

## Information on Extensions to Licensed Premises

**LIN: 0502**

This notice is intended to provide information respecting extensions to licenses under the *Liquor Control Act* and Regulations. This notice should not be regarded or relied upon as a legal interpretation of the Act. In all cases, the legislation should be reviewed to determine the proper application of the eligibility requirements and the function of the program.

### Authority

The authority for an "extension" of a liquor licence is found in the *Liquor Control Act* Section 63.02(1) to 63.02(4), Sections 89(6), 90.1, 99.1(2.1).

### General Information

A liquor licensee may extend the liquor licence in one of two ways:

1. extension adjacent to the licensed establishment which is available to all licensees; **OR**
2. extension not adjacent to the licensed establishment can only be considered under a dining room, lounge or special facility licence. Extensions do not apply to entertainment licences.

### 1. REQUEST FOR AN EXTENSION ADJACENT TO

To be considered for an extension adjacent to a licensed establishment, the following information must be provided:

- a written request **15 days** prior to the event, listing the permanent licence number, the event, date, time liquor will be sold, and a diagram where the event is being held;
- written permission granted by the owner of the lands for the proposed use **OR**
- if the lands are a public place a letter from your Regional Service Commission to obtain zoning authorization for this type of activity **OR** for premises located within a city, town or village, contact your municipal office;
- written approval from the Fire Marshal; and
- Department of Health requires sites to have available 1 washroom per 50 people. For further information, please consult with your local Health Protection Branch.

### 2. REQUEST FOR AN EXTENSION NOT ADJACENT TO

An extension not adjacent to can be considered if it meets the definition of a special event as defined in the Act which is a public event that **cannot** be organized by the licensee but must be:

- a. conducted for the advancement of charitable, educational or community objectives,
- b. of provincial, national or international significance or a public event designated by a municipality as an event of municipal significance, **AND**
- c. conducted without the intention of commercial or personal gain or profit.

To be considered for an extension not adjacent to a licensed establishment, the following information must be provided:

- letter from the special event organizing committee, requesting the licensee to cater the liquor to the event;
- written request **30 days** prior to the event, listing the permanent licence number, event, date, time liquor will be sold and a diagram where the event is being held;
- letter from your Regional Service Commission to obtain zoning authorization for this type of activity **OR** for premises located within a city, town or village, contact your municipal office;
- written approval from the Fire Marshal stating approved occupancy rate;
- Department of Health requires sites to have available 1 washroom per 50 people. For further information, please consult with your local Health Protection Branch;
- identify the arrangements made for the security to be provided (i.e. name of licensed security agency); and
- fee \$150 payable to the Minister of Finance.

## **CONCERTS AND EXHIBITIONS**

Licensees situated in unincorporated areas (outside municipalities) that are having a public event such as; an outdoor musical concert, an exhibition of natural or artificial curiosity, circus, or other show or exhibition for hire or profit may require a licence under Regulation 81-114, of the Provincial Exhibitions and Concerts Regulation.

Please contact the Department of Environment and Local Government (506) 444-4423 for additional information.

## **PENALTIES**

Violations under the *Liquor Control Act* could result in fines ranging from \$100 to \$25,000, suspension and/or revocation of the holders' licence to operate their place of business. Department of Justice and Public Safety Compliance Inspectors will visit locations to ensure compliance with legislation is being met.

### **To apply for an extension to a licence, please contact:**

Department of Justice and Public Safety  
Community Safety Division  
Gaming, Liquor and Security Licensing Branch  
P. O. Box 6000  
Fredericton, NB E3B 5H1

Telephone: (506) 453-7472

Fax: (506) 453-3044

Email: [DPS-MSP.Information@gnb.ca](mailto:DPS-MSP.Information@gnb.ca)