

Subject: Proposed By-law to Regulate Parks and Implement Pilot Project for Personal Alcohol Consumption in Peace Park

Recommendation:

BE IT RESOLVED THAT Council receive Report # 2024-0085 Proposed By-law to Regulate Parks and Implement Pilot Project for Personal Alcohol Consumption in Peace Park, for information;

AND THAT Council approve, in principle, the proposed Parks and Recreational Areas By-law as presented;

AND THAT Council direct that the proposed by-law be presented to Council for consideration at the next regular meeting of Council.

Background:

In November 2023, Council provided direction to replace two existing by-laws that address the possession of alcohol in municipal parks with a single by-law to regulate park activities, including alcohol use. Council also approved a pilot project to permit personal alcohol consumption in Peace Park from May 1, 2024 until October 31, 2024. Staff have developed the proposed Parks and Recreational Areas By-law to implement both aspects of this direction.

Analysis:

The proposed By-law applies to parks and recreational areas listed in Schedule "A" to the By-law, which can easily be updated as the Town develops parks in the future. At present there are 20 locations that are subject to the proposed By-law.

The proposed By-law sets out conditions for entry to any park or recreational area, identifies conduct that is prohibited at all locations, and specifies activities in parks and recreational activities that require the permission or authorization of the Town or other applicable authority. The proposed By-law also regulates the presence of animals, motor vehicles and bicycles in parks and sets rules for sporting activities.

Section 7 of the proposed By-law implements the pilot project for personal alcohol consumption in Peace Park. As a starting point, section 7.1 provides that no person shall sell, serve, possess or consume liquor in any park or recreational area without a licence issued by the Alcohol and Gaming Commission of Ontario (AGCO). However, section 7.2 creates an exception for persons at least 19 years old to have liquor in a park or recreational area designated as a "Public Place" without an AGCO licence.

Council will recall that the *Liquor Licence and Control Act, 2019* authorizes Council to pass by-laws to designate a public place as one where alcohol is permitted. Peace Park is designated as a "Public Place" by section 7.3 of the proposed By-law, which also confirms that no other park or recreational area in Pelham is so designated.

The combined effect of sections 7.2 and 7.3 of the proposed By-law is that persons of legal drinking age may consume personal alcohol in Peace Park. This means, for example, that a celebratory glass of champagne may be enjoyed by adult guests at the many weddings held in Peace Park. However, section 7.4 of the proposed By-law provides that the exception prescribed by section 7.2 does not operate or apply at any time that the Town has an AGCO licence to sell or serve liquor in Peace Park. This means that personal alcohol consumption in Peace Park will not be permitted during Summer Chill Series events.

As this is a pilot project, section 7.5 of the proposed By-law states that the sections allowing personal alcohol consumption in Peace Park cease to be in effect on October 31, 2024. The general prohibition in section 7.1 will remain operative.

Financial Considerations:

There are no direct costs associated with the proposed By-law. Costs associated with implementing the pilot project are expected to include public education, park signage and by-law enforcement. The quantum of these costs is unknown.

Alternatives Reviewed:

None.

Strategic Plan Relationship: Community Development and Growth

Parks and recreational areas are important Town assets that benefit from clear and consistent regulations for their use. The proposed By-law is intended to protect these assets and promote their safe and enjoyable use by the public. Allowing personal alcohol consumption may increase public enjoyment of Peace Park.

Consultation:

The Senior Leadership Team and By-law Enforcement staff were consulted during the preparation of the proposed Parks and Recreational Areas By-law.

Other Pertinent Reports/Attachments:

Proposed Parks and Recreational Areas By-law.

Prepared and Recommended by:

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