

LIQUOR LICENCING – LOCAL GOVERNMENT’S ROLE POLICY
Council Policy No. 81/01

POLICY:

This policy outlines the method in which the City of Fort St. John will obtain Public Input in order to assess “whether the majority of residents are in favour of granting a Licence Class “D – Neighbourhood Public Houses”.

BACKGROUND:

The Provincial Government has outlined, in a publication, “The Role of Local Government in the Provincial Liquor Licensing Process”.

1. Local Government provides the applicant with a resolution that:
 - Approves or does not approve an application for an
 - i. “E” licence - stadium, concert hall or convention centre”;
 - Supports or objects to an application for an
 - i. “A licence – Hotels, resorts, clubs, recreational centers, aircraft, trains, motor vessels, airports, municipally and provincially owned cultural centers, universities and military messes”.
 - ii. “C licence – Cabarets primarily engaged in providing entertainment”.
 - iii. “G licence – Retail stores (beer and wine stores at full services hotels, neighbourhood pubs, marine pubs or restoration pubs)”. or
 - iv. “J licence – Winery lounges part of, or adjacent to, the primary manufacturing facilities of wineries”.
 - Supports or objects to an application for an endorsement to a
 - i. “B licence – Dining establishments primarily engaged in the service of food”.
 - Supports or objects to an
 - i. “I licence – Restoration public houses”.
2. In the case of
 - “D licence – Neighbourhood Public Houses and “F licence – Establishments oriented to marine activities known as Marine Public Houses”:
 - Whether or not the majority of residents are in favour of granting the licence
 - Proximity of establishments to other social facilities and public buildings such as schools, churches, etc.
 - Traffic, road access and availability of parking
 - Noise and appearance of the establishment, and
 - Any other local issue local government considers relevant.

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BACKGROUND: (continued)

3. An official designated by local government provides the applicant with written comment, either by letter or by completing the appropriate space on a liquor licence change application, supporting or objecting to the application.
4. Local health and delegated fire authority’s approval of design plans is required (“B” licence requires fire authority approval where patron participation entertainment is proposed; e.g., dance floor, separate banquet room or karaoke). LCLB requires local health authority approval for “B” licence outdoor patio endorsements, but does not require fire authority approval for outdoor patios.
5. Police provide written comment, either by letter or by completing the appropriate space on a liquor licence change application, advising whether or not they have any concerns with the application.

GOAL:

It to determine a consistent method of obtaining Community Opinion for “D” and “F” Liquor Licences:

- For most types of licence (“A”, “C”, “E”, “G” and “J”) the applicant is usually required to post a sign at the site and publish a newspaper advertisement that describes the application and requests anyone with comments to write to the general manager. In these cases, the local government is not responsible for determining community opinion.
- Applications for neighbourhood and marine public houses (“D” and “F” licences) are required to obtain a very specifically worded local government resolution regarding the views of local residents. In these cases, local government is responsible for determining community opinion, and the applicant is responsible for obtaining the resolution from local government. Local government decides upon the method of determining community opinion.

OBJECTIVES:

There are a number of important principles that must be considered when Council is choosing a method of determining community opinion:

- Is it fair and equitable to both the residents and the applicant
- Does it avoid any perception of bias, and
- Is it appropriate to local circumstances.

To avoid the perception of bias, it is very important that neither the applicant nor a group opposed to the application be involved in any way in the collection of residents’ views.

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OBJECTIVES: (continued)

Whatever method is chosen, the general manager must be satisfied that area residents have had an opportunity to express their views. Otherwise, the provincial Liquor Licencing Committee may not accept the local government resolution.

City Council will obtain “Community Input” by:

- Publishing four (4) advertisements (Wednesday and Friday) in the Alaska Highway News, two weeks and one week prior to the date that Council is to deliberate on a “D” or “F” Liquor Licence resolution with the costs of the advertisements to be recovered from the applicant.

The Advertisement template to be as follows:

City of Fort St. John Council advises that (Applicant’s Name and Address) has applied for a (Licence). Council will give residents an opportunity to speak to the application on (date) at (time) in City Hall Council Chambers.

Residents who are unable to attend the meeting may forward their written comments to City Council on or before 4:30pm, on the Thursday prior to the meeting.

To avoid any perception of bias, it should be noted that petitions from either the applicant or a group of opposed to the application will not be considered.

For additional information, contact Carol Susak, Director of Corporate Administration at 787 8150.