City of North Vancouver

COUNCIL POLICY

Policy Name: Special Occasion Liquor Licensing

Policy Number: L12A - 2016

1.0 REASON FOR POLICY

Purpose

The purpose of this Policy Statement is to regulate Special Occasion Licenses (SOL) in the City of North Vancouver as per the following:

1. All Private or Public special events (see Section 3.1 for general requirements);
2. Private or Public special events held on/in private property (see section 3.2 for requirements); and
3. Private or Public special events held on public property – outdoor events (see Section 3.3 for requirements).

2.0 AUTHORITY TO ACT

2.1 Primary Jurisdiction (Provincial Government)

The Provincial Government is the sole jurisdiction that presides over the issuance of liquor licenses, liquor service or liquor distribution/sales through the Liquor Control and Licensing Branch (LCLB) or the Liquor Distribution Branch (LDB). Local Governments participate in the liquor licensing process at the discretion of the Provincial Government as provided through the LCLB regulations or policy. A Special Occasion License (SOL) is a temporary liquor license issued by the LCLB for specific events that may range in duration from an hour to defined hours of service over multiple days.

There are two categories of Special Occasion Licenses: Public and Private. Private SOL's have an additional sub-category (Family) for events that meet specific provincial criteria. Private and Public SOL's are generally limited to non-profit organizations and Private Family SOL's are issued for weddings, birthdays, anniversaries and family reunions. A Public or Private SOL can be issued for a venue on public or private land.

The essential difference between a Public and Private SOL concerns how the events are marketed and tickets are sold (if it is a ticketed event). A Public SOL can be advertised through mass media and tickets can be sold through a variety of sources, including at the door. A Private SOL cannot be advertised and must

be attended by invitation or pre-sold tickets (i.e. tickets cannot be purchased at the door).

The LCLB only seeks Local Government Approval when an SOL is to be issued on Local Government public land. The local Police authority has the ability to add conditions to SOL's and, if desired, is notified of all SOL's issued in its jurisdiction. Local Governments may request that the LCLB or Police place conditions on an SOL. For details on provincial SOL regulations visit the Provincial website at www.pssg.gov.bc.ca/lclb/apply/special/.

2.2 Secondary Jurisdiction (Local Government)

Special Events on public (City-owned) property that wish to serve alcohol are required to have a Special Occasion Licence (SOL) and approval from the City for the event as per this Policy. The Liquor Control and Licensing Branch provides the City the option to participate in the approval process for these SOL's. The City has full land-owner rights regarding events on City owned land.

In addition to the above authorities, the City has various sections in the following Bylaws that may or may not apply to an SOL event on public or private land depending on the specifics of the SOL event:

- Zoning (permitted uses);
- Construction Regulation (& BC Building Code);
- Fire Bylaw
- Noise Control; and
- Business License.

The Fire Bylaw will apply to all venues (indoor or outdoor) holding SOL's as Occupant Load Certificates are required to determine the maximum occupant capacity for the specific venue. Permanent Occupant Load certificates are issued for approved, traditional Assembly Uses (e.g. pubs, restaurants, conference rooms, public halls); and Temporary Occupant Load certificates are required and issued for 'one-off' events held in non-assembly type uses (retail spaces, offices, gyms, etc.). The Construction Regulation Bylaw and BC Building Code are referenced and applied as required.

3.0 PROCEDURE

3.1 General Requirements for all Special Occasion Licenses

3.1.1 All events, not operating under a permanent Liquor License (e.g. Food or Liquor Primary liquor license) that intend to serve alcohol require a Special Occasion Licence (SOL) issued by LCLB and must adhere to the provincial regulations (including "Licensee", sponsorship, and maximum # of allowable event(s) requirements).

3.1.2 RCMP Detachment approval may be required for large events (the LCLB will advise accordingly).

3.1.3 The City Fire Department reviews and determines the maximum occupant load for all SOL applications (for public events in buildings as well as outdoors). Generally, the applicant submits an application with information providing their calculations and the Fire Department reviews for accuracy and approves as required. The occupant load indicates the maximum number of people that can safely occupy a space.

If the Special Occasion License application is for a premises that already has an approved Occupant Load, you will not require a new Occupant Load Certificate provided your event conforms to the approved plan and number of people included guests, servers and staff (i.e. you are using the identical seating plan, including the table and chair layout); any variation would require a new Occupant Load Certificate. The Fire Department will verify the occupant loads for all SOL applications.

Occupant Load Application form can be obtained at www.cnv.org/city-services/health-and-public-safety/fire-department/frequently-asked-questions#24

For more information contact the City of North Vancouver Fire Department at 604-980-5021 or email fire@cnv.org.

The LCLB assumes that you have met all requirements set out by the City.

3.2 **Special Occasion Licenses for Events on Private Property (Residential or non-Assembly Use Businesses)**

As noted above this section only applies to SOL's on Private Property (residential or non-assembly use businesses). The most typical is a business hosting a charitable fundraising event.

The general intent of this policy is to allow Private or Public SOL events to occur on private property with as little involvement of the City of North Vancouver as possible. The City expects these events to operate with consideration of their neighbours as such events are not typical to the use of the premises.

3.2.1 The City of North Vancouver expects that events on private property will be respectful of the potential impact of their event on their neighbours. For large events of 150 people or more the City of North Vancouver require event organizers to:

- Provide advanced notification of the event to immediate neighbours;
- Manage the sound levels emanating from the event;
- Not operate past midnight;
- Ensure participants vacate the area after the event in a quiet and timely manner;
- Minimize outside activity; and

- Arrange parking to minimize impact on the neighbourhood.

3.2.2 For events on commercial properties (not traditional Assembly Uses such as pubs, restaurants, conference rooms, public halls etc) the City of North Vancouver may choose to canvass the neighbourhood as part of our neighbourhood impact monitoring. The number of SOLs will be limited to 2 per month for a total of 24 per year per non-assembly use venue. **Any problems resulting from events at non-assembly use commercial properties will be communicated to the LCLB for consideration for future SOL applications and may be dealt with through the City's business licensing process.**

3.3 **Special Occasion Licenses for Events on Public Property (outdoor venue)**

SOLs may be issued for events on public property such as public festivals which may involve a beverage garden or whole site licensing.

3.3.1 The City reserves the right to deny the serving of alcohol at a public event. The application attached as Schedule B should be used for all events on public property requiring a SOL. Schedule C is to be completed following the event for financial accountability.

3.3.2 Events in City Parks must be approved through application to the Community Events Office at the North Vancouver Recreation and Culture Commission. Refer to www.cnv.org/Parks-Recreation-and-Culture/Recreation.

3.3.3 Events in Shipbuilders' Square must be approved through an application to the Film and Wharf Liaison staff member at City Hall. Refer to http://www.cnv.org/Parks-Recreation-and-Culture/City-Waterfront/The-Shipyards.

3.3.4 For the purpose of approving Special Occasion Licenses on public property, the City of North Vancouver is divided into areas as indicated on Schedule A.

3.3.5 Six events with SOLs may be allowed each year per area in areas C - H outlined on Schedule A.

3.3.6 No more than two events with SOLs will be allowed to any individual, group or organization in any one area per year.

3.3.7 The number of licenses allowed in areas A and B are at the discretion of the Director or Community Development.

3.3.8 Multiple day events are permitted in areas A and B under one license application.

3.3.9 The Director of Community Development (or his/her designate) has been appointed to review all applications up to a maximum SOL capacity of 500 patrons, and to grant or deny municipal approval of such applications. Appeal of any decisions shall be to the Council of the City of North Vancouver.

3.3.10 Applications for a SOL event with a licensed capacity above 500 patrons must be approved by City Council. **Applications for large events (500 or greater) must be received a minimum of three (3) months prior to the event date.**

3.3.11 With respect whole site licensing, the Director of Community Development or his/her designate will consider the following criteria in the approval process:

- character of event
- size
- duration
- patron demographic
- site lighting
- site visibility
- crowd density
- security plan

3.3.12 Applications may be submitted by a bona fide community organization (club, group, organization, association or society) sponsoring a recognized annual or regular civic event who use the profits to improve public facilities or volunteer programs in which the sponsoring organization might be involved. Profits may also be used to support the ongoing event that is a benefit to the community.

3.3.13 Areas where alcohol will be served must be contained with defined boundaries and with appropriate entrances and exits. All entrances and exits must be adequately controlled by responsible adults, specifically designated to maintain security. The applicant must indicate by way of a sketch the location and description of any enclosure to be constructed and the occupant load.

3.3.14 Fire Department approval of the occupant load is required before City approval for a SOL event.

3.3.15 Minors:

i. Youth events and all sport events for players under 19 years of age are not eligible for a SOL;

ii. Minors may not serve, handle or consume alcohol during events where and SOL has been issued.

3.3.16 Where alcohol is sold under an SOL, a financial statement must be filed within 30 days after the event, indicating the disposition of funds and the net amount of proceeds to be directed to the charitable or event purposes. Use the form attached as Schedule C.

3.3.17 Hours of operations shall be as follows:

i. Summer – 11:00am to 10pm daily (April 1st to Labour Day weekend).
ii. All other times – 12pm to one hour before dusk.
iii. Later closing times must be approved by Council.

3.3.18 Beer, cider wine or spirits shall be served in paper, plastic or waxed cups which hold a maximum of one (1) full bottle of beer only. The sponsoring organization shall dispense the beer, wine or spirits into the cup and the cup only given to the patrons. Beer and cider may also be served in the can.

3.3.19 In addition to a SOL, a Health Permit, issued by the Vancouver Coastal Health Authority, will be required if food is going to be served. Information may be obtained by contacting the Public Health Inspector at 5th Floor, 132 W Esplanade, North Vancouver, V7M 1A2, 604-983-6780.

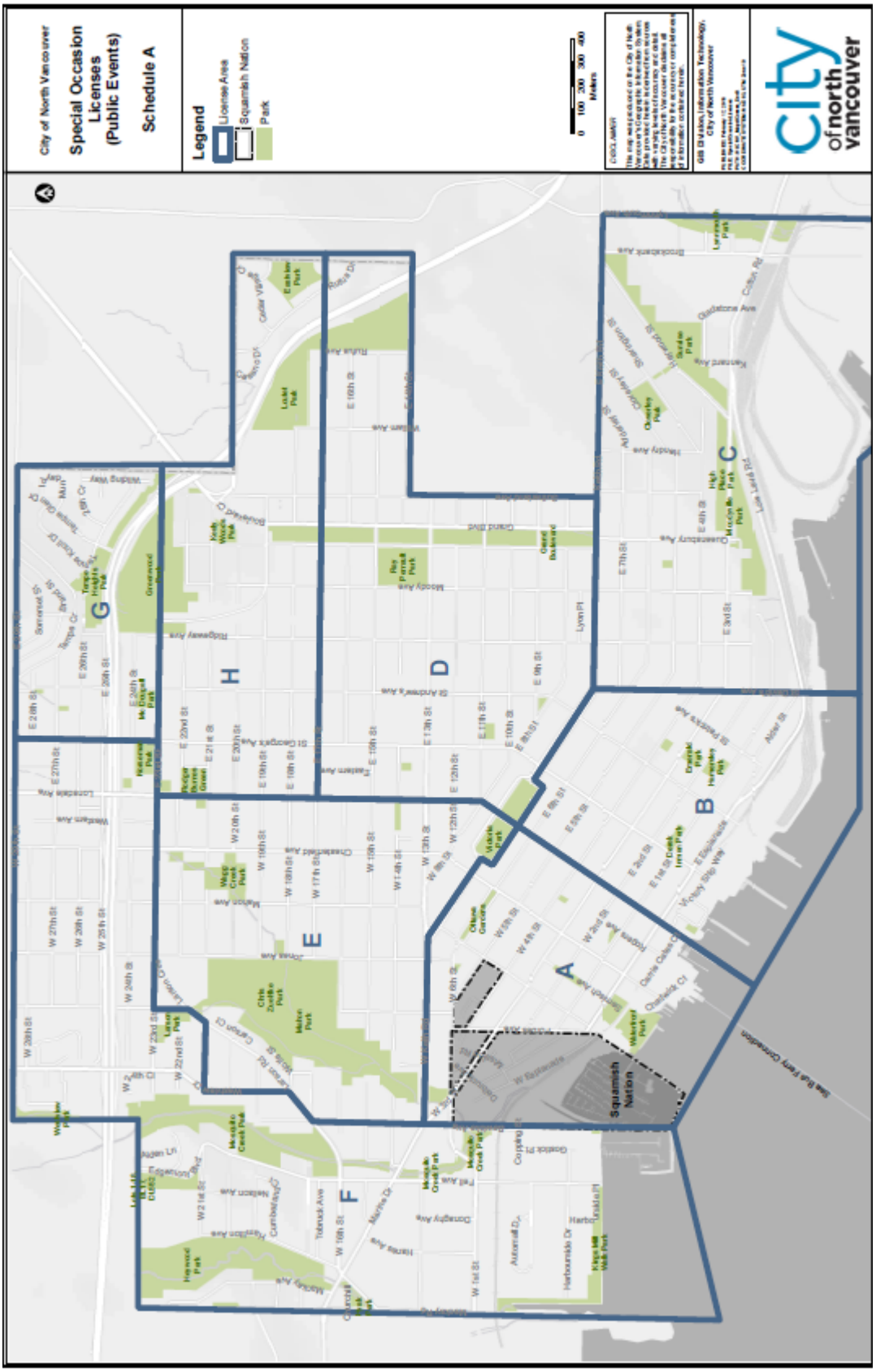
3.3.20 If food trucks are to be used at an event they require a business license from the City. Refer to www.cnv.org/property-and-development/business-licences/who-needs-a-business-licence.

4.0 Compliance and Enforcement

The Director of Community Development or his/her appointee, in conjunction with the Manager, Bylaw Services, will monitor compliance with this policy. A violation of the Policy may result in alcohol services and/or event termination.

Approval date:	March 7, 2016	Approved by:	Council

Schedule A



Document: 1330082-v3

Schedule B

Application for Approval of a Public Event on Public Property with a Special Occasion Licence

Name of Group _____

Applicant's Name (Licensee) _____

Address _____

Postal Code _____ Contact Number _____

Date of Event _____

Location of Event _____

Description of Event _____

Hours of Operation _____

Number of People Expected to Attend Event _____

☐ Beverage Garden Capacity _____

Or

☐ Whole Site Licensing Capacity _____

Proceeds from the event will be used for:

_____

_____

I/We undertake to abide by the existing statutes, bylaws and policies pertaining to Special Occasion Licensing and the consumption of alcoholic beverages. I/We will submit a Financial Statement within thirty (30) days after the date of the event.

_____ Signature

_____ Date

Schedule C

Public Events with Special Occasion Licence
Financial Statement

Name of Community Group/Society _____

Date of Event _____

Location of Event _____

Profit to be used for _____

Name of Recipient Agency _____

Contact Person, Position and Phone Number at Recipient Agency

_____

Statement of Expenditures and Revenues	
Description	**Amount**
Revenues	
Expenses	
NET PROFIT	$

_____ Signature

_____ Date