

# HALIFAX

P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 14.1.2**  
**Halifax Regional Council**  
**February 27, 2018**

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:** Original Signed by   
\_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** December 1, 2017

**SUBJECT:** Addition of Grafton and Argyle Streets to Administrative Order 53

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## **ORIGIN**

At the October 17, 2017 meeting, Item 14.3.1, a motion was tabled and passed that Halifax Regional Council;

1. Grant permission to the Downtown Halifax Business Commission to serve liquor, subject to complying with the terms of Part IV of Administrative Order #53 and all other applicable municipal special event policies on Argyle Street between Prince and Blowers on or about November 4, 2017, the date to be subject to final schedule of the celebration of the renewal of Argyle Street.
2. Request a staff report to begin the process to add both Grafton Street between Carmichael and Prince and Argyle Street between Duke and Blowers to Schedule "A" of Administrative Order #53.

## **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter, s. 318*

- (1) All streets in the Municipality are vested absolutely in the Municipality.
- (2) In so far as is consistent with their use by the public, the Council has full control over the streets in the Municipality.

Administrative Order 53: Respecting Alcohol in Municipally Owned and Operated Facilities and at Municipal Events (*Municipal Alcohol Policy*)

## **RECOMMENDATION**

It is recommended that Halifax Regional Council adopt the amendments to Schedule A of Administrative Order 53 (the *Municipal Alcohol Policy*), as set out in Attachment 1 of this report, to add Argyle Street, between Duke Street and Blowers Street, and Grafton Street, between Carmichael Street and Prince Street, to a new category titled "HRM Streets Where Alcohol is Permitted When a Temporary Street Closure has been Approved".

## **BACKGROUND**

On October 8, 2013 Halifax Regional Council passed Administrative Order 53 (the Municipal Alcohol Policy) to manage the use of alcohol in municipal facilities and during events delivered by the municipality. Schedule A of Administrative Order 53 includes a list of facility categories and associated municipal facilities where alcohol is permitted, either permanently or through Special Occasion Licenses.

These categories are:

- Municipally owned and operated community and event facilities;
- Municipally owned, operated and scheduled athletic fields, baseball diamonds, and facilities suitable for adult league tournament play;
- Municipally owned, operated and scheduled public spaces; and
- Municipally owned and operated fire halls.

An amendment to Schedule A was passed in June 2015, with the creation of a category for “Municipally Owned, Operated and Scheduled Places Allowed Once Annually for a Designated Event” and addition of DeWolf Park for the Bedford Days Beer Fest held as part of the Bedford Days Festival.

Earlier in 2017, during the process of planning the celebration of the renewal of Argyle Street, the Downtown Halifax Business Commission (DHBC) and HRM events staff determined that the event space needed to be listed in Administrative Order 53 to allow a special occasion license for the event. On October 6, 2017, the DHBC submitted a letter to Councillor Mason asking that Regional Council consider the request to add the Argyle and Grafton Street areas to Schedule A.

Section 7 of AO 53 allows Council, by resolution, to permit the sale or service of alcohol at an HRM owned and operated facility that is not listed in Schedule A and set any conditions Council may wish to impose. Due to time sensitivity with hosting the event, the first part of the motion noted in the Origin section of this report was passed by Regional Council on October 17, 2017 using this provision in Section 7 of the AO. That resolution granted permission to the DHBC to serve liquor on Argyle Street on the specific date of their launch event.

## **DISCUSSION**

The second part of the October 17 motion directed that staff start the process to add Argyle Street (between Duke and Blowers) and Grafton Street (between Carmichael and Prince) to the list of facilities noted in Schedule A of Administrative Order 53. The proposed amendment would add these areas to a new category in Schedule A titled “HRM Streets Where Alcohol is Permitted When a Temporary Street Closure has been Approved”. Further amendments to the body of the Administrative Order have been made to specify that the AO may apply to streets for which a temporary closure has been issued by the municipality. This change is included to ensure that “streets’ are included as separate entities from municipally owned, operated, and/or scheduled facilities. These amendments are included and highlighted in the revised Schedule A of Administrative Order 53 and attached to this report (Attachment 2).

The redevelopment of Argyle and Grafton Streets as shared-use pedestrian friendly spaces has created a unique opportunity to use these specific streetscapes as event venues. Moreover, the direct proximity of these spaces to the new Halifax Convention Centre increases the potential and desirability of this area, in the heart of downtown Halifax’s entertainment district, being used to host events and gatherings. The DHBC has indicated that they have already received several inquiries from event organizers and conference planners about the availability of the space for the upcoming months, and temporary street closures are being planned for many, and possibly all, weekends during the summer. Therefore, without the addition of this space to the Administrative Order, Council may receive several requests from groups proposing to host

events on Argyle / Grafton who may wish to apply for a license to serve alcohol. The addition of these streetscapes to Schedule A would simplify the process of applying to serve alcohol at future events on Argyle and/or Grafton Streets, eliminating an administrative step in the approval process to use the space and serve alcohol at an event.

As noted in the Background section of this report, Regional Council can make a resolution allowing alcohol to be served, and set any associated conditions it feels are necessary, at any municipally-owned facility or public space that is not otherwise listed in Schedule A. Rather than requiring Regional Council to consider each individual event planned for the Argyle / Grafton area, this amendment would allow potential event hosts to apply for a Special Occasion license without first going through Regional Council. This proposed amendment eliminates only one step in the process of applying to serve alcohol at an event on Argyle and/or Grafton Streets. Potential event hosts will still be required to apply for a Special Occasion License and meet the conditions set out by Nova Scotia Alcohol and Gaming, comply with Administrative Order 53 and its related conditions, and follow all other applicable municipal special event policies, including Administrative Order 2014-101-ADM, the *Special Events Administrative Order*. This process would include a submission to HRM's Special Events Task Force to ensure acceptable security planning, street closure approval and provisions, and public safety measures are considered as part of event delivery.

In accordance with Administrative Order 53, if an event organizer wishes to apply for a Special Occasion License to serve alcohol on any street other than the portions of Argyle and Grafton noted in Schedule A, they would be required to obtain Regional Council's permission prior to proceeding.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications resulting from the material in this report.

### **RISK CONSIDERATION**

There are no significant risks associated with the recommendations in this report. The risks considered rate Low. Any risks associated with individual events which may be hosted at this site will be managed through the regular municipal events approval process.

### **COMMUNITY ENGAGEMENT**

There was no community engagement required in the writing of this report. There was significant stakeholder engagement conducted in the development of Administrative Order 53 (Municipal Alcohol Policy).

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications resulting from the material in this report.

### **ALTERNATIVES**

Council may choose not to amend Schedule A, but pass a resolution under Section 7 of Administrative Order 53 to permit the application for a Special Occasion License each time an event is proposed for the identified areas of Argyle and Grafton Streets. If this venue is not included in Schedule A, any additional requests to serve alcohol during an event in this area would need to be considered by Regional Council on an individual basis before the host could apply for a Special Occasion License.

**ATTACHMENTS**

Attachment 1 – Administrative Order 53, Schedule A, amending administrative order

Attachment 2 – Administrative Order 53, Schedule A, showing proposed changes

Attachment 3 – Administrative Order 53, Schedule A, with amendments

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Paul Johnston / Coordinator of Corporate Affairs 902.490.6616

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**Attachment 1  
(Amending Administrative Order)**

**HALIFAX REGIONAL MUNICIPALITY  
ADMINISTRATIVE ORDER NUMBER 53  
THE MUNICIPAL ALCOHOL POLICY**

**BE IT RESOLVED** as an Administrative Order of the Council of the Halifax Regional Municipality that Administrative Order 53, the Municipal Alcohol Policy is further amended as follows:

1. Repeal section 5;
2. Section 5A is added immediately after the newly repealed section 5 and before section 6 as follows:
  - 5A This Part applies to:
    - (a) all HRM owned and operated facilities; and
    - (b) all streets for which a temporary street closure has been approved by the Engineer;
3. Section 6 is amended by:
  - (a) adding the words “or on streets for which a temporary street closure has been approved by the Engineer”, following the word “facilities” and before the comma and word “, except”;
  - (b) striking the out the word “outlined” following the word “as” and before the words “in Schedule A”; and
  - (c) adding the word “listed” following the word “as” and before the words “in Schedule A”;
4. Section 7 is amended by adding the words “or on streets for which a temporary street closure has been approved by the Engineer” following the word “facility” and before the words “not listed”;
5. Section 15 is amended by adding the words “or on streets for which a temporary street closure has been approved the Engineer” following the word “facilities” and before the period at the end of the sentence;
6. Section 16 is amended by:
  - (a) adding the words “or use a street for which a temporary street closure has been approved by the Engineer” following the word “facility” and before the words “for a licensed”; and
  - (b) adding the words “or use of the street” following the word “rental” and before the colon before clause (a);

7. Section 21 is added immediately after section 20 as follows:

21. Nothing in the Administrative Order shall be construed to derogate from the requirements of Administrative Order 2014-010-ADM, the *Special Events Administrative Order*.

22. Schedule A is amended by adding the following immediately after the bullet “DeWolf Park – Bedford Days”:

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

**SPECIAL OCCASION LICENSE ALLOWED**

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

Done and passed in Council this XXth day of \_\_\_\_\_, A.D. 2018

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

**Attachment 2  
(Showing Proposed Changes)**

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

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

**Short Title**

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

**Purpose**

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

**Interpretation**

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

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

### **Part I – Alcohol licenses permitted in facilities owned by HRM**

#### **Application**

5. ~~This Part applies to all HRM owned and operated facilities.~~ Repeal

5A. This Part applies to:

- (a) all HRM owned and operated facilities; and
- (b) all streets for which a temporary street closure has been approved by the Engineer.

#### **Alcohol not permitted**

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

### **Part II – Alcohol Advertising**

#### **Application**

8. This Part applies to:

- (a) all HRM owned and operated facilities;
- (b) all Metro Transit assets, including buses, ferries, transit shelters, and transit terminals;

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

### **Alcohol Advertising**

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

### **Part III – Special Events**

#### **Application**

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

#### **Alcohol sponsorship and promotion**

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

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

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

#### **Part IV – Facility Rentals**

##### **Application**

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

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

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

#### **Part V – General**

##### **Implementation**

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

Done and passed in Council this 8<sup>th</sup> day of October, 2013.

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Mayor

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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.

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Cathy Mellett, Municipal Clerk

## Schedule A

### HRM FACILITY CATEGORIES WHERE ALCOHOL IS PERMITTED

#### MUNICIPALLY OWNED & OPERATED COMMUNITY & EVENT FACILITIES:

##### **SPECIAL OCCASION OR PERMENANT LICENSES ALLOWED**

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

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

##### **SPECIAL OCCASION LICENSES ALLOWED**

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

#### MUNICIPALLY OWNED, OPERATED AND SCHEDULED PUBLIC SPACES

**SPECIAL OCCASION LICENSES ALLOWED**

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

**MUNICIPALLY OWNED & OPERATED FIRE HALLS**

**SPECIAL OCCASION and/or LICENSES ALLOWED**

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

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

**SPECIAL OCCASION LICENSE ALLOWED**

- ❖ DeWolf Park – Bedford Days

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

**SPECIAL OCCASION LICENSE ALLOWED**

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

**Attachment 3  
(Clean Copy)**

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

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

**Short Title**

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

**Purpose**

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

**Interpretation**

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

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

### **Part I – Alcohol licenses permitted in facilities owned by HRM**

#### **Application**

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

#### **Alcohol not permitted**

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

### **Part II – Alcohol Advertising**

#### **Application**

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

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

### **Alcohol Advertising**

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

### **Part III – Special Events**

#### **Application**

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

#### **Alcohol sponsorship and promotion**

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

Administrative Order, provided that the logo and/or name of the alcohol sponsor is only included on that part of any promotional material that is directly related to the licensed public special event.

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

#### **Part IV – Facility Rentals**

##### **Application**

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

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

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

#### **Part V – General**

##### **Implementation**

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

Done and passed in Council this 8<sup>th</sup> day of October, 2013.

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Mayor

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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.

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Cathy Mellett, Municipal Clerk

## Schedule A

### HRM Facility Categories where alcohol is permitted

#### MUNICIPALLY OWNED & OPERATED COMMUNITY & EVENT FACILITIES:

##### **SPECIAL OCCASION OR PERMENANT LICENSES ALLOWED**

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

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

##### **SPECIAL OCCASION LICENSES ALLOWED**

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

#### MUNICIPALLY OWNED, OPERATED AND SCHEDULED PUBLIC SPACES

**SPECIAL OCCASION LICENSES ALLOWED**

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

**MUNICIPALLY OWNED & OPERATED FIRE HALLS**

**SPECIAL OCCASION and/or LICENSES ALLOWED**

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

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

**SPECIAL OCCASION LICENSE ALLOWED**

- ❖ DeWolf Park – Bedford Days

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

**SPECIAL OCCASION LICENSE ALLOWED**

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