

Department Public Safety  
Liquor Control Act

## Information on Extensions to Licensed Premises

**LIN: 0502**  
**November 2006**

This notice is intended to provide information respecting extensions to licensees under the *Liquor Control Act* and regulations. This notice should not be regarded or relied upon as a legal interpretation of the *Act*. In all cases, the legislation should be reviewed to determine the proper application of the eligibility requirements and the function of the program.

### Authority

The authority for an "extension" of a liquor licence is found in the *Liquor Control Act* Section 63.02 (1) to 63.02(4), Sections 89(6), 90.1, 99.1(2.1).

### General Information

A liquor licensee may extend his liquor licence in one of two ways:

1. An extension adjacent to his licensed establishment which is available to all licensees or
2. An extension not adjacent to his licensed establishment which is available to a Dining Room, Lounge and Special Facility licensee.

### 1. REQUEST FOR AN EXTENSION ADJACENT TO

To obtain an extension adjacent to a licensed establishment, the following information must be provided:

- ▶ A written request 15 days prior to the event, listing the permanent licence number, the event, date, and time liquor will be sold, and a floor plan where the event is being held; and
- ▶ Written permission granted by the owner of the lands for the proposed use, or if the lands are a public place, by the authority having jurisdiction over the lands; For unincorporated areas (outside municipalities), please contact the Department of Environment (506-453-2171).and
- ▶ Written approval from the Fire Marshal; and
- ▶ Written approval from the Minister of Health; and

### 2. REQUEST FOR AN EXTENSION NOT-ADJACENT TO

An extension not adjacent to will be issued if it meets the definition of a Special Event, as defined in the *Act*, which is:

- a. a public event conducted for the advancement of charitable, educational or community objectives,
- b. a public event of provincial, national or international significance or a public event designated by a municipality as an event of municipal significance, or
- c. a public event conducted without the intention of commercial or personal gain or profit;

The Special Event cannot be organized by a licensee; and, the extension will only be granted for 7 consecutive days or less.

To obtain an extension not adjacent to a licensed establishment, the following information must be provided:

- ▶ A letter from the special event organizing committee, requesting the licensee to cater the liquor to the event. Full meal services must be provided if the provider is a Dining Room licensee; and
- ▶ A written request 15 days prior to the event, listing the permanent licence number, the event, date, and time liquor will be sold, and a floor plan where the event is being held; and
- ▶ Provide written permission granted by the owner of the lands for the proposed use, or if the lands are a public place, by the authority having jurisdiction over the lands; for unincorporated areas (outside municipalities), please contact the Department of Environment (506-453-2171); and
- ▶ Written approval from the Fire Marshal; and
- ▶ Written approval from the Minister of Health; and
- ▶ A payment of the \$150.00 fee for the extension.

Extensions **do not** apply to Entertainment Licences.

The licence extension is treated the same as the original licensed premises. The licensee is responsible for providing security personnel and applying the requirements, terms and conditions imposed under the *Liquor Control Act*, its regulations, and any other applicable Act or Regulation required for the setup and operation of the licence extension.

A dining room licensee must provide meals with the sale and service of liquor.

## **CONCERTS AND EXHIBITIONS**

Licensees situated in unincorporated areas (outside municipalities) that are having a public event such as; an outdoor musical concert, an exhibition of natural or artificial curiosity, circus, or other show or exhibition for hire or profit may require a licence under Regulation 81-114, of the Provincial Exhibitions and Concerts Regulation. Please contact the Department of Local Government (506-444-5251) for information.

## **Penalties**

Violations under the Liquor Control Act could result in fines ranging from \$100.00 to \$25,000.00, suspension and/or revocation of the holders' licence to operate their place of business. Public Safety Compliance Inspectors will visit locations to ensure compliance with legislation is being met.

## **To apply for an Extension to a Licence, please contact:**

Department of Public Safety  
Compliance and Regulatory Services  
P. O. Box 6000  
Fredericton, NB  
E3B 5H1  
Telephone: (506) 453-7472  
Fax: (506) 453-3044