SUBJECT: Approval for Alcohol as part of a Special Event (Bavarian Garden) at Pier 4 Park (ECS07060) (Ward 2)

RECOMMENDATION:

(a) That the Hamilton Labour Day Music Festival, organized by the Burlington Jazz 'n' Blues Festival Inc., be approved to host a Bavarian Garden as part of their 2007 program at Pier 4 Park on Sunday, September 2 and Monday, September 3 between the hours of 12noon and 11:00 p.m.

(b) That, if the request to host a Bavarian Garden is approved, the hosting organization must comply with:

(i) The Ontario Liquor License Act, R.S.O. 1990, Chapter L.19 and the administration of the Act by the Alcohol and Gaming Commission of Ontario (AGCO);

(ii) The conditions contained within the City of Hamilton's Municipal Alcohol Guidelines, Appendix A of the Policy for Special Event Planning;

(iii) The applicant must provide $5,000,000 comprehensive general liability insurance coverage (which shall include a host liquor liability endorsement), and that the City of Hamilton is named as an additional insured party to this Policy; and,

(iv) The applicant must pay all City Service costs associated with the operation of this event.
EXECUTIVE SUMMARY:

The City of Hamilton received an application from the Burlington Jazz ‘n’ Blues Festival Inc. to host the Hamilton Labour Day Music Festival at Pier 4 Park on Sunday, September 2, 2007 and Monday, September 3, 2007. This request included application to host a beer garden during the festival between the hours of 12 noon and 11:00 p.m.

Profits gained from the Bavarian Garden will assist in offsetting the organization’s costs in producing the event.

BACKGROUND:

The Special Events Office facilitates the requests for the use of alcohol under a Special Occasion Permit. A Bavarian Garden (beer garden) is a licensed or fenced-off area within an event that is used to facilitate the serving of alcohol.

The City of Hamilton has granted approvals for use of alcohol on City lands as part of special event programming. Groups must adhere to the Alcohol and Gaming Commission of Ontario (AGCO) Guidelines respecting Special Occasion Permits, Ontario Liquor License Act R.S.O. 1990, Chapter L.19 and the City of Hamilton’s Municipal Alcohol Guidelines. Each group applying for permission to host a Bavarian Garden on City property is given a copy of the Municipal Alcohol Guidelines. Together, these guidelines, when implemented, manage the risks associated with having alcohol at an event.

Groups must also supply a certificate of insurance, naming the City of Hamilton as additional insured in the amount of $5,000,000. The process for groups applying is administered through the Special Events Section of the Culture Services Division.

ANALYSIS/RATIONALE:

For-profit companies have requested to host events with alcohol on City of Hamilton lands, since the early 1990s. First-time approval from City Council is required for new groups, and barring that there are no reported incidences at the event, organizers are granted permission year after year. Event monitoring is carried out by any combination of the following: The Special Events Advisory Team; Facility staff; representatives from the Hamilton Police Service; the City of Hamilton Licensing Division’ and/or, Liquor Inspectors from the AGCO. Subsequent approvals are administered through the Special Events Section of the Culture Services Division.

The organizers of the Hamilton Labour Day Music Festival are the same organizers that have operated the Burlington Jazz and Blues Fest. The organizers have met with the Special Events Advisory Team and are aware of City requirements around insurance, police/security and public health concerns when operating a festival with a beer garden.
They are also aware that they are responsible to pay for all costs incurred by the City for the operation of the event.

Special events provide an opportunity for citizens and visitors to enjoy many cultural, celebratory and commemorative events. Organizations produce festivals that increase the number of volunteer opportunities available, as well as contributing to citizenship and sustainability of the host organization.

**ALTERNATIVES FOR CONSIDERATION:**

If this request is denied, it may have an effect on the organizers to offset their operating costs.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

**Financial:**

There are no financial implications associated with the recommendations of Report ECS07060.

**Staffing:**

There are no staffing implications associated with the recommendations of Report ECS07060.

**Legal:**

There are no legal implications associated with the recommendations of Report ECS07060.

**POLICIES AFFECTING PROPOSAL:**

Policy for Special Event Planning

**RELEVANT CONSULTATION:**

Special Events Advisory Team – a staff team from various City departments (Public Works, Community Services, Police, EMS) that reviews applications for events to take place on City property.
CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. Yes No

Special Events add to the quality of life in Hamilton for residents and visitors. The majority of events have a large volunteer component providing life-long learning and citizenship opportunities.

Environmental Well-Being is enhanced. Yes No

Special events work in cooperation with Waste Management in contributing to the 65% waste diversion target.

Economic Well-Being is enhanced. Yes No

Special events provide a catalyst for the spending of entertainment dollars in our community, as well as an avenue for increased tourism.

Does the option you are recommending create value across all three bottom lines? Yes No

Special Events offer affordable recreation for Hamiltonians and visitors. Events are hosted by the community, for the community with opportunities for volunteerism, economic spin-off and sustaining the organization that are hosting special events in the City of Hamilton.

Do the options you are recommending make Hamilton a City of choice for high performance public servants? Yes No