

Information on Extensions to Licensed Premises

LIN: 0502

This notice is intended to provide information respecting extensions to licences 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
- 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;
- identify the arrangements made for the security to be provided (i.e. name of licensed security agency or list of volunteer names);
- 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 or list of volunteer names); and
- fee \$150 payable to the Minister of Finance.

License extensions are subject to the same conditions as the licenses to which they are added. The licensee is responsible for providing security personnel and enforcing the requirements, terms and conditions imposed under the Liquor Control Act, its regulations and any other relevant act or regulation with respect to the installation and operation of the space covered by the license extension.

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 Investigators 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
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