



Memorandum

Legal and Legislative Services

Prepared for: Council-in-Committee

Meeting Date: Monday, April 13, 2026

Title: Update on Provincial Changes Permitting Bring- Your- Own Alcohol at Outdoor Public Events

Purpose

The purpose of this memorandum is to provide Council with an update on recent provincial legislative changes that permit the consumption of bring- your- own alcohol (BYOB) at certain outdoor public events and to explain how these changes interact with existing Town policies.

Background

Effective April 30, 2026, the Province of Ontario amended Ontario Regulation 747/21 under the *Liquor Licence and Control Act, 2019*. These amendments expand the circumstances under which individuals may bring and consume their own alcohol at outdoor public events. Previously, this permission was limited to certain sporting- related tailgate events. The revised regulation will now allow this framework to apply to outdoor community and cultural events that have been designated by a municipality.

The newly approved legislation which amended the regulation refers to these as “bring- your- own events.” Alcohol consumption at such events continues to be regulated by the Alcohol and Gaming Commission of Ontario (AGCO) through the existing Special Occasion Permit (SOP) program.

Overview of the Provincial Framework

Under the provincial framework, event organizers must continue to apply to the AGCO for a SOP that authorizes a bring- your- own event. For events that are not associated with professional, semi- professional, or post- secondary sporting events, the AGCO requires confirmation that the event has been designated by a municipal council or its delegated authority as a community or cultural event.

The regulation makes it clear that municipalities are not obligated to designate events for this purpose. The Province has also confirmed that the changes do not override municipal bylaws, policies, or authority over land use and event approvals.

Impact on the Town of Fort Erie

The provincial amendments do not automatically permit alcohol consumption in Town - owned parks, beaches, or public spaces. Under Fort Erie's Municipal Alcohol Policy (By - law No. 72 - 99, as amended), alcohol consumption is prohibited in parks, open spaces, beaches, and other outdoor public areas unless specifically authorized. Alcohol may only be permitted in accordance with Town policies and permit processes and remains subject to Town approval and conditions.

Similarly, the Festivals and Community Events Policy (By - law No. 45 - 08) requires that community events be reviewed and approved through the Town's established event permitting process. The Town retains discretion over whether an event is approved, the use of municipal property, and the conditions under which events may be held.

As a result, any community or cultural event proposing to operate as a bring - your - own event on Town - owned property would continue to require municipal approval as a special or community event. This approval would need to expressly authorize alcohol consumption at the proposed location. Municipal authorization would then form part of the organizer's application to the AGCO. Without such authorization, the AGCO will not issue a bring - your - own Special Occasion Permit for a community or cultural event.

Operational Considerations

The Town's existing policy framework is capable of accommodating this legislative change. Alcohol at community events has historically required municipal approval, compliance with the Municipal Alcohol Policy, appropriate insurance and risk management measures, and adherence to AGCO requirements. The bring - your - own framework does not change these fundamental requirements but expands the types of events that may request approval.

Previously, Council delegated authority to staff to review and approve special occasion permits for public events, including related alcohol permissions, as part of the Town's event approval framework. Should Council wish to reconsider the scope of this delegated authority in light of the new bring-your-own-alcohol (BYOB) framework, it may direct staff at any time to amend the applicable by-laws to clarify whether events requesting BYOB permissions should be brought forward for Council approval rather than administered through the existing delegated process.

Conclusion

The Province's recent amendments expand the availability of bring - your - own alcohol permissions at outdoor public events but do not limit the Town's authority. Alcohol consumption in parks and public spaces remains prohibited within the Town unless specifically authorized through the Town's event approval process. The AGCO's bring - your - own permits operate within the existing Special Occasion Permit framework and continue to rely on municipal designation and authorization for community and cultural events.

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