

1985 BILL 250

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Third Session, 20th Legislature, 34 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 250

FOOD STORE WINE SALES ACT

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MR. LEE

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 250*  
*Mr. Lee*

## **BILL 250**

1985

### **FOOD STORE WINE SALES ACT**

*(Assented to , 1985)*

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 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

## **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 at the store, using up to 100 square metres of floor space, except on a Sunday. Allows municipality to opt out of food store licence provisions.

- (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,
  - (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 floor space that will be utilized for the display of wine will not exceed 100 square metres,
  - (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 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 at a food store in a participating municipality.

(7) Regulations respecting the sale of wine at a food store in a participating municipality may authorize the sale of wine at the food store on any day but a Sunday if, in the opinion of the Board, the sale of wine 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.

**5** Coming into force.