



Licence Line

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Phase 1 Roll Out of iAGCO Successfully Launched

WHAT IS iAGCO?

iAGCO is the Alcohol and Gaming Commission of Ontario's online service delivery portal. When fully implemented, all those who are regulated by the AGCO will be able to use the portal to apply for and manage their licences, registrations and permits online anytime, from anywhere. Ontarians will also be able to submit liquor, gaming and horse racing-related inquiries and complaints online through the

iAGCO portal. The online services the AGCO will offer through its iAGCO portal will be rolled out in phases, with Phase 1 having just been completed. All services will be available online in 2019.

THE LAUNCH

Phase 1 of iAGCO, which includes applications for Special Occasion Permits (SOPs) and liquor

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AGCO's new website www.agco.ca makes finding information easier for users

The AGCO has launched an updated website to better serve the general public, and all of our stakeholders and clients.

The new website address is www.agco.ca

WHY A NEW WEBSITE?

The new website is part of the AGCO's objective of being a modern regulator and to offer a quality online service experience. During the updating of our website, we heard from some users that the old site was at times complicated to navigate, and that finding the information users were looking for was

often time consuming. The new website is designed with the user in mind and to enhance and simplify the online experience. At the core of this redesign are user portals. These portals are meant to be a "one-stop-shop" for AGCO customers and the public, that gather together all relevant information based on their needs.

HOW WILL THE NEW WEBSITE SERVE USERS BETTER?

Site users have access to all pertinent legislation and regulations, as well as helpful tools for education and compliance. All information needed

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S. Grace Kerr

From the Chair...

I am very honoured and pleased to have been appointed Chair of the AGCO. As a member of the Board since 2007, I have had the opportunity to be involved in a wide range of major business and operational changes that have taken place over the past decade. These changes include modernizing many of the provinces liquor laws, updating

gaming regulations, licensing lottery ticket sellers, and more recently, assuming the responsibility for the licensing and regulation of the horse racing industry.

Major initiatives

Moreover, within the past few weeks, the AGCO has launched its iAGCO online services that now cover the issuance of Special Occasion Permits (SOPs) and manufacturer's liquor licences, and will over the next couple of years, provide a broad

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JULY/AUGUST 2017

New chair of AGCO appointed



S. Grace Kerr

S. Grace Kerr, London Ontario, has been appointed as the new chair of the AGCO. Her appointment is for a two year term.

Ms. Kerr had been serving as Acting Chair since February 2017. She was originally appointed as a member of the AGCO Board in 2007.

She holds a Master of Laws degree from the London School of Economics.

BOARD MEMBERS RE-APPOINTED

At the same time, Elmer Buchanan (Havelock, ON) and Tony Williams (Alton, ON) have been re-appointed as part-time members for three years.

The AGCO is responsible for the administration and enforcing of rules set by the Ontario government relating to the sale and service of beverage alcohol in the province. It also has regulatory responsibility for gaming and horse racing.

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manufacturer’s licences, launched on Monday, May 29 and got off to a great start.

- On just the first day, the following transactions had occurred:
- 26 SOPs, applied for and Issued
 - 20 applications in process (10 SOPs, 10 manufacturers)
 - 1 Amendment application (changes to a licence)
 - 1 Farmers Market Dates submission (authorization to sell wine at a farmers market for a period of time)

RESPONSES & FEEDBACK

iAGCO provides users with an option to complete a user experience survey, which allows the AGCO to monitor user satisfaction and continue developing the site. Of the nearly 200 users surveyed who have used the new service in the first month of its operation, over 93% were "very" or "somewhat" satisfied with their experience. Of the many comments received by users, one stands out as representative of the kind of customer experience we have been working to deliver: "One of the easiest sites I've navigated. The simplified process is much

appreciated". Most other users appeared to have had similar experiences. When asked to rate their satisfaction on a scale from 1 (not satisfied) to 5 (extremely satisfied) the results were promising, as reflected in the average scores listed below:

- Ease of navigation: 4.4 out of 5
- Organization of information: 4.5 out of 5
- Functionality of the site: 4.4 out of 5
- Look and feel of the site: 4.4 out of 5
- Help/support options: 4.3 out of 5

WHAT'S NEXT?

With the successful launch of iAGCO, the AGCO will now be working towards rolling out the second phase of online services scheduled for late fall 2017. This phase will provide all other liquor-related services, including liquor sales licences, grocery stores, licensed representatives, liquor delivery services, and ferment on premises. Stay tuned for more information about what comes next!

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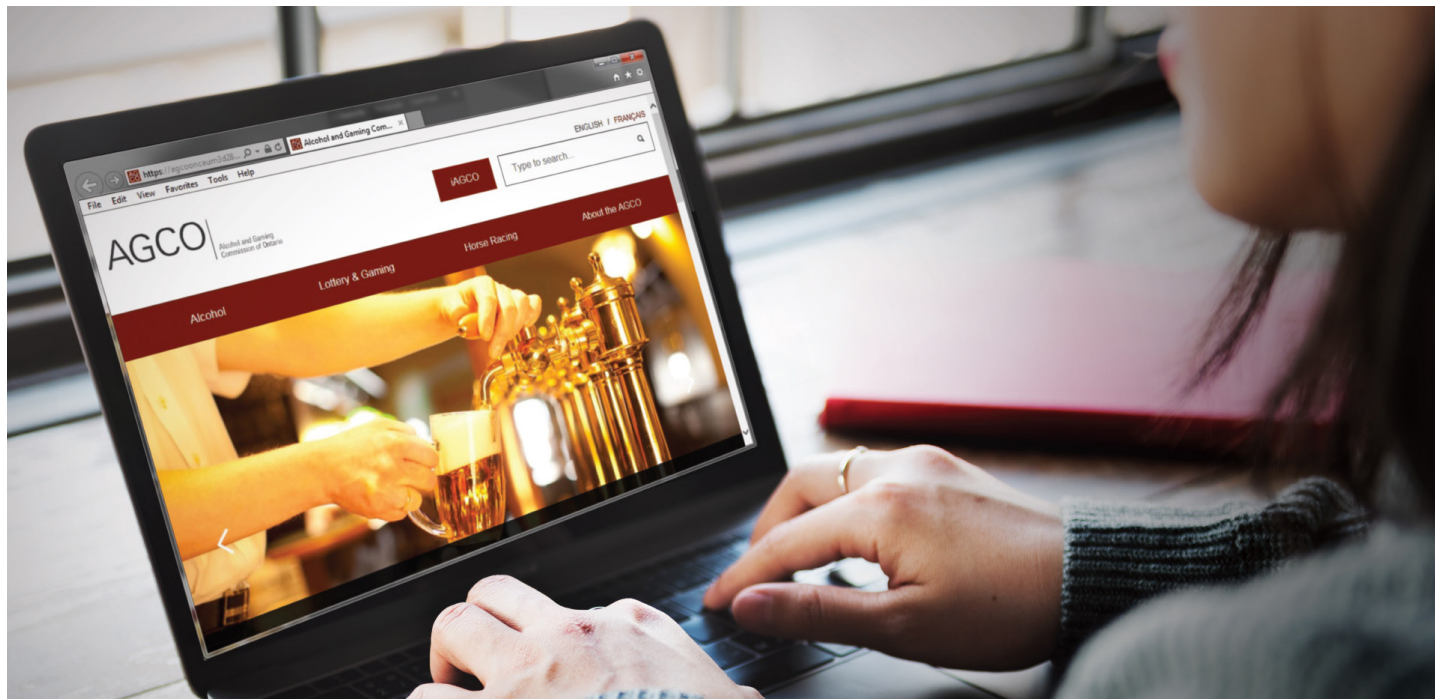
for registration and licensing, including application forms and guides have been centralized for users. With the new features, it is much easier for AGCO customers to find the information that’s relevant to them.

Our new website was also designed to be compliant with the *Accessibility for Ontarians with Disabilities Act* (AODA) and conforms to the World Wide Web Consortium Web Content Accessibility Guidelines, both in design and functionality. The aim of this design was to remove barriers for people with disabilities.

Another one of the website’s exciting new features is its mobile friendliness. With the ability to adapt to any screen size, accessing AGCO information from a smart phone or tablet has never been easier.

Through the new website, users will also have quick and easy access to iAGCO, our new portal for online services. Accessible from every page, simply click on the iAGCO button at the top of the page to enter the portal.

Check out the www.agco.ca for further information. We welcome any comments on the site’s redesign and any suggestions for continued improvement!



Smoking banned on outdoor patios in Ontario

The smoking ban on outdoor patio bars and restaurants continues in Ontario. This measure applies whether the facility is covered or not. This law became effective January 1, 2015.



A restaurant or bar patio is defined as an area:

- The public can access to eat food or drink beverages, for a fee or at no cost.
- Where food or drinks are served, sold or offered by employees.
- That is not a private home.

Regulations under the Smoke-Free Ontario Act prohibit smoking tobacco in all enclosed workplaces and enclosed public places as well as other designated places in Ontario.

Canadian Legions that built patios prior to November 18, 2013 are exempt from the regulation.

Restaurants and bar owners or employees are required to ensure that the smoking laws are respected. Owners and employers are expected to give notice to staff, delivery personnel and patrons that smoking is not allowed in smoke-free areas by posting “no smoking signs” at entrances, exits and in washrooms and other appropriate locations.

Also, no ashtrays or similar items may remain in the smoke-free areas.

An owner or employer of a restaurant or bar (patio) who fails to fulfill their responsibility under the smoke-free laws may be charged with an offence, and if convicted, could face a maximum fine:

- ✓ For individuals-\$1000 for a first offence or \$5,000 for any further offence.
- ✓ For corporations-\$100,000 for a first offence or \$300,000 for any further offence.

The provincial government estimates that tobacco kills 13,000 Ontarians a year and costs \$2.2 billion annually in direct health care costs.

For further information on the *Smoke-Free Ontario Act* please visit the Ontario Ministry of Health and Long Term Care at ontario.ca/smoke free

NOT PERMITTED

Illegal drugs not permitted in liquor licensed establishments

Regulations under the *Liquor Licence Act* state that a liquor licence holder may not permit a person to have, use, distribute, or sell controlled substances in their establishment.

Illegal drug use or drug dealing during operating hours, and even if the establishment is closed, may lead to sanctions under the *Liquor Licence Act*.

These sanctions may include a monetary penalty of up to \$15,000 and/or suspension or revocation of the liquor licence.

DISMISSING COMPLAINT

On July 4, 2013, the Ontario Human Rights Tribunal issued a decision dismissing a complaint against a liquor licensed establishment accused of discrimination for not allowing a patron to smoke “medical marijuana” outside the establishment’s front door. In the decision, the Tribunal stated, “the complainant has not established that he has any disability-related need to smoke marijuana in close proximity to the restaurant’s entrance, or that the [licensee’s] requirement that he not do so created a disadvantage for him in relation to disability.”

The Tribunal added that “... the [licensee’s] requirement that marijuana not be smoked in close proximity to the restaurant’s entrance is reasonable”. And that permitting the smoking of a controlled substance on the premises would have given rise to “undue hardship” for the licensee---such as receiving a monetary penalty or having his liquor licence suspended or revoked.

THE REGULATION

Section 45(2) of Regulation 719 of the LLA states “The licence holder shall not permit a person to hold, offer for sale, sell, distribute or consume a controlled substance as defined in the

Controlled Drugs and Substance Act (Canada) on the premises or in the adjacent washrooms, liquor and food preparation areas and storages areas under the exclusive control of the licence holder”.

Licensees should note that persons with a medical marijuana certificate may hold possession of the document while in a liquor licenced establishment, but are not allowed to smoke the substance on the premises.

NOTE: Notwithstanding the Federal Government’s intention to change the law relating to the sale and use of marijuana, Section 45(2) of Regulation 719 of the LLA remains in force.

For more information on this subject, please refer to the AGCO Responsible Service Tip Sheet, “Just saying “NO” to drugs is not enough” on our website at www.agco.ca



HI I'M ANGELA!

Windsor nightclub introduces program to make patrons feel safer in their licensed premises

By Kash Hasan

This material has been submitted by a licensee from Windsor, Ontario.

The comments are those of the licensee. The licensee is interested in sharing, with other licensed establishments, their house policy relating to the possibility of sexual harassment and abuse in a licensed establishment. Mr. Hasan explains what they have put in place to deal with this potential problem.

FOUR STEPS IN PROMOTING & UPHOLDING THE SAFETY OF YOUR PATRONS THIS SUMMER

Ask for Angela Campaign¹ – Say NO to sexual abuse at YOUR establishment this summer

As responsible bar, nightclub and restaurant owners, operators and employees, we should all take some time to focus on a serious issue—the potential for sexual harassment and abuse that could occur in our licensed establishments. Building awareness of this unfortunate possibility and taking positive steps within our establishments will help keep our patrons safe.

Building Awareness is exactly how ARIIUS Nightclub at Caesars Casino in Windsor is taking the initiative.

Step 1: Find a campaign that your team likes and launch it in your venue. At ARIIUS Nightclub we launched the ASK FOR ANGELA campaign on Friday, January 13th. We put up posters in patron restrooms and in staff attended areas. Specifically, Ask For Angela, allows for any person in an uncomfortable situation know that they can approach any staff member and “Ask for Angela”. Our team will swiftly and discreetly work to get this patron to safety and get them out of harm’s way keeping them safe and addressing the perpetrator. They know they are not alone. (The Ask for Angela Campaign launched in the UK and has quickly spread throughout the world and selected by ARIIUS)

Step 2: Notify your staff of your commitment to stopping sexual abuse. Ensure your team is engaged at all levels from upper management, bartenders, servers, security, bussing team and everyone in between. Everyone on your team will then be vigilant and aware of anything that doesn’t look right and now knows it is to be addressed and handled immediately. Turning a blind eye is now unacceptable.

Step 3: Through printed and highly visible posters make sure your customers are aware of your venue's dedication to stopping sexual abuse. By publicly voicing your commitment you not only have the eyes of your team, but now also have your patrons being aware and looking for situations that seem out of the norm – they too are now encouraged to notify an ARIIUS team member for engagement where needed.

Step 4: Speak with your local AGCO inspector. At ARIIUS Nightclub we organize bi yearly team meetings with our AGCO Inspector. Our AGCO inspector initially sparked our awareness to this important issue. Your AGCO Inspector is a great resource available to you and we strongly suggest you contact them and organize a team meeting with them. They can assess your venue and identify areas for you to focus upon.

If you would like a personalized poster sent to you, ARIIUS is supporting any venue in Ontario – email us and we will send you a custom ASK FOR ANGELA poster – email us at info@ariius.com

Kash Hasan, MS, BS, President of ARIIUS Nightclub & Ultralounge @Caesars

Patrick Kim, Vice President of ARIIUS Nightclub & Ultralounge @Caesars

ARIIUS Nightclub is a 10,000 square foot venue located inside CAESARS Casino in Windsor, Ontario. ARIIUS Nightclub received the Best Bar None (BBN) Ontario designation this year and is the first business in Windsor, Ontario to receive this accreditation. BBN Ontario is led by the Ontario Restaurant Hotel & Motel Association. Businesses accredited by BBN maintain the highest standards for their customers and staff, manage the sale and service of alcohol responsibly, and have good relationships with the community and hospitality industry partners.

¹ The “Ask for Angela” campaign originated in the United Kingdom to help people in bars and clubs to leave situations they do not feel safe in. The initiative has now gathered international attention.



Changes to alcohol-related server and sales training program requirements

Beginning July 1, 2017, Ontario law will require anyone who is involved in the sale, service or sampling of alcohol, or in taking orders from customers for the sale of alcohol, to complete an Alcohol and Gaming Commission of Ontario (AGCO) Board-approved server and sale training course as of their first day of work.

This regulatory update is the result of amendments to Ontario Regulation 718/90 and Ontario Regulation 719/90, developed pursuant to the *Liquor Licence Act*, which take effect July 1, 2017. Prior to these amendments, liquor sales licensees, liquor delivery services, as well as their employees had been required to successfully complete the necessary training within 60-days of starting work.

The AGCO remains committed to ensuring that alcohol is sold and served in a socially responsible manner, and these enhancements to Ontario’s server training requirements support this ongoing objective.

SMART SERVE TRAINING PROGRAM

Smart Serve® Ontario has been approved by the AGCO Board to develop and provide the Smart Serve® Training Program, and is

currently the only approved server and sale training program in Ontario.

The Smart Serve® Training Program is available on video or on the Smart Serve® website at www.smartserve.ca. For more information about the Smart Serve® Training Program, please contact:

Smart Serve Ontario
5407 Eglinton Avenue West, Unit 105
Toronto, ON M9C 5K6

Tel. 416-695-8737 Toll-Free 1-877-620-6082 Fax 416-695-0684

Website: www.smartserve.ca E-Mail: general@smartserve.ca

For more information on mandatory server training requirements, please email connect@agco.ca or call the AGCO’s Customer Service Department at 416 326-8700 (GTA) or 1 800 522-2876 (toll-free in Ontario).

Failure to clear signs of service can lead to sanctions under the LLA

Hours for the sale and service of alcohol are:

- Monday to Sunday 11 a.m. to 2 a.m.
- New Year’s Eve (December 31st) 11 a.m. to 3 a.m.

All orders for liquor must be served before 2 a.m. (3 a.m. on New Year’s Eve). Many establishments have last call at 1:45 a.m. to ensure all orders are delivered or served before 2 a.m. All signs of liquor must be cleared 45 minutes after the end time on the licence; for most this is by 2:45 a.m. (3:45 a.m. on New Year’s Eve). This includes the clearing of all glasses and bottles off the tables.

Some licence holders may have conditions on the liquor sales licence that further limit the above-noted hours.

Caterer’s Endorsement

The holder of a caterer’s endorsement may sell and serve alcohol in unlicensed areas of licensed premises or at a catered event away from the premise. A catered event must be sponsored by someone other than the licence holder, light meals must be available and the event cannot be more than 10 days in duration. The licence holder cannot offer liquor for sale at a series of events by the same sponsor if, in doing so, they are or appear to be operating an ongoing business with the sponsor.

A liquor sales licence holder with a caterer’s endorsement must notify the AGCO at least 10 days prior to each event.

If the event will include tiered seating, then notification is required 30 days in advance.

Beer and cider sales in grocery stores

On February 6, 2017, the Government of Ontario announced that beer and cider sales in grocery stores would be extended to up to 80 additional grocery stores in Ontario. In May 2017, 78 new independent and large grocery stores in communities across Ontario were issued authorizations, and may begin to sell beer and cider as of June 30, 2017.

Currently, about 130 grocers across Ontario are already authorized to sell beer and cider, while 70 of these are also authorized to sell wine.

The AGCO will continue to work with all authorized grocers to ensure ongoing compliance with Ontario Regulation 232/16 – Sale of Liquor in Government Stores and all applicable Registrar policies.

Important regulatory requirements for beer and cider in grocery stores include:

- Sales only within prescribed AGCO hours
- Advertising and Sampling practices set out in Registrar’s Guidelines
- Product types, sizes and alcohol contents that fall within set regulatory parameters
- Social responsibility training for staff that sell and provide samples of beer and cider.

In total, the Government of Ontario has committed to rolling out beer and cider sales in up to 450 Ontario grocery stores, including permitting 300 of those stores to also sell wine. For

more information on the regulatory requirements for selling wine, beer and cider in grocery stores, please see Ontario Regulation 232/16 Sale of Liquor in Government Stores or visit the AGCO’s website at www.agco.ca.

DO YOUR PART



Ontario law requires all grocery store staff engaged in the responsible sale and sampling of alcohol to check valid identification of anyone who appears under the age of 19.

Find out more at www.agco.ca



Decision Summary

The following establishments requested a hearing before the Licence Appeal Tribunal regarding compliance issues and received suspensions of 14 days or more and revocations for the period beginning March 16, 2017 ending July1, 2017. Sanctions for similar infractions may vary in length according to the specifics of each case. For details on Licence Appeal Tribunal visit www.lat.gov.on.ca

ESTABLISHMENT	INFRACTION	SANCTION
Area One, Markham	Permitted drunkenness; overcrowding; failure to clear signs of service	30 days

SUSPENSIONS OF 14 DAYS OR MORE AND REVOCATIONS WHERE THE LICENSEE DID NOT REQUEST A HEARING

ESTABLISHMENT	INFRACTION	SANCTION
Asif's, Timmins	Permitted narcotics on premises; licensee failed to ensure control of premise was maintained	14 days
Banshee Bar & Deli, Oshawa	Permitted drunkenness	15 days
Cargo KTV, Toronto	Permitted drunkenness	17 days
Fancy, Toronto	Overcrowding; non-compliance with "Fire Protection and Prevention Act"	15 days
Lourice Mediterranean Cuisine, Oakville	Past conduct; made a false statement; failed to ensure control of premises was maintained; permitted violent and disorderly conduct; operated business without licence transferred by the Registrar	Licence Revoked

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range of online services that will make it easier for the public and our stakeholders to do business with us.

While this major transformation is moving forward, we have also completed a comprehensive update of our website to make it a lot easier for users to quickly access information that is relevant to their particular needs. More information on these recent initiatives are contained elsewhere in this edition of Licence Line. Please visit our website soon (www.agco.ca) and become familiar with the new features.

Many stories

We cover a wide variety of items and stories in this edition, from new mandatory server training requirements, the ban on smoking on outdoor patios, the prohibition of the sale and use of drugs in licensed premises and other subjects relating to maintaining compliance with the provinces liquor laws.

Licensee article

In particular, there is an article submitted and written by a licensee from Windsor, Ontario who has instituted a policy to make a licensed establishment safer from the possibility of sexual harassment.

Continue modernization

Finally, as the new chair of the AGCO, I look forward to working closely with the Board of Directors, the Executive Committee and staff of the AGCO to continue the modernization of our registration and regulatory responsibilities. And of course, we will maintain a clear focus on providing a high level of service and assistance to the Ontario public, our stakeholders and clients.

S. Grace Kerr

S. Grace Kerr,
Chair

Licence Line

This newsletter is published by the **Alcohol and Gaming Commission of Ontario** to provide licensees and interested parties with information regarding alcohol legislation and related issues. Reader comments are welcome. This newsletter is available free of charge to all holders of a liquor sales licence in Ontario.

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