

1983 BILL 257

First Session, 20th Legislature, 32 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 257

AN ACT TO AMEND THE LIQUOR CONTROL ACT

MR. LEE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 257
Mr. Lee

BILL 257

1983

AN ACT TO AMEND THE LIQUOR CONTROL ACT

(Assented to _____, 1983)

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

1 *The Liquor Control Act is amended by this Act.*

2 *Section 1, is amended in subsection (1),*

(a) by adding the following after clause (d):

(d.1) “food store” means a retail store that primarily sells food or has a department that primarily sells food;

(d.2) “food store licence” means a licence issued under this Act and the regulations authorizing the sale of wine, beer and cider at a food store;

(b) by adding the following after clause (n):

(n.1) “participating municipality” means a municipality other than a municipality that has passed a by-law ordering that section 38(1.1) shall not apply in the municipality.

3 *Section 38 is amended*

(a) by adding the following after subsection (1):

(1.1) The Board may

(a) on receiving from an applicant who is qualified under the regulations

(i) an application for a food store licence, respecting premises in a participating municipality, in the form and containing the information prescribed in the regulations,

Explanatory Notes

1 This Bill will amend chapter L-17 of the Revised Statutes of Alberta 1980.

2 Adds new definitions

3 Authorizes the issuance of a licence to the operator of a store that serves a local community by the sale of food, permitting the sale of wine, beer and cider at the store, using up to 10% of store shelf space, except on a Sunday. Allows municipality to opt out of food store licence provisions.

(ii) the fee prescribed by the regulations, and

(b) on being satisfied that

(i) the premises described in the application are a kind of premises mentioned in section 58(6) in respect of which a licence may be issued,

(ii) the amount of shelf space that will be utilized for the display of wine, beer and cider will not exceed 10% of the total shelf space used for the display of goods for sale,

(iii) the premises will provide a service as mentioned in section 58(7), and

(iv) the applicant and the premises described in the application comply with this Act and the regulations,

issue to the applicant a food store licence with respect to the premises described in the application.

(1.2) The Board shall not issue a food store licence that permits the sale of wine, beer or cider on a Sunday.

(1.3) A municipality may by by-law order that subsection (1.1) shall not apply in the municipality.

(b) in subsection (2) by adding “or (1.1)” after “subsection (1)”.

4 Section 58 is amended by adding the following after subsection (5):

(6) The Lieutenant Governor in Council may make regulations authorizing the issuance of licences with respect to the sale of wine, beer and cider at a food store in a participating municipality.

(7) Regulations respecting the sale of wine, beer and cider at a food store in a participating municipality may authorize the sale of wine, beer and cider at the food store on any day but a Sunday if, in the opinion of the Board, the sale of wine, beer and cider will primarily provide a service to the local community that customarily patronizes that food store for the purpose of purchasing food.

5 This Act comes into force on Proclamation.

4 New subsections provide for regulations respecting food store licences for wine, beer and cider.

5 Coming into force.