



August 12, 2002

To: Liquor Industry Licensees

Re: Changes to Liquor Regulations and Policies

Government has approved major changes to liquor regulations and policies. This letter contains important information about these changes. With the exception of applications for licensee retail stores, **the changes take effect on December 2, 2002**. Until then, current regulations, policies and procedures apply, as do the terms and conditions stated on the face of your liquor licence.

As of December 2, 2002, a number of changes will occur automatically. For example, restaurants will be able to serve any type of liquor. Other more significant changes, such as staying open later hours or increasing your licensed capacity, will require an application to the Liquor Control and Licensing Branch (LCLB).

The changes streamline and modernize liquor regulations. They enable liquor inspectors and police to focus on public safety issues such as minors, overcrowding, intoxication and illicit liquor rather than regulatory issues such as the height or colour of walls. They also provide your business with more flexibility and consumers with more choice.

Local governments will have more say in the granting of new liquor primary licences, to make sure licensing decisions meet community needs and are consistent with local priorities. The province will retain responsibility to ensure that liquor licences have regard for the public interest, and will continue to make the final licensing decision.

There are three types of changes that may affect you:

- one involving licensee retail stores that takes effect immediately;
- changes that take effect December 2, 2002 automatically; and,
- changes that take effect December 2, 2002 and require you to apply before you can take advantage of them.

***The one change occurring now is the limited opening of applications for licensee retail stores:***

- Government is accepting applications for licensee retail stores between now and November 29, 2002. To apply, you must either hold a commercial bar licence, or have a completed application before August 12, 2002, and have received preliminary site and applicant approval by November 25, 2002. Commercial bars include hotels with

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**Ministry of Public Safety  
and Solicitor General**

Liquor Control and  
Licensing Branch

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PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8

Telephone: 250 387-1254  
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Location:  
Second Floor, 1019 Wharf Street  
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[www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb)

pubs/lounges, neighbourhood/marine/restoration pubs, resorts and cabarets.

- An application package can be printed from our web site at [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb) or you can request a package by calling the LCLB at 1-866-209-2111 (toll free) or 387-1254 (if calling from the Victoria area).
- The following types of establishments are not eligible to apply: restaurants, stadiums, convention centres and concert halls and class A establishments, other than hotels and resorts.

***The following changes will occur automatically on December 2, 2002:***

- **Two licence classes** - There will be two classes of liquor licence: food primary (i.e., restaurants) and liquor primary (i.e., pubs and bars). We will convert your existing licence into the appropriate licence class on December 2, 2002. Private clubs will remain a sub-class within the liquor primary class.
- **Annual fees** - The LCLB will base annual licence fees on the dollar value of liquor your business purchased in the previous year. The new fees will take effect at your next renewal time. To see how this will apply to your situation, please refer to the chart below:

<b>Annual liquor purchases:</b>	<b>Annual licence fee:</b>
\$12,500 or less	\$275
Over \$12,500 and up to \$20,000	\$550
Over \$20,000 and up to \$45,000	\$825
Over \$45,000 and up to \$100,000	\$1100
Over \$100,000 and up to \$250,000	\$1300
Over \$250,000	\$1500

- **Provisions to limit underage drinking** - Bar staff must ask customers who appear younger than 25 to show two pieces of identification. This will further strengthen government's ability to limit underage drinking.
- **Local government input** - Local government will have more input on new liquor primary applications. This will involve commenting on the number of such establishments, size, impact on the community, and the views of residents.

Local government will comment on restaurant applications only if your application includes late night hours or patron participation entertainment such as dancing or karaoke.

- **Fewer regulations** - Government has eliminated a number of regulations and policies that are no longer needed to ensure public safety. These include server attire, vending machines, and the height of walls. Your customers may take home partially consumed

bottles of wine, provided the bottle is corked. The regulations no longer require wineries to submit semi-annual production reports. It will no longer be against the law to serve free liquor; however, you and your staff must employ strategies to prevent over-consumption.

- **Fewer restrictions on the types of business that may be licensed** - Any business primarily in the hospitality, entertainment, food or beverage business will be eligible to apply for a liquor licence. The exceptions are youth-oriented businesses such as video arcades and movie theatres.

*The following changes come into effect December 2, 2002, but are not automatic. To take advantage of them, you must submit an application to the Liquor Control and Licensing Branch:*

- **Capacity increases for liquor primary licenses** - The new regulations do not set maximum capacities. Liquor primary licensees may apply to the LCLB for approval to increase your licensed capacity to the occupant load for your establishment. If you applied for a capacity increase in December 2000 and your application is still in process, we have enclosed a separate letter with further information. Under the new regulations, review and approval will not include a resolution from local government.
- **Non-licensed services no longer required** - Until now, some categories of licence were required to provide certain non-licensed services or facilities. These included hotel rooms, recreation facilities or dance floors. The new regulations will eliminate this requirement, and give you more flexibility in deciding what services and facilities you wish to provide. As a result, you will be able to apply to relocate or transfer your liquor licence to another location.
- **Hours** - You may apply to be open at any time between 9 a.m. and 4 a.m., subject to a local government resolution. The LCLB will approve late night openings (until 4 a.m.) only if they are supported by local government.
- **Restaurants** - Restaurants may apply for approval from the LCLB for a small lounge area seating up to 40 patrons or 20% of the total patron capacity. If you applied for a designated food optional area and your application is still in process, we have enclosed a separate letter with further information. Under the new regulations, review and approval will not include a local government resolution.

Restaurants may offer games and advertise their lounge, and customers will no longer be prohibited from standing or walking around with drinks. However, service of food must remain the primary focus within the establishment at all times.

The changes in restaurant regulations are consistent with changes made over the last decade in other Canadian jurisdictions, while at the same time preserving control over the number, location and size. They also allow restaurants more flexibility to meet customer needs, while preserving their primary food service role.

***Questions and/or more information:***

We will send you further information on the liquor licensing changes in mid-November. We are posting information and copies of the new regulations on the LCLB web site at [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb). You may also contact the Liquor Control and Licensing Branch at 1-866-209-2111 (toll free) or 387-1254 (if calling from the Victoria area).

Sincerely,

A handwritten signature in black ink, appearing to read "Helen V. Pedneault". The signature is fluid and cursive, with the first name "Helen" being the most prominent.

Helen V. Pedneault  
General Manager

cc: Liquor Industry Associations