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THE LIQUOR CONTROL ACT  
(C.C.S.M. c. L160)

**Liquor Licensing Regulation, amendment**

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Regulation 164/2002  
Registered September 30, 2002

**Manitoba Regulation 177/94 amended**

**1**            **The *Liquor Licensing Regulation*, Manitoba Regulation 177/94, is amended by this regulation.**

**2**            **The following is added after subsection 3(5):**

**3(6)**            A licensee shall not allow any person other than an on-duty employee of the licensee to offer, sell, serve or provide liquor in the licensed premises.

**3**            **Section 23 is replaced with the following:**

**Food to be available**

**23**            The licensee of a cocktail lounge shall have a variety of food items available in the cocktail lounge for sale to patrons at all times that the cocktail lounge is in operation.

**4**            **Subsection 24(2) is replaced with the following:**

**24(2)**            The licensee of a beverage room shall ensure that the associated dining room located in the hotel is open and operating

(a) from at least 11:00 a.m. to 2:00 p.m. and 4:00 p.m. to 7:00 p.m. on each day that the beverage room is in operation from Monday to Saturday;

(b) from at least 12 noon to 2:00 p.m. and 4:00 p.m. to 7:00 p.m. if the beverage room opens for business on a Sunday; and

(c) from at least 1:00 p.m. until 2:00 p.m. and 4:00 p.m. to 7:00 p.m. if the beverage room opens for business on Remembrance Day.

**5 The following is added after section 24:**

**Room requirements — number and size**

**24.1(1)** The commission may issue a new beverage room licence to an applicant only if the hotel associated with the proposed beverage room contains

(a) at least 40 guest rooms, with each room containing a minimum of 60.96 square metres (200 square feet) of living space, excluding the bathroom, if the hotel is located in Winnipeg or Brandon;

(b) at least 20 guest rooms, with each room containing a minimum of 50.3 square metres (165 square feet) of living space, excluding the bathroom, if the hotel is located in any other municipality with a population of 8,000 or more;

(c) at least 10 guest rooms, with each room containing a minimum of 50.3 square metres (165 square feet) of living space, excluding the bathroom, if the hotel is located in a municipality with a population of at least 2,500 but less than 8,000; and

(d) at least 4 guest rooms, with each room containing a minimum of 50.3 square metres (165 square feet) of living space, excluding the bathroom, if the hotel is located in a municipality with a population of less than 2,500, or in unorganized territory or unorganized territory in Northern Manitoba, as those terms are defined in *The Municipal Act*.

**24.1(2)** The commission may exempt an applicant from the requirements of subsection (1).

**Room requirements**

**24.2(1)** The licensee of a beverage room shall ensure that all guest rooms in the associated hotel are adequately furnished, equipped and maintained in order to be suitable for renting to the general public.

**24.2(2)** The licensee of a beverage room shall ensure that guest rooms in the associated hotel are available for rent to the general public.

**6(1) Subsection 28(2) is replaced with the following:**

**28(2)** Unless otherwise authorized by the commission, a cabaret licensee shall provide at least two hours of live entertainment in the cabaret each day the cabaret is in operation. The live entertainment shall be provided

(a) between 12 noon and 8:00 p.m., on any day when the cabaret closes at or before 8:00 p.m.;

(b) between 8:00 p.m. and 2:00 a.m. the following morning, on any day between Monday to Saturday when the cabaret closes after 8:00 p.m.; and

(c) between 8:00 p.m. and 12 midnight, on any Sunday when the cabaret closes after 8:00 p.m.

**6(2) The following is added after subsection 28(3):**

**28(4)** A cabaret licensee shall keep a written record of all live entertainment provided at the cabaret. The record must include the name of the performer, the date of each performance, and the time of day when each performance occurred.

**28(5)** A cabaret licensee shall preserve the records required by subsection (4) until such time as the commission authorizes their destruction.

**28(6)** The commission may, at any reasonable time, examine the records of a cabaret licensee required by subsection (4).

**7 The following is added after section 44 and within Part 10:**

**Room requirements — number and size**

**44.1(1)** The commission may issue a new retail beer vendor licence to an applicant only if the associated hotel operated by the applicant contains

(a) at least 40 guest rooms, with each room containing a minimum of 60.96 square metres (200 square feet) of living space, excluding the bathroom, if the hotel is located in Winnipeg or Brandon;

(b) at least 20 guest rooms, with each room containing a minimum of 50.3 square metres (165 square feet) of living space, excluding the bathroom, if the hotel is located in any other municipality with a population of 8,000 or more;

(c) at least 10 guest rooms, with each room containing a minimum of 50.3 square metres (165 square feet) of living space, excluding the bathroom, if the hotel is located in a municipality with a population of at least 2,500 but less than 8,000; and

(d) at least 4 guest rooms, with each room containing a minimum of 50.3 square metres (165 square feet) of living space, excluding the bathroom, if the hotel is located in a municipality with a population of less than 2,500, or in unorganized territory or unorganized territory in Northern Manitoba, as those terms are defined in *The Municipal Act*.

**44.1(2)** The commission may exempt an applicant from the requirements of subsection (1).

**Room requirements**

**44.2(1)** A retail beer vendor licensee shall ensure that all guest rooms in the associated hotel are adequately furnished, equipped and maintained in order to be suitable for renting to the general public.

**44.2(2)** A retail beer vendor licensee shall ensure that guest rooms in the associated hotel are available for rent to the general public.

September 27, 2002

THE LIQUOR CONTROL COMMISSION:

Carmen Neufeld  
Chair

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for the Province of Manitoba