

REPORT

REPORT TO: Chair and Members of the Community and Corporate Affairs Committee

REPORT FROM: Warren Harris, Commissioner of Recreation and Parks
Alex Fuller, Manager of Corporate Communications

DATE: June 10, 2019

REPORT NO.: RP-2019-0024

RE: Request for Exemption from Corporate Advertising Policy 2017-0002 – Alcohol Advertising in Parks

RECOMMENDATION:

THAT Report RP-2019-0024 dated June 10, 2019 regarding the Request for Exemption from the Corporate Advertising Policy 2017-0002 – Alcohol Advertising in Parks, be received;

AND FURTHER THAT the request for banner advertising in parks including alcohol advertising as outlined in Report RP-2019-0024 be:

a) denied as it does not align with Section 3.14 of the Corporate Advertising Policy 2017-0002;

OR

b) deferred to allow staff to solicit public input on the issue of alcohol advertising in Town parks and report on the additional details regarding Provincial legislation anticipated to allow municipalities the authority to regulate alcohol in parks;

OR

c) approved conditionally until the end of 2021 subject to the banners meeting the criteria outlined in Report RP-2019-0024 based on the proposal's own merits at the discretion of the Community and Corporate Affairs Committee.

AND FURTHER THAT all funds derived from the advertising of banners in parks as outlined in Option C of Report 2019 RP-2019-0024 be directed to the Town's Capital Reserve for ball diamond improvements as determined by staff;

AND FURTHER THAT staff report back on the issue of permitting the use of alcohol in parks at a future date upon receipt of legislation details and related regulations from the Province of Ontario.

BACKGROUND:

In July 2017, Council approved Recommendation COR-2017-0060 regarding the approval of a Corporate Advertising Policy that was developed to:

- Ensure a consistent and reasoned approach to accepting advertising;
- Provide departments with corporate procedures;
- Ensure that advertising is consistent with the Town's corporate values, image and strategic goals;
- Ensure consistency with the "Canadian Code of Advertising Standards".

The Corporate Advertising Policy 2017-0002 (shown in Appendix A) was specifically amended by Committee to include Section 3.14 to recognize restrictions regarding alcohol and tobacco products.

In November 2017 Council adopted Resolution No. 2017-0214 regarding the Trafalgar Sports Park Phase 6 – Field of Dreams Joint Project that read in part:

AND FURTHER THAT staff work with Halton Hills Minor Baseball and Georgetown Slopitch League to implement a banner advertising program on ball diamond fencing and continue the operation of the Concessions as outlined in Report R&P-2017-0030, in support of the Field of Dreams proposal;

Any banners installed through this program were requested to align with the Corporate Advertising Policy. The purpose of the proposal was to raise funds towards the Field of Dreams Joint Project in 2017/8. The Phase 1 project has since closed with the award of tender and financing strategy approved by Council in February 2019 (Capital Project 8500-19-1801 – TSP Phase 6 Field of Dreams), so any future banner program should be authorized by Council to contribute to Phase 2 of the Field of Dreams Project.

Since June 2018, Staff have been involved in the Community Safety and Wellbeing Initiative being led by the Region of Halton, which addresses key social and health issues in the Community, including youth/adolescent mental health, homelessness, older adult isolation, harmful alcohol use, and other key social issues. Council Report RP-2018-0021 outlined the key focus of the collaborative working group. Recreation and Parks Department staff sit on the Action table (which looks at the harmful effects of alcohol), and also works with other key working groups. The working group is attended by Region Public Health staff, school boards, Sheridan College, LHINs as well as local municipalities, and other social service and health care providers.

In April 2019, the Clerk received written correspondence from a representative of the Georgetown SloPitch League requesting the installation of banners advertising alcohol on the outfield fences of ball diamonds in Town owned parks (Appendix B).

COMMENTS:

Existing Policy Framework for Alcohol Advertising in Parks

As noted at the time the original advertising policy was developed, advertising is recognized as an important form of revenue generation. Policy 2017-002 was developed to formalize current practices and ensure a consistent approach across the corporation that protects the Town's values, image, assets, and interests.

Section 3.14 of the Corporate Policy reads:

Advertisements promoting substances or products requiring an 18+ age restriction including but not restricted to alcohol, tobacco companies or tobacco products will not be accepted. Certain exemptions for non-profit organizations may be considered on a case-by-case basis.

The intent of the exemption for non-profit organizations was to allow for events or activities that would be restricted to adults. Head for the Hills Craft Beer Festival is an example of an adult-only event where alcohol advertising is done on a temporary basis and the event has restricted entry criteria.

Staff note that the Canadian Code of Advertising Standards - Section 13 Advertising to Minors does not allow advertising of products "prohibited from sale to minors in such a way as to appeal particularly to persons under legal age."

The Alcohol and Gaming Commission Advertising Guidelines (May 2019) contains some specific sections related to advertisements that are associated with the issuance of special event permits (e.g. events, tournaments, festivals). Section 4 outlines criteria relating to media targeted specifically to persons under legal drinking age, specifically:

- iv) "...Stationary outdoor advertising should not be placed within 200 metres of a primary or secondary school."
- v) "Advertisements should not be placed within areas which are specifically targeted at persons under the legal drinking age if the advertisement directly or indirectly endorses liquor or the consumption of liquor [unless] 51% of the audience are above legal drinking age..."

The Recreation and Parks Department's mandate is to promote active living, quality of life and activities that promote families and children. The Region of Halton Health Department, as well as the Alcohol Action Table of the Community Safety and

Wellbeing Initiative have identified that Halton Region has a higher than provincial average number of adults who use alcohol at harmful levels, and that advertising that is exposed to children and youth helps to normalize its use. Appendix C outlines some of the key information regarding alcohol use in Halton. One of the recommendations emerging from the Action Table is to work with municipal partners to limit/eliminate alcohol advertising at municipal facilities, and to require counter marketing when alcohol is permitted at special events on municipal property. The research demonstrates that when multiple methods of limiting access and/or exposure to alcohol advertising are used, the harmful use of alcohol is reduced. Staff is not aware of any other local municipality that permits the advertising of alcohol in parks, outside of restricted area, adult-focused special events.

The 2019 Provincial Budget released in April referenced introducing legislation that, if passed, would let municipalities establish policies about where alcohol can be consumed in public areas such as parks, as well as allowing sports fans to drink alcohol at tailgating parties at eligible sporting events. Specific direction from the Province on the legislation, and subsequently Council direction on adopting such measures is not expected until the fall of 2019 or later. Without specific regulations in place it is difficult to assess whether the proposal from Georgetown SloPitch for the advertising of alcohol in parks is reasonable. Staff recommend reporting back to Council once more details are known.

Details on Georgetown Slo-Pitch (GSL) Submission

GSL have submitted sample artwork examples of the alcohol advertising banners (Appendix D – provided under separate cover) as well as photographs of the advertising banners installed in parks in 2018 as part of the Field of Dreams capital campaign. Details of the proposal include:

- Banner size of 4 x 6 ft (1.2 x 1.8m) to be placed in 7 locations, primarily adult level ball play diamonds:
 - Gellert Community Park #2 and 3
 - Trafalgar Sports Park #1
 - Hornby Park #1 and 2
 - Glen Williams Park # 1 and 2
 - Staff note that while the diamonds noted are predominantly used by adults, there is use by youth/children teams and allocation each year may vary.
- Banners to include both alcohol branding or alcohol branding with food from local businesses;
- Advertising program to run to the end of 2021, to be viewed as a trial based on conditional approval from Council;

- Site installations include banners promoting the language “please drink responsibly” consistent with alcohol promotions.

Next Steps – Options for Approval

While the staff position is that advertising of alcohol in parks should be limited exclusively to organizations hosting events with a Special Event Permit obtained from the Alcohol and Gaming Commission of Ontario, Committee and Council may wish to assess the proposal on its own merits.

Staff note that if alcohol advertising on banners in parks is approved, the decision may set a precedent for allowing alcohol advertising on the Town’s other forums such as arena boards, community centre screens, community guide or marquee signs. The approval may also be considered precedent setting for allowing advertising of tobacco or tobacco-related products (e.g. vapers, cigarettes or cannabis) which are legal substances that are not permitted in the Corporate Advertising Policy or even other adult-oriented products and services.

Staff recommend that since the Corporate Advertising Policy was originally approved by Council, some level of public consultation should be carried out in order to advise of the intent to revise the policy, and/or to consider the potential legislative authority being granted to municipalities from the Province regarding alcohol use in parks later this year.

Given the complexity of the issue, changing legislative framework, and potential impacts of the decision, staff is providing three options for the proposal from the Georgetown SloPitch League for consideration by Committee: deny, defer, or approve conditionally, however staff feel that deferral is the preferred option at this time.

RELATIONSHIP TO STRATEGIC PLAN:

This report supports the following Strategic Priority of Council:

Communications: continue to provide timely, transparent communication with residents and business owners.

FINANCIAL IMPACT:

There is no financial impact as the policy changes do not affect current practices. If Committee should choose Option C as outlined in this report, all funds derived from the sale of advertising banners on Town owned or leased ball diamonds should be directed to the Town’s Capital Reserve to be allocated towards Trafalgar Sports Park Phase 2. At a rate of \$700 per banner annually and an anticipated sales rate of ten percent of all available spaces (based on rental rates to date), the projected revenue could be as much as \$39,000 per year. In 2018, Georgetown SloPitch sold \$6,300 worth of banner advertisements in a partial season for a net total donation of \$5,200.

INTERNAL CONSULTATION:

This report was developed following discussions with the Senior Management Team, Manager of Parks and Open Space and Town Clerk.

PUBLIC ENGAGEMENT:

No public engagement has been undertaken at this time. Depending on which alternative Council approves, staff will consult accordingly with the public in accordance with the Town's Public Engagement Charter.

SUSTAINABILITY IMPLICATIONS:

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life. This report advances the Strategy's through support of the pillar of Economic Prosperity.

The recommendation outlined in this report advances the Strategy's implementation.

This report supports the pillar of Sustainability and the alignment of this report with the Community Sustainability Strategy is good.

COMMUNICATIONS:

This report supports the Town's efforts to provide a consistent and transparent approach to advertising. The report notes the suggestion that public consultation is a consideration for determining future by-laws regarding the approval/regulation of alcohol in municipally-owned parkland.

CONCLUSION:

Staff have received a request for banners with alcohol advertising to be placed in parks at select major ball diamonds, and have provided three options for consideration by Committee based on the existing policy framework.

Reviewed and Approved by,

A handwritten signature in black ink that reads "Brent Marshall". The signature is written in a cursive, flowing style.

Brent Marshall, Chief Administrative Officer