

# City of Prince George Liquor License Policy

## 1. Scope

This policy applies to local government resolutions required by the Province of British Columbia, Liquor Control and Licensing Branch, (LCLB) for new, or amended, liquor primary or food primary liquor licenses. The general manager of the LCLB issues liquor licenses under the authority of the *Liquor Control and Licensing Act* and Regulation. This document is intended to clarify the role of the City of Prince George in the review of liquor license applications.

Applications for local government resolutions regarding liquor licenses on City property, which are in accordance with the *City of Prince George Alcohol Policy*, are not subject to this policy.

## 2. Applications

### a. Application Forms

Applications for local government resolution shall be made to the Director of Development Services and shall contain:

- Name, address, and signature of the applicant,
- Name, address, and signature of registered owner, if different from the applicant, or a letter of consent from the owner, if the applicant is not the owner,
- Title search for the property, including copies of any charges on title,
- Legal description of the property, and street address of the property
- Type of application being made:
  - Application for new liquor primary license
  - Application for an amendment to an existing liquor primary license
  - Application for a food primary license
  - Application for a temporary amendment to an exiting liquor license
- Reasons, comments, or plans in support of the application, and
- Documentation that the necessary application has been made to, and accepted by, the LCLB

Applications for Temporary Change to a Liquor License shall be submitted to The Director of Development Services. The applicant shall complete all necessary sections of the application form.

### b. Application Fees

At the time of application for local government resolution the applicant shall pay the City of Prince George an application fee in the amount set out in Schedule 'B' of the Development Procedures Bylaw No. 7231, 2000, and any amendments thereto.

### **c. Consideration of Applications**

Every application for local government resolution shall be presented to Council for consideration at a regular meeting of Council. A report shall be prepared for Council by the Development Services Department that shall contain: details of the application; an evaluation of the proposal in accordance with *Evaluation Criteria for Liquor License Applications*; a summary of referral responses; and a draft resolution for Council's consideration in accordance with the *Liquor Control and Licensing Act* and Regulation. Council may approve the draft resolution, amend the draft resolution and approve it, or provide no comment.

The Development Services Department shall refer all completed applications received for a local government resolution to:

- Long Range Planning
- Fire Services
- Leisure Services
- Real Estate Services
- Bylaw Services
- RCMP

### **d. Obtaining Community Opinion**

The City of Prince George will collect the views of residents that may be impacted by the application. These views shall be collected in accordance with section 2. d. i), ii), or iii).

#### **i) Public Hearings**

Council shall hold a public hearing, which shall be advertised in accordance with Section 2. e. On the date identified in the public notice Council will hear the applicant and members of the public it considers may be impacted if the liquor license is granted.

#### **ii) Liquor License Application with a Zoning Bylaw Amendment**

Where an application for a local government resolution is associated with an application for rezoning the public hearing for the rezoning shall be used to obtain public input on the liquor license application, provided the requirements of Section 2. e. are met.

#### **iii) Liquor License Application with an Official Community Plan (OCP) Amendment**

Where an application for local government resolution is associated with an application for OCP amendment the public hearing for the OCP amendment shall be used to obtain public input on the liquor license application, provided the requirements of Section 2. e. are met.

### **e. Public Notice**

- i) Each applicant shall post a sign on the site which is the subject of the application in accordance with the Schedule "A" of the City of Prince George Development.

- ii) Procedures Bylaw No. 7231, 2000, and any amendments thereto, at least 10 days prior to the date on which Council will consider the application advising the public of the application and their right to be heard by Council.
- iii) The City Clerk will provide written notification to owners or tenants in occupation of all parcels within the area which is the subject of the application, and within a distance of thirty metres from the land that is the subject of the application at least 10 days prior to the date on which Council will consider the application advising the public of the application and their opportunity to be heard by Council.
- iv) The City Clerk shall place advertisements in two consecutive issues of a newspaper the last publication to appear not less than 3 nor more than 10 days before the date Council will consider the application advising the public of the application and their opportunity to be heard by Council.
- v) The purpose of the sign, letter and newspaper notice will be to:
  - inform the public that the City has received a request for a local government resolution for a specific site;
  - identify the type of resolution applied for, the proposed occupant load, the proposed hours of liquor service, and any other information where applicable;
  - make available the time and date on which public representations will be heard by Council; and
  - outline any proposed changes to an existing liquor license if the application is for an existing licensed facility.

**f. Resolution Outline**

The resolutions passed by Council shall take the form outlined in the document *Role of Local Government and First Nations in the Provincial Liquor Licensing Process* prepared by the Liquor Control and Licensing Branch.

Council may make a resolution conditional upon some term or condition; however, prior to doing so Council should ensure that the term or condition is within the jurisdiction of the Liquor Control and Licensing Board to impose or enforce.

**g. Special Occasion Licenses**

An application for local government resolution for a public special occasion license on lands administered by the Leisure Services Department shall be made to the Leisure Services Department.

**3. Local Government Resolution Application Evaluation Criteria**

**a. Community Impact**

Council may consider the following when providing a resolution with respect to an application for a new liquor license, or an amendment to an exiting license:

- Location of the establishment,

- Proximity of the establishment to other social or recreational facilities and public buildings,
- Occupant load and hours of liquor service,
- Number and market focus or clientele of liquor primary establishments within a reasonable distance,
- Traffic, noise, parking and zoning,
- Population, density, and trends,
- Relevant socio-economic information,
- Whether the proposed amendment will result in the establishment being operated in a manner that is contrary to its primary purpose, and
- The impact on the community if the application is approved.

**b. Hours of Liquor Service**

The following section details the suggested hours of liquor service for liquor primary and food primary licensed establishments. Council may increase or decrease the suggested hours of operation on a case specific basis in consideration of the evaluation criteria in Section 1 a.

i) Liquor Primary

Liquor primary licenses within the Central Business District may be permitted to have hours of liquor service between 9 a.m. and 3 a.m..

Liquor primary licenses outside of the Central Business District may be permitted to have hours of liquor service between 9 a.m. and 1 a.m.

Hours of liquor service for existing Liquor Primary establishments will not change without an application to LCLB, and referral to the City of Prince George for a resolution from Council pursuant to the *Liquor Control and Licensing Act* and Regulation.

ii) Food Primary

Food primary licenses within the Central Business District may be permitted to have hours of liquor service between 9 a.m. and 1 a.m..

Food primary licenses outside of the Central Business District may be permitted to have hours of liquor service between 9 a.m. and 12 - midnight.

Hours of liquor service for existing Food Primary establishments will not change without an application to LCLB, and referral to the City of Prince George for a resolution from Council pursuant to the *Liquor Control and Licensing Act* and Regulations.

**c. Occupant Load**

The following section details the suggested occupant load for liquor primary licensed establishments. Council may increase or decrease the following suggested occupant loads on a case specific basis in consideration of the evaluation criteria in Section 1 a.

Liquor primary licenses within the Central Business District may be permitted to have an occupant load no greater than 400.

Liquor primary licenses outside of the Central Business District may be permitted to have an occupant load no greater than 125.

For new liquor license applications and amendments to existing liquor licenses the occupant load shall be taken as the lesser number of persons allowed in a license establishment under the following provisions:

- British Columbia Building Code
- Fire Services Act and British Columbia Fire Code
- Guidelines for calculating occupant load for licensed liquor establishments published by the *Building Policy Branch, Ministry of Social Development and Economic Security*

Occupant load for existing Liquor Primary establishments will not change without an application to LCLB, and in some cases a referral to the City of Prince George for a resolution from Council pursuant to the *Liquor Control and Licensing Act* and Regulation.

**d. Patron Participation Entertainment**

The following section details the suggested types of patron participation entertainment, which are acceptable, and not acceptable, for food primary licensed establishments. Council may add or subtract from the following lists on a case specific basis in consideration of the evaluation criteria in Section 1 a. Furthermore, patron participation entertainment may not alter the primary focus on the service of food.

The following types of patron participation entertainment may be permitted in food primary establishments: karaoke, comedy club, music club, dinner theater

The following types of patron participation entertainment may not be permitted in food primary establishments: exotic dancing, electronic interactive gaming, games rooms.

**e. Location of liquor primary establishments**

The following section details the suggested separation for liquor primary licensed establishments. Council may increase or decrease the following suggested minimum separation between liquor primary establishments on a case specific basis in consideration of the evaluation criteria in Section 1 a.

Liquor primary establishments outside of the Central Business District may be permitted with a minimum separation of 1.6 km.

**f. Existing licensed establishments**

Hours of liquor service, occupant load, and patron participation entertainment for existing licensed establishments, which are above the suggested limits within this policy, shall not be reduced by this policy, but shall be permitted as non-conforming.

Complete applications submitted to the City of Prince George, prior to the adoption of this policy, shall comply with the policy under which the application was made.

#### **4. Temporary Change to a Liquor License Application**

The Director of Development Services, or a staff member appointed by the Director, is hereby delegated the authority to provide approval for temporary changes to a liquor license. The Director will provide input in accordance with the following conditions:

- not more than 5 temporary changes for each individual liquor license are approved per calendar year,
- the temporary change is in accordance with all City Bylaws,
- the temporary change application is referred to the RCMP and Bylaw Services for comment, and
- the potential social and land use impacts are considered.

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Policy adopted by Council July 5, 2004