


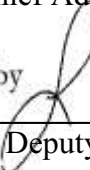
Item No. 11.1.2
Halifax Regional Council
November 19, 2013

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.