


Policies to be Amended

Policy Name	Policy Number	Status	Department	Division
Access and Privacy	GOV-COR-2023	Administrative amendments to address obligations of Head to adhere to directions from the Office of the Privacy Commissioner of Ontario	Corporate Services	Legislated Services
Sports Award Banquet	GOV-COU-045	Administrative amendments to ensure alignment with current practices and improve clarity	Community Services	Sport
Municipal Alcohol Policy (MAP)	MUN-FAC-325	Administrative amendments to address new facilities	Development Services	Economic Development
Flags and Illumination Policy	MUN-FAC-442	Administrative amendments to ensure alignment with days of significance recognized by the Province and Federal governments	Corporate Services	Legislated Services
Parkland - Not Disposed Of	MUN-PLA-477	Administrative amendments to remove outdated information	Infrastructure Services	Parks and Cemeteries

Policies to be Repealed

Policy Name	Policy Number	Status	Reason for Repeal	Department	Division
Agreements - Committee of Adjustment	ADM-AGR-175	Policy conflicts with another policy	Execution Chapter 160.1.6 specifically delegated authority to M and C to sign C of A documentation	Corporate Services	Legal Services
Litigation & Tender City Policy	ADM-AGR-305	Policy conflicts with another policy	Dealt with through Procurement	Finance	Procurement
Sale Price - City Industrial/Business Park Land	FIN-ACQ-687	Regulation or legislation is already in place	Dealt with through Land Strategy	Development Services	Economic Development / Realty Services

Real Estate Commission - Sale of City Property.	FIN-ACQ-710	Regulation or legislation is already in place	Dealt with through Land Strategy	Development Services	Economic Development / Realty Services
Sale of Flags	FIN-ACQ-775	Program or program funding no longer exists	Currently source and inventory flags and issue them out internally as part of Stores inventory. Not currently selling flags externally.	Finance	Procurement
Release - Development Agreement - Fee	FIN-FEE-725	Policy conflicts with another policy	Included in Fees and Charges	Corporate Services	Legal Services
Feasibility Study Grant Program - Adaptive Re-Use Project	FIN-GRA-545	Regulation or legislation is already in place	Grant fund is accounted for through other practices	Development Services	Economic Development
Parking Tickets	GOV-COU-040	Program or program funding no longer exists	City has moved to AMPS	Corporate Services	Office of Mayor and Council
Road Allowance Widths and Sidewalk Locations in New Subdivisions	MUN-PLA-1120	Regulation or legislation is already in place	Information included in the policy is already included in the Development Manual, a council approved document	Development Services	Engineering

	<h1>POLICY</h1>	<u>Policy No:</u> GOV-COR-2023
<u>Policy Title:</u> Access and Privacy <u>Policy Type:</u> COUNCIL <u>Category:</u> Governance <u>Sub-Category:</u> Corporate <u>Author:</u> Access & Privacy Specialist, Legislated Services <u>Dept/Div:</u> Corporate Services / Legislated Services	<u>Approval Date:</u> June 10, 2020 <u>Reviewed Date:</u> <u>Next Review Date:</u> June 2025 <u>Reviewed Date:</u> <u>Last Amended:</u> <u>Replaces:</u> <u>Repealed:</u> <u>Replaced by:</u>	
<u>Related Policies, Procedures and/or Guidelines:</u> Policy No.: II-40 Confidentiality of Information Policy No.: II-95 Employee File – Official Record Policy No.: ADM-AUT-165 Municipal Freedom of Information & Protection of Privacy Act – Appointments Policy No.: GOV-COR-015 Corporate Accountability & Transparency FOI Request Protocol FOI Detailed Guidelines Privacy Breach Protocol Protecting Personal Information Outside the Office		

1. POLICY PURPOSE:

- (a) To ensure that the City of Kitchener is in compliance with the requirements, principles and intent of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- (b) To ensure that members of the public have access to information held by the city of Kitchener in accordance with the access provisions of MFIPPA.
- (c) To ensure that the privacy of individual’s personal information is protected in compliance with MFIPPA.
- (d) To define the roles and responsibilities of City of Kitchener employees regarding access to information and protection of personal information.

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2. **DEFINITIONS:**

“Access” means freedom or ability of an individual or an organization to request and receive record(s) in the custody or control of the city;

“Business Units” means City of Kitchener departments, divisions, sections;

“Cloud” means a model of computer data storage in which the digital data is stored in logical pools. The physical storage may span multiple servers (sometimes in multiple locations), and the environment is typically owned and managed by a hosting company that the City of Kitchener may employ to store certain data. Cloud storage services may be accessed through a co-located cloud computing service, a web service application programming interface (API) or by applications that utilize the API, such as cloud desktop storage, a cloud storage gateway or web-based content management systems;

“Consent – Explicit” also known as express or direct consent and means that an individual provides a deliberate and clear expression that s/he agrees or disagrees with the collection, use, or disclosure of his/her personal information;

“Consent – Implicit” also known as implied or indirect consent and refers to situations in which a person has given consent to the collection, use or disclosure of his/her personal information by virtue of an action (e.g., entering a signed area where photographs are being taken) or inaction (e.g., not responding to a notice that their personal information will be disclosed for a purpose permitted under MFIPPA). This means that, although the person has not given verbal or written consent, circumstances exist that would cause a reasonable person to believe consent has been given;

“Head” for the purposes of MFIPPA, means the “Head” or the individual responsible for compliance with the requirements of MFIPPA is the City Clerk. Council delegates to the City Clerk all powers and duties related to the city’s compliance with the requirements of MFIPPA;

Personal Information (PI)” means recorded information about an identifiable individual. The city uses the full definition specified in MFIPPA (S.2) as well as decisions rendered by the Information and Privacy Commissioner (IPC) of Ontario’;

“Personal Information Bank (PIB)” means an index of records that lists the type of personal information we collect from our customers with details of how it is collected and who uses it. Municipalities are required under section 34 of MFIPPA to maintain a publicly available PIB. For greater clarity, this listing does not contain the actual personal information of members of the public;

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“Privacy” means a set of interests and rights that an individual has regarding his/her ability to control the collection, use, disclosure and retention of his/her own personal information that is in an institution’s custody or control;

“Privacy Breach” means when personal information is collected, used, disclosed or retained in ways that are not in accordance with the provisions of MFIPPA. This includes personal information being lost, stolen, accessed by an unauthorized person, or used/disclosed in a way that is not compliant with MFIPPA;

“Privacy Impact Assessment (PIA)” means a formal assessment of privacy risks to identify the effects of a proposed or existing technology, program, process or system on an individual’s privacy. It is used to ensure compliance with privacy provisions under MFIPPA and ensure the implementation of privacy safeguards;

“Privacy Safe Harbour” means a status determination derived from the seven “Safe Harbour Privacy Principles” that represent a country’s capacity to comply with the data and privacy protection requirements of the European Union (EU);

“Record” means information, regardless of format, including but not limited to hard copy records; handwritten notes; electronic documents and digital images; microfilm/microfiche; photographs; email; data stored in databases such as SAP, AMANDA, etc.; and information stored on CDs, DVDs, videotapes, flash drives, Blackberries, laptops, and other removable media formats;

“Third Party Service Provider” means contractor, vendor, organization, corporation, partner, or affiliate performing work on behalf of City of Kitchener;

“Third Party Information” means information in any media format not owned or generated by the city and is not publicly available. This information may include commercial, scientific, technical information but is in the city’s possession or supplied by a third party;

“Trans-border Data Flows” means the transference of computerized domestic data (electronic information) containing personal information as defined within MFIPPA outside the geographical borders of Canada to another country or jurisdiction. It does not include any data which does not contain personal information or data which is not crossing any international border to a foreign jurisdiction (i.e., stays in Canada but outside of Ontario);

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3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
<input checked="" type="checkbox"/> All Employees	
<input type="checkbox"/> All Full-Time Employees	<input type="checkbox"/> All Union
<input type="checkbox"/> Management	<input type="checkbox"/> C.U.P.E. 68 Civic
<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
<input type="checkbox"/> Specified Positions only:	<input checked="" type="checkbox"/> Other: All Third Party Service Providers, volunteers, and any other persons providing programs or services on behalf of the city
<input type="checkbox"/> Council	<input type="checkbox"/> Local Boards & Advisory Committees

This policy also applies to:

- (a) All corporate records and all personal information managed by the city.
- (b) Records and information of the Office of the Mayor and members of council that are created and used for the purpose of carrying out city business.

This policy shall be interpreted together with:

- (a) Municipal Freedom of Information and Protection of Privacy Act (MFIPPA),
- (b) Personal Health Information Protection Act (PHIPA), where applicable,
- (c) Personal Information Protection and Electronic Documents Act (PIPEDA), where applicable, and,
- (d) Other relevant policies and procedures of the City of Kitchener.

4. POLICY CONTENT:

4.1 Access to Information

4.1.1 General

- (a) The purpose of MFIPPA is two-fold: (1) to provide a right of access to information held by the city, and (2) to protect personal information in the custody and control of the city.
- (b) All records of the city are subject to MFIPPA, unless otherwise exempted;

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- (c) Citizens' rights to access to information will be balanced with the protection of personal privacy of individuals as well as the protection of restricted information in accordance with MFIPPA and other privacy legislation;
- (d) Where information is exempted from an access under MFIPPA, the city shall sever the exempted information and will provide the requester with access to as much of the remaining record as possible.

4.1.2 Obstructing right of access

In accordance with MFIPPA, it is an offence to alter, conceal, destroy or delete a record or cause any other person to do so, with the intention of denying a right of access to a record or information contained within the record.

4.1.3 Employee Non-compliance

Failure to comply with the access and privacy provisions in MFIPPA can result in a privacy breach; internal investigations; complaints to and investigations by the Information and Privacy Commissioner (IPC) of Ontario; negative publicity and reputational damage to the city; legal action or financial loss to the city; disciplinary action for employees; or civil law suit for employees.

4.1.4 Disclosure mandated by other legislation

In some cases, another piece of legislation mandates that certain information be available to the public or another government body or agency. Consultation with the Access and Privacy Specialist needs to take place to determine which pieces of legislation might apply to the city and in what instances, and which records are affected by that legislation.

4.1.5 Methods of Access

Access to information shall be provided to the public through the following methods:

- (a) Active dissemination – In accordance with the city's active dissemination/routine disclosure list, business units shall proactively publish records without the need for a formal request (e.g., council and standing committee minutes, staff reports and open data sets are published regularly on the city's website).
- (b) Routine disclosure – In accordance with the city's active dissemination/routine disclosure list, business units shall provide access to records and information directly to the public that can be prepared or

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gathered quickly in response to a specific request without requiring a formal request to be made under the MFIPPA.

- (c) Freedom of information (FOI) request - the city's Access and Privacy Specialist shall process formal requests for records that are not actively disseminated or routinely disclosed, which may contain personal information or sensitive information or that are subject to exemptions or exceptions under MFIPPA and therefore require review.

4.2 Protection of Personal Information

Records containing Personal Information must be collected, managed, stored and protected in accordance with MFIPPA.

4.2.1 Collection of Personal Information, Notification and Consent Requirements

MFIPPA requires that notice be given to citizens at every point of collection and that the city complies with the following:

- (a) Business units and third party service providers shall not collect more personal information than is required to provide programs and services. Only information that is absolutely required to perform/provide the service shall be collected;
- (b) Prior to the collection of personal information, business units and third party service providers must notify and obtain explicit consent from individuals for the collection of personal information.
- (c) The notice of collection must include the following information:
 - i) The legal authority that permits the collection of the personal information;
 - ii) The purpose(s) for which the personal information is being collected, used, retained or disclosed; and,
 - iii) The name, title and contact information for the individual in the business unit who can answer questions about the specific collection, use, or disclosure of personal information.
- (d) The city shall provide individuals with the opportunity to "opt out" or withdraw consent to some or all uses and/or disclosures of their personal information, providing the personal information is not necessary for the provision of a program or service;

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- (e) Wherever practical, the preference is to have notices of collection in written format (e.g., in hardcopy forms or forms on the city website);
- (f) Verbal notices of collection can be used for service interactions where written notices are impractical, such as telephone interactions involving the city's Corporate Contact Centre or in cases where the individual requires accommodation;
- (g) Implied consent may be obtained under some circumstances (e.g., a notice is posted in a publicly available space to inform individuals that their image may be captured where photography or videography is taking place, and they elect to enter the space);
- (h) The Access and Privacy Specialist should be consulted to assist in the release of information, evaluate the risks to privacy and provide recommendations to mitigate those risks, and to develop the notice of collection.

4.2.2 Use and Disclosure of Personal Information

Business units must ensure that personal information in their custody or control is used only for the purpose for which it was collected, a consistent purpose (as determined by privacy subject matter experts) or when the individual to whom the personal information relates consents to another purpose. The Access and Privacy Specialist should be consulted prior to any new collection, use, or disclosure of personal information.

4.2.3 Security of Personal Information

Personal information must be secured from the point of collection to the point of destruction and at every point of contact and in every format. To prevent unauthorized disclosure, use, copying or modification and destruction of personal information in the custody or control of the city, appropriate security measures must be used for all media formats of the records. Business units shall take reasonable steps to prevent theft, loss or misuse of personal information and records, and protect them from unauthorized access/use, modification or destruction.

4.2.4 Access to and Correction of Personal Information

City staff will provide individuals with access to their own personal information within a record that is in the city's custody or control, subject to legislated exemptions and exceptions. City staff must verify the identification of persons requesting access to their own personal information before granting any access.

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City staff will accept and process requests for correction to an individual's personal information where the individual believes there is an error or omission.

4.2.5 Retention of Personal Information

The city will retain personal information for at least one year after use or in accordance with the city's records retention schedule and MFIPPA in order to provide the individual with a reasonable opportunity to access their personal information.

4.2.6 Disposal and Destruction

Personal information will be disposed of in accordance with the city's records retention schedule, authorized destruction procedures and in a manner that is appropriate given its format.

4.2.7 Personal Information Banks (PIB)

As required by MFIPPA, the privacy head must ensure that an index of records exists, is published, and maintained that lists the personal information that the city collects along with details of who uses the information and for what purpose(s). Business units shall consult with the Access and Privacy Specialist when a new collection of personal information is anticipated so that the PIB can be updated to include the new collection.

4.2.8 Trans-border Data Flow of Personal Information

Wherever possible, personal information within the city's custody and control should remain in Canada (whether physically or in a cloud-based solution); however, in certain circumstances it may be necessary to transfer data outside of Canada for collection, processing, storage and/or retention. In circumstances where it is necessary for personal information to move outside of Canada, the city's preference is to limit instances where that data is transferred to countries where there is no privacy safe harbour principles/agreements in place or the United States, as compliance with MFIPPA is not possible due to superseding legislation such as the U.S. Patriot Act. When personal information will move outside of Canada, the Corporate Leadership Team must approve doing so unless other mitigation measures can be put in place. In addition, notice must be provided to the individual and their consent must be obtained.

4.2.9 Privacy Impact Assessment (PIA)

Business units shall notify the Access and Privacy Specialist of any new programs, services or technologies that will collect, use, disclose, process or destroy personal information so that a PIA can be conducted to evaluate the

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associated risks to privacy. The PIA process may also be undertaken as part of the solution assessment tool and prior to on-boarding any new technological system.

The business unit shall:

- (a) Complete [PIA Phase 1](#) and,
- (b) If prompted by privacy, complete [PIA Phase 2](#) such that a fulsome evaluation of privacy risks can take place.

4.2.10 Technology Solution Assessment

The [Technology Solution Assessment](#) (TSA) Committee provides timely, helpful advice to staff who are seeking technology solutions to support business processes and service delivery for the Corporation. Advice is based on subject-matter expertise and corporate best practices on legal, privacy, records management, security, technology, and procurement matters.

4.2.11 Privacy Breach and Complaints

The city takes privacy breaches seriously and investigates each suspected or actual breach. City staff must immediately report all suspected or known privacy breaches or privacy complaints to their supervisor and to the Access & Privacy Specialist.

- (a) The Access and Privacy Specialist shall, in conjunction with the affected business unit, minimize the effects of a suspected or actual privacy breach by investigating the incident and determining its nature and scope and conducting breach management activities as described in the [Privacy Breach Protocol](#);
- (b) The Access and Privacy Specialist shall, in conjunction with the affected business unit, manage and respond to complaints and questions about the city's privacy practices under MFIPPA.

4.2.12 Third Party Service Providers

If the Business Unit obtains the services of a third party service provider to provide a service that collects, uses, and/or discloses Personal Information on behalf of the city, the business unit shall ensure that the third party service provider adheres to the privacy provisions stipulated in MFIPPA and include such a provision in their contractual agreement.

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4.3 Protection of Sensitive or Restricted Information (Exemptions Under MFIPPA)

There are certain types of records under the city's custody and control that are not considered personal information but that are subject to other exemptions under MFIPPA. In the event of an unauthorized use or disclosure, such records may cause harm to the city or a third party service provider, or hamper the administration of justice. It is advisable to contact the Access and Privacy Specialist for consultation and guidance. Other exemptions under MFIPPA include:

- (a) The substance of deliberations or the subject matter of the Council meeting (e.g., closed/in-camera meeting minutes).
- (b) Information that may reasonably endanger the security of a building as the floor plans include the location of offices that may contain "sensitive, financial and personal records and information about the mechanical systems within the building (e.g., City of Kitchener facilities, banks or financial institutions, places of worship, shopping malls, etc.).
- (c) Information that may reasonably be expected to interfere with a law enforcement matter (e.g., the investigation is still open).
- (d) Information that may reveal confidential, commercial, scientific, proprietary, technical, financial or labour relations information, if access to this information may result in undue loss or gain, prejudice a competitive position or interfere with contractual or other negotiations of a third party (e.g., tender records that contain unit pricing, proceedings/negotiations relating to labour negotiations, etc.).
- (e) May violate a solicitor-client privilege (e.g., records prepared by the city's legal division or advise from legal counsel).

4.4 Roles

The City Clerk or the "Head"

Acts as the "Head" under MFIPPA and as delegated by council. Responsibilities include: ensuring the city adheres to both the access and privacy requirements of MFIPPA; ~~that this policy and related policies are implemented~~implementing this policy and related policies; approving recommendations arising from privacy impact assessments; overseeing the development of privacy and access-related standards, procedures, guidelines, and other materials; representing the City in dealings with the Information and Privacy Commissioner of Ontario (IPC), including the disclosure of information, records, and submissions as required or permitted by law;

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[exercising discretion under MFIPPA, including decisions related to the assertion or waiver of privilege where appropriate](#); updating the City's Corporate Leadership Team on matters relating to privacy, and signing-off on ~~freedom-of-information~~[access](#) requests under MFIPPA.

Manager, Corporate Records and Archives Services

Oversees the day-to-day operations of the privacy program; approves data sets for inclusion in the open data catalog; ensures PIB's are accurate, complete, and up-to-date; liaises with the Information and Privacy Commissioner (IPC) of Ontario in instances where there is an appeal of a freedom of information request; and, assists the Director, Legislated Services/City Clerk and Director, Legal Services/City Solicitor with writing representations to the IPC of Ontario in the adjudication stage of appeals under MFIPPA.

Access and Privacy Specialist

Acts as the city's freedom of information coordinator and privacy specialist responsible for coordinating requests for information made under MFIPPA; conducting privacy impact assessments; identifying risks to privacy and developing relevant mitigation strategies; developing privacy and access-related policies and procedures; assisting business units in developing notices of collection for personal information; preparing the annual report for the IPC of Ontario and liaising with them as-needed; and, investigating and responding to privacy breaches and making recommendations for breach remediation.

Director of Technology and Innovation Services (TIS)

In partnership with the Director of Legislated Services/City Clerk, implements access and privacy safeguards in enterprise architecture, TIS policies, standards, procedures and technologies where appropriate.

General Managers, Directors, Managers and Supervisors

Implements and communicates privacy requirements to employees under their direction and advocate for privacy review whenever a new collection, use, or disclosure of personal information is anticipated; provides responsive records to the Access and Privacy Specialist, as requested; collaborates with privacy on privacy impact assessments and provides sign-off committing to resulting recommendations; and, advises privacy of any privacy breach or suspected breach.

All employees

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Understand and employ the contents of this policy and their responsibilities in maintaining compliance with privacy policies and procedures; assist with routine disclosures to the public; and, report any actual or suspected privacy breach to their supervisor(s) and/or the Access and Privacy Specialist.


5. HISTORY OF POLICY CHANGES

Administrative Updates

n/a

Formal Amendments

n/a

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<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
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In accordance with MFIPPA, it is an offence to alter, conceal, destroy or delete a record or cause any other person to do so, with the intention of denying a right of access to a record or information contained within the record.

4.1.3 Employee Non-compliance

Failure to comply with the access and privacy provisions in MFIPPA can result in a privacy breach; internal investigations; complaints to and investigations by the Information and Privacy Commissioner (IPC) of Ontario; negative publicity and reputational damage to the city; legal action or financial loss to the city; disciplinary action for employees; or civil law suit for employees.

4.1.4 Disclosure mandated by other legislation

In some cases, another piece of legislation mandates that certain information be available to the public or another government body or agency. Consultation with the Access and Privacy Specialist needs to take place to determine which pieces of legislation might apply to the city and in what instances, and which records are affected by that legislation.

4.1.5 Methods of Access

Access to information shall be provided to the public through the following methods:

- (a) Active dissemination – In accordance with the city's active dissemination/routine disclosure list, business units shall proactively publish records without the need for a formal request (e.g., council and standing committee minutes, staff reports and open data sets are published regularly on the city's website).
- (b) Routine disclosure – In accordance with the city's active dissemination/routine disclosure list, business units shall provide access to records and information directly to the public that can be prepared or

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gathered quickly in response to a specific request without requiring a formal request to be made under the MFIPPA.

- (c) Freedom of information (FOI) request - the city's Access and Privacy Specialist shall process formal requests for records that are not actively disseminated or routinely disclosed, which may contain personal information or sensitive information or that are subject to exemptions or exceptions under MFIPPA and therefore require review.

4.2 Protection of Personal Information

Records containing Personal Information must be collected, managed, stored and protected in accordance with MFIPPA.

4.2.1 Collection of Personal Information, Notification and Consent Requirements

MFIPPA requires that notice be given to citizens at every point of collection and that the city complies with the following:

- (a) Business units and third party service providers shall not collect more personal information than is required to provide programs and services. Only information that is absolutely required to perform/provide the service shall be collected;
- (b) Prior to the collection of personal information, business units and third party service providers must notify and obtain explicit consent from individuals for the collection of personal information.
- (c) The notice of collection must include the following information:
 - i) The legal authority that permits the collection of the personal information;
 - ii) The purpose(s) for which the personal information is being collected, used, retained or disclosed; and,
 - iii) The name, title and contact information for the individual in the business unit who can answer questions about the specific collection, use, or disclosure of personal information.
- (d) The city shall provide individuals with the opportunity to "opt out" or withdraw consent to some or all uses and/or disclosures of their personal information, providing the personal information is not necessary for the provision of a program or service;

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- (e) Wherever practical, the preference is to have notices of collection in written format (e.g., in hardcopy forms or forms on the city website);
- (f) Verbal notices of collection can be used for service interactions where written notices are impractical, such as telephone interactions involving the city's Corporate Contact Centre or in cases where the individual requires accommodation;
- (g) Implied consent may be obtained under some circumstances (e.g., a notice is posted in a publicly available space to inform individuals that their image may be captured where photography or videography is taking place, and they elect to enter the space);
- (h) The Access and Privacy Specialist should be consulted to assist in the release of information, evaluate the risks to privacy and provide recommendations to mitigate those risks, and to develop the notice of collection.

4.2.2 Use and Disclosure of Personal Information

Business units must ensure that personal information in their custody or control is used only for the purpose for which it was collected, a consistent purpose (as determined by privacy subject matter experts) or when the individual to whom the personal information relates consents to another purpose. The Access and Privacy Specialist should be consulted prior to any new collection, use, or disclosure of personal information.

4.2.3 Security of Personal Information

Personal information must be secured from the point of collection to the point of destruction and at every point of contact and in every format. To prevent unauthorized disclosure, use, copying or modification and destruction of personal information in the custody or control of the city, appropriate security measures must be used for all media formats of the records. Business units shall take reasonable steps to prevent theft, loss or misuse of personal information and records, and protect them from unauthorized access/use, modification or destruction.

4.2.4 Access to and Correction of Personal Information

City staff will provide individuals with access to their own personal information within a record that is in the city's custody or control, subject to legislated exemptions and exceptions. City staff must verify the identification of persons requesting access to their own personal information before granting any access.

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City staff will accept and process requests for correction to an individual's personal information where the individual believes there is an error or omission.

4.2.5 Retention of Personal Information

The city will retain personal information for at least one year after use or in accordance with the city's records retention schedule and MFIPPA in order to provide the individual with a reasonable opportunity to access their personal information.

4.2.6 Disposal and Destruction

Personal information will be disposed of in accordance with the city's records retention schedule, authorized destruction procedures and in a manner that is appropriate given its format.

4.2.7 Personal Information Banks (PIB)

As required by MFIPPA, the privacy head must ensure that an index of records exists, is published, and maintained that lists the personal information that the city collects along with details of who uses the information and for what purpose(s). Business units shall consult with the Access and Privacy Specialist when a new collection of personal information is anticipated so that the PIB can be updated to include the new collection.

4.2.8 Trans-border Data Flow of Personal Information

Wherever possible, personal information within the city's custody and control should remain in Canada (whether physically or in a cloud-based solution); however, in certain circumstances it may be necessary to transfer data outside of Canada for collection, processing, storage and/or retention. In circumstances where it is necessary for personal information to move outside of Canada, the city's preference is to limit instances where that data is transferred to countries where there is no privacy safe harbour principles/agreements in place or the United States, as compliance with MFIPPA is not possible due to superseding legislation such as the U.S. Patriot Act. When personal information will move outside of Canada, the Corporate Leadership Team must approve doing so unless other mitigation measures can be put in place. In addition, notice must be provided to the individual and their consent must be obtained.

4.2.9 Privacy Impact Assessment (PIA)

Business units shall notify the Access and Privacy Specialist of any new programs, services or technologies that will collect, use, disclose, process or destroy personal information so that a PIA can be conducted to evaluate the

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associated risks to privacy. The PIA process may also be undertaken as part of the solution assessment tool and prior to on-boarding any new technological system.

The business unit shall:

- (a) Complete [PIA Phase 1](#) and,
- (b) If prompted by privacy, complete [PIA Phase 2](#) such that a fulsome evaluation of privacy risks can take place.

4.2.10 Technology Solution Assessment

The [Technology Solution Assessment](#) (TSA) Committee provides timely, helpful advice to staff who are seeking technology solutions to support business processes and service delivery for the Corporation. Advice is based on subject-matter expertise and corporate best practices on legal, privacy, records management, security, technology, and procurement matters.

4.2.11 Privacy Breach and Complaints

The city takes privacy breaches seriously and investigates each suspected or actual breach. City staff must immediately report all suspected or known privacy breaches or privacy complaints to their supervisor and to the Access & Privacy Specialist.

- (a) The Access and Privacy Specialist shall, in conjunction with the affected business unit, minimize the effects of a suspected or actual privacy breach by investigating the incident and determining its nature and scope and conducting breach management activities as described in the [Privacy Breach Protocol](#);
- (b) The Access and Privacy Specialist shall, in conjunction with the affected business unit, manage and respond to complaints and questions about the city's privacy practices under MFIPPA.

4.2.12 Third Party Service Providers

If the Business Unit obtains the services of a third party service provider to provide a service that collects, uses, and/or discloses Personal Information on behalf of the city, the business unit shall ensure that the third party service provider adheres to the privacy provisions stipulated in MFIPPA and include such a provision in their contractual agreement.

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4.3 Protection of Sensitive or Restricted Information (Exemptions Under MFIPPA)

There are certain types of records under the city's custody and control that are not considered personal information but that are subject to other exemptions under MFIPPA. In the event of an unauthorized use or disclosure, such records may cause harm to the city or a third party service provider, or hamper the administration of justice. It is advisable to contact the Access and Privacy Specialist for consultation and guidance. Other exemptions under MFIPPA include:

- (a) The substance of deliberations or the subject matter of the Council meeting (e.g., closed/in-camera meeting minutes).
- (b) Information that may reasonably endanger the security of a building as the floor plans include the location of offices that may contain "sensitive, financial and personal records and information about the mechanical systems within the building (e.g., City of Kitchener facilities, banks or financial institutions, places of worship, shopping malls, etc.).
- (c) Information that may reasonably be expected to interfere with a law enforcement matter (e.g., the investigation is still open).
- (d) Information that may reveal confidential, commercial, scientific, proprietary, technical, financial or labour relations information, if access to this information may result in undue loss or gain, prejudice a competitive position or interfere with contractual or other negotiations of a third party (e.g., tender records that contain unit pricing, proceedings/negotiations relating to labour negotiations, etc.).
- (e) May violate a solicitor-client privilege (e.g., records prepared by the city's legal division or advise from legal counsel).

4.4 Roles

The City Clerk or the "Head"

Acts as the "Head" under MFIPPA and as delegated by council. Responsibilities include: ensuring the city adheres to both the access and privacy requirements of MFIPPA; implementing this policy and related policies; approving recommendations arising from privacy impact assessments; overseeing the development of privacy and access-related standards, procedures, guidelines, and other materials; representing the City in dealings with the Information and Privacy Commissioner of Ontario (IPC), including the disclosure of information, records, and submissions as required or permitted by law; exercising discretion under MFIPPA,

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including decisions related to the assertion or waiver of privilege where appropriate; updating the City's Corporate Leadership Team on matters relating to privacy, and signing-off on access requests under MFIPPA.

Manager, Corporate Records and Archives Services

Oversees the day-to-day operations of the privacy program; approves data sets for inclusion in the open data catalog; ensures PIB's are accurate, complete, and up-to-date; liaises with the Information and Privacy Commissioner (IPC) of Ontario in instances where there is an appeal of a freedom of information request; and, assists the Director, Legislated Services/City Clerk and Director, Legal Services/City Solicitor with writing representations to the IPC of Ontario in the adjudication stage of appeals under MFIPPA.

Access and Privacy Specialist

Acts as the city's freedom of information coordinator and privacy specialist responsible for coordinating requests for information made under MFIPPA; conducting privacy impact assessments; identifying risks to privacy and developing relevant mitigation strategies; developing privacy and access-related policies and procedures; assisting business units in developing notices of collection for personal information; preparing the annual report for the IPC of Ontario and liaising with them as-needed; and, investigating and responding to privacy breaches and making recommendations for breach remediation.

Director of Technology and Innovation Services (TIS)

In partnership with the Director of Legislated Services/City Clerk, implements access and privacy safeguards in enterprise architecture, TIS policies, standards, procedures and technologies where appropriate.

General Managers, Directors, Managers and Supervisors

Implements and communicates privacy requirements to employees under their direction and advocate for privacy review whenever a new collection, use, or disclosure of personal information is anticipated; provides responsive records to the Access and Privacy Specialist, as requested; collaborates with privacy on privacy impact assessments and provides sign-off committing to resulting recommendations; and, advises privacy of any privacy breach or suspected breach.

All employees

Understand and employ the contents of this policy and their responsibilities in maintaining compliance with privacy policies and procedures; assist with routine

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disclosures to the public; and, report any actual or suspected privacy breach to their supervisor(s) and/or the Access and Privacy Specialist.


5. HISTORY OF POLICY CHANGES

Administrative Updates

n/a

Formal Amendments

n/a

	<h1>POLICY</h1>	<u>Policy No:</u> GOV-COU-045
<u>Policy Title:</u> SPORTS AWARD BANQUET <u>Policy Type:</u> COUNCIL <u>Category:</u> Governance <u>Sub-Category:</u> Council <u>Author:</u> Author Unknown <u>Dept/Div:</u> Community Services/Community Programs & Services/Council	<u>Approval Date:</u> October 24, 1988	<u>Reviewed Date:</u> June 2016 <u>Next Review Date:</u> June 2021 <u>Reviewed Date:</u>
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review	<u>Last Amended:</u> September 21, 1992	<u>Replaces:</u> I-045, Sports Award Banquet
	<u>Repealed:</u>	<u>Replaced by:</u>

1. POLICY PURPOSE:

To recognize Kitchener athletes who have achieved a provincial or better championship.

2. DEFINITIONS:

To be included at next review.

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
<input type="checkbox"/> All Employees	
<input type="checkbox"/> All Full-Time Employees	<input type="checkbox"/> All Union
<input type="checkbox"/> Management	<input type="checkbox"/> C.U.P.E. 68 Civic
<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
<input type="checkbox"/> Specified Positions only:	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Local Boards & Advisory Committees

To be included at next review.

Policy No: GOV-COU-045

Policy Title: SPORTS AWARD BANQUET

4. POLICY CONTENT:

- 4.1 That the criteria for recognizing athletes by the City of Kitchener, as presented to the Civic Administration Committee on October 17, 1988, be adopted and further,
- 4.2 That ~~a Committee comprising of 1 member of City Council, 1 Community Sport Representative and 1 Parks & Recreation Department Employee be established to the Sport Development Coordinator (serving as Banquet Coordinator)~~ review the applications and organize the event in accordance with approved Committee responsibilities.

CITY OF KITCHENER ATHLETIC AWARDS ~~COMMITTEE~~ BANQUET
COORDINATOR
RESPONSIBILITIES

1. Prepare cost estimate for management budget for Council approval annually.
2. Determine appropriate award to be presented.
3. Review applications and select athletes to be recognized.
4. Select a menu and caterer for the meal.
5. Select a location and date for the banquet.
6. ~~Select head table guests.~~ Select key guests and dignitaries and their seating arrangement
7. Determine program including keynote speaker and planning partners.
8. Determine and prepare advertising to sport groups and the general public.
9. Prepare invitations to special guests.
10. ~~Prepare annual report for Community Services Committee. (as amended)~~

Criteria

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Policy Title: SPORTS AWARD BANQUET

- a) The athlete or team must place first in a provincial, or national or ~~international~~ championship/games sanctioned by a recognized Canadian, Provincial or National sport governing body. All members of the team will be recognized regardless of residency. (as amended)
- b) The athlete or team must place first, second, or third in an international championship/games sanctioned by a recognized Canadian, Provincial or National sport governing body. All members of the team will be recognized regardless of residency. (as amended)
- c) Modifications to the criteria in 'a' and 'b' must be approved by the Supervisor, Sport Development 3-months prior to the start of the application window
- ~~d)~~ The athlete must be a member of a Kitchener sport organization (or a member of an Ontario, Provincial or Canadian National team) which is affiliated with a recognized Canadian Provincial or National sport governing body.
- ~~e)~~ All individual event winners must have their principal residence in the City of Kitchener. Non-residents who are members of a Kitchener team (and make a contribution to the team victory) are eligible also.
- ~~f)~~ Kitchener residents who participate on teams in other municipalities are not eligible unless there is no such similar organization in Kitchener.
- ~~g)~~ The athlete must be of amateur status.
- ~~h)~~ Activities involving motorized vehicles under the control of the individual are NOT eligible.
- ~~i)~~ Each eligible athlete/team may include up to three additional award recipients (coaches or managers).
- ~~j)~~ University, Community College or High School teams or athletes will not be recognized.

Submission

All application forms must be submitted to the Banquet Coordinator Kitchener Parks & Recreation by the second Friday of January, annually or designate.

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Policy Title: SPORTS AWARD BANQUET

The Banquet Coordinator may set and extend the application deadline. The deadline must be at least 1 month from the Sports Award Banquet, and the application window must be at least 1 month.

Selection

~~A Review Committee composed of one elected official, one community sport representative, and one Parks & Recreation employee~~The Sport Development Coordinator (serving as Banquet Coordinator) shall review the applications for recognition by the City of Kitchener to determine the eligibility of athletes.

Presentation

The Awards Banquet will be held during the second week of ~~February~~March, annually, or in the event that date is not possible, at the closest and most appropriate date as approved by management.

2. **HISTORY OF POLICY CHANGES**

Administrative Update


2001-12-01 - Reviewed, no changes.

2016-06-01 - I-045 - policy template re-formatted to new numbering system and given number GOV-COU-045.

Formal Amendments

1992-06-01 - As per Council/CLT directive

1992-09-21 - As per Council/CLT directive

	<h1>POLICY</h1>	<u>Policy No:</u> GOV-COU-045
<u>Policy Title:</u> SPORTS AWARD BANQUET <u>Policy Type:</u> COUNCIL <u>Category:</u> Governance <u>Sub-Category:</u> Council <u>Author:</u> Author Unknown <u>Dept/Div:</u> Community Services/Community Programs & Services/Council	<u>Approval Date:</u> October 24, 1988	<u>Reviewed Date:</u> June 2016 <u>Next Review Date:</u> June 2021 <u>Reviewed Date:</u>
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review	<u>Last Amended:</u> September 21, 1992	<u>Replaces:</u> I-045, Sports Award Banquet
	<u>Repealed:</u>	<u>Replaced by:</u>

1. POLICY PURPOSE:

To recognize Kitchener athletes who have achieved a provincial or better championship.

2. DEFINITIONS:

To be included at next review.

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
<input type="checkbox"/> All Employees	
<input type="checkbox"/> All Full-Time Employees	<input type="checkbox"/> All Union
<input type="checkbox"/> Management	<input type="checkbox"/> C.U.P.E. 68 Civic
<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
<input type="checkbox"/> Specified Positions only:	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Local Boards & Advisory Committees

To be included at next review.

Policy No: GOV-COU-045

Policy Title: SPORTS AWARD BANQUET

4. POLICY CONTENT:

- 4.1 That the criteria for recognizing athletes by the City of Kitchener, as presented to the Civic Administration Committee on October 17, 1988, be adopted and further,
- 4.2 That the Sport Development Coordinator (serving as Banquet Coordinator) review the applications and organize the event in accordance with approved Committee responsibilities.

CITY OF KITCHENER ATHLETIC AWARDS BANQUET COORDINATOR
RESPONSIBILITIES

1. Prepare cost estimate for management approval annually.
2. Determine appropriate award to be presented.
3. Review applications and select athletes to be recognized.
4. Select a menu and caterer for the meal.
5. Select a location and date for the banquet.
6. Select key guests and dignitaries and their seating arrangement
7. Determine program including keynote speaker and planning partners.
8. Determine and prepare advertising to sport groups and the general public.
9. Prepare initiations to special guests.

Criteria

- a) The athlete or team must place first in a provincial, or national or championship/games sanctioned by a recognized Canadian, Provincial or National sport governing body. All members of the team will be recognized regardless of residency. (as amended)
- b) The athlete or team must place first, second, or third in an international championship/games sanctioned by a recognized Canadian, Provincial or

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National sport governing body. All members of the team will be recognized regardless of residency. (as amended)

- c) Modifications to the criteria in 'a' and 'b' must be approved by the Supervisor, Sport Development 3-months prior to the start of the application window
- d) The athlete must be a member of a Kitchener sport organization (or a member of an Ontario, Provincial or Canadian National team) which is affiliated with a recognized Canadian Provincial or National sport governing body.
- e) All individual event winners must have their principal residence in the City of Kitchener. Non-residents who are members of a Kitchener team (and make a contribution to the team victory) are eligible also.
- f) Kitchener residents who participate on teams in other municipalities are not eligible unless there is no such similar organization in Kitchener.
- g) The athlete must be of amateur status.
- h) Activities involving motorized vehicles under the control of the individual are NOT eligible.
- i) Each eligible athlete/team may include up to three additional award recipients (coaches or managers).
- j) University, Community College or High School teams or athletes will not be recognized.

Submission

All application forms must be submitted to the Banquet Coordinator or designate.

The Banquet Coordinator may set and extend the application deadline. The deadline must be at least 1 month from the Sports Award Banquet, and the application window must be at least 1 month.

Selection

The Sport Development Coordinator (serving as Banquet Coordinator) shall review the applications for recognition by the City of Kitchener to determine the eligibility of athletes.

Policy No: GOV-COU-045

Policy Title: SPORTS AWARD BANQUET

Presentation

The Awards Banquet will be held during the second week of March, annually, or in the event that date is not possible, at the closest and most appropriate date as approved by management.

2. HISTORY OF POLICY CHANGES

Administrative Update


2001-12-01 - Reviewed, no changes.

2016-06-01 - I-045 - policy template re-formatted to new numbering system and given number GOV-COU-045.

Formal Amendments

1992-06-01 - As per Council/CLT directive

1992-09-21 - As per Council/CLT directive

	<h1>POLICY</h1>	<u>Policy No:</u> MUN-FAC-325
<u>Policy Title:</u> MUNICIPAL ALCOHOL POLICY (MAP) <u>Policy Type:</u> COUNCIL <u>Category:</u> Municipal Services <u>Sub-Category:</u> Facility <u>Author:</u> Author Unknown <u>Dept/Div:</u> CAO/Economic Development/Special Events	<u>Approval Date:</u> February 8, 2016 <u>Reviewed Date:</u> December 2019 <u>Next Review Date:</u> July 2023 <u>Reviewed Date:</u> <u>Last Amended:</u> March 2020 <u>Replaces:</u> <u>Repealed:</u> I-325 - Municipal Alcohol Policy (MAP) <u>Replaced:</u> I-325 - February 8, 2016	
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review.		

1. POLICY PURPOSE:

This Municipal Alcohol Policy (MAP) is intended to promote a safe, enjoyable environment taking into consideration the health and safety of participants and staff. This policy is in place to reduce alcohol-related problems such as injury, violence and liability which arise from alcohol consumption on municipal property.

1.1 Policy Objectives

- a. To provide procedures and education to individuals or groups wishing to hold events in and/or on municipally owned facilities/properties in order to ensure that all *Liquor Licence Act of Ontario* legislation that pertains to Special Occasion Permits or liquor licencing and the Municipal Alcohol Policy (MAP) are properly understood and strictly complied with.
- b. To ensure appropriate supervision and operation of Special Occasion Permits and liquor licenced events in order to protect the Event Organizers, the participating public, volunteers, the City of Kitchener and its staff from liability by providing education in prevention and intervention techniques and through effective management procedures.
- c. To encourage and reinforce responsible drinking practices for consumers through the development of operational procedures, controls, training and

Policy No: MUN-FAC-325

Policy Title: MUNICIPAL ALCOHOL POLICY (MAP)

education, and to honour the decision of abstainers not to drink alcohol and encourage their participation by providing alternative, non-alcoholic drinks.

2. **DEFINITIONS:**

Alcohol and Gaming Commission of Ontario (AGCO)

The Alcohol and Gaming Commission of Ontario (AGCO) is a Provincial agency, established February 23, 1998 under the *Alcohol and Gaming Regulation and Public Protection Act, 1996*. The Act gave the AGCO responsibility for the administration of the *Liquor Licence Act* and the *Gaming Control Act, 1992*. The AGCO is a regulatory agency that reports to the Ministry of the Attorney General. For more information go to www.agco.on.ca/en/about/index.aspx.

Caterer's Endorsement

A liquor sales licence authorizing the applicant to sell and serve liquor for an event held on properties other than the properties to which the liquor sales licence applies.

Event

For the purposes of this policy, an event is any gathering held at a municipal facility or property at which alcohol will be served and/or sold. They may include weddings, showers, dances, barbeques, birthday parties and any other event where alcohol will be served. The duration of the event includes event set-up, operation and clean-up. Events involving alcohol may be in a licenced municipal facility or under a Special Occasion Permit (SOP).

Event Organizer

Any person, who is 19 years of age or over, seeking to hold an event that involves the sale and/ or service of alcohol at municipal facilities/property. The Event Organizer (which term shall include the SOP permit holder and any designate) is responsible for the safety and sobriety of people attending the event as well as compliance with this Municipal Alcohol Policy and the *Liquor Licence Act of Ontario* and its regulations at the event. **They assume all responsibility and liability for the entire operation of the event.** The Event Organizer **MUST** read and sign the *Event Organizer Checklist for Liquor Licenced Events* to indicate that they understand their responsibilities.

Event Worker

Any person, who serves or sells liquor, or is involved in an event where alcohol is served on municipal property. All event workers have a responsibility in the operation of the event and shall not consume or be under the influence of alcohol for the entire duration of the event. In addition to the Event Organizer and permit holder, event workers may include the following:

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Policy Title: MUNICIPAL ALCOHOL POLICY (MAP)

- **Floor Supervisor**

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. A floor supervisor talks with participants, monitors patron behavior, monitors for intoxication and underage drinkers, responds to problems and complaints, assists door monitors when necessary, aids in the removal of intoxicated persons, arranges safe transportation.

- **Door Monitor**

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. A door monitor checks identification and for signs of intoxication prior to entry, keeps out intoxicated and troublesome individuals, arranges for coat checking, monitors for those showing signs of intoxication when leaving the event, arranges safe transportation.

- **Server/Bartender**

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he has been trained by a recognized alcohol server training course, namely Smart Serve Ontario program. A server accepts tickets for the purchase of alcoholic drinks, serves drinks, monitors for intoxication and underage drinkers, refuses service when a patron appears to be intoxicated or near intoxication, offers a non-alcoholic substitute and co-ordinates with event staff. This person will act in accordance with their training under such programs as the Smart Serve Ontario program.

- **Ticket Seller**

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. A ticket seller sells alcohol tickets to a maximum of four per person per purchase, monitors for intoxication and underage drinkers, refuses sale to patrons at or near intoxication, and refunds tickets on request.

Licensed Security

Security personnel monitoring entrances and patrolling licenced areas must be licenced under the *Private Security and Investigative Services Act*, to ensure the safety and security of the establishment/property, its employees and patrons. For more information go to www.agco.on.ca.

Policy No: MUN-FAC-325

Policy Title: MUNICIPAL ALCOHOL POLICY (MAP)

Liquor Licence Act

Each province or territory has a liquor licence act which outlines the laws regarding the sale and service of alcohol. See www.agco.on.ca/en/whatwedo/index.aspx for more information. It is the responsibility of the Event Organizer to know and understand this legislation.

Municipal Alcohol Policy (MAP)

A local policy for municipalities to manage events held at municipally-owned facilities and properties when alcohol is sold and/or served.

Municipal Properties

All municipally-owned or leased lands, buildings and structures. All assets, structures, buildings, outbuildings, lands to be defined as property.

Municipal Representative

City of Kitchener staff or a designate who attend the event on behalf of the City of Kitchener to monitor compliance of the Municipal Alcohol Policy.

Municipal Significance

Public Event permits can be issued for events of "municipal significance". In order to be deemed an event of municipal significance, it required a designations by the municipality in which the event will take Place. A letter from a delegate municipal official designating the event as municipally significant is required for the SOP.

Non-Objection Letter

A licensed establishment can apply to temporarily extended their liquor licence onto lands not captured under the original licence, such as public lands. A letter from the City Clerk or their delegate stating that there is "no objection" to the proposed extended licensed area is required.

Religious Function

Events that include a religious ceremony conducted by an officiant such as a priest, minister, Justice of the Peace, rabbi, etc. Examples include, but not limited to, weddings, bar mitzvahs, and baptisms. A religious function does not include events like a "stag and doe", anniversaries or birthdays.

Smart Serve

The Smart Serve training program offered by Smart Serve Ontario (www.smartserve.ca) is designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as in bars, restaurants, banquet halls and other public facilities. The Smart Serve Program is the **mandatory** server training program that is recognized by the AGCO and approved by this policy. Note

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that the AGCO still recognizes The Server Intervention Program certification issued prior to May 1995. This policy also recognizes this certification until December 31, 2020.

Special Occasion Permit (SOP)

A liquor licence issued by the Alcohol and Gaming Commission of Ontario for one-time social events where alcohol will be sold and/or served. All SOP's are managed and controlled by the AGCO. There are three types of special occasions for which a permit may be issued:

- **Private Event**

For events where only invited guests will attend. These events cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.

- **Public Events**

For events that are open to the public. Public events can be advertised and allow for fundraising/profit from the sale of alcohol.

- **Industry Promotional Events**

For events held to promote a manufacturer's product(s) through sampling. There can be no intent to gain or profit from the sale of alcohol at the event.

All of these events as described above can be held indoor or outdoor (including pavilions or temporary structures). There are two classes of Special Occasion Permit (SOP):

- **Sale SOP**

Issued when money is collected for the sale of alcohol either directly or indirectly. This could be through, for example, an admission charge to the event, when tickets for alcohol are sold to people attending the event, or when there is any pre-collection of money for the alcohol.

- **No Sale SOP**

Issued when alcohol is served without charge or when there is no money collected for alcohol – either directly or indirectly – from guests.

For further information regarding types and classes of special occasion permits, please refer to the AGCO web site at this address:

www.agco.on.ca/en/whatwedo/permit_special.aspx .

SOP Holder (Permit Holder)

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The individual who signs the application for a Special Occasion Permit to sell and/or serve alcohol. A special occasion permit holder can assign a designate. A designate is a person(s) appointed by the special occasion permit holder, and acceptable to the City of Kitchener who is over the age of 19 and who has satisfactorily proven to the special occasion permit holder that she/he will act in accordance with the MAP. The Event Organizer, the special occasion permit holder and/or designate are responsible for the safety and sobriety of people attending the event as well as compliance with the MAP and the *Liquor Licence Act of Ontario* and its regulations at the event. **They assume responsibility and liability for the entire operation of the event.**

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
<input type="checkbox"/> All Employees	
<input type="checkbox"/> All Full-Time Employees	<input type="checkbox"/> All Union
<input type="checkbox"/> Management	<input type="checkbox"/> C.U.P.E. 68 Civic
<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
<input type="checkbox"/> Specified Positions only:	<input type="checkbox"/> Other:
<input type="checkbox"/> Council	<input type="checkbox"/> Local Boards & Advisory Committees

The Municipal Alcohol Policy (MAP) outlines various stipulations and controls on events involving alcohol, including: Special Occasion Permits (SOP), liquor licenced events under a caterer's endorsement, and/or events in a municipally licenced facility in conjunction with the Alcohol and Gaming Commission of Ontario (AGCO).

4. POLICY CONTENT:

Designation of Roles and Responsibilities

4.1 Role of Municipal Representatives

Municipal representatives are responsible for ensuring the Event Organizer and/or designate are provided with written information outlining the conditions of the MAP.

The City of Kitchener representatives have the authority to demand correction and/or to shut down an event on behalf of the City of Kitchener. The City of Kitchener has the final authority in direction when it comes to breaches under the policy and agreement of the Event Organizer. The City of Kitchener

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representatives monitoring a liquor-licenced event shall be Smart Serve trained and competent in facility operations.

4.2 Role of Event Organizer and/or Designate

Notwithstanding the roles outlined above, the Event Organizer and any designate is responsible for the conduct and management of the event, including, but not limited to:

- Complying with the MAP in addition to all applicable federal, provincial and municipal laws, policies, guidelines, regulations and by-laws, including, without limitation, the *Liquor Licence Act of Ontario* and its regulations;
- Organizing, planning, set up and clean-up of the event;
- Ensuring sufficient number of event workers;
- Ensuring training of their designates and event workers (all of whom must be a minimum of 18 years of age or older);
- Posting the Special Occasion Permit (with any updates) in plain sight on the property to which the permit applies or keep it in a place where it is readily available for inspection;
- Ensuring all alcohol is purchased from an authorized government retail store (e.g., LCBO, Beer Store) using the SOP as the guide for allowed amounts;
- Ensuring alcohol sales and service including the choice of beverages comply with the Municipal Alcohol Policy;
- Ensuring that no one consumes alcohol in unauthorized locations on the property;
- Ensuring the safety and sobriety of people attending the event including those persons asked to leave to control the event;
- Providing safe transportation options (e.g., designated drivers, taxis);
- Responding to emergencies; and

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- **Must read, complete, sign and submit** the *Event Organizer Checklist for Liquor Licenced Events* to indicate their understanding of their responsibility for the event.
- **Must provide a copy of the Special Occasion Permit (if applicable) and any updates to the City of Kitchener at least 30 days prior to the start of the event. Non-compliance may jeopardize your event from taking place.**
- **Must ensure that all liquor, wine and beer are purchased with the SOP.** Proof of this must be provided at the event. Receipts need to have the SOP number on them. These purchase orders and levy receipts must match the amount of alcohol in the bar for the event and will be posted with the SOP. Non-compliance may jeopardize your event from taking place.
- **Must attend the event for the entire duration** including set-up prior to the event, clean-up after the event and be responsible for decisions regarding the actual operation of the event.

4.3 **Designation of Properties and Events**

a. **Designation of Suitable Properties**

The following municipal facilities/properties and areas are either licenced or designated as **suitable** for events involving alcohol subject to the Event Organizer obtaining a Special Occasion Permit or a liquor licence through a caterers' endorsement issued by the AGCO and agreeing to conditions as set out by the City of Kitchener:

- Activa Sportsplex**
- Breithaupt Community Centre
- Bridgeport Community Centre
- Budd Park
- Centreville Chicopee Community Centre
- Chandler Mowat Community Centre
- City Hall and Carl Zehr Square
- Country Hills Community Centre
- Cowan Recreation Centre
- Don McLaren Arena**
- Doon Pioneer Park Community Centre
- Doon Valley Golf Course Clubhouse ***
- Downtown Community Centre
- Forest Heights Community Centre

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- Grand River Arena**
- Grand River Recreation Complex
- Kingsdale Community Centre
- Kitchener Market
- Kitchener Memorial Auditorium Complex (KMAC)**
- Kiwanis Park (picnic shelter)
- Lions Arena**
- Lions Arena Community Hall
- McLennan Park Great Lawn Area
- Mill Courtland Community Centre
- Peter Hallman Ball Yard
- Queensmount Arena**
- RBJ Schlegel Park
- Rockway Centre
- Rockway Golf Course Clubhouse***
- Sportsworld Arena**
- Stanley Park Community Centre
- Victoria Hills Community Centre
- Victoria Park Commons
- Victoria Park Pavilion
- Williamsburg Dedication Centre
- Woodside Park

** Some in-house policies and guidelines apply

***No SOP allowed at the municipal golf courses, however, hall is licenced and available for rent.

For more information regarding these facilities/properties and any updates, please visit www.kitchener.ca.

b) Designation of Not Suitable Properties

The following municipal facilities/properties and areas are **not licenced or not suitable** for an event involving alcohol. They include but not limited to:

- Breithaupt Centre pool area, viewing lounge, change rooms, solarium
- ~~Cameron Heights Pool~~
- ~~Cowan Recreation Centre aquatics area~~
- Forest Heights Pool
- Harry Class Pool
- Idlewood Pool
- K-W Judo Gymnastics Training Centre

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- Kiwanis Pool
 - Lyle Hallman pool area and change rooms
 - Williamsburg Community Centre
 - Wilson Pool
 - Athletic and playing fields
 - Parking lots
 - Spectator areas of arenas*
 - Dressing rooms/change rooms
 - Open park areas, trails and woodlots
 - Playground areas
- *except designated areas of KMAC

For more information regarding these facilities/properties and any updates, please visit www.kitchener.ca.

c) Designation of Events

The serving of alcohol shall not be permitted at any events where the focus of the event marketing is for youth under 19 years of age.

4.4 Conditions for Events Involving Alcohol

4.4.1 Insurance

The event organizer must provide proof of insurance by way of submitting an original Certificate of Liability Insurance to the City of Kitchener a minimum of 30 days prior to occupying municipal premises for the event. The Certificate of Liability Insurance must be in effect for date(s) when municipal property is being used or occupied by the event organizer including, without limitation, set-up and take-down. Failure to provide proof of liability insurance will result in the rental being cancelled.

4.4.2 All Rentals for Events with Alcohol

The Certificate of Liability Insurance shall:

- Provide proof of a minimum of five million dollars general liability insurance issued by an insurance company satisfactory to the City of Kitchener that is licensed to carry on business in Ontario and which must at a minimum include the following:
 - a) The City of Kitchener shown as an additional insurer to the policy
 - b) Coverage for bodily injury and property damage liability

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- c) A liquor liability endorsement
 - d) Tenants liability endorsement
 - e) Products and completed operations liability
 - f) Personal injury liability
 - g) Advertiser's liability
 - h) Thirty (30) day notice of cancellation provision
 - i) Show cross liability endorsement and severability of interests provision
- Show that coverage is in effect on the date(s) of the event
 - Be delivered to the supervisor having operational jurisdiction at the event location at least 30 days prior to the start of the event. The following information must be provided:
 - Certificate of liability insurance
 - Policy number
 - Company name
 - Expiry date
 - Amount of insurance coverage
 - An endorsement from the insurance company that they are aware of the Special Occasion Permit event and that coverage is in place including date and location of the event and name and address of the Special Occasion Permit holder

The City of Kitchener reserves the right to amend the insurance and provisions required at any time at their sole discretion. Authority to review the exposure and risk of the event to determine the level of insurance required is designated to the Director of the business unit in consultation with the Waterloo Regional Municipalities Insurance Pool and the City Solicitor.

4.4.3 Indemnification

The Event Organizer, both during and after the term of this agreement, shall at all times, and at its own cost, expense and risk, defend, indemnify and hold harmless the City of Kitchener, its elected officials, officers, employees, volunteers, agents, contractors, and all respective heirs, administrators, executors, successors and assigns from any and all losses, damages (including, but not limited to, incidental, indirect, special and consequential damages, or any loss of use, revenue or profit by any person, organization or entity), fines, penalties and surcharges, liabilities (including, but not limited to proceedings of a criminal, administrative or quasi criminal nature) and expenses (including, but not limited to, legal fees on a substantial indemnity basis), which the indemnified person or persons may suffer or incur, howsoever caused, arising out of or in consequence of or directly or indirectly attributable to the Event, its agents, employees, volunteers, and/or

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guests on behalf of the City of Kitchener, provided such losses, damages, fines, penalties and surcharges, liabilities, judgments, claims, demands, causes of action, contracts, suits, actions or other proceedings of any kind and expenses as defined above are due or claimed to be due to the negligence, breach of contract, and/or breach of law of the Event Organizer, its agents, employees, volunteers, and/or guests.

4.4.4 Advertising

All advertising must comply with the AGCO advertising policies and guidelines. AGCO policy states that a permit holder for a private event special occasion permit is not permitted to advertise or promote liquor or the availability of liquor.

At events where children and youth are allowed entry, the Event Organizer and/or designate shall not allow promotional advertising of alcoholic beverages' names, brands or manufacturers.

4.4.5 Event Worker Training and Staffing Levels

a) Notwithstanding the roles outlined above, the Event Organizer is responsible to:

- Ensure event workers are in attendance and as needed to monitor, manage and control the event
- Ensure event workers wear an identification (I.D.) name tag and/or clothing which are highly visible in a crowd so that they can be easily identified. (Provision of this identification and clothing is the responsibility of the Event Organizer and/or designate.) The type of identification worn by the event workers must be stated on the *Checklist for Liquor Licenced Event Organizers* form.
- Ensure the door monitors, floor supervisors, servers and themselves **do not consume alcohol** before, during or after the event is concluded, nor shall they be under the influence of any alcohol or other substance during the event.
- Ensure there are sufficient door monitors placed at all entrance and access points to ensure controls are properly managed. For any event that allows admittance to minors, additional door monitors may be required.

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- Ensure there are sufficient floor supervisors assisting in managing a person who is refused sale, crowd control and de-escalations of violence.
- Ensure the entrance to the event is monitored by responsible person(s) meeting the age of majority requirements at all times. These persons shall further observe individuals that may be attempting to enter the facility/property that appear to be intoxicated or have a history of causing problems at events.
- Provide a list, **at least 30 days prior** to the event, of:
 - a) All servers and proof of Smart Serve certification (including their certification numbers)
 - b) Security staff and security licence numbers
 - c) Proof of insurance satisfactory to the City of Kitchener
- As it relates to monitoring and serving of alcohol, ensure that all event workers are Smart Serve trained and recommend they have de-escalation of violence training.
- Relative to alcohol service areas, minimum event worker numbers are required on an event worker versus guest ratio basis as described in the table "*Guest to Event Worker Ratios*". **This includes the provision of both police and/or licenced security.**

The City of Kitchener in consultation with the Event Organizer and representative(s) of the Alcohol & Gaming Commission of Ontario (AGCO) representative (if applicable) reserves the right to adjust the minimum number or types of event workers based on assessed level of risk and past history on an event-by-event

4.4.5 b) Event Worker Training and Staffing Levels (cont'd)

Guest to Event Worker Ratios

Number of Guests	Minimum Number of Event Workers				Minimum Number of Security
	Bartenders	Door Monitors*	Floor Supervisors**	Ticket	Licenced Security Workers

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				Sellers	
Up to and including 100	1	Monitor at each access point	1	0	
101 to 200	2	Monitor at each access point	2 (+1 for outdoor events)	1	
201 to 300	2	Monitor at each access point	3 (+1 for outdoor events)	2	(1 for outdoor events)
301 to 400	3	Monitor at each access point	3 (+1 for outdoor events)	2	(1 for outdoor events)
401 to 500	3	Monitor at each access point	4 (+1 for outdoor events)	2	1 (+1 for outdoor events)
501 to 600	4	Monitor at each access point	5 (+2 for outdoor events)	3	1 (+1 for outdoor events)
601 to 700	4	Monitor at each access point	6 (+2 for outdoor events)	3	2 *** (+1 for outdoor events)
701 to 800	5	Monitor at each access point	7 (+2 for outdoor events)	3	2 *** (+1 for outdoor events)
801 to 900	5	Monitor at each access point	7 (+2 for outdoor events)	4	3 *** (+1 for outdoor events)
901 to 1,000	6	Monitor at each access point	8 (+2 for outdoor events)	4	3 *** (+1 for outdoor events)

* All access points to the licenced area must be monitored. Each venue will require a varying number of door monitors depending on the layout of the venue.

** The Event Organizer or official designate can be a floor supervisor.

*** For events over 600 guests, at least 50% of the required licenced security workers shall be paid duty police officers.

For every additional 150 guests over 1,000, an additional bartender and an additional floor monitor are required. For every additional 300 guests over 1,000, an additional ticket seller is required. For every additional 200 guests over 1,000, an additional licenced security worker is required. Amendments for these requirements are at the sole discretion of the City of Kitchener.

For all outdoor events and all events with more than 1,000 guests, an operational plan must be developed with the AGCO and the City of Kitchener in order to ensure that all aspects of public safety are addressed (including ambulance, fire, security, traffic management plan, etc.).

The operational plan must be submitted to the City of Kitchener at least 30 days prior to the event (e.g., ambulance, fire, security, etc.).

All costs associated with preparing and complying with security and operational plans shall be borne by the Event Organizer and/or designate unless otherwise

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agreed upon in writing by the Event Organizer and the City of Kitchener representative.

Required licenced security or paid duty police officers for any events are the responsibility of the Event Organizer and all costs associated therewith shall be borne by the Event Organizer.

All costs unless agreed upon in writing by the City of Kitchener will be borne by the Event Organizer.

4.4.6 Enforcement Procedures

If drunkenness, riotous, quarrelsome, violent, and aggressive and/or disorderly conduct or unlawful gaming is observed at the event, the Event Organizer and their event workers shall:

- First ask the offending person to leave, and
- If the individual refuses to leave, call the police, and
- Seek any necessary assistance to maintain control and management of the event and ensure the safety and protection of persons, including event workers.
- Ensure the safety of those removed from the event who are intoxicated.

The Event Organizer or event workers will notify the police if they observe signs that a situation is getting out of control.

4.4.7 Prevention Strategies – Selling, Serving, Types of Drinks

The following controls and prevention strategies related to **selling and serving** alcohol shall be in place in conjunction with the AGCO requirements:

- I. Alcohol shall not be served to anyone under the age of 19 (minors). Minors are not allowed to consume alcohol on the property. Outdoor public events which allow admittance to **minors** must implement a wrist band policy or have a fenced licenced area where alcohol is only served to and consumed by those 19 years of age and older. Additional floor monitors are recommended if alcohol is being served in the presence of minors. For multiple day events, wrist bands need to be different colours for each day. Obtaining a wrist band does not prevent servers from asking for identification if they feel it is warranted.

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- II. Alcohol shall not be served to anyone who may appear intoxicated. No person shall be served to the point of intoxication. No person shall have or consume liquor if they become intoxicated.
- III. Closing time is 1:00 a.m. unless different within the terms of the agreement or the SOP. The sale and service of alcohol must be within the bar hours based on the start and finish times listed on the original SOP. On New Year's Eve, the bar may remain open until 2:00 a.m. as listed on the original SOP. Ticket sales shall end an hour prior to the end of the licenced period of the event. Alcohol service shall cease at least 45 minutes prior to the end of the licenced period of the event. All alcohol and its containers (which include empty cups/glasses) shall be cleared away no more than 45 minutes after the end of the licenced event as listed on the SOP.
- IV. Last call shall not be announced.
- V. Drink tickets may be required depending on the event type, size and other event factors. Ticket sales for alcohol shall be limited to four tickets at one time per person. Unused tickets for alcoholic beverages can be redeemed at any time during the event.
- VI. Alcohol service shall be limited to two drinks per person at one time.
- VII. Alcohol cannot be left available for self-serving.
- VIII. It is recommended that drinks be served in soft plastic cups. For formal dinner settings, glass vessels may be used for serving/consuming alcohol. Glass must be removed at the conclusion of the dinner.
- IX. The permit holder is responsible to ensure that the permitted area is readily distinguishable from adjacent premises to which the permit does not apply.

The following controls and prevention strategies related to **types of available drinks** shall be in place:

- I. Event workers are to encourage patrons to consume food at the event.
- II. Ensure that a variety of non-alcohol or low alcohol beverages are sold or served, and that the prices of non-alcohol beverages are less than the price of liquor sold.

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- III. Identified designated drivers are to receive free or lesser cost non-alcoholic drinks such as coffee, pop or juice.
- IV. Beer products must be within 8% alcohol content, wine products within 14% alcohol content and spirits within 40% alcohol content.
- V. Pre-made alcoholic drinks, such as jello shooters and punches, spiked watermelon, etc. are **NOT** allowed.
- VI. Homemade alcohol shall not be allowed at any SOP function, with the exception of homemade wine or beer at a religious function listed under a NO SALE reception permit, as defined by the AGCO. Where wine is provided with a meal, a non-alcoholic substitute such as water, pop or juice must be provided to ensure that children and abstainers are included in toasting the celebrants.
- VII. No persons shall be allowed to bring in their own alcohol to the event or allowed to pour their own alcoholic drinks.
- VIII. Free liquor (i.e., spirits, wine, beer) shall not be offered or given to a customer as a prize in a contest.
- IX. Marketing practices which encourage increased consumption of alcohol (e.g., oversized drinks, double shots, pitchers, drinking contests, jello shooters, volume discounts) are not permitted.
- X. For fundraising and raffles, games of skill are permitted but games of chance are not permitted unless a lottery licence has been obtained through the City of Kitchener and AGCO regulations are met.

4.4.8 Safe Transportation

Event Organizers are responsible to take the necessary steps to reduce the possibility of impaired driving. As a condition of rental, the Event Organizer must have a Safe Transportation Strategy in effect. Elements of a Safe Transportation Strategy could potentially include but are not limited to:

- Providing non-alcoholic beverages either at no charge or at a cost much lower than that of drinks containing alcohol;
- Providing alternate means of transportation for those who are suspected to be intoxicated (i.e., call a friend, ride sharing program, relative or taxi);

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- Calling police if someone who is suspected to be impaired cannot be convinced to use alternate transportation;
- Providing a designated driver program which encourages and identifies designated driver;
- Advertise to guests the options for safe transportation.

The designated driver program and relevant local taxi phone numbers must be prominently posted. Alternate means of transportation shall be provided for all those suspected to be intoxicated. All advertising (e.g., posters, media) for the event should indicate that a designated driver program is in effect.

4.4.9 Signage

During events where alcohol is served, the following signage, which is approved by the City of Kitchener, shall be displayed in prominent locations:

Signage at one or more prominent places in the licenced/bar area:

Please drink responsibly.

- Bartenders reserve the right to refuse service
- Bartenders cannot serve alcohol to anyone who is intoxicated or appears to be at the point of intoxication
- Bartenders cannot serve alcohol to anyone under 19 years of age – proper I.D. must be presented to event staff when requested
- You can only be served a maximum of two alcoholic drinks at any one time
- You may redeem unused tickets for cash anytime during the event
- There will be no “LAST CALL”

Thank you for not drinking and driving

[Insert phone numbers of local cab companies.]

The R.I.D.E. program is in effect in our community

Use a designated driver or call a friend, ride sharing program, relative or taxi

Signage at one or more prominent places in the licenced/bar area:

**If there is an emergency
CALL 9-1-1**

For a non-emergency, please call
Waterloo Regional Police at 519-653-7700

You are at:

[Insert name and address of facility]

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Signage at one or more prominent places in the licenced/bar area:

- Sandy's Law sign is **mandatory** per the *Liquor Licence Act of Ontario*

Warning:
Drinking alcohol during pregnancy can cause birth defects and
brain damage to your baby

Signage to be posted at the boundaries of the licenced/bar area:

NO ALCOHOL
beyond this point

Thank you for not drinking and driving

[Insert phone numbers of local cab companies.]

The R.I.D.E. program is in effect in our community
**Use a designated driver or call a friend, ride sharing program,
relative or taxi**

Other signs to be posted in one or more prominent places in the licenced/bar area but are not mandatory:

- 'What is a standard drink?' sign
- Low Risk Drinking Guidelines sign

The Event Organizer shall post the Special Occasion Permit (SOP) (with any updates) in plain view on the property to which the permit applies or shall keep it in a place where it is readily available for inspection.

4.5. Infractions and Violations

4.5.1 Duty to Report

The Event Organizer has the **duty to report** to the municipal representative issues with details of any incident that:

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- The Event Organizer and/or designate are aware of or have been made aware of any *Liquor Licence Act of Ontario* or MAP violations
- Where an AGCO inspector under the *Liquor Licence Act of Ontario* has reported any incident or violation
- Involves bodily injury or property damage

Police shall be informed by the Event Organizer and/or designate as appropriate. Reports shall be made no later than two days after the conclusion of the event, but shall be made immediately when repairs or other action is required to make municipal property secure or safe for use. The City of Kitchener representative may report any infraction of this policy to the Police and/or AGCO whenever they believe such action is required.

4.5.2 Failure to Comply and Penalties

Where there has been a failure to comply with the *Liquor Licence Act of Ontario*, the Police or the AGCO inspector may intervene for enforcement purposes and may, at their discretion or other authority, terminate the event. The City of Kitchener may similarly cancel, intervene or terminate the event for violations of the Municipal Alcohol Policy.

It remains the responsibility of the Event Organizer and/or designate to manage the event and to take appropriate actions, including ending the event, vacating municipal property, maintaining insurance, any conditions of insurance, and providing safe transportation options.

Regardless of the reason for termination of the event, the City of Kitchener will not be responsible for any compensation to the Event Organizer and/or designate or affected persons of their resulting financial or other losses.

The City of Kitchener shall subsequently inform the Event Organizer and/or designate and any organization they represent, via registered letter, that there has been a violation of the policy and any imposed consequences or penalties.

Additional short term and longer term penalties for failure to comply may include, but are not limited to:

- Loss of privilege to hold an event involving alcohol in a municipal property or facility

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- Loss of any future use or rental of any or all municipal properties
- Individual ban or suspension of persons involved in the infractions from any or all municipal properties for any term
- Loss of rental deposit (if applicable) or other monies owed

4.6. **Policy Review**

The Municipal Alcohol Policy (MAP) shall undergo a regular review based on change within the industry standards and shall be updated as required.

The City of Kitchener reserves the right to make discretionary changes to this Municipal Alcohol Policy (MAP) at any time, and will advise the Event Organizer and/or designate of any such changes prior to the event.

**On behalf of The City of Kitchener, we wish you a
successful and enjoyable event.
Please drink responsibly.
Thank you for not drinking and driving.**

5. **HISTORY OF POLICY CHANGES**

Administrative Updates

2016-06 - I-325 policy template re-formatted to new numbering system and given number MUN-FAC-325.

Formal Amendments

2016-02-08 - As per Council resolution
2020-03-23 - As per Council resolution

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Appendix A

Event Organizer Checklist for Liquor Licenced Events

(The checklist must be signed and submitted to the City of Kitchener with all supporting information, at least **30 days** before the event. See the Municipal Alcohol Policy (MAP) for additional information.)

1. Name of Event: _____
2. Location of Event: _____
3. Date and Time of Event: _____
4. Estimated Attendance: _____

5. Will persons under 19 years of age be attending this event? Yes No
6. Name of Event Organizer (the person and/or group sponsoring/hosting this event):
_____ Phone: _____ Cell: _____
7. Name of Special Occasion Permit (SOP) holder (*if applicable*) and all official designates:
SOP Holder Name: _____
Phone: _____ Cell: _____
Official Designates:
Name: _____ Phone: _____ Cell: _____
Name: _____ Phone: _____ Cell: _____
8. A copy of the SOP permit has been provided? Yes Date Received: _____
9. Proof of liability insurance has been provided? Yes Date Received: _____
10. The safe transportation strategies that will be used at this licenced event are:
 - a) _____
 - b) _____
 - c) _____

(List on separate sheet if necessary.)
11. Type of identification for event workers (*please describe*): _____

12. List the names and certification numbers of the Smart Serve trained event workers for this licenced event: (**Proof of certification may be required.**)

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<u>Name</u>	<u>Certification Number</u>
_____	_____
_____	_____

13. List the names and security licence numbers for security staff for this event:
(Proof of certification must be available on request.)

<u>Name</u>	<u>Security Licence Number</u>
_____	_____
_____	_____
_____	_____

14. The undersigned (Event Organizer) has received the Municipal Alcohol Policy (MAP), and has read and understood the information and requirements contained therein.

Yes

Please note that if there is anything that you do not understand with respect to this policy **it is your responsibility** to contact the appropriate City of Kitchener staff (Phone: _____) to obtain clarification and understanding prior to signing this Event Organizer checklist.


By signing this Event Organizer Checklist for Liquor Licenced Events, the undersigned hereby agrees, on behalf of itself/himself/herself and on behalf of its/his/her partners, employees, volunteers, agents, executors, administrators and assigns, as the case may be, to comply with all of the obligations, terms and conditions of the Municipal Alcohol Policy (MAP) of the City of Kitchener.

Signed at _____, Ontario this ____ day of _____, 20__.

_____ <i>Name of Corporate Event Organizer (print)</i> On behalf of: _____ _____ <i>Signature of Corporate Event Organizer</i> Title: _____ <i>I have the authority to bind the corporation.</i>

OR

_____ <i>Name of Individual Event Organizer (print)</i> _____ <i>Signature of Individual Event Organizer</i> _____ <i>Name of Witness (print)</i> _____ <i>Signature of Witness</i>

	<h1>POLICY</h1>	<u>Policy No:</u> MUN-FAC-325
<u>Policy Title:</u> MUNICIPAL ALCOHOL POLICY (MAP) <u>Policy Type:</u> COUNCIL <u>Category:</u> Municipal Services <u>Sub-Category:</u> Facility <u>Author:</u> Author Unknown <u>Dept/Div:</u> CAO/Economic Development/Special Events	<u>Approval Date:</u> February 8, 2016 <u>Reviewed Date:</u> December 2019 <u>Next Review Date:</u> July 2023 <u>Reviewed Date:</u> <u>Last Amended:</u> March 2020 <u>Replaces:</u> <u>Repealed:</u> I-325 - Municipal Alcohol Policy (MAP) <u>Replaced:</u> I-325 - February 8, 2016	
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review.		

1. POLICY PURPOSE:

This Municipal Alcohol Policy (MAP) is intended to promote a safe, enjoyable environment taking into consideration the health and safety of participants and staff. This policy is in place to reduce alcohol-related problems such as injury, violence and liability which arise from alcohol consumption on municipal property.

1.1 Policy Objectives

- a. To provide procedures and education to individuals or groups wishing to hold events in and/or on municipally owned facilities/properties in order to ensure that all *Liquor Licence Act of Ontario* legislation that pertains to Special Occasion Permits or liquor licencing and the Municipal Alcohol Policy (MAP) are properly understood and strictly complied with.
- b. To ensure appropriate supervision and operation of Special Occasion Permits and liquor licenced events in order to protect the Event Organizers, the participating public, volunteers, the City of Kitchener and its staff from liability by providing education in prevention and intervention techniques and through effective management procedures.
- c. To encourage and reinforce responsible drinking practices for consumers through the development of operational procedures, controls, training and

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education, and to honour the decision of abstainers not to drink alcohol and encourage their participation by providing alternative, non-alcoholic drinks.

2. **DEFINITIONS:**

Alcohol and Gaming Commission of Ontario (AGCO)

The Alcohol and Gaming Commission of Ontario (AGCO) is a Provincial agency, established February 23, 1998 under the *Alcohol and Gaming Regulation and Public Protection Act, 1996*. The Act gave the AGCO responsibility for the administration of the *Liquor Licence Act* and the *Gaming Control Act, 1992*. The AGCO is a regulatory agency that reports to the Ministry of the Attorney General. For more information go to www.agco.on.ca/en/about/index.aspx.

Caterer's Endorsement

A liquor sales licence authorizing the applicant to sell and serve liquor for an event held on properties other than the properties to which the liquor sales licence applies.

Event

For the purposes of this policy, an event is any gathering held at a municipal facility or property at which alcohol will be served and/or sold. They may include weddings, showers, dances, barbeques, birthday parties and any other event where alcohol will be served. The duration of the event includes event set-up, operation and clean-up. Events involving alcohol may be in a licenced municipal facility or under a Special Occasion Permit (SOP).

Event Organizer

Any person, who is 19 years of age or over, seeking to hold an event that involves the sale and/ or service of alcohol at municipal facilities/property. The Event Organizer (which term shall include the SOP permit holder and any designate) is responsible for the safety and sobriety of people attending the event as well as compliance with this Municipal Alcohol Policy and the *Liquor Licence Act of Ontario* and its regulations at the event. **They assume all responsibility and liability for the entire operation of the event.** The Event Organizer **MUST** read and sign the *Event Organizer Checklist for Liquor Licenced Events* to indicate that they understand their responsibilities.

Event Worker

Any person, who serves or sells liquor, or is involved in an event where alcohol is served on municipal property. All event workers have a responsibility in the operation of the event and shall not consume or be under the influence of alcohol for the entire duration of the event. In addition to the Event Organizer and permit holder, event workers may include the following:

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- **Floor Supervisor**

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. A floor supervisor talks with participants, monitors patron behavior, monitors for intoxication and underage drinkers, responds to problems and complaints, assists door monitors when necessary, aids in the removal of intoxicated persons, arranges safe transportation.

- **Door Monitor**

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. A door monitor checks identification and for signs of intoxication prior to entry, keeps out intoxicated and troublesome individuals, arranges for coat checking, monitors for those showing signs of intoxication when leaving the event, arranges safe transportation.

- **Server/Bartender**

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he has been trained by a recognized alcohol server training course, namely Smart Serve Ontario program. A server accepts tickets for the purchase of alcoholic drinks, serves drinks, monitors for intoxication and underage drinkers, refuses service when a patron appears to be intoxicated or near intoxication, offers a non-alcoholic substitute and co-ordinates with event staff. This person will act in accordance with their training under such programs as the Smart Serve Ontario program.

- **Ticket Seller**

A paid/volunteer person(s) appointed by the Event Organizer, who is over the age of 18 and who has satisfactorily proven to the Event Organizer that she/he will act in accordance with the MAP. A ticket seller sells alcohol tickets to a maximum of four per person per purchase, monitors for intoxication and underage drinkers, refuses sale to patrons at or near intoxication, and refunds tickets on request.

Licensed Security

Security personnel monitoring entrances and patrolling licenced areas must be licenced under the *Private Security and Investigative Services Act*, to ensure the safety and security of the establishment/property, its employees and patrons. For more information go to www.agco.on.ca.

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Liquor Licence Act

Each province or territory has a liquor licence act which outlines the laws regarding the sale and service of alcohol. See www.agco.on.ca/en/whatwedo/index.aspx for more information. It is the responsibility of the Event Organizer to know and understand this legislation.

Municipal Alcohol Policy (MAP)

A local policy for municipalities to manage events held at municipally-owned facilities and properties when alcohol is sold and/or served.

Municipal Properties

All municipally-owned or leased lands, buildings and structures. All assets, structures, buildings, outbuildings, lands to be defined as property.

Municipal Representative

City of Kitchener staff or a designate who attend the event on behalf of the City of Kitchener to monitor compliance of the Municipal Alcohol Policy.

Municipal Significance

Public Event permits can be issued for events of "municipal significance". In order to be deemed an event of municipal significance, it required a designations by the municipality in which the event will take Place. A letter from a delegate municipal official designating the event as municipally significant is required for the SOP.

Non-Objection Letter

A licensed establishment can apply to temporarily extended their liquor licence onto lands not captured under the original licence, such as public lands. A letter from the City Clerk or their delegate stating that there is "no objection" to the proposed extended licensed area is required.

Religious Function

Events that include a religious ceremony conducted by an officiant such as a priest, minister, Justice of the Peace, rabbi, etc. Examples include, but not limited to, weddings, bar mitzvahs, and baptisms. A religious function does not include events like a "stag and doe", anniversaries or birthdays.

Smart Serve

The Smart Serve training program offered by Smart Serve Ontario (www.smartserve.ca) is designed to train staff and volunteers who work in areas where alcohol is sold and/or served, such as in bars, restaurants, banquet halls and other public facilities. The Smart Serve Program is the **mandatory** server training program that is recognized by the AGCO and approved by this policy. Note

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that the AGCO still recognizes The Server Intervention Program certification issued prior to May 1995. This policy also recognizes this certification until December 31, 2020.

Special Occasion Permit (SOP)

A liquor licence issued by the Alcohol and Gaming Commission of Ontario for one-time social events where alcohol will be sold and/or served. All SOP's are managed and controlled by the AGCO. There are three types of special occasions for which a permit may be issued:

- **Private Event**

For events where only invited guests will attend. These events cannot be advertised and there can be no intent to gain or profit from the sale of alcohol at the event.

- **Public Events**

For events that are open to the public. Public events can be advertised and allow for fundraising/profit from the sale of alcohol.

- **Industry Promotional Events**

For events held to promote a manufacturer's product(s) through sampling. There can be no intent to gain or profit from the sale of alcohol at the event.

All of these events as described above can be held indoor or outdoor (including pavilions or temporary structures). There are two classes of Special Occasion Permit (SOP):

- **Sale SOP**

Issued when money is collected for the sale of alcohol either directly or indirectly. This could be through, for example, an admission charge to the event, when tickets for alcohol are sold to people attending the event, or when there is any pre-collection of money for the alcohol.

- **No Sale SOP**

Issued when alcohol is served without charge or when there is no money collected for alcohol – either directly or indirectly – from guests.

For further information regarding types and classes of special occasion permits, please refer to the AGCO web site at this address:

www.agco.on.ca/en/whatwedo/permit_special.aspx .

SOP Holder (Permit Holder)

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The individual who signs the application for a Special Occasion Permit to sell and/or serve alcohol. A special occasion permit holder can assign a designate. A designate is a person(s) appointed by the special occasion permit holder, and acceptable to the City of Kitchener who is over the age of 19 and who has satisfactorily proven to the special occasion permit holder that she/he will act in accordance with the MAP. The Event Organizer, the special occasion permit holder and/or designate are responsible for the safety and sobriety of people attending the event as well as compliance with the MAP and the *Liquor Licence Act of Ontario* and its regulations at the event. **They assume responsibility and liability for the entire operation of the event.**

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
<input type="checkbox"/> All Employees	
<input type="checkbox"/> All Full-Time Employees	<input type="checkbox"/> All Union
<input type="checkbox"/> Management	<input type="checkbox"/> C.U.P.E. 68 Civic
<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
<input type="checkbox"/> Specified Positions only:	<input type="checkbox"/> Other:
<input type="checkbox"/> Council	<input type="checkbox"/> Local Boards & Advisory Committees

The Municipal Alcohol Policy (MAP) outlines various stipulations and controls on events involving alcohol, including: Special Occasion Permits (SOP), liquor licenced events under a caterer's endorsement, and/or events in a municipally licenced facility in conjunction with the Alcohol and Gaming Commission of Ontario (AGCO).

4. POLICY CONTENT:

Designation of Roles and Responsibilities

4.1 Role of Municipal Representatives

Municipal representatives are responsible for ensuring the Event Organizer and/or designate are provided with written information outlining the conditions of the MAP.

The City of Kitchener representatives have the authority to demand correction and/or to shut down an event on behalf of the City of Kitchener. The City of Kitchener has the final authority in direction when it comes to breaches under the policy and agreement of the Event Organizer. The City of Kitchener

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representatives monitoring a liquor-licenced event shall be Smart Serve trained and competent in facility operations.

4.2 Role of Event Organizer and/or Designate

Notwithstanding the roles outlined above, the Event Organizer and any designate is responsible for the conduct and management of the event, including, but not limited to:

- Complying with the MAP in addition to all applicable federal, provincial and municipal laws, policies, guidelines, regulations and by-laws, including, without limitation, the *Liquor Licence Act of Ontario* and its regulations;
- Organizing, planning, set up and clean-up of the event;
- Ensuring sufficient number of event workers;
- Ensuring training of their designates and event workers (all of whom must be a minimum of 18 years of age or older);
- Posting the Special Occasion Permit (with any updates) in plain sight on the property to which the permit applies or keep it in a place where it is readily available for inspection;
- Ensuring all alcohol is purchased from an authorized government retail store (e.g., LCBO, Beer Store) using the SOP as the guide for allowed amounts;
- Ensuring alcohol sales and service including the choice of beverages comply with the Municipal Alcohol Policy;
- Ensuring that no one consumes alcohol in unauthorized locations on the property;
- Ensuring the safety and sobriety of people attending the event including those persons asked to leave to control the event;
- Providing safe transportation options (e.g., designated drivers, taxis);
- Responding to emergencies; and

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- **Must read, complete, sign and submit** the *Event Organizer Checklist for Liquor Licenced Events* to indicate their understanding of their responsibility for the event.
- **Must provide a copy of the Special Occasion Permit (if applicable) and any updates to the City of Kitchener at least 30 days prior to the start of the event. Non-compliance may jeopardize your event from taking place.**
- **Must ensure that all liquor, wine and beer are purchased with the SOP.** Proof of this must be provided at the event. Receipts need to have the SOP number on them. These purchase orders and levy receipts must match the amount of alcohol in the bar for the event and will be posted with the SOP. Non-compliance may jeopardize your event from taking place.
- **Must attend the event for the entire duration** including set-up prior to the event, clean-up after the event and be responsible for decisions regarding the actual operation of the event.

4.3 **Designation of Properties and Events**

a. **Designation of Suitable Properties**

The following municipal facilities/properties and areas are either licenced or designated as **suitable** for events involving alcohol subject to the Event Organizer obtaining a Special Occasion Permit or a liquor licence through a caterers' endorsement issued by the AGCO and agreeing to conditions as set out by the City of Kitchener:

- Activa Sportsplex**
- Breithaupt Community Centre
- Bridgeport Community Centre
- Budd Park
- Centreville Chicopee Community Centre
- Chandler Mowat Community Centre
- City Hall and Carl Zehr Square
- Country Hills Community Centre
- Cowan Recreation Centre
- Don McLaren Arena**
- Doon Pioneer Park Community Centre
- Doon Valley Golf Course Clubhouse ***
- Downtown Community Centre
- Forest Heights Community Centre

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- Grand River Arena**
- Grand River Recreation Complex
- Kingsdale Community Centre
- Kitchener Market
- Kitchener Memorial Auditorium Complex (KMAC)**
- Kiwanis Park (picnic shelter)
- Lions Arena**
- Lions Arena Community Hall
- McLennan Park Great Lawn Area
- Mill Courtland Community Centre
- Peter Hallman Ball Yard
- Queensmount Arena**
- RBJ Schlegel Park
- Rockway Centre
- Rockway Golf Course Clubhouse***
- Sportsworld Arena**
- Stanley Park Community Centre
- Victoria Hills Community Centre
- Victoria Park Commons
- Victoria Park Pavilion
- Williamsburg Dedication Centre
- Woodside Park

** Some in-house policies and guidelines apply

***No SOP allowed at the municipal golf courses, however, hall is licenced and available for rent.

For more information regarding these facilities/properties and any updates, please visit www.kitchener.ca.

b) Designation of Not Suitable Properties

The following municipal facilities/properties and areas are **not licenced or not suitable** for an event involving alcohol. They include but not limited to:

- Breithaupt Centre pool area, viewing lounge, change rooms, solarium
- Cameron Heights Pool
- Cowan Recreation Centre aquatics areaForest Heights Pool
- Harry Class Pool
- Idlewood Pool
- K-W Judo Gymnastics Training Centre
- Kiwanis Pool

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- Lyle Hallman pool area and change rooms
 - Williamsburg Community Centre
 - Wilson Pool
 - Athletic and playing fields
 - Parking lots
 - Spectator areas of arenas*
 - Dressing rooms/change rooms
 - Open park areas, trails and woodlots
 - Playground areas
- *except designated areas of KMAC

For more information regarding these facilities/properties and any updates, please visit www.kitchener.ca.

c) Designation of Events

The serving of alcohol shall not be permitted at any events where the focus of the event marketing is for youth under 19 years of age.

4.4 Conditions for Events Involving Alcohol

4.4.1 Insurance

The event organizer must provide proof of insurance by way of submitting an original Certificate of Liability Insurance to the City of Kitchener a minimum of 30 days prior to occupying municipal premises for the event. The Certificate of Liability Insurance must be in effect for date(s) when municipal property is being used or occupied by the event organizer including, without limitation, set-up and take-down. Failure to provide proof of liability insurance will result in the rental being cancelled.

4.4.2 All Rentals for Events with Alcohol

The Certificate of Liability Insurance shall:

- Provide proof of a minimum of five million dollars general liability insurance issued by an insurance company satisfactory to the City of Kitchener that is licensed to carry on business in Ontario and which must at a minimum include the following:
 - a) The City of Kitchener shown as an additional insurer to the policy
 - b) Coverage for bodily injury and property damage liability
 - c) A liquor liability endorsement
 - d) Tenants liability endorsement

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- e) Products and completed operations liability
 - f) Personal injury liability
 - g) Advertiser's liability
 - h) Thirty (30) day notice of cancellation provision
 - i) Show cross liability endorsement and severability of interests provision
- Show that coverage is in effect on the date(s) of the event
 - Be delivered to the supervisor having operational jurisdiction at the event location at least 30 days prior to the start of the event. The following information must be provided:
 - Certificate of liability insurance
 - Policy number
 - Company name
 - Expiry date
 - Amount of insurance coverage
 - An endorsement from the insurance company that they are aware of the Special Occasion Permit event and that coverage is in place including date and location of the event and name and address of the Special Occasion Permit holder

The City of Kitchener reserves the right to amend the insurance and provisions required at any time at their sole discretion. Authority to review the exposure and risk of the event to determine the level of insurance required is designated to the Director of the business unit in consultation with the Waterloo Regional Municipalities Insurance Pool and the City Solicitor.

4.4.3 Indemnification

The Event Organizer, both during and after the term of this agreement, shall at all times, and at its own cost, expense and risk, defend, indemnify and hold harmless the City of Kitchener, its elected officials, officers, employees, volunteers, agents, contractors, and all respective heirs, administrators, executors, successors and assigns from any and all losses, damages (including, but not limited to, incidental, indirect, special and consequential damages, or any loss of use, revenue or profit by any person, organization or entity), fines, penalties and surcharges, liabilities (including, but not limited to proceedings of a criminal, administrative or quasi criminal nature) and expenses (including, but not limited to, legal fees on a substantial indemnity basis), which the indemnified person or persons may suffer or incur, howsoever caused, arising out of or in consequence of or directly or indirectly attributable to the Event, its agents, employees, volunteers, and/or guests on behalf of the City of Kitchener, provided such losses, damages, fines, penalties and surcharges, liabilities, judgments, claims, demands, causes of

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action, contracts, suits, actions or other proceedings of any kind and expenses as defined above are due or claimed to be due to the negligence, breach of contract, and/or breach of law of the Event Organizer, its agents, employees, volunteers, and/or guests.

4.4.4 Advertising

All advertising must comply with the AGCO advertising policies and guidelines. AGCO policy states that a permit holder for a private event special occasion permit is not permitted to advertise or promote liquor or the availability of liquor.

At events where children and youth are allowed entry, the Event Organizer and/or designate shall not allow promotional advertising of alcoholic beverages' names, brands or manufacturers.

4.4.5 Event Worker Training and Staffing Levels

a) Notwithstanding the roles outlined above, the Event Organizer is responsible to:

- Ensure event workers are in attendance and as needed to monitor, manage and control the event
- Ensure event workers wear an identification (I.D.) name tag and/or clothing which are highly visible in a crowd so that they can be easily identified. (Provision of this identification and clothing is the responsibility of the Event Organizer and/or designate.) The type of identification worn by the event workers must be stated on the *Checklist for Liquor Licenced Event Organizers* form.
- Ensure the door monitors, floor supervisors, servers and themselves **do not consume alcohol** before, during or after the event is concluded, nor shall they be under the influence of any alcohol or other substance during the event.
- Ensure there are sufficient door monitors placed at all entrance and access points to ensure controls are properly managed. For any event that allows admittance to minors, additional door monitors may be required.
- Ensure there are sufficient floor supervisors assisting in managing a person who is refused sale, crowd control and de-escalations of violence.

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- Ensure the entrance to the event is monitored by responsible person(s) meeting the age of majority requirements at all times. These persons shall further observe individuals that may be attempting to enter the facility/property that appear to be intoxicated or have a history of causing problems at events.
- Provide a list, **at least 30 days prior** to the event, of:
 - a) All servers and proof of Smart Serve certification (including their certification numbers)
 - b) Security staff and security licence numbers
 - c) Proof of insurance satisfactory to the City of Kitchener
- As it relates to monitoring and serving of alcohol, ensure that all event workers are Smart Serve trained and recommend they have de-escalation of violence training.
- Relative to alcohol service areas, minimum event worker numbers are required on an event worker versus guest ratio basis as described in the table "*Guest to Event Worker Ratios*". **This includes the provision of both police and/or licenced security.**

The City of Kitchener in consultation with the Event Organizer and representative(s) of the Alcohol & Gaming Commission of Ontario (AGCO) representative (if applicable) reserves the right to adjust the minimum number or types of event workers based on assessed level of risk and past history on an event-by-event

4.4.5 b) Event Worker Training and Staffing Levels (cont'd)

Guest to Event Worker Ratios

Number of Guests	Minimum Number of Event Workers				Minimum Number of Security
	Bartenders	Door Monitors*	Floor Supervisors**	Ticket Sellers	Licensed Security Workers

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Up to and including 100	1	Monitor at each access point	1	0	
101 to 200	2	Monitor at each access point	2 (+1 for outdoor events)	1	
201 to 300	2	Monitor at each access point	3 (+1 for outdoor events)	2	(1 for outdoor events)
301 to 400	3	Monitor at each access point	3 (+1 for outdoor events)	2	(1 for outdoor events)
401 to 500	3	Monitor at each access point	4 (+1 for outdoor events)	2	1 (+1 for outdoor events)
501 to 600	4	Monitor at each access point	5 (+2 for outdoor events)	3	1 (+1 for outdoor events)
601 to 700	4	Monitor at each access point	6 (+2 for outdoor events)	3	2 *** (+1 for outdoor events)
701 to 800	5	Monitor at each access point	7 (+2 for outdoor events)	3	2 *** (+1 for outdoor events)
801 to 900	5	Monitor at each access point	7 (+2 for outdoor events)	4	3 *** (+1 for outdoor events)
901 to 1,000	6	Monitor at each access point	8 (+2 for outdoor events)	4	3 *** (+1 for outdoor events)

* All access points to the licenced area must be monitored. Each venue will require a varying number of door monitors depending on the layout of the venue.

** The Event Organizer or official designate can be a floor supervisor.

*** For events over 600 guests, at least 50% of the required licenced security workers shall be paid duty police officers.

For every additional 150 guests over 1,000, an additional bartender and an additional floor monitor are required. For every additional 300 guests over 1,000, an additional ticket seller is required. For every additional 200 guests over 1,000, an additional licenced security worker is required. Amendments for these requirements are at the sole discretion of the City of Kitchener.

For all outdoor events and all events with more than 1,000 guests, an operational plan must be developed with the AGCO and the City of Kitchener in order to ensure that all aspects of public safety are addressed (including ambulance, fire, security, traffic management plan, etc.).

The operational plan must be submitted to the City of Kitchener at least 30 days prior to the event (e.g., ambulance, fire, security, etc.).

All costs associated with preparing and complying with security and operational plans shall be borne by the Event Organizer and/or designate unless otherwise agreed upon in writing by the Event Organizer and the City of Kitchener representative.

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Required licenced security or paid duty police officers for any events are the responsibility of the Event Organizer and all costs associated therewith shall be borne by the Event Organizer.

All costs unless agreed upon in writing by the City of Kitchener will be borne by the Event Organizer.

4.4.6 Enforcement Procedures

If drunkenness, riotous, quarrelsome, violent, and aggressive and/or disorderly conduct or unlawful gaming is observed at the event, the Event Organizer and their event workers shall:

- First ask the offending person to leave, and
- If the individual refuses to leave, call the police, and
- Seek any necessary assistance to maintain control and management of the event and ensure the safety and protection of persons, including event workers.
- Ensure the safety of those removed from the event who are intoxicated.

The Event Organizer or event workers will notify the police if they observe signs that a situation is getting out of control.

4.4.7 Prevention Strategies – Selling, Serving, Types of Drinks

The following controls and prevention strategies related to **selling and serving** alcohol shall be in place in conjunction with the AGCO requirements:

- I. Alcohol shall not be served to anyone under the age of 19 (minors). Minors are not allowed to consume alcohol on the property. Outdoor public events which allow admittance to **minors** must implement a wrist band policy or have a fenced licenced area where alcohol is only served to and consumed by those 19 years of age and older. Additional floor monitors are recommended if alcohol is being served in the presence of minors. For multiple day events, wrist bands need to be different colours for each day. Obtaining a wrist band does not prevent servers from asking for identification if they feel it is warranted.

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- II. Alcohol shall not be served to anyone who may appear intoxicated. No person shall be served to the point of intoxication. No person shall have or consume liquor if they become intoxicated.
- III. Closing time is 1:00 a.m. unless different within the terms of the agreement or the SOP. The sale and service of alcohol must be within the bar hours based on the start and finish times listed on the original SOP. On New Year's Eve, the bar may remain open until 2:00 a.m. as listed on the original SOP. Ticket sales shall end an hour prior to the end of the licenced period of the event. Alcohol service shall cease at least 45 minutes prior to the end of the licenced period of the event. All alcohol and its containers (which include empty cups/glasses) shall be cleared away no more than 45 minutes after the end of the licenced event as listed on the SOP.
- IV. Last call shall not be announced.
- V. Drink tickets may be required depending on the event type, size and other event factors. Ticket sales for alcohol shall be limited to four tickets at one time per person. Unused tickets for alcoholic beverages can be redeemed at any time during the event.
- VI. Alcohol service shall be limited to two drinks per person at one time.
- VII. Alcohol cannot be left available for self-serving.
- VIII. It is recommended that drinks be served in soft plastic cups. For formal dinner settings, glass vessels may be used for serving/consuming alcohol. Glass must be removed at the conclusion of the dinner.
- IX. The permit holder is responsible to ensure that the permitted area is readily distinguishable from adjacent premises to which the permit does not apply.

The following controls and prevention strategies related to **types of available drinks** shall be in place:

- I. Event workers are to encourage patrons to consume food at the event.
- II. Ensure that a variety of non-alcohol or low alcohol beverages are sold or served, and that the prices of non-alcohol beverages are less than the price of liquor sold.
- III. Identified designated drivers are to receive free or lesser cost non-alcoholic drinks such as coffee, pop or juice.

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- IV. Beer products must be within 8% alcohol content, wine products within 14% alcohol content and spirits within 40% alcohol content.
- V. Pre-made alcoholic drinks, such as jello shooters and punches, spiked watermelon, etc. are **NOT** allowed.
- VI. Homemade alcohol shall not be allowed at any SOP function, with the exception of homemade wine or beer at a religious function listed under a NO SALE reception permit, as defined by the AGCO. Where wine is provided with a meal, a non-alcoholic substitute such as water, pop or juice must be provided to ensure that children and abstainers are included in toasting the celebrants.
- VII. No persons shall be allowed to bring in their own alcohol to the event or allowed to pour their own alcoholic drinks.
- VIII. Free liquor (i.e., spirits, wine, beer) shall not be offered or given to a customer as a prize in a contest.
- IX. Marketing practices which encourage increased consumption of alcohol (e.g., oversized drinks, double shots, pitchers, drinking contests, jello shooters, volume discounts) are not permitted.
- X. For fundraising and raffles, games of skill are permitted but games of chance are not permitted unless a lottery licence has been obtained through the City of Kitchener and AGCO regulations are met.

4.4.8 Safe Transportation

Event Organizers are responsible to take the necessary steps to reduce the possibility of impaired driving. As a condition of rental, the Event Organizer must have a Safe Transportation Strategy in effect. Elements of a Safe Transportation Strategy could potentially include but are not limited to:

- Providing non-alcoholic beverages either at no charge or at a cost much lower than that of drinks containing alcohol;
- Providing alternate means of transportation for those who are suspected to be intoxicated (i.e., call a friend, ride sharing program, relative or taxi);

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- Calling police if someone who is suspected to be impaired cannot be convinced to use alternate transportation;
- Providing a designated driver program which encourages and identifies designated driver;
- Advertise to guests the options for safe transportation.

The designated driver program and relevant local taxi phone numbers must be prominently posted. Alternate means of transportation shall be provided for all those suspected to be intoxicated. All advertising (e.g., posters, media) for the event should indicate that a designated driver program is in effect.

4.4.9 Signage

During events where alcohol is served, the following signage, which is approved by the City of Kitchener, shall be displayed in prominent locations:

Signage at one or more prominent places in the licenced/bar area:

Please drink responsibly.

- Bartenders reserve the right to refuse service
- Bartenders cannot serve alcohol to anyone who is intoxicated or appears to be at the point of intoxication
- Bartenders cannot serve alcohol to anyone under 19 years of age – proper I.D. must be presented to event staff when requested
- You can only be served a maximum of two alcoholic drinks at any one time
- You may redeem unused tickets for cash anytime during the event
- There will be no “LAST CALL”

Thank you for not drinking and driving

[Insert phone numbers of local cab companies.]

The R.I.D.E. program is in effect in our community

Use a designated driver or call a friend, ride sharing program, relative or taxi

Signage at one or more prominent places in the licenced/bar area:

If there is an emergency

CALL 9-1-1

For a non-emergency, please call
Waterloo Regional Police at 519-653-7700

You are at:

[Insert name and address of facility]

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Signage at one or more prominent places in the licenced/bar area:

- Sandy's Law sign is **mandatory** per the *Liquor Licence Act of Ontario*

Warning:
Drinking alcohol during pregnancy can cause birth defects and
brain damage to your baby

Signage to be posted at the boundaries of the licenced/bar area:

NO ALCOHOL
beyond this point

Thank you for not drinking and driving

[Insert phone numbers of local cab companies.]

The R.I.D.E. program is in effect in our community
**Use a designated driver or call a friend, ride sharing program,
relative or taxi**

Other signs to be posted in one or more prominent places in the licenced/bar area but are not mandatory:

- 'What is a standard drink?' sign
- Low Risk Drinking Guidelines sign

The Event Organizer shall post the Special Occasion Permit (SOP) (with any updates) in plain view on the property to which the permit applies or shall keep it in a place where it is readily available for inspection.

4.5. Infractions and Violations

4.5.1 Duty to Report

The Event Organizer has the **duty to report** to the municipal representative issues with details of any incident that:

- The Event Organizer and/or designate are aware of or have been made aware of any *Liquor Licence Act of Ontario* or MAP violations

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- Where an AGCO inspector under the *Liquor Licence Act of Ontario* has reported any incident or violation
- Involves bodily injury or property damage

Police shall be informed by the Event Organizer and/or designate as appropriate. Reports shall be made no later than two days after the conclusion of the event, but shall be made immediately when repairs or other action is required to make municipal property secure or safe for use. The City of Kitchener representative may report any infraction of this policy to the Police and/or AGCO whenever they believe such action is required.

4.5.2 Failure to Comply and Penalties

Where there has been a failure to comply with the *Liquor Licence Act of Ontario*, the Police or the AGCO inspector may intervene for enforcement purposes and may, at their discretion or other authority, terminate the event. The City of Kitchener may similarly cancel, intervene or terminate the event for violations of the Municipal Alcohol Policy.

It remains the responsibility of the Event Organizer and/or designate to manage the event and to take appropriate actions, including ending the event, vacating municipal property, maintaining insurance, any conditions of insurance, and providing safe transportation options.

Regardless of the reason for termination of the event, the City of Kitchener will not be responsible for any compensation to the Event Organizer and/or designate or affected persons of their resulting financial or other losses.

The City of Kitchener shall subsequently inform the Event Organizer and/or designate and any organization they represent, via registered letter, that there has been a violation of the policy and any imposed consequences or penalties.

Additional short term and longer term penalties for failure to comply may include, but are not limited to:

- Loss of privilege to hold an event involving alcohol in a municipal property or facility
- Loss of any future use or rental of any or all municipal properties

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- Individual ban or suspension of persons involved in the infractions from any or all municipal properties for any term
- Loss of rental deposit (if applicable) or other monies owed

4.6. Policy Review

The Municipal Alcohol Policy (MAP) shall undergo a regular review based on change within the industry standards and shall be updated as required.

The City of Kitchener reserves the right to make discretionary changes to this Municipal Alcohol Policy (MAP) at any time, and will advise the Event Organizer and/or designate of any such changes prior to the event.

**On behalf of The City of Kitchener, we wish you a
successful and enjoyable event.
Please drink responsibly.
Thank you for not drinking and driving.**

5. HISTORY OF POLICY CHANGES

Administrative Updates

2016-06 - I-325 policy template re-formatted to new numbering system and given number MUN-FAC-325.

Formal Amendments

2016-02-08 - As per Council resolution

2020-03-23 - As per Council resolution

Policy No: MUN-FAC-325

Policy Title: MUNICIPAL ALCOHOL POLICY (MAP)

Appendix A

Event Organizer Checklist for Liquor Licenced Events

(The checklist must be signed and submitted to the City of Kitchener with all supporting information, at least **30 days** before the event. See the Municipal Alcohol Policy (MAP) for additional information.)

1. Name of Event: _____
2. Location of Event: _____
3. Date and Time of Event: _____
4. Estimated Attendance: _____

5. Will persons under 19 years of age be attending this event? Yes No
6. Name of Event Organizer (the person and/or group sponsoring/hosting this event):
_____ Phone: _____ Cell: _____
7. Name of Special Occasion Permit (SOP) holder (*if applicable*) and all official designates:
SOP Holder Name: _____
Phone: _____ Cell: _____
Official Designates:
Name: _____ Phone: _____ Cell: _____
Name: _____ Phone: _____ Cell: _____
8. A copy of the SOP permit has been provided? Yes Date Received: _____
9. Proof of liability insurance has been provided? Yes Date Received: _____
10. The safe transportation strategies that will be used at this licenced event are:
 - a) _____
 - b) _____
 - c) _____

(List on separate sheet if necessary.)
11. Type of identification for event workers (*please describe*): _____

12. List the names and certification numbers of the Smart Serve trained event workers for this licenced event: (**Proof of certification may be required.**)

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<u>Name</u>	<u>Certification Number</u>
_____	_____
_____	_____

13. List the names and security licence numbers for security staff for this event:
(Proof of certification must be available on request.)

<u>Name</u>	<u>Security Licence Number</u>
_____	_____
_____	_____
_____	_____

14. The undersigned (Event Organizer) has received the Municipal Alcohol Policy (MAP), and has read and understood the information and requirements contained therein.

Yes

Please note that if there is anything that you do not understand with respect to this policy **it is your responsibility** to contact the appropriate City of Kitchener staff (Phone: _____) to obtain clarification and understanding prior to signing this Event Organizer checklist.

By signing this Event Organizer Checklist for Liquor Licenced Events, the undersigned hereby agrees, on behalf of itself/himself/herself and on behalf of its/his/her partners, employees, volunteers, agents, executors, administrators and assigns, as the case may be, to comply with all of the obligations, terms and conditions of the Municipal Alcohol Policy (MAP) of the City of Kitchener.

Signed at _____, Ontario this ____ day of _____, 20__.

_____ <i>Name of Corporate Event Organizer (print)</i> On behalf of: _____ _____ <i>Signature of Corporate Event Organizer</i> Title: _____ <i>I have the authority to bind the corporation.</i>

OR

_____ <i>Name of Individual Event Organizer (print)</i> _____ <i>Signature of Individual Event Organizer</i> _____ <i>Name of Witness (print)</i> _____ <i>Signature of Witness</i>

POLICY		MUN-FAC-442	
COMMUNITY FLAG RAISINGS, FLAG PROTOCOL & ILLUMINATION OF CITY HALL		Category MUN - Municipal Services	Sub-category FAC - Facility
Approval Type COUNCIL	Department/Division Finance & Corporate Services Department, Legislated Services	Author and Position City Clerk	
Date Approved May 17, 2004	Last Reviewed/Amended November 18, 2024	Next Review Date June 1, 2027	

Related Policies or Procedures



Policy Purpose

The Community Flag Raisings, Flag Protocol & Illumination at City Hall Policy establishes a framework to govern requests for flag raisings and illumination of city facilities received from the community, and to establish a consistent protocol for commemoration activities.

Definitions

- a) “Clerk” means the Clerk appointed by the Kitchener Council, or their designate.
- b) “Chief Administrative Officer/CAO” means the Chief Administrative Officer appointed by the Kitchener Council, or their designate.
- c) “City Hall” means the administrative office and public space including Carl Zehr Square.
- d) “Civic Square Flag Display” means the large flag poles in Civic Square which fly the national flag of Canada, the provincial flag of Ontario and the City of Kitchener flag.
- e) “Community Flag Pole” means the flagpoles designated at the Kitchener City Hall Duke St. Gardens and at Speaker’s Corner for Community Flag Raisings.
- f) “Flying a Flag at Half-mast” means the action of flying all flags, forming a single display of flags, at a position that is equal distance from the top and bottom of a flagpole, to mark periods of mourning or to commemorate solemn occasions.

- g) “Illumination” means the use of illumination through different colour lights at City Hall facing outwards toward Carl Zehr Square.
- h) “Kitchener Flag” means the flag adopted by Kitchener Council as a symbol of the municipality. The Kitchener Flag may be granted, registered, approved or confirmed by the Canadian Heraldic Authority.
- i) “Mayor” means the elected Mayor of the City of Kitchener, or the Acting Mayor, as approved by by-law, in their absence.
- j) “National Flag of Canada” means the flag approved by the Parliament of Canada as a national symbol of Canada.
- k) “Provincial Flag of Ontario” means the flag approved by the Legislative Assembly of Ontario as a provincial symbol of Ontario.

This Policy applies to Community Flag Raisings held at Kitchener City Hall and at Speaker’s Corner (Frederick and King Streets), and to the flying of flags at any municipal building, property, or facilities. The Policy applies to illuminations at the City Hall at 200 King Street West.

Policy Scope

This Policy applies to Community Flag Raisings held at Kitchener City Hall and at Speaker’s Corner (Frederick and King Streets), and to the flying of flags at any municipal building, property, or facilities. The Policy applies to illuminations at the City Hall at 200 King Street West.

Application

- Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
 - [Click or tap here to enter text.](#)
- Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
 - [Click or tap here to enter text.](#)
- Council**
- Specified Positions:** [Click or tap here to enter text.](#)
- Other:** Local Boards and Advisory Committees

Policy Content

1. Flag Protocols

The following rules will be used by the Kitchener in respect to the flying of flags at any municipal building, property, or facility:

1.1 General Principles of Flag Raisings

The following general principles will apply in respect to all aspects of this Policy, and be

used when interpreting the Policy:

- a) The municipality will use flags to celebrate Kitchener's diversity and inclusivity, and honour those who have contributed to the life of the municipality;
- b) The City will not fly the flag of a group or organization whose undertakings or philosophy could prove detrimental or reflect negatively on the City's public image. In this regard, the City will not fly the flag of any group or organization that;
 - i. Condone any form of personal discrimination, including that based upon race, national origin, religion, sex or age;
 - ii. Appears in a realistic manner to exploit, condone or incite hatred or violence, or appear to condone, encourage or exhibit obvious indifference to unlawful behaviour;
 - iii. Demeans, denigrates or disparages any identifiable person, group or person, organization, profession, product or service or attempt to bring them into any public contempt or ridicule, or;
 - iv. Undermines human dignity, displays obvious indifference to or encourages, gratuitously and without merit, conduct or attitudes that offend the standards of public decency among a significant segment of the population;
 - v. Disparages a City program, service, facility, event or employee.
- c) The flying of flags at any municipal facility will not be contrary to the principles of any other Kitchener policy or bylaw; and,
- d) The municipality will only fly flags that are approved or recognized by federal, provincial or municipal governments of Canada.

1.2 Civic Square Flag Display

Only the national flag of Canada, the provincial flag of Ontario and the Kitchener flag shall be raised on the flagpoles located in the City Hall Civic Square.

Notwithstanding the provisions of the clause above, the Mayor or the CAO may approve the raising of any of the following flags on the poles at City Hall Civic Square:

- i. The flag of a member of the Royal family, the Governor-General or the Lieutenant-Governor;
- ii. The flag of the United Nations;
- iii. The flag of a state recognized by the Canadian Department of Foreign Affairs, Trade and Development, when an official representative is visiting the City or

an official is representing a municipality officially linked to the City of Kitchener;

- iv. Canadian Armed Forces Flag (on Canadian Armed Forces Day only)

1.3 Community Flag Raising Displays

Kitchener has designated two (2) Community Flag Poles to celebrate Kitchener's diversity and heritage. The first Community Flag Pole will be the original flagpole designated as a Community Flag Pole at the time of the opening of Kitchener City Hall (the front, left flagpole at the corner of the Duke Street Gardens) and the second Community Flagpole will be located in Speaker's Corner.

A. Community Flag Raising Criteria

The criteria for approving or denying a request to use the Community Flag Poles will be:

The following types of flags are permitted to be flown on the Community Flag Poles:

- i. of a state recognized by the Canadian Department of Foreign Affairs, Trade and Development being flown in honour of national or independence days important to the residents of Kitchener;
- ii. of a registered charitable organization and/or registered not-for-profit organization in support of fundraising drives important to the residents of Kitchener; and,
- iii. of a registered charitable organization and/or registered not-for-profit organization to celebrate multicultural and civic organizations or events important to the residents of Kitchener or at the direction of the Mayor or the CAO.

The following types of flags are not permitted to be flown on the Community Flag Poles:

- i. of Political Parties;
- ii. of Religious Groups;
- iii. in support of fund-raising drives that are political or religious in nature; and
- iv. that contravene any of the principles outlined in this policy or in any other City of Kitchener bylaw or policy.

The Clerk will be responsible for providing advice, as necessary, on the applicability of any of the above criteria to any application received for Community Flag Raisings.

B. Applications for use of the Community Flagpoles

All requests for use of the Community Flag Poles will be made in writing via a set application form. Approvals and use of the Community Flagpole(s) will be granted on a first come-first served basis.

Applications for any given calendar year will be accepted until December 1st of the

previous year, with a calendar prepared by the Clerk by December 31st of that previous year for the following year. Subsequent approvals will be considered on a first-come, first-served basis, subject to space availability.

Applications during the calendar year are to be submitted at least three (3) weeks prior to the day requested for the raising of the flag. The Clerk will review all applications to determine consistency with this Policy, and will:

- i. approve the flag raising and note it on the next Council Agenda for information purposes, if the flag raising was previously approved by the Mayor and Chief Administrative Officer (CAO) within 5 years of the current request, and is consistent with this Policy;
- ii. make a recommendation to the Mayor and CAO to approve or deny the application prior to the date of the proposed flag raising, and if approved, note it on the next Council Agenda for information purposes, if the flag raising was not previously approved by the Mayor and CAO, or was approved by the Mayor and CAO more than 5 years before the current request;

Decisions made by the Mayor and the CAO, or the City Clerk, in the implementation of this policy, shall be considered final.

C. General Rules for the Community Flagpoles

The general rules for the use of the Community Flagpoles are as follows:

- i. Flags will be flown for up to 1 week at a time, on one (1) of the two available community flag poles;
- ii. A community group will be permitted one (1) use of the community flag pole each calendar year;
- iii. When the community flag raising at any point in time is for the flag of another nation, the flag of that nation will fly on the Community Flag Pole at Kitchener City Hall. If more than one application is received to fly the flag of another nation, the Clerk will work with the applicants to facilitate a solution which allows for each of the group's respective celebrations. The Clerk's decision shall be final in this regard.
- iv. When the community flag raising is for the flag of a community organization, the first organization to make application shall have first choice as to which Community Flag Pole they would like to use, and the second application will have use of the other Community Flag Pole. If there is already a national flag flying on the Community Flag Pole at Kitchener City Hall, then only the remaining flag pole at Speaker's Corner shall be available for any community flag requests;
- v. When more community flag-raising requests occur on the same day (or during the same period of time) than there is space for on Community Flag Poles, then the Clerk will work with affected groups to facilitate the community flag raising by: (1) moving a flag-raising to a different day; or (2) sharing the time period equally by affected groups;
- vi. Individuals, groups or associations requesting flag raisings are required to

provide the flag to be raised.

1.4 Flag Protocol

Kitchener's protocol for the flying of flags at all municipal facilities incorporated into this Policy as appendices. Appendix 'A' are the protocols Kitchener will use in honouring contributions to the life of the municipality through the Flying a Flag at Half-mast. Appendix 'B' are the protocols the municipality will use in determining how flags will usually be flown at any municipal facility.

2. Illumination Protocols

The following rules will be used by ~~the~~ Kitchener in respect to the consideration of illumination requests to light Carl Zehr Square:

- a) The use of multi-colour capable LED lighting installations at ~~the~~ City Hall at 200 King Street West provides a unique opportunity to display the official colour associated with a charitable or non-profit organization or a City of Kitchener event, in order to create awareness of and/or celebrate and/or memorialize an organization or significant event;
- b) The municipality will use illuminations to celebrate Kitchener's diversity and inclusivity, and honour those who have contributed to the life of the municipality;
- c) The City will not facilitate illumination requests of a group or organization whose undertakings or philosophy could prove detrimental or reflect negatively on the City's public image. In this regard, the City will not facilitate illuminations of any group or organization that;
 - i. Condone any form of personal discrimination, including that based upon race, national origin, religion, sex or age;
 - ii. Appears in a realistic manner to exploit, condone or incite hatred or violence, or appear to condone, encourage or exhibit obvious indifference to unlawful behaviour;
 - iii. Demeans, denigrates or disparages any identifiable person, group or person, organization, profession, product or service or attempt to bring them into any public contempt or ridicule, or;
 - iv. Undermines human dignity, displays obvious indifference to or encourages, gratuitously and without merit, conduct or attitudes that offend the standards of public decency among a significant segment of the population; or
 - v. Disparages a City program, service, facility, event or employee.

2.1 General Principles of Illuminations

- a) Organizations making an Illumination request must be charitable or non-profit organizations.
- b) Charitable or non-profit organizations making an Illumination request must be consistent with City of Kitchener's policies and/or by-laws.
- c) Illuminations shall be permitted for up to 1 day at a time and up to two colours are available for use.
- ed) A community group will be permitted one (1) illumination request each calendar year;
- e) The City Hall Building at 200 King Street West shall not be illuminated for political, religious, or for-profit organizations or purposes.

3. Special Requests – Illuminations

- a) A special illumination request from an agency or organization located in Kitchener wishing to change the Illumination at City Hall, 200 King Steet West will be reviewed and provided to the CAO and Mayor for approval. If approved, the special illumination request will be noted on the Council Agenda under the Communication Heading, Flag Raising/Illumination section for information only.
- b) A special illumination request must be made three weeks prior to the requested date using the set application form.
- c) There will be no presentations or delegations at City Council with respect to Illumination.
- d) Illuminations by special request will take place at City Hall at 200 King Street West for the duration that the request is has been granted, or for an appropriate period specified to mark the event.

Roles And Responsibilities

Council is responsible for approving and amending this Policy.

The Clerk will be responsible for the interpretation of this Policy, as well as the development of procedures for the effective and efficient implementation of the Policy.

The Mayor, Chief Administrative Officer and the Clerk shall have approval responsibilities as outlined in various sections of this policy.

Results of Review

- No Edits Required
- Housekeeping Edits
- Substantial Edits
- Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	I-442 policy template re-formatted to new numbering system and given number MUN-FAC-442

Substantial Changes

Date	Council/CLT Directive
2014-06-30	Repeal & Replace resolution passed by Council, see report FCS- 14-127
2024-11-18	As Per Council/CLT Directive - Report COR-2024-018

Appendix "A"
FLYING FLAGS AT HALF-MAST

The City's protocol for Flying a Flag at Half-mast will be:

A. Periods of Official Mourning

Flags will be flown at half-mast at all City facilities to mark periods of official mourning upon the death of:

- i. The Sovereign;
- ii. A Member of the Canadian Royal Family;
- iii. The Governor General of Canada, or a former Governor General;
- iv. The Prime Minister of Canada, or a former Prime Minister;
- v. The Leader of Her Majesty's Loyal Opposition, Parliament of Canada;
- vi. The Lieutenant Governor of Ontario;
- vii. The Premier of Ontario;
- viii. The Leader of Her Majesty's Loyal Opposition, Legislative Assembly of Ontario;
- ix. A local Member of Parliament, or a local Member of the Legislative Assembly of Ontario;
- x. The Mayor or a former Mayor;
- xi. A Member of Council or a former Member of Council;
- xii. The Regional Chair or a former Regional Chair;
- xiii. A current employee of the City of Kitchener;
- xiv. A retired member of City staff having a minimum of 15 years of service;
- xv. A Waterloo Region Police Officer who dies in the line of duty; and
- xvi. A resident of Kitchener, who is a member of the Canadian Armed Forces, killed while deployed on operations.

Flags will be flown at half-mast, in the case of a national or provincial official, for the duration established by the appropriate federal or provincial protocol offices. In the case of other persons, flags will be flown at half-mast on the date of the funeral or memorial service for that individual.

The Clerk will be responsible for coordinating the Lowering of Flags at City facilities.

Kitchener Fire & Emergency Services Facilities

The Kitchener Fire Department may mark a period of official mourning for other fire and emergency personnel who have died in the line of duty, or any other traditional

commemorations of solemn occasions important to fire and emergency personnel. This applies to Kitchener Fire Stations only.

Notwithstanding section A, the Clerk shall be responsible for coordinating the Lowering of Flags due to Commemoration of Solemn Occasions for dates proclaimed and recognized by the Provincial or Federal government.

B. Commemoration of Solemn Occasions

Flags will be flown at half-mast annually, at all municipal facilities, to commemorate the following solemn occasions:

- i. Remembrance Day (November 11); and,

Flags will be flown at half-mast annually, at the civic square flag display, to commemorate the following solemn occasions:

- ii. National Day of Mourning for Persons Killed or Injured in the Workplace (April 28);

iii. National Day of Remembrance for Victims of Terrorism (June 23)

~~iii~~.iv. Peacekeeper's Day (August 9);

~~iv~~.v. National Firefighter Memorial Day (2nd Sunday in September);

~~v~~.vi. National Peace and Police Officer' Memorial Day (Last Sunday in September);

~~vi~~.vii. National Day of Remembrance and Action on Violence Against Women (December 6).

C. Other Solemn Occasions.

The commemoration of other periods of official mourning and solemn occasions, in keeping with the General Principles of this Policy, may be approved by the Mayor or CAO. This can include the passing of a person considered to be a prominent citizen of the City of Kitchener or the Region of Waterloo or a person of national or international stature that has had a profound effect on the lives of the community or in response to a tragic or catastrophic event in the world. A notice of any approval issued by the Mayor or CAO will be placed on a future Council Agenda for informational purposes.

Appendix 'B'

CUSTOMARY FLAG CONFIGURATION

The City's protocol for the usual configuration of flags at City of Kitchener facilities will be:

A. Civic Square Flag Display

The National Flag of Canada will be flown on the centre flagpole. To an observer facing the entrance to the Civic Centre, the Provincial Flag of Ontario will fly to the left of the Canadian flag and the Kitchener Flag will be flown to its right. Other flags will not be flown on any of these flagpoles, except in the circumstances noted under **Section 1.2 - Civic Square Flag Display** of this policy.

B. Other City Facilities

i. When the facility has only one (1) flagpole

The National Flag of Canada will be flown at facilities with only one flagpole. Another flag will not be flown under the National Flag of Canada. Other flags will not be flown at these facilities, except in the circumstances noted in under the heading "Dignitary Visits."

ii. When the facility has two (2) flagpoles configured to form a single display

The National Flag of Canada and either the Provincial Flag of Ontario or the Flag of the City of Kitchener will be flown. The customary position of honour, the left flagpole to an observer facing the display, will be used to fly the National Flag of Canada. Other flags will not be flown on these flagpoles, except in the circumstances noted under the heading "Dignitary Visits."

iii. When the facility has three (3) flagpoles configured to form a single display

The National Flag of Canada, the Ontario Provincial Flag, and the Flag of the City of Kitchener will be flown. The National Flag of Canada will be flown on the centre flagpole which is the customary position of honour. To an observer facing the display, the Provincial Flag of Ontario will fly to the left of the National Flag of Canada, and the Flag of City of Kitchener will be flown to its right. Other flags will not be flown on these flagpoles, except in the circumstances noted under the heading "Dignitary Visits."

C. Shared Government Facilities

At Shared Government Facilities (e.g. Kitchener & Waterloo Region Joint Fire & EMS Stations) arrangement of flags at facilities shared by the City and another government will be decided by written agreement between the governments and in accordance with applicable protocol. The Clerk will be responsible for representing the City and confirming such arrangements.

DIGNITARY VISITS

In the event of a visit by a dignitary to a City of Kitchener facility, the City may fly a flag representing that dignitary. The flying of a flag to mark the dignitary's visit will be made only after consulting with an appropriate protocol officer responsible for coordinating the visit.

POLICY		MUN-FAC-442	
COMMUNITY FLAG RAISINGS, FLAG PROTOCOL & ILLUMINATION OF CITY HALL		Category MUN - Municipal Services	Sub-category FAC - Facility
Approval Type COUNCIL	Department/Division Finance & Corporate Services Department, Legislated Services	Author and Position City Clerk	
Date Approved May 17, 2004	Last Reviewed/Amended November 18, 2024	Next Review Date June 1, 2027	

Related Policies or Procedures

Policy Purpose

The Community Flag Raisings, Flag Protocol & Illumination at City Hall Policy establishes a framework to govern requests for flag raisings and illumination of city facilities received from the community, and to establish a consistent protocol for commemoration activities.

Definitions

- a) "Clerk" means the Clerk appointed by the Kitchener Council, or their designate.
- b) "Chief Administrative Officer/CAO" means the Chief Administrative Officer appointed by the Kitchener Council, or their designate.
- c) "City Hall" means the administrative office and public space including Carl Zehr Square.
- d) "Civic Square Flag Display" means the large flag poles in Civic Square which fly the national flag of Canada, the provincial flag of Ontario and the City of Kitchener flag.
- e) "Community Flag Pole" means the flagpoles designated at the Kitchener City Hall Duke St. Gardens and at Speaker's Corner for Community Flag Raisings.
- f) "Flying a Flag at Half-mast" means the action of flying all flags, forming a single display of flags, at a position that is equal distance from the top and bottom of a flagpole, to mark periods of mourning or to commemorate solemn occasions.
- g) "Illumination" means the use of illumination through different colour lights at City Hall facing outwards toward Carl Zehr Square.

- h) “Kitchener Flag” means the flag adopted by Kitchener Council as a symbol of the municipality. The Kitchener Flag may be granted, registered, approved or confirmed by the Canadian Heraldic Authority.
- i) “Mayor” means the elected Mayor of the City of Kitchener, or the Acting Mayor, as approved by by-law, in their absence.
- j) “National Flag of Canada” means the flag approved by the Parliament of Canada as a national symbol of Canada.
- k) “Provincial Flag of Ontario” means the flag approved by the Legislative Assembly of Ontario as a provincial symbol of Ontario.

This Policy applies to Community Flag Raisings held at Kitchener City Hall and at Speaker’s Corner (Frederick and King Streets), and to the flying of flags at any municipal building, property, or facilities. The Policy applies to illuminations at the City Hall at 200 King Street West.

Policy Scope

This Policy applies to Community Flag Raisings held at Kitchener City Hall and at Speaker’s Corner (Frederick and King Streets), and to the flying of flags at any municipal building, property, or facilities. The Policy applies to illuminations at the City Hall at 200 King Street West.

Application

- Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
 - [Click or tap here to enter text.](#)
- Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
 - [Click or tap here to enter text.](#)
- Council**
- Specified Positions:** [Click or tap here to enter text.](#)
- Other:** [Local Boards and Advisory Committees](#)

Policy Content

1. Flag Protocols

The following rules will be used by the Kitchener in respect to the flying of flags at any municipal building, property, or facility:

1.1 General Principles of Flag Raisings

The following general principles will apply in respect to all aspects of this Policy, and be used when interpreting the Policy:

- a) The municipality will use flags to celebrate Kitchener's diversity and inclusivity, and honour those who have contributed to the life of the municipality;
- b) The City will not fly the flag of a group or organization whose undertakings or philosophy could prove detrimental or reflect negatively on the City's public image. In this regard, the City will not fly the flag of any group or organization that;
 - i. Condone any form of personal discrimination, including that based upon race, national origin, religion, sex or age;
 - ii. Appears in a realistic manner to exploit, condone or incite hatred or violence, or appear to condone, encourage or exhibit obvious indifference to unlawful behaviour;
 - iii. Demeans, denigrates or disparages any identifiable person, group or person, organization, profession, product or service or attempt to bring them into any public contempt or ridicule, or;
 - iv. Undermines human dignity, displays obvious indifference to or encourages, gratuitously and without merit, conduct or attitudes that offend the standards of public decency among a significant segment of the population;
 - v. Disparages a City program, service, facility, event or employee.
- c) The flying of flags at any municipal facility will not be contrary to the principles of any other Kitchener policy or bylaw; and,
- d) The municipality will only fly flags that are approved or recognized by federal, provincial or municipal governments of Canada.

1.2 Civic Square Flag Display

Only the national flag of Canada, the provincial flag of Ontario and the Kitchener flag shall be raised on the flagpoles located in the City Hall Civic Square.

Notwithstanding the provisions of the clause above, the Mayor or the CAO may approve the raising of any of the following flags on the poles at City Hall Civic Square:

- i. The flag of a member of the Royal family, the Governor-General or the Lieutenant-Governor;
- ii. The flag of the United Nations;
- iii. The flag of a state recognized by the Canadian Department of Foreign Affairs, Trade and Development, when an official representative is visiting the City or an official is representing a municipality officially linked to the City of Kitchener;

- iv. Canadian Armed Forces Flag (on Canadian Armed Forces Day only)

1.3 Community Flag Raising Displays

Kitchener has designated two (2) Community Flag Poles to celebrate Kitchener's diversity and heritage. The first Community Flag Pole will be the original flagpole designated as a Community Flag Pole at the time of the opening of Kitchener City Hall (the front, left flagpole at the corner of the Duke Street Gardens) and the second Community Flagpole will be located in Speaker's Corner.

A. Community Flag Raising Criteria

The criteria for approving or denying a request to use the Community Flag Poles will be:

The following types of flags are permitted to be flown on the Community Flag Poles:

- i. of a state recognized by the Canadian Department of Foreign Affairs, Trade and Development being flown in honour of national or independence days important to the residents of Kitchener;
- ii. of a registered charitable organization and/or registered not-for-profit organization in support of fundraising drives important to the residents of Kitchener; and,
- iii. of a registered charitable organization and/or registered not-for-profit organization to celebrate multicultural and civic organizations or events important to the residents of Kitchener or at the direction of the Mayor or the CAO.

The following types of flags are not permitted to be flown on the Community Flag Poles:

- i. of Political Parties;
- ii. of Religious Groups;
- iii. in support of fund-raising drives that are political or religious in nature; and
- iv. that contravene any of the principles outlined in this policy or in any other City of Kitchener bylaw or policy.

The Clerk will be responsible for providing advice, as necessary, on the applicability of any of the above criteria to any application received for Community Flag Raisings.

B. Applications for use of the Community Flagpoles

All requests for use of the Community Flag Poles will be made in writing via a set application form. Approvals and use of the Community Flagpole(s) will be granted on a first come-first served basis.

Applications for any given calendar year will be accepted until December 1st of the previous year, with a calendar prepared by the Clerk by December 31st of that previous year for the following year. Subsequent approvals will be considered on a first-come, first-

served basis, subject to space availability.

Applications during the calendar year are to be submitted at least three (3) weeks prior to the day requested for the raising of the flag. The Clerk will review all applications to determine consistency with this Policy, and will:

- i. approve the flag raising and note it on the next Council Agenda for information purposes, if the flag raising was previously approved by the Mayor and Chief Administrative Officer (CAO) within 5 years of the current request, and is consistent with this Policy;
- ii. make a recommendation to the Mayor and CAO to approve or deny the application prior to the date of the proposed flag raising, and if approved, note it on the next Council Agenda for information purposes, if the flag raising was not previously approved by the Mayor and CAO, or was approved by the Mayor and CAO more than 5 years before the current request;

Decisions made by the Mayor and the CAO, or the City Clerk, in the implementation of this policy, shall be considered final.

C. General Rules for the Community Flagpoles

The general rules for the use of the Community Flagpoles are as follows:

- i. Flags will be flown for up to 1 week at a time, on one (1) of the two available community flag poles;
- ii. A community group will be permitted one (1) use of the community flag pole each calendar year;
- iii. When the community flag raising at any point in time is for the flag of another nation, the flag of that nation will fly on the Community Flag Pole at Kitchener City Hall. If more than one application is received to fly the flag of another nation, the Clerk will work with the applicants to facilitate a solution which allows for each of the group's respective celebrations. The Clerk's decision shall be final in this regard.
- iv. When the community flag raising is for the flag of a community organization, the first organization to make application shall have first choice as to which Community Flag Pole they would like to use, and the second application will have use of the other Community Flag Pole. If there is already a national flag flying on the Community Flag Pole at Kitchener City Hall, then only the remaining flag pole at Speaker's Corner shall be available for any community flag requests;
- v. When more community flag-raising requests occur on the same day (or during the same period of time) than there is space for on Community Flag Poles, then the Clerk will work with affected groups to facilitate the community flag raising by: (1) moving a flag-raising to a different day; or (2) sharing the time period equally by affected groups;
- vi. Individuals, groups or associations requesting flag raisings are required to provide the flag to be raised.

1.4 Flag Protocol

Kitchener's protocol for the flying of flags at all municipal facilities incorporated into this Policy as appendices. Appendix 'A' are the protocols Kitchener will use in honouring contributions to the life of the municipality through the Flying a Flag at Half-mast. Appendix 'B' are the protocols the municipality will use in determining how flags will usually be flown at any municipal facility.

2. Illumination Protocols

The following rules will be used by Kitchener in respect to the consideration of illumination requests to light Carl Zehr Square:

- a) The use of multi-colour capable LED lighting installations at City Hall at 200 King Street West provides a unique opportunity to display the official colour associated with a charitable or non-profit organization or a City of Kitchener event, in order to create awareness of and/or celebrate and/or memorialize an organization or significant event;
- b) The municipality will use illuminations to celebrate Kitchener's diversity and inclusivity, and honour those who have contributed to the life of the municipality;
- c) The City will not facilitate illumination requests of a group or organization whose undertakings or philosophy could prove detrimental or reflect negatively on the City's public image. In this regard, the City will not facilitate illuminations of any group or organization that;
 - i. Condone any form of personal discrimination, including that based upon race, national origin, religion, sex or age;
 - ii. Appears in a realistic manner to exploit, condone or incite hatred or violence, or appear to condone, encourage or exhibit obvious indifference to unlawful behaviour;
 - iii. Demeans, denigrates or disparages any identifiable person, group or person, organization, profession, product or service or attempt to bring them into any public contempt or ridicule, or;
 - iv. Undermines human dignity, displays obvious indifference to or encourages, gratuitously and without merit, conduct or attitudes that offend the standards of public decency among a significant segment of the population; or
 - v. Disparages a City program, service, facility, event or employee.

2.1 General Principles of Illuminations

- a) Organizations making an Illumination request must be charitable or non-profit organizations.

- b) Charitable or non-profit organizations making an Illumination request must be consistent with City of Kitchener’s policies and/or by-laws.
- c) Illuminations shall be permitted for up to 1 day at a time and up to two colours are available for use.
- d) A community group will be permitted one (1) illumination request each calendar year;
- e) The City Hall Building at 200 King Street West shall not be illuminated for political, religious, or for-profit organizations or purposes.

3. Requests – Illuminations

- a) A illumination request from an agency or organization wishing to change the Illumination at City Hall, 200 King Steet West will be reviewed and provided to the CAO and Mayor for approval. If approved, the illumination request will be noted on the Council Agenda under the Communication Heading, Flag Raising/Illumination section for information only.
- b) A illumination request must be made three weeks prior to the requested date using the set application form.
- c) There will be no presentations or delegations at City Council with respect to Illumination.
- d) Illuminations will take place at City Hall at 200 King Street West for the duration that the request has been granted.

Roles And Responsibilities

Council is responsible for approving and amending this Policy.
 The Clerk will be responsible for the interpretation of this Policy, as well as the development of procedures for the effective and efficient implementation of the Policy.

The Mayor, Chief Administrative Officer and the Clerk shall have approval responsibilities as outlined in various sections of this policy.

Results of Review

- No Edits Required
- Housekeeping Edits
- Substantial Edits
- Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	I-442 policy template re-formatted to new numbering system and given number MUN-FAC-442

Substantial Changes

Date	Council/CLT Directive
2014-06-30	Repeal & Replace resolution passed by Council, see report FCS- 14-127
2024-11-18	As Per Council/CLT Directive - Report COR-2024-018

Appendix "A"
FLYING FLAGS AT HALF-MAST

The City's protocol for Flying a Flag at Half-mast will be:

A. Periods of Official Mourning

Flags will be flown at half-mast at all City facilities to mark periods of official mourning upon the death of:

- i. The Sovereign;
- ii. A Member of the Canadian Royal Family;
- iii. The Governor General of Canada, or a former Governor General;
- iv. The Prime Minister of Canada, or a former Prime Minister;
- v. The Leader of Her Majesty's Loyal Opposition, Parliament of Canada;
- vi. The Lieutenant Governor of Ontario;
- vii. The Premier of Ontario;
- viii. The Leader of Her Majesty's Loyal Opposition, Legislative Assembly of Ontario;
- ix. A local Member of Parliament, or a local Member of the Legislative Assembly of Ontario;
- x. The Mayor or a former Mayor;
- xi. A Member of Council or a former Member of Council;
- xii. The Regional Chair or a former Regional Chair;
- xiii. A current employee of the City of Kitchener;
- xiv. A retired member of City staff having a minimum of 15 years of service;
- xv. A Waterloo Region Police Officer who dies in the line of duty; and
- xvi. A resident of Kitchener, who is a member of the Canadian Armed Forces, killed while deployed on operations.

Flags will be flown at half-mast, in the case of a national or provincial official, for the duration established by the appropriate federal or provincial protocol offices. In the case of other persons, flags will be flown at half-mast on the date of the funeral or memorial service for that individual.

The Clerk will be responsible for coordinating the Lowering of Flags at City facilities.

Kitchener Fire & Emergency Services Facilities

The Kitchener Fire Department may mark a period of official mourning for other fire and emergency personnel who have died in the line of duty, or any other traditional

commemorations of solemn occasions important to fire and emergency personnel. This applies to Kitchener Fire Stations only.

Notwithstanding section A, the Clerk shall be responsible for coordinating the Lowering of Flags due to Commemoration of Solemn Occasions for dates proclaimed and recognized by the Provincial or Federal government.

B. Commemoration of Solemn Occasions

Flags will be flown at half-mast annually, at all municipal facilities, to commemorate the following solemn occasions:

- i. Remembrance Day (November 11); and,

Flags will be flown at half-mast annually, at the civic square flag display, to commemorate the following solemn occasions:

- ii. National Day of Mourning for Persons Killed or Injured in the Workplace (April 28);
- iii. National Day of Remembrance for Victims of Terrorism (June 23)
- iv. Peacekeeper's Day (August 9);
- v. National Firefighter Memorial Day (2nd Sunday in September);
- vi. National Peace and Police Officer' Memorial Day (Last Sunday in September);
- vii. National Day of Remembrance and Action on Violence Against Women (December 6).

C. Other Solemn Occasions.

The commemoration of other periods of official mourning and solemn occasions, in keeping with the General Principles of this Policy, may be approved by the Mayor or CAO. This can include the passing of a person considered to be a prominent citizen of the City of Kitchener or the Region of Waterloo or a person of national or international stature that has had a profound effect on the lives of the community or in response to a tragic or catastrophic event in the world. A notice of any approval issued by the Mayor or CAO will be placed on a future Council Agenda for informational purposes.

Appendix 'B'

CUSTOMARY FLAG CONFIGURATION

The City's protocol for the usual configuration of flags at City of Kitchener facilities will be:

A. Civic Square Flag Display

The National Flag of Canada will be flown on the centre flagpole. To an observer facing the entrance to the Civic Centre, the Provincial Flag of Ontario will fly to the left of the Canadian flag and the Kitchener Flag will be flown to its right. Other flags will not be flown on any of these flagpoles, except in the circumstances noted under **Section 1.2 - Civic Square Flag Display** of this policy.

B. Other City Facilities

i. When the facility has only one (1) flagpole

The National Flag of Canada will be flown at facilities with only one flagpole. Another flag will not be flown under the National Flag of Canada. Other flags will not be flown at these facilities, except in the circumstances noted in under the heading "Dignitary Visits."

ii. When the facility has two (2) flagpoles configured to form a single display

The National Flag of Canada and either the Provincial Flag of Ontario or the Flag of the City of Kitchener will be flown. The customary position of honour, the left flagpole to an observer facing the display, will be used to fly the National Flag of Canada. Other flags will not be flown on these flagpoles, except in the circumstances noted under the heading "Dignitary Visits."

iii. When the facility has three (3) flagpoles configured to form a single display


The National Flag of Canada, the Ontario Provincial Flag, and the Flag of the City of Kitchener will be flown. The National Flag of Canada will be flown on the centre flagpole which is the customary position of honour. To an observer facing the display, the Provincial Flag of Ontario will fly to the left of the National Flag of Canada, and the Flag of City of Kitchener will be flown to its right. Other flags will not be flown on these flagpoles, except in the circumstances noted under the heading "Dignitary Visits."

C. Shared Government Facilities

At Shared Government Facilities (e.g. Kitchener & Waterloo Region Joint Fire & EMS Stations) arrangement of flags at facilities shared by the City and another government will be decided by written agreement between the governments and in accordance with applicable protocol. The Clerk will be responsible for representing the City and confirming such arrangements.

DIGNITARY VISITS

In the event of a visit by a dignitary to a City of Kitchener facility, the City may fly a flag representing that dignitary. The flying of a flag to mark the dignitary's visit will be made only after consulting with an appropriate protocol officer responsible for coordinating the visit.

	<h1>POLICY</h1>	<u>Policy No:</u> MUN-PLA-477
<u>Policy Title:</u> PARKLAND - NOT DISPOSED OF <u>Policy Type:</u> COUNCIL <u>Category:</u> Municipal Services <u>Sub-Category:</u> Planning <u>Author:</u> Author Unknown <u>Dept/Div:</u> Chief Administrator's Office / Economic Development	<u>Approval Date:</u> April 11, 2005 <u>Reviewed Date:</u> July 2016 <u>Next Review Date:</u> July 2021 <u>Reviewed Date:</u> <u>Last Amended:</u> <u>Replaces:</u> I-477, Parkland - Not Disposed of <u>Repealed:</u> <u>Replaced by:</u>	
<u>Related Policies, Procedures and/or Guidelines:</u> To be included at next review		

1. POLICY PURPOSE:

To be included at next review.

2. DEFINITIONS:

To be included at next review.

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
<input type="checkbox"/> All Employees	
<input type="checkbox"/> All Full-Time Employees	<input type="checkbox"/> All Union
<input type="checkbox"/> Management	<input type="checkbox"/> C.U.P.E. 68 Civic
<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
<input type="checkbox"/> Specified Positions only:	<input type="checkbox"/> Other:
<input type="checkbox"/> Council	<input type="checkbox"/> Local Boards & Advisory Committees

To be included at next review.

Policy No: MUN-PLA-477

Policy Title: PARKLAND - NOT DISPOSED OF

4. POLICY CONTENT:

That as a general principle, City-owned parkland be retained and not disposed of; and further,

That staff be directed to consider parkland as surplus only in exceptional circumstances, ~~when considered appropriate by the Asset Management Steering Committee~~, in which case staff may prepare a business case for Council's consideration and undertake public consultation on a case-by-case basis.


5. HISTORY OF POLICY CHANGES

Administrative Updates

2016-06-01 - I-477 policy template reformatted to new numbering system and given number MUN-PLA-477.

Formal Amendments

No amendment history to date.

	<h1>POLICY</h1>	<u>Policy No:</u> MUN-PLA-477
<u>Policy Title:</u> PARKLAND - NOT DISPOSED OF <u>Policy Type:</u> COUNCIL <u>Category:</u> Municipal Services <u>Sub-Category:</u> Planning <u>Author:</u> Author Unknown <u>Dept/Div:</u> Chief Administrator's Office / Economic Development	<u>Approval Date:</u> April 11, 2005	<u>Reviewed Date:</u> July 2016 <u>Next Review Date:</u> July 2021 <u>Reviewed Date:</u>
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	<u>Repealed:</u> <u>Replaced by:</u>	

1. POLICY PURPOSE:

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2. DEFINITIONS:

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3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
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<input type="checkbox"/> All Full-Time Employees	<input type="checkbox"/> All Union
<input type="checkbox"/> Management	<input type="checkbox"/> C.U.P.E. 68 Civic
<input type="checkbox"/> Non Union	<input type="checkbox"/> C.U.P.E. 68 Mechanics
<input type="checkbox"/> Temporary	<input type="checkbox"/> C.U.P.E. 791
<input type="checkbox"/> Student	<input type="checkbox"/> I.B.E.W. 636
<input type="checkbox"/> Part-Time Employees	<input type="checkbox"/> K.P.F.F.A.
<input type="checkbox"/> Specified Positions only:	<input type="checkbox"/> Other:
<input type="checkbox"/> Council	<input type="checkbox"/> Local Boards & Advisory Committees

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