



## Attention Stratford Restaurants

### STRATFORD AL FRESCO 2.0

Building on the success of the 2020 Stratford Task Force Al Fresco economic recovery initiative, we are excited to announce Stratford Al Fresco 2.0!

This year, Al Fresco includes 25 tables (5 accessible) and umbrellas in Market Square, 15 tables (3 accessible) and umbrellas on Tom Patterson Island, 10 tables (2 accessible) within Memorial Gardens, **and has now expanded throughout the south shore of the park system from the Huron Street Bridge right through to Upper Queens Park.** Note that Stratford Al Fresco is in support of Stratford restaurants for curbside pickup or take-out only and liquor may be included subject to the requirements outlined below.

Destination Stratford and Stratford City Centre BIA will be marketing Stratford Al Fresco and local restaurant picnic take-out options (including those with paired wines and beverages) as a safe activity for local residents and potential visitors to enjoy within the constraints of pandemic health and safety considerations.

### Al Fresco Requirements for Take-Out with Alcohol

- Restaurant staff are **not permitted to directly serve customers** within the Al Fresco spaces. Only restaurant purchased liquor with food is permitted. Stratford Al Fresco take-away liquor beverages must be provided by certified Smart Serve staff.
- **Customers must keep their receipts** with them while dining at Al Fresco locations.
- Only wine bottles, beer cans and mixed drinks in a sealed container shall be allowed in the Permitted Spaces. Liquor shall not be consumed in any area situated outside of the designated Permitted Spaces.
- **Effective dates and hours:**
  - May 1 - Sept. 23:** Sunday - Thursday, 11:00 a.m. - 8:00 p.m.  
Friday - Saturday, 11:00 a.m. to 9:00 p.m.
  - Sept. 24 - Oct. 31:** Daily, 11:00 a.m. to 7:00 p.m.
- Participating restaurants are **required to confirm commercial general liability insurance for a minimum \$2 million dollars and add the city as an additional insured. The Certificate of Insurance document must be emailed to [alfresco@visitstratford.ca](mailto:alfresco@visitstratford.ca) and a list will then be shared with the City.**
- Destination Stratford will provide participating restaurants with Al Fresco poster signage as well as a paper tear-away with rules and location map to include with Al Fresco takeout orders.



Questions? Contact us at [alfresco@visitstratford.ca](mailto:alfresco@visitstratford.ca)

Please find attached the Council-approved By-Law that includes specific rules and regulations, as well as a map of covered areas.





**BY-LAW NUMBER 37-2021  
OF  
THE CORPORATION OF THE CITY OF STRATFORD**

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BEING a By-law to establish consumption of liquor with food in designated public spaces and at permitted times and to repeal By-laws 106-2020 and 118-2020.

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**WHEREAS** section 11 of the *Municipal Act, 2001* S.O. 2001, c. 25 (“**Municipal Act**”) provides that a municipality may pass by-laws respecting matters within the spheres of jurisdiction of culture, parks, recreation and heritage;

**AND WHEREAS** section 8.(1) of the *Municipal Act* provides that the powers of the municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

**AND WHEREAS** section 31(2)(d) of the *Liquor Licence Act* R.S.O. 1990, Chapter L.19 (“**Liquor Licence Act**”) allows a municipality to designate by by-law a public space that is owned or controlled by the municipality as a place where the consumption of liquor is permitted;

**AND WHEREAS** Regulation 719 under the *Liquor Licence Act* subject to the specified restrictions and conditions allows liquor sales licenses to sell liquor for takeout and delivery.

**AND WHEREAS** section 425 of the *Municipal Act* provides that the City may pass by-laws providing that a person who contravene a by-law passed under the provisions of the *Municipal Act* is guilty of an offence;

**AND WHEREAS** section 429 of the *Municipal Act* allows the City to establish a system of fines for offences under a by-law of the City passed under the *Municipal Act*;

**AND WHEREAS** the Council of The Corporation of the City of Stratford (the “**City**”) deems it in the public interest to allow for the consumption of liquor with food from area restaurants in the designated public spaces;

**NOW THEREFORE BE IT ENACTED** by the Council of The Corporation of the City of Stratford as follows:

**Short Title**

1. This By-law shall be known and referred to as “Consumption of Liquor with Food in Designated Public Places By-law”.

**Definitions**

2. In this By-law the following definitions shall apply:

“*Applicable Laws*” means all applicable statutes, regulations, enforceable and published rules, guidelines and policies, laws and by-laws of Canada, the Province

of Ontario, and the City or other Regulatory Authorities, including without limitation the Alcohol Gaming Commission of Ontario;

"*By-law Enforcement Officer*" means a police officer of Stratford Police Services, commissionaire, assistant or any other officer, peace officer or civilian person engaged by Stratford Police Services and/or appointed by The Corporation of the City of Stratford to enforce or carry out the provisions of this by-law or any part thereof;

"*City*" means The Corporation of the City of Stratford;

"*City Property*" means a parcel, lot, block, strata lot, public park or other area of land that is located in the City and which is either owned or occupied by the City, or in which the City has vested interest pursuant to a statute and includes a "Highway";

"*Highway*" includes a common and public highway, street, avenue, parkway, driveway, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property line thereof;

"*Liquor*" has the meaning set out in the *Liquor Licence Act* as may be amended from time to time;

"*Liquor Licence Act*" means the *Liquor Licence Act* R.S.O. 1990, Chapter L.19, as may be amended and/or replaced from time to time;

"*Permitted Space*" means a Public Space or part of a Public Space that has been designated by the City by this By-law as a place where Liquor may be consumed, but does not include a building, structure, vehicle or other installation within the Public Place unless specifically designated by Council by this By-law;

"*Public Space*" includes a place, building or vehicle to which the public is invited or has or is allowed access;

"*Regulatory Authorities*" includes but are not limited to the Alcohol Gaming Commission of Ontario, and Ontario Ministry of Transportation.

### **Permitted Spaces and Hours**

3. The following Public Spaces shall be designated as a Permitted Space where the City shall allow, during the specified hours, the consumption of Liquor subject to the terms and conditions set out in this By-law:
  - a. The Public Spaces or parts thereof listed on the attached Schedule A to the By-law and which Public Spaces shall be further identified by signage posted in accordance with this By-law are hereby designated as Permitted Spaces where Liquor may be consumed subject to the provisions set out in section 5 of this By-law.
  - b. The hours that Liquor may be consumed in any Permitted Spaces are as follows:

May 1 to September 23

    - Sunday to Thursday from 11:00 a.m. to 8:00 p.m.
    - Friday to Saturday from 11:00 a.m. to 9:00 p.m.

September 24 to October 31

    - Sunday to Saturday from 11:00 p.m. to 7:00 p.m.

- c. Liquor may not be consumed in any part or portion of the Public Space that are outside of the boundaries of the Permitted Spaces as identified by signage posted in accordance with this By-law.

**Signage**

4. The City shall post the appropriate signage setting out the boundaries of the Permitted Space and the hours during which Liquor may be consumed in the Permitted Spaces.

**Terms and Conditions Consumption in Permitted Spaces**

5. The consumption of Liquor in the Permitted Spaces shall only be permitted subject to the following terms and conditions:
  - a. Only Liquor purchased from City restaurants with food shall be allowed in the Permitted Spaces;
  - b. The consumption of Liquor and food must be in a responsible manner and in compliance with all Applicable Laws including all City policies, by-laws, practices and procedures;
  - c. Only wine bottles, beer cans and mixed drinks in a sealed container shall be allowed in the Permitted Spaces; and
  - d. Liquor shall not be consumed in any area situated outside of the designated Permitted Spaces.

**Offence**

6. Any person who contravenes any provision of this By-law is guilty of an offence and liable to the maximum fine and such other penalties as provided in the *Provincial Offences Act*, R.S.O. 1990, c.P 33, as amended, and the Municipal Act, and every fine is recoverable under the *Provincial Offences Act*.

**Interpretation**

7. In this By-law, unless the context otherwise requires words importing the singular number shall include the plural.
8. If a Court of competent jurisdiction declares any section or part of a section of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

**Repeal**

9. By-laws 106-2020 and 118-2020 are hereby repealed upon final passage of this By-law.

**Effective**

10. This By-law shall come into force and take effect upon final passage thereof.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 22nd day of March, 2021.

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"Daniel B. Mathieson"  
Mayor – Daniel B. Mathieson

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"Chris Bantock"  
Deputy Clerk – Chris Bantock

**SCHEDULE A to By-law 37-2021**  
**Adopted this 22<sup>nd</sup> day of March, 2021**

