

Date: December 12, 2017

To: All LCLB Staff
All licensees
All industry associations
All local government, First Nations and police agencies

Re: Off-premises sales endorsement changes, licensee retail store (LRS) relocations, manufacturer guided tours, and fraternal societies and veterans clubs reporting requirements

Please note: These policy changes are effective immediately

1. Off-premises sales endorsement changes

Current Policy

Liquor-primary (LP) licence holders (i.e., bars, pubs) may apply for an off-premises sales endorsement that allows them to sell packaged liquor for offsite consumption.

LP licensees may apply for an off-premises sales endorsement if they meet either of the following criteria:

- Their LP establishment is at least 30 kilometres away from the nearest liquor store, licensee retail store, or another LP establishment with an off-premises sales endorsement, or
- They also hold a brewery licence, and the manufacturing facilities of the brewery are adjacent to their LP establishment

LP licensees with an existing off-premises sales endorsement may apply to relocate with their endorsement provided the proposed location is at least 30 kilometres away from the liquor retail outlets noted above.

The Liquor Control and Licensing Branch calculates the 30-kilometre measurement using a straight line (“as the crow flies”).

New Policy

The 30-kilometre distance requirement will now be calculated using the shortest travelling distance by road, ferry, or a combination of the two. If a building cannot be accessed using roads or ferries, the distance will be measured using a straight line.

Existing LPs with an off-premises sales endorsement will not be impacted by the change.

Explanation

The new method of calculating the distance between buildings is more practical (i.e., it calculates driving distance). This policy change is particularly important for measuring distance in rural areas, where communities can be separated by mountain ranges or other geographic barriers. The same calculation method is also used by the Liquor Distribution Branch to measure the distance between rural agency stores and other liquor establishments.

2. Licensee Retail Store Relocations

Current Policy

Licensees may apply to relocate a licensee retail store (LRS) to anywhere within the province, as long as the new location is not within one kilometre of an existing or proposed LRS or BC Liquor Store (i.e. government liquor store).

Within three months of submitting an application to relocate an LRS, the licensee must provide proof that the proposed location has received zoning approval from, or is actively under review for zoning approval by, the local government or First Nation.

New Policy

The general manager may now refuse to accept an application for an LRS relocation if all of the following circumstances are present:

- The applicant submitted a previous application to relocate the same LRS
- The applicant withdrew the previous application
- Less than 3 months have passed since the previous application was withdrawn

Explanation

Some applicants propose new locations that are not likely to be approved by local governments in order to “reserve” a certain spot within a desired area. They then withdraw their application and re-submit a new one in order to re-start the three-month time period for providing proof of zoning approval. There are no restrictions on how many times applicants may withdraw and re-submit an application. This practice prevents other applicants who are likely to receive zoning approval from relocating to the area.

The change gives licensees the opportunity to apply for a relocation to an area that was previously held by another applicant. The change will also likely reduce the number of “placeholder” applications submitted to the branch, which will ensure administrative fairness and decrease processing times.

3. Manufacturer guided tours

Current Policy

During a tour, patrons can only access liquor from the sampling room or an endorsement area.

New Policy

During a guided tour only, patrons can access liquor from anywhere on the manufacturing property.

Explanation

This change clarifies where patrons can receive samples, and where manufacturers can sell and serve samples, while on a guided tour of a manufacturing property. Previously, manufacturers were restricted from providing samples in areas where most guided tours took place (e.g., a vineyard).

4. Fraternal societies and veterans clubs**Current Policy**

Licensed public corporations and societies that hold liquor licences are required to provide the branch with a criminal record check and personal history summary for each new director when a change of directors occurs in the organization. Fraternal societies and veterans clubs are exempt from this requirement and must complete a criminal record check for the president only.

New Policy

Licensed fraternal societies and veterans clubs must provide the branch with a criminal record check and a personal history summary for each new director when a change of directors occurs in the organization.

Explanation

The change was made to ensure that the screening process to determine the suitability of licensees is applied consistently to all licensees.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at <http://www.gov.bc.ca/liquorregulationandlicensing>

If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by

Michelle Carr,
Assistant Deputy Minister and General Manager