

1979 Bill 237

First Session, 19th Legislature, 28 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 237

AN ACT TO AMEND THE LIQUOR LICENSING ACT

MR. D. ANDERSON

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 237
Mr. D. Anderson

BILL 237

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AN ACT TO AMEND THE LIQUOR LICENSING ACT

(Assented to _____, 1979)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

1. *The Liquor Licensing Act is amended by this Act.*
2. *Section 15 is amended,*
 - (a) *in subsection (2) by adding after clause (g)*
 "(h) community pub licence" and
 - (b) *in subsection (3) by adding "*community pub licence"
 after "beverage room liquor licence".
3. *Section 16 is amended by adding "*community pub licence"
 after "dining room licence".
4. *The following heading and sections are added after section 69:*

Community Pub Licences

69.1 On application therefore being made in a prescribed
form and on payment of a prescribed fee therefore, and
on compliance with this Act and the Regulations, the
Board may, subject to Part 3, issue a community pub

*licences to the
Applicant*

Explanatory Notes

1. This Bill will amend chapter 212 of the Revised Statutes of Alberta, 1970.

2. Section 15 presently reads:

15. (1) Subject to Part 3 and as elsewhere provided in this Act, but otherwise in its discretion the Board may grant licences to sell liquor as provided in this Act.

(2) A licence may be of any one of the following classes:

- (a) beverage room licence;
- (a1) beverage room liquor licence;
- (b) beer vendor's licence;
- (c) club licence;
- (d) canteen licence;
- (e) dining lounge licence;
- (f) lounge licence;
- (g) special events licence;

(3) Subject to this Act, one person may be issued any one or more of the following classes of licence, that is to say, beverage room licence, beverage room liquor licence or dining lounge licence.

3. Adds "community pub licence" to the types of licences to be subjected to the restrictions set by the section.

4. Adds new section to govern the issuing of community pub licences.

69.2 The Board in its discretion may determine the number of community pub licences to be issued in any local option area under Part 3 or any municipality therein.

69.3 The Board may grant a community pub licence providing that,

- (a) the total number of persons permitted in the premises is 150 or less,
- (b) at least 25% of the floor space reserved for the patrons is devoted to recreational activity, including dancing, and
- (c) the premises will be operated in such a way that the licensee qualifies for 50 or more points from the following scale:

- 20 points for the provision of hot meals,
- 10 points for the provision of sandwiches or cold meals,
- 5 points for the provision of prepackaged snacks only,
- 5 points for every additional 10% of floor space in excess of 25% which is devoted to recreational activity, including dancing,
- 5 points where 15% or more of the capacity is to be served by stand-up bar facilities,
- 5 points where 60% of all sales income is to be derived from the sale of beer and wine,
- 10 points for patron capacity of 100 or less,
- 15 points for patron capacity of 75 or less,
- 25 points where the licensee is to be a community league or other non-profit organization with sporting, social or charitable purposes,
- 5 points where the operating hours of the licensed premises are to be limited to 9 hours in total, 5 hours of which being after the hour of 7:00 p.m. and the premises are to be closed for 2 hours between the hours of 4:00 p.m. and 7:00 p.m. and where the Friday and Saturday opening hours are no more than 11 hours of which no more than 5 are after 7:00 p.m. and the premises are to be closed for 2 hours between 4:00 p.m. and 7:00 p.m.

69.4 No community pub licence shall be granted unless the Board is satisfied that the premises are sufficiently separated from residential or other commercial premises to avoid interference with or disturbance of such other premises and, where the pub is located in the same building as the other premises, the Board is satisfied that there is an adequate separate entrance to the licensed premises from outside or from the common property of the building in which the premises are located.

5. Section 70 is amended by adding “, community pub” after “licensed beverage room” wherever it occurs in subsection 2 and 3.

6. Section 73 is amended by adding “, community pub licence” after “dining room licence”.

7. Section 79 is amended by adding “, community pub licensee” after “lounge licensee”.

8. Section 80(1) is amended by adding “, community pub licensee” after “dining room licensee”.

9. Section 81 is amended by adding “, community pub licence” after “dining room licence”.

10. Section 82 is amended by adding “, community pub licence” after “dining room lounge licence”.

11. Section 87(f) is amended by adding “, community pub licence” after “dining room lounge licence”.

12. Section 94 is amended

(a) by adding after clause (e)

“(f) community pub licences, if the application was made for a community pub licence,” and

(b) by adding “, community pub licences” after “beverage room liquor licences”.

13. Section 96(?) is amended by adding after clause (e)

“(f) Are you in favour of the sale of liquor, wine and beer for consumption on licensed community pub premises?”.

14. This Act comes into force on a date to be fixed by Proclamation.

5. Adds a reference to community pub licences in section relating to hours of sale.
6. Adds a reference to community pub licences in section relating to consumption on the premises.
7. Adds a reference to community pub licences in section relating to posting of licences.
8. Adds a reference to community pub licences in section relating to right to refuse to sell liquor.
9. Adds a reference to community pub licences in section relating to police in uniform off duty.
10. Adds a reference to community pub licences in section relating to gambling.
11. Adds a reference to community pub licences in section relating to local options.
12. Adds a reference to community pub licences in section relating to local options.
13. Adds a reference to community pub licences in section relating to questions for local options.