

## **Proposed Amendments to Regulation 719 (Licences to Sell Liquor) under the *Liquor Licence Act***

### **1. Information Concerning Liquor Sales Licences and Applications**

- The AGCO Board is required to consider a resolution of the municipal council as proof of the needs and wishes of the residents of the municipality regarding an application to sell liquor or someone who holds a licence (Subsection 7.1(1)).
- The Board must also consider a written statement of the Ministry of Finance that taxes are owed under the *Retail Sales Tax Act* as evidence that the applicant or licence holder cannot reasonably be expected to be financially responsible in the conduct of business (Subsection 7.1(2)).
- It is proposed that responsibility for considering such municipal resolutions and Ministry of Finance statements be transferred to the Registrar of Alcohol and Gaming. This is consistent with the transfer of adjudicative responsibilities from the AGCO Board to the Licence Appeal Tribunal.

### **2. Boats for Hire**

- The limitations on sale and service of liquor to ½ hour before departure and ending ½ hour before expected return time would be revoked (Subsection 28(1)).
- The restriction on sale and service of liquor to a maximum of 5 times between Nov. 1 and March 31 in inclement weather would be revoked (Subsection 28(2)).

### **3. Complimentary Drinks**

Supplying servings of liquor free of charge would no longer be prohibited. Subsections 20(2) and (6) would be revoked, and the prohibition on supplying drinks for less than the minimum price in subsection 20(3) would be revoked. A new subsection would be added, prohibiting the licence holder from advertising the availability of complimentary drinks, and limiting the offering of complimentary drinks to circumstances that are both constituent with not encouraging the immoderate consumption of liquor and for the purpose of customer recognition.

### **4. All-Inclusive Packages**

The Regulation allows a licence holder to offer for sale a package including a trip and liquor for one price, if the premises are an airport lounge, boat or railway car (Subsection 20(8)). This option would no longer be restricted to airport lounges, boats and railway cars.

### **5. Primary Business Requirement**

- A licence holder's primary business must be the sale and service of food and liquor, subject to a number of exemptions, e.g., golf courses, theatre lobbies (Section 23). This restriction would be revoked, but the prohibition on licensing strip clubs with entertainers less than 18 years of age would be maintained.

## **6. Outdoor Special Occasions**

- Subsection 33(1) prohibits bringing liquor into licensed premises, and subsection 34(1) prohibits the removal of liquor from licensed premises. Exemptions could be created to allow patrons at an outdoor special occasion (such as a street festival) to bring in and remove single servings of liquor providing that the following conditions were met: the special occasion must be the subject of a public event permit issued under Regulation 389/91 (Special Occasion Permits); the event is an outdoor event involving both licensed and unlicensed premises; the applicant for the permit has requested that this exemption apply to the event; the municipality has approved this change; the premises from which the liquor is removed and to which it is taken are within the licensed area for the special occasion approved by the Registrar; and the licence holders have complied with any conditions imposed by the Registrar under s. 8.1 of the Act, based on factors related to the risk to the public, public safety, the public interest and the risk of non-compliance with the Act and the regulations by the holder of a licence.

## **7. Patios**

- If a liquor sales licence applies to more than one premise, liquor is not permitted to be carried across unlicensed areas (Section 48). This section would be revoked, to facilitate the operation of licensed patios.

## **8. New Forms of Identification**

The Regulation allows driver's licences, Canadian passports, Canadian photo citizenship cards, Canadian armed forces identification cards and LCBO photo cards to be used as age identification (Subsection 41(5)). The Regulation would be amended to also allow the First Nations status card to be used as proof of age. The reference to the AGCO card, which does not exist, would be revoked. Updates to permit other government issued identification will also be considered.

## **9. Tiered Seating**

- Premises with tiered seats intended for a viewing audience cannot be used for the sale and service of liquor, except in a stadium or in the auditorium of a motion picture theatre to which the exemption provided in clause 23 (3) (g) applies (Section 11).

- A licence holder may obtain a stadium endorsement allowing liquor to be sold and served in tiered seating during live professional sports and entertainment events approved by the Registrar (Subsection 8(2), paragraph 7). A number of exemptions and rules apply to premises with a stadium endorsement (Sections 76 to 86), such as serving liquor in distinct containers, and having sufficient lighting for inspection.
- It is proposed that the prohibition on liquor sale and service in tiered seating be revoked, as well as the stadium endorsement and related provisions, which would no longer be needed. The Registrar would be able to impose risk-based conditions on premises with tiered seating.

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