotia Low Risk Drinking Guidelines when developing communications, for compatibility with HRM's Municipal Alcohol Policy.

- II. *Capital Health's proposed amendment to prohibit alcohol advertising or promotion at HRM owned and operated facilities or assets*

Regional Council could choose to impose further restrictions on alcohol advertising or promotion. If this option is selected, it is recommended Council be specific concerning the degree and nature of such restrictions and request a supplementary report on the implementation. Staff would then return to Council with a legal opinion on the constitutionality of such restrictions and any operational challenges resulting from those restrictions

III. Facility Rentals risk mitigation strategies

Regional Council could choose to make the risk mitigation strategies a requirement. If this option is selected, it is recommended that staff be directed to return with a supplementary report which outlines the additional resources needed and added facility rental costs associated with those requirements. In addition, a legal review of the increased liability to the Municipality would have to be conducted.

ATTACHMENTS

- A: Showing Proposed Changes to Administrative Order 53 Municipal Alcohol Policy
- B: Amending Policy
- C: Letter dated October 7, 2013 from Capital Health to Regional Council

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Marion Currie, Government Relations & External Affairs 490-6422

Report Approved by: _____
Jennifer Church, Managing Director, Government Relations & External Affairs 490-3677

Brad Anguish, Director, Community & Recreation Services 490-4933

Eddie Robar, Director, Metro Transit 490-6720

Doug Trussler, Chief Halifax Fire & Emergency Services 490-4239

Original Signed

**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 responsible 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. This Part applies to all HRM owned and operated facilities.

Alcohol not permitted

6. Alcohol is not permitted in HRM owned and operated facilities, except as outlined in Schedule A.

7. Where a request is received for the sale or service of alcohol at an HRM owned and operated facility 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 responsible ~~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 responsible 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.

16. Where individuals or groups rent an HRM owned and operated facility 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:

- (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 ~~responsible alcohol consumption~~ **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.

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

**Attachment B
(Amending Policy)**

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

1. **BE IT RESOLVED THAT ADMINISTRATIVE ORDER 53**, the *Municipal Alcohol Policy*, is amended as follows:
Section 2 is amended as follows:
 - (a) striking out the words “responsible” after the words “encouragement of” and before the words “alcohol consumption”; and
 - (b) adding the words “in accordance with Nova Scotia’s Low Risk Drinking Guidelines as are in effect on November 13, 2013” after the word “consumption” and before the period.
2. Clause b of section 9 is amended by:
 - (a) striking out the word “responsible” after the word “about” and before the word “consumption”;
 - (b) adding the words “both the” after the struck word “responsible” and before the word “consumption”; and
 - (c) adding the words “the options for” after the words “alcohol and” and before the word “safe”.
3. Subclause (iv) of clause b of section 9 is amended by:
 - (a) striking out the word “responsible” after the word “about” and before the word “consumption”;
 - (b) adding the words “both the” after the struck word “responsible” and before the word “consumption”; and
 - (c) adding the words “the options for” after the words “alcohol and” and before the word “safe”.
4. Section 18 is amended by:
 - (a) striking out the words “responsible consumption of alcohol” after the word “encourage” and before the word comma and word “HRM”; and
 - (b) adding the words “alcohol consumption in accordance with Nova Scotia’s Low Risk Drinking Guidelines” after the word “encourage” and before the comma and word “HRM”.



October 7, 2013

Dear Mayor Savage and Councillors of Halifax Regional Municipality:

Public Health Services, together with our colleagues from Addictions Services, has had the opportunity to review the draft Administrative Orders 53 and 55 (Respecting Alcohol in Municipally Owned and Operated Facilities and at Municipal Events and; Sponsorships Administrative Order). Thank you for your ongoing commitment to and leadership on what is a complex file – we are very pleased to see HRM continuing to advance this important dialogue.

As you well know, how residents of HRM use alcohol remains a problem. In 2008, the Nova Scotia Department of Health and Wellness and Focal Research Inc. explored the culture of alcohol use among Nova Scotians. Using this survey data, the responses from people living in the Capital District Health Authority (CDHA) were analyzed to better understand the culture of alcohol use. CDHA includes all of the Halifax Regional Municipality, plus West Hants (population 22,078, Source: 2011 Census).

When compared to Nova Scotia, a higher percentage of respondents in CDHA reported heavy drinking in the past month (67.5% vs 58.5%) or in the past 12 months (50.5% vs. 43.5%). When compared to other health units in Canada with similar populations, CDHA had the highest reported proportion of heavy drinking in Canada by people aged 12 and over (22.8%). Heavy drinking refers to having consumed five or more drinks, per occasion, at least once a month during the past year. This level of alcohol consumption can have serious health and social consequences, especially when combined with other behaviours such as driving while intoxicated (Source: Canadian Community Health Survey, Statistics Canada, 2009/2010).

The HRM staff report accompanying the Administrative Orders names three primary objectives that have guided HRM's development of a Municipal Alcohol Policy (MAP) so far.

1. Increase the enjoyment and protect the safety of the people who use municipal community facilities and recreation areas and who participate in municipal events.
2. Reduce disorder and vandalism; reduce policing and community costs resulting from the over indulgence of alcohol, and protect the Municipality from liability issues.
3. Reduce the exposure of alcohol promotion/consumption to children and youth.

With these in mind, then, we respectfully recommend several amendments to the proposed Administrative Orders that would better serve the stated objectives (Appendix A). It is our feeling that the acceptance of all of the proposed amendments would advance the Administrative Orders to a place of being better able to manage and reduce the burden of alcohol-related harms at municipally owned facilities and special events.

Capital Health applauds the "Additional Considerations" identified for future action in the staff report (p.10 – 11). We continue to promote these actions as the ones holding the greatest potential to reduce alcohol-related harms in HRM, based on our review of the literature and evidence. We look forward to ongoing collaboration with HRM as they move forward on the additional opportunities to address density, advertising, and, in partnership with the province, availability of alcohol and staff training.

A different today. A better tomorrow.

Please do not hesitate to contact me with any questions,

Respectfully yours,

Original Signed

Gaynor Watson-Creed, MSc, MD, CCFP, FRCPC

Medical Officer of Health, Capital District

Cc Chris Power, CEO, Capital Health

Dr. Robert Strang, CPHO, Nova Scotia Department of Health and Wellness

Linda Young, Director, PHS, Capital Health

Trevor Briggs, Director, CHAMPS, Capital Health

Appendix A- Amendments

Capital Health recommends all of the following amendments to Administrative Order 53 Respecting Alcohol in Municipally Owned and Operated Facilities and at Municipal Events and Municipal Order 55, HRM Sponsorship Administrative Order.

1. Amendment: Replace the phrase “responsible alcohol consumption” with “alcohol consumption in accordance with Nova Scotia’s Low Risk Drinking Guidelines (http://novascotia.ca/hpp/addictions/alcohol/lrdg/NS_LRDG.pdf) in the following Sections, Purpose, 9 b, 14 b) iv and 18 and add as 10b), and in Administrative Order Number 55 General Principles Section 5.12 delete “responsible drinking” and replace with “encourage alcohol consumption in accordance with Nova Scotia’s Low Risk Alcohol Drinking Guidelines (http://novascotia.ca/hpp/addictions/alcohol/lrdg/NS_LRDG.pdf). Including a QR code on various materials could direct individuals to the low risk drinking guidelines on their smart phones.

Rationale: Recent scientific evidence suggests that responsible drinking messages do little to overpower the appeal of the brand or product being promoted. In fact, a 2006 study concluded that seemingly ‘pro-health’ or ‘socially responsible’ messages can actually support alcohol sales and improve public perceptions of a company or brand.

2. Amendment: Prohibit alcohol advertising or promotion at HRM owned and operated facilities or for placement on Metro Transit assets, bus and park benches owned by HRM, or billboards owned by HRM except in an area for which a special occasion license or a permanent license has been issued or pursuant to an agreement under Administrative Order 55 or 56.

Reorder current Section 10 to become new Section 9 which prohibits advertisement or promotion with two exceptions, a) and b) as written.

Revise the existing Section 9 as new Section 10 to read: In addition to any other criteria that may be required, all alcohol advertisements submitted for a facility exempted above, must also:

(a) be in accordance with the *Liquor Control Act* and Regulations; and

(b) include messages about consumption of alcohol consumption in accordance with Nova Scotia’s Low Risk Drinking Guidelines (http://novascotia.ca/hpp/addictions/alcohol/lrdg/NS_LRDG.pdf)

Rationale: Riders of public transit buses and ferries would be a captive audience to alcohol advertisements on a daily basis. Citizens, including children and youth, who observe transit in their community would be subject to alcohol advertising. Even advertisements which promote ‘responsible use’ will not reduce their harm. Recent scientific evidence suggests these kinds of messages do little to overpower the appeal of the brand or product being promoted. In fact, a 2006 study concluded that seemingly ‘pro-health’ or ‘socially responsible’ messages can actually support alcohol sales and improve public perceptions of a company or brand.

The promotion of alcohol through marketing, advertising and sponsorship has been shown to increase consumption and alcohol-related harms. Greater exposure increases the likelihood of initiation and of heavier drinking, particularly among youth. Advertising and sponsorship normalizes drinking and connects it to social aspirations such as social status, personal success and wealth, rarely, if ever, depicting the negative impacts of alcohol consumption. By implementing policies to restrict and limit exposure to alcohol marketing, advertising and sponsorship, municipalities can slow recruitment of drinkers, reduce heavier drinking, particularly by young people and begin to create a more balanced depiction of the role of alcohol in our communities.

In 2009-2012 Metro Transit alcohol advertising revenue was \$46,650. In 2010-2013 total advertising revenue was \$1.4 million.

The City of Saskatoon has had a ban on alcohol advertising and public transit in place since February 2012 that has not been challenged under the Canadian Charter of Rights and Freedoms.

3. Amendment: Amend Section 14c so alcohol sponsorship of free transit programs is **Not** Permitted. This implies it is expected that people at the event will consume alcohol to a point where they cannot travel home safely. This sponsorship is a form of alcohol advertising used to position the corporate sponsor and its brand positively. Free public transit for special public events and festivals supports HRM's commitment to public and active transportation and safety by making it easier for people to quickly move out of the event area.

Suggested revision: 14 (c) Alcohol sponsorship of a free transit program associated with a festival or public event is **Not** Permitted, funds may be given as a gift for a free transit program but the gift will not be advertised or communicated to the public.

4. Section IV Facility Rentals, (paragraph 18) recommends risk mitigation strategies rather than making them required. This does not protect citizens.

Capital Health recommends changing these to required, with the exception of b). This could be moved to the end of the section as a recommendation as currently mandatory server training for licensed events is not required under the Liquor Control Act.