

PRINCE EDWARD ISLAND
LIQUOR CONTROL COMMISSION
LICENSEE POLICY MANUAL

Last Revision: November, 2007

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ADVERTISING

Policy Guidelines

Rationale: To clarify the law governing advertising of liquor.

Authority: Liquor Control Act, Section 50

Policy: The advertising of liquor on Prince Edward Island is permitted by Licensees under the following guidelines:

1. A licensee may display signs inside or outside the premises naming the premise and identifying it as licensed, all signs must comply with municipal bylaws and these guidelines.
2. A licensee may use a branded sign board "A-Board" to promote food specials and entertainment taking place within the premise. The sign must meet all municipal bylaws and these guidelines.
3. A licensee can not use slang terms to promote any event or produce available in the premise. Terms such as but not limited to the following are not permitted: booze, bash, primer, house pop, etc. These terms and other such terms imply irresponsible service of alcohol and over consumption.
4. A licensee may advertise an all-inclusive package which includes the price of liquor (e.g. Champagne breakfast, Steak and beverage, Mother's Day Special) provided food is the primary element of the promotion.
5. A licensee shall not advertise or promote contests or events that require the consumption of alcohol to enter or participate.
6. A licensee shall not advertise scenes showing patron consuming alcohol or intoxicated patrons.

Licensees are responsible to ensure that the advertisements comply with the Liquor Control Act and Regulation and these guidelines. Prior approval of the Commission is not necessary, however, a licensee may submit their advertising to the Licensing and Security Department for an opinion as to whether or not the ad complies with the Regulations and Policies.

LICENSEE POLICY MANUAL - Advertising	Issue Date: April, 1994	Revised: June, 2005	Page No. 1.1
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ENTERTAINMENT

Dancing

***Rationale:** To ensure the provision of adequate and proper facilities for those wishing to dance.*

***Authority:** Liquor Control Act Regulations
Section 70 (i) and Section 76*

Policy: Dancing or the provision of entertainment in a licensed dining room is prohibited unless authorized by the Commission in writing.

Licensed lounges, clubs and military canteens providing live or recorded music and entertainment intended for dancing shall provide a clearly defined and suitable dance floor **NOT LESS THAN 15% OF THE SQUARE FOOTAGE OF THE USABLE AREA OF THE ROOM IN WHICH THE FLOOR IS LOCATED**. In the absence of a suitable dance floor (as determined by the Commission or its agents) dancing shall not be permitted.

Dancing shall not be permitted in corridors, common areas or in spaces in seating areas.

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ENTERTAINMENT

Exotic Dancers

Rational: *To provide a minimum standard for Exotic Dancers.*

Authority: *Liquor Control Act and Regulations
Section 70 (i)*

Policy: Only licensed lounges are permitted to have Exotic Dancers provided that the city, town, municipality, community or the residents-thereof, in which the licensed lounge is situated, is not opposed to exotic dancing and written support is provided to the Commission and, for those areas not governed by elected officials, the Commission will conduct an independent survey of area residents.

- All entrances to the premises providing exotic entertainment must carry a standardized warning sign plainly visible to those entering the premises. It is to read as follows:

"Warning: Adult entertainment appearing within these premises. Some patrons may find this offensive".
- Entertainers must have a change room apart and separate from the performing area. The area must be a separate and private area to which the public is not admitted.
- Entertainers must go directly to and from the dressing room through an unabstracted pathway. Contact with patrons is prohibited.
- Entertainers must be fully clothed if in the premises before, between and after performances.
- Entertainers are not permitted to perform totally nude. The genital areas must be covered by a "G" string or bikini bottom.
- Entertainers must be provided with a stage or enclosed dance floor.
- There must be at least two meter (6 feet) separating the stage or enclosed dance floor from the patron seating or standing area.
- Audience participation or contact with performers is prohibited. This includes the placing of money on the person of an entertainer.

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ENTERTAINMENT

EXOTIC DANCERS

Policy Continued:

- Only one entertainer may be on stage at any one time during the performance.
- Animals or reptiles cannot be used by entertainers.
- Props or devices of a sexual nature or which have a sexual connotation cannot be used by entertainers.
- Real or simulated acts of violence are not permitted.
- Insertion of objects into or extraction of objects from the body of the performers are not permitted.
- Table dancing is not permitted.
- No sign or advertisement displaying nudity may be posted on the exterior of the licensed premises or included as part of an advertisement of the entertainment.
- Staff of licensed premises are not to be nude while performing any staff function; such as: serving drinks, cleaning tables, tending bar, etc.
- Bar tabs shall not be given as compensation to performers.
- Licensees who do not comply with these guidelines will be subject to the following penalties:
 - a. Cancellation of the approval to provide exotic entertainment;
 - b. License suspension;
 - c. License cancellation.

LICENSEE POLICY MANUAL - Exotic Dancing	Issue Date: April, 1994	Revised: September, 2004	Page No. 2.2a
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ENTERTAINMENT

Dinner Theater

Rationale: *To clarify the term "Dining Theater" and the use of licensed premises for dinner theater.*

Authority: *Liquor Control Act Regulations, Section 70 (m)*

Policy: Dinner Theater shall be interpreted to mean: The live theatrical performance of a play.

Dinner Theater must include the provision of a meal to all patrons. The price of liquor cannot be included in the price of admission.

Dinner Theater will be the only use a premise may be put to for the that evening. When the dinner theater is over, the premise must be cleared of minors.

If a Dinner Theater contains course language or adult situations, then the licensee must advise customer of same on any ticket produced and post a sign at the entrance advising customer of the fact using the following wording:

"Program contains course language or adult situations, parental discretion is advised."

Minors may be present only if accompanied by a parent or legal guardian. If minors are allowed then the responsibility to ensure they do not receive alcoholic beverages rests with the licensee.

The licensee must post his premises with a sign reading: -

"Dinner Theater" from _____ to _____

LICENSEE POLICY MANUAL - Dinner Theatre	Issue Date: April, 1994	Revised: June, 2005	Page No. 2.3
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GAMES

Bingo

Rational: To ensure that bingo is not restricted to those 19 years of age.

*Authority: Liquor Control Act Regulations
Section 33 and 47
Commission Policy 5.2*

Policy: Liquor may not be sold or consumed in areas where bingo games are taking place.

LICENSEE POLICY MANUAL - Bingo	Issue Date: April, 1994	Revised: May, 1997	Page No. 3.1
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GAMES

Prizes

Rational: *To clarify rules governing contests in licensed premises.*

Authority: *Liquor Control Act Regulations
Section 71*

Policy: Tournaments and contests may be held in licensed premises and trophies and prizes may be awarded provided:

1. Liquor offered or given as a prize cannot exceed the equivalent of two standard servings;
2. That such events do not involve the consumption of liquor as a contest;
3. That participation in such contests does not endanger the life or safety of any patron;
4. Bar tab prizes are not to exceed the equivalent of two standard servings;
5. Raffles and Gift Baskets:
 - product must be purchased from the Commission
 - winner must take unopened winnings from the licensed premises
 - Licensees may choose to issue PEILCC Gift Certificate as an alternative
6. All advertising with regard to liquor or bar tab prizes as well as to raffles and gift baskets shall be confined to within the premises.

LICENSEE POLICY MANUAL - Prizes	Issue Date: April, 1994	Revised: September, 2007	Page No. 3.2
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Rationale: The policy is established as a matter of safety and control.

Authority: Liquor Control Act Regulations, Section 33

Policy: Liquor may not be consumed on the ice surfaces of curling clubs or on walking surfaces and areas adjacent to or surrounding ice surfaces.

LICENSEE POLICY MANUAL - Safety	Issue Date: April, 1994	Revised: May, 1997	Page No. 3.3
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Video Games, Pool Tables, etc.

Rationale: *To clarify Commission Policy on the possession, placements and operation of games.*

Authority: *Liquor Control Act Regulations
Section 70 (f) and (g)*

Policy: The Commission considers it permissible to have and operate table top video games, pool tables, video lottery terminals and other games only in licensed lounges, clubs, military canteens and special premises, **in age restricted areas.**

In particular, pool tables may be installed in licensed lounges, clubs, military canteens, and special premises, the number of tables to be determined by the Commission, provided the following conditions are complied with:

- (a) The clearance around the pool table is as follows:
 - a distance of 4 feet from any wall or obstruction and 3 feet from any adjacent pool table

The above policy is in keeping with manufacturers recommendations for a 4 X 8 pool table installation.

- (b) The area in which pool tables or video games are located shall be away from the seating area so that the movement of patrons does not interfere with those playing the game. **Video Lottery games must be located away from windows and cannot be accessible to minors.**

Only video gambling machines approved by the PEI Lottery Commission are permitted in licensed premises.

If a licensee installs a video game, pool table or like game, he must adjust his capacity to account for the decreased floor space. The Licensee must provide the Commission with an updated capacity from the Fire Marshal representing this adjustment to his capacity.

LICENSEE POLICY MANUAL - Video Games, Pool Tables, etc.	Issue Date: April, 1994	Revised: January, 1999	Page No. 3.4
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HOURS

Closing Hours

Rationale: *To ensure that closing hours are adhered to and to ensure conformance with the regulations.*

Authority: *Liquor Control Act Regulations, Section 78*

Policy: The issuing of "last call" is only a courtesy extended to patrons of licensed premises. It is not necessary to advise patrons of last call. **BAR HOURS MUST BE POSTED IN CONSPICUOUS LOCATION(S) ABOUT THE PREMISES.**

No liquor, beer or wine shall be served after the prescribed closing hour. All orders must be taken and served prior to the prescribed closing hour. **DRINKS MUST BE CONSUMED AND THE PREMISES CLEARED OF PATRONS ONE HALF HOUR AFTER THE PRESCRIBED CLOSING HOUR.**

The prescribed closing hour is 1:00 a.m. unless otherwise approved by the Commission, and under Section 75 of the Regulations, **the Commission has approved a prescribed closing hour of 2:00 a.m.**

No one but working staff is to be in the premises in excess of one half hour after closing.

The providing of more than two standard drinks per customer at closing time is prohibited. The standard drink being ...

- 1 - 12 ounce bottle of beer OR
- 1 - 1 ounce serving of liquor OR
- 1 - 5 ounce serving of wine OR
- 1 - standard glass of draught beer

LICENSEE POLICY MANUAL - Closing Hours	Issue Date: April, 1994	Revised: May, 1997	Page No. 4.1
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HOURS

Happy Hours

Rationale: *To encourage responsible service of alcohol and to allow the customer to enjoy a reduced price for a period of time.*

Authority: *Commission Policy*

This section was repealed.

LICENSEE POLICY MANUAL - Hours of Operation	Issue Date: April, 1994	Revised: June, 2005	Page No. 4.2
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HOURS

Hours of Operation

Rationale: *To accommodate increased business in licensed premises during the summer months and peak winter periods.*

Authority: *Liquor Control Act Regulations
Section 26, 37, 43 and 75*

This section was repealed.

LICENSEE POLICY MANUAL - Hours of Operation	Issue Date: April, 1994	Revised: May, 1997	Page No. 4.3
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Special Hours Authorization

Rationale: *To allow the use of lounges on Sundays or other specified times and days as and for the purpose of a dining room for special events, occasions and/or functions.*

Authority: *Liquor Control Act Regulations
Section 30*

Policy: Approval for the use of a lounge as a dining room may be granted by the Commission on such terms as it considers appropriate in the circumstances after application has been made in writing to the Commission.

Proper meals consisting of more than a single food item are required to be served to those attending the function before the Commission will consider approval.

LICENSEE POLICY MANUAL - Special Hours Authorization	Issue Date: April, 1994	Revised: June, 2005	Page No. 4.4
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HOURS

After Hours Consumption By Staff

Rationale: *To clarify that closing hours are applicable to working and non-working staff.*

Authority: *Liquor Control Act, Sections 8. (2) (q) and (s)*

Policy: No person, including working and non-working staff, are permitted to consume any liquor on the premises after the prescribed hours of operation.

LICENSEE POLICY MANUAL - After Hours Consumption by Staff	Issue Date: November, 2007	Revised:	Page No. 4.5
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LICENSED PREMISES

Common Areas

Rationale: *To ensure the maintenance of order and the safety of patrons entering and exiting licensed premises.*

Authority: *Commission Policy*

Policy: The Commission is of the view that all aspects and areas of licensed premises fall under its jurisdiction.

Any area of licensed premises which can be construed or is used as a common area, i.e., lobbies, corridors, stairways, washrooms, dance floors and so forth, are normally areas where the possession of liquor is absolutely prohibited. Liquor may only be in the possession of patrons within the physical confines of the room(s) or area(s) comprising the bar, lounge, dining room, club, military canteen or special premise.

LICENSEE POLICY MANUAL - Common Areas	Issue Date: April, 1994	Revised: May, 1997	Page No. 5.1
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LICENSED PREMISES

Areas of Allowable Consumption

Rationale: *To ensure the maintenance of order and the safety of patrons entering and exiting licensed premises.*

Authority: *Commission Policy*

Policy: Alcoholic Beverages may not be consumed in the following areas of a licensed premise:

- Common areas as defined in Section 5.1
- Stairways for safety reasons
- Washrooms for control purposes
- Ice surfaces for safety reasons
- Bingo games

LICENSEE POLICY MANUAL - Areas of Allowable Consumption	Issue Date: April, 1994	Revised: September, 2007	Page No. 5.2
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Rationale: *To clarify the terms relating to a banquet room and outline permitted uses.*

Authority: *Liquor Control Act Regulations
Sections 16, 21, 24, 30, 35, 45 and 76*

Policy: Banquet rooms are considered by the Commission to be licensed as dining rooms except in the case of clubs and military canteens, and as such are subject to the provisions of the Act and Regulations pertinent thereto.

In cases where a banquet room is approved for use as a dining room, the normal conditions pertaining to dining rooms apply (as noted above). As well, the following should be noted:

- (a) food must be served at all functions;
- (b) minors may be present during receptions only and must absent themselves from the premises if dancing is to follow a meal, except as permitted by the Act and Regulations (wet/dry functions are prohibited);

In cases where a banquet is sought to be held in licensed lounges, the following guidelines should be noted:

- (a) dancing and the provision of entertainment is permissible (as approved by the Commission);
- (b) minors may not be present in the premises at any time except as provided by the Act and Regulations.

In cases involving clubs and military canteens wishing to use a room or rooms for banquet Functions, they must meet all requirements pertaining to clubs and military canteens and also meet the following conditions:

- (a) provide a meal consisting of more than a single food item;
- (b) minors may not be present except as permitted by the Act and Regulations.

LICENSEE POLICY MANUAL - Banquet Rooms	Issue Date: April, 1994	Revised: June, 2005	Page No. 6.1
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Use of Lounge as a Holding Area

Rationale: *To allow for the expansion of regular dining room service as required to accommodate overflow business in excess of that capable of being served in existing facilities, and to allow for the provision of bar service to patrons awaiting seating in a dining room.*

Authority: *Liquor Control Act Regulations
Section 15 and 30*

Policy: In all cases licensees seeking to obtain permission from the Commission for approval to use a designated area adjacent to a dining room as a holding area shall:

- (a) make application in writing to the Commission;
- (b) provide a floor plan, in detail, or such other information as the Commission may require and deem acceptable, outlining the area sought to be designated, and confirming the capacity in seats of the proposed designated area;
- (c) provide the Commission with a clear and precise summary of the purpose, intent and need for the designation of the space requested to be approved.

With respect to the use of an area as a holding area for patrons awaiting dining room service, the following conditions apply:

- (i) the number of patrons in the designated area shall not exceed the number of seats available in the area;
- (ii) a holding area shall not include or encroach upon any area deemed by the Commission to be a "common area";
- (iii) in order to be served, patrons must be waiting for food service in the dining room;
- (iv) the dining room must be full;

LICENSEE POLICY MANUAL - Use of Lounge as a Holding Area	Issue Date: April, 1994	Revised: May, 1997	Page No. 6.2
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LICENSING

Use of Lounge as a holding area

Policy Continued:

- (v) patrons shall not be served more than two (2) drinks in the holding area;
- (vi) minors may be present in designated holding areas provided they are accompanied by their parents, guardians or other adult persons.

LICENSEE POLICY MANUAL - Use of Lounge as a Holding Area	Issue Date: April, 1994	Revised: May, 1997	Page No. 6.2a
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MANUFACTURERS REPRESENTATIVES

Rationale: *To clarify the Act and provide an interpretation of Commission Policy for licensed premises and manufacturers representatives.*

Authority: *Liquor Control Act
Sections 34 and 50*

Policy:

1. Representatives may sample or promote their products with patrons of licensed premises provided:
 - (a) the licensee is aware of the representative's presence on the licensed premises;
 - (b) the representative is properly identified as to his capacity as a representative to the patrons;
 - (c) the products consumed are purchased from the licensee;
 - (d) products are not provided to patrons disqualified from consumption by virtue of their condition or the provisions of the Act and Regulations;
 - (e) product is not provided to the licensee in replacement of product consumed.
2. Representatives may sample product with Licensees provided the product is listed with and purchased from the Commission.
3. No representative shall promote a contest that:
 - (a) involves the consumption of alcoholic beverages to qualify for participation in such contest;
 - (b) induces excess or over consumption of alcohol in any manner whatsoever.

LICENSEE POLICY MANUAL - Promotions	Issue Date: April, 1994	Revised: September, 2007	Page No. 7.1
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MANUFACTURERS REPRESENTATIVES

Promotions

Policy Continued:

4. Manufacturers or manufacturers' representatives desirous of promoting sporting, cultural or social events in or about licensed premises or elsewhere in the province must not seek to or in any way act so as to promote or induce over or excess consumption of liquor.
5. Liquor may be given as a prize in any game, contest or promotion.

LICENSEE POLICY MANUAL - Promotions	Issue Date: April, 1994	Revised: September, 2007	Page No. 7.1a
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Identification

Rationale: *To ensure patrons entering licensed premises provide solid form(s) of identification and to confirm the obligation of a licensee to ensure that patrons are of legal age.*

Authority: *Liquor Control Act Regulations
Sections 25, 36 and 46*

Policy: Pursuant to the provisions of the Liquor Control Act, licensees are advised that minors are not permitted in licensed premises except as provided for under the Regulations to the Liquor Control Act.

The Commission further advises licensees that the onus of ensuring that a patron is of legal age is the responsibility of the licensee. Photo identification is a reliable means of confirming age, subject to the recommendations which follow:

(a) The PEI Liquor Control Commission considers the following forms of government issued, photo identification as acceptable for admittance to licensed premises:

- Driver's License
- Voluntary ID
- Passport
- Canadian Permanent Resident Card
- Status Indian Card
- Photo card issued by other Liquor Boards

In cases where the information or picture is questionable, the Licensee shall ask for additional identification such as:

- Birth or Baptismal Certificate
- Non-expired Credit or Debit Card
- Employee Photo ID
- University Photo ID
- Military Photo ID
- Social Insurance Card
- Firearm Certificate

LICENSEE POLICY MANUAL - Identifications	Issue Date: April, 1994	Revised: September, 2007	Page No. 8.1
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Policy Continued:

- Diving License
 - Vehicle Registration
- (b) in cases where photo identification is not available, discretion should be observed in admitting potential patrons - where there is any reasonable doubt as to the persons age, the patron should be refused entry.

LICENSEE POLICY MANUAL - Identifications	Issue Date: April, 1994	Revised: September, 2007	Page No. 8.1a
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Legal Age

Rationale: *To confirm the provisions respecting legal age.*

Authority: *Liquor Control Act
Sections 40 and 43*

Policy: The Liquor Control Act was amended and the amendments raised the drinking age to 19 years as of July 1, 1987.

LICENSEE POLICY MANUAL - Legal Age	Issue Date: April, 1994	Revised: May, 1997	Page No. 8.2
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MINORS

Minors attending licensed functions

Rationale: *To explain the intent of approvals for reunions and social functions.*

Authority: *Liquor Control Act Regulations
Section 70 (L) (M) and permits*

Policy: The purpose of Section 70 (L) (M) is to allow minors to attend specific functions of a private nature as listed in the Regulations.

The minor must be accompanied by a parent or legal guardian.

When the parent or legal guardian leaves the function, the minor must also leave.

Such functions must be private and not form any part of your daily operation. For example: You cannot host a function and allow the guests to attend a regular dance at your facility as part of the reception. The dance must be separate and all participants must present a personal invitation.

The opening of dances in conjunction with any function to the general public by way of a news paper ad or like device will not be considered a reason or invitation.

A meal must be served in conjunction with all functions.

Commission approval must be obtained in writing at least one week in advance for all functions.

It will be the Commission's decision as to whether your function falls under the intent and purpose of this regulation and policy.

LICENSEE POLICY MANUAL - Minors Attending Licensed Functions	Issue Date: April, 1994	Revised: May, 1997	Page No. 8.3
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Minors in licensed lounges

Rationale: *To provide access to licensed lounges for family groups.*

Authority: *Liquor Control Act Regulations
Section 24*

Policy: The purpose of Section 24 is to allow minors accompanied by a parent to enter licensed lounges.

- This policy applies to licensed lounges only.
- The minor must be accompanied by a parent.
- The minor, accompanied by a parent, will be permitted in licensed lounges between the hours of 11:00 a.m. and 10:00 p.m. Monday to Saturday, and on Sundays between the hours of 12:00 noon to 10:00 p.m., to utilize existing food menus in the bar and for no other purpose.
- Food must be available during these hours.
- If entertainment is provided during this period, minors will not be permitted.
- Licensed lounges not wishing to utilize this Section of the Regulations and Policy must post their premise with the following sign:

"MINORS NOT PERMITTED"
- The playing of video lottery terminals or other games by parents accompanied by minors is prohibited.

LICENSEE POLICY MANUAL - Minors in Licensed Lounges	Issue Date: April, 1994	Revised: September, 2007	Page No. 8.4
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MINORS

Non-Alcoholic Functions

Rationale: *To set terms for Non-Alcoholic Functions*

Authority: *Liquor Control Act Regulations
Section 95(l)*

Policy: The P.E.I. Liquor Control Commission approves non-alcoholic functions on the following conditions:

Allowable Days:

- non-alcoholic functions will be allowed on Sunday, Monday, Tuesday and Saturday afternoon until 6:00 p.m. or any other day of the week approved by the Commission; and
- functions will be permitted Sunday, Monday and Tuesday between the hours of 11:00 a.m. and 11:30 p.m.

Hours Approved:

- afternoon functions will require premises to be closed for the sale of alcohol until the function starts and will require the premise to be closed and cleared of all patrons one hour prior to opening for the sale of alcohol after the event;
- evening functions on Sunday, Monday and Tuesday will require your premises to be closed and cleared of all patrons one hour prior to opening for the non-alcoholic function and your premises shall remain closed for the sale of alcohol until 11:00 a.m. the following day;
- licensees shall hire off-duty police officers at their own expense to supervise non-alcoholic functions unless otherwise ordered by the Commission in writing, generally the Commission will not waive this requirements in the case of non-alcoholic functions which commence at 6:00 p.m. or after;
- all liquor and liquor advertising must be removed or covered;
- all V.L.T.'s must be covered during non-alcoholic functions if V.L.T.'s are present in the area; and
- prior approval in writing is required from the Commission before a licensee can host a non-alcoholic function.

LICENSEE POLICY MANUAL - Non-Alcoholic Functions	Issue Date: March, 1999	Revised:	Page No. 8.5
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MINORS

False Identification

Rationale: *To provide a manner in which licensees may obtain information relating to alleged offences involving the use of false identification.*

Authority: *Commission Policy*

Policy: Guidelines Regarding False Identification

1. If a licensee suspects that an individual has presented false identification, the licensee shall refuse the individual entry into the premises.
2. When presented with suspected false identification, the licensee shall immediately endeavour to either photocopy the identification or record all relevant information from the identification, including the name, date of birth, address, expiry date and the license number.
3. If, upon challenge, an individual abandons the identification, the licensee shall ensure that the abandoned identification is promptly provided to the Liquor Control Commission or to the Registrar of Motor Vehicles.
4. If an individual demands the return of the identification, the licensee shall return the identification to the individual, even if the licensee did not have an opportunity to copy the identification or record its information. A licensee should not detain any individual suspected of presenting false identification.

LICENSEE POLICY MANUAL - False Identification	Issue Date: January 24, 2006	Revised:	Page No. 8.6
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PREMISES

**Renovations &
Transferability of Ownership**

Rationale: To maintain standards within the industry and to ensure conformance with Regulations prior to the commencement of construction or renovations to licensed premises.

*Authority: Liquor Control Act Regulations
Sections 62 (1), 63 and 64*

Policy: The Commission requires that before any physical alterations are made to any licensed premises that the following be submitted to the Commission prior to the commencement of renovations or alterations:

1. A floor plan outlining the proposed renovations or alterations must be sent to the Commission.
2. A letter requesting licensing of the new area or the area as renovated or altered must be sent to the Commission.

Upon completion of the renovations or alterations, a licensee must request an inspection by the Health Department and Fire Marshals' Office and these reports must be filed with the Commission indicating that the premises conform to regulations. Also a final inspection by the Commission must be made before licensing can be expanded.

A license granted under this Act shall not be transferable unless approved by the Commission in writing.

LICENSEE POLICY MANUAL - Revocations & Transferability of Ownership.	Issue Date: April, 1994	Revised: September, 2007	Page No. 9.1
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Rationale: *To assist licensees in providing a wider range of service to patrons during warm weather.*

Authority: *Liquor Control Act Regulations
Sections 62 (1) (2) and 63*

Policy: The Commission has created the following guidelines for outdoor patio areas adjoining licensed outlets:

1. Written application must be received by the Commission requesting licensing. The application must contain the following:
 - (a) floor plan
 - (b) health report
 - (c) fire report
 - (d) a letter from Municipality or some other community control group stating municipal support, or if this support is not available, a poll of the residents of the area for support.
2. The patio shall be a permanent structure, unless otherwise approved by the Commission.
3. Access to the patio shall be determined by the Commission based on location and purpose.
4. An enclosure shall surround the patio area and shall contain a fire exit in accordance with the National Building Code.
5. The enclosure shall be constructed of a material and to a height suitable for the location and to the Commission.
6. The patio shall have suitable flooring, such as: concrete, wood decking or the equivalent.

LICENSEE POLICY MANUAL - Patios and Decks	Issue Date: April, 1994	Revised: September, 2007	Page No. 9.2
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Policy Continued:

7. The patio area must remain under the control of the licensee.
8. Entertainment will not be permitted on the patio, that is, music, dancing, etc.
9. Patio hours shall be 11:00 a.m. to 10:00 p.m.
10. Patios to be used after 10:00 p.m. nightly will require special authorization from the Commission. Approval will be dependent on the maintenance of the tranquillity of the surrounding area being maintained and no disturbance being caused to adjoining property owners.
11. In the case of inclement weather, patrons must be moved inside. The number of patrons inside cannot exceed the total allowable by the Fire Marshal.
12. Licensees may use branded merchandise on their patio - e.g. umbrellas.

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**Stadium with beer
consumption in seats.**

Rationale: To permit in seat consumption of beer at professional sporting or other events.

***Authority: Liquor Control Act Regulations
Section 50.1 (2)(b)***

Policy: The consumption of alcohol in the seating area of a stadium will be permitted by the Commission, under the following terms:

1. applicant has a Special Premise liquor license under the Liquor Control Act & Regulations;
2. it is a professional or semi-professional sporting event, a National Team, Major Junior Hockey or such other event as approved by the Commission;
3. event must be in an enclosed stadium;
4. the event is a lights on event;
5. this authorization will not extend to Class I or II permits issued under the Act;
6. the facility must be suitably equipped to permit such a function;
7. seating capacity of the arena will not be less than 3,000;
8. dry areas must be designated;
9. terms of service and security will be as directed by the Commission;
10. beer either draught or bottled may be served; it must be pre-poured in plastic cup and lids placed on the cups; and maximum 4 per customer per serving.

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PREMISES

Rationale: To assist licensed golf courses in providing enhanced service to patrons

Authority: Liquor Control Act , Sections 8(2)(r) & (s)

Policy:

1. Motorized vending carts and kiosks used to supply alcoholic beverages must be approved by the Commission and must contain:
 - proper cooling for beverages;
 - non-alcoholic beverages; and
 - food.
2. Number of carts and kiosks permitted:
 - 18 hole course: two carts and one kiosk; and
 - 9 hole course: one cart and one kiosk.
3. The operator of the cart/kiosk must be at least 19 years of age, have a valid certificate under the PEI Mandatory Server Program, and be familiar with the Liquor Control Act & Regulations and Commission Policies.
4. Persons under 19 years of age must not be provided alcohol by the cart/kiosk operator or any other person.
5. Alcoholic beverages permitted to be served are:
 - beer;
 - spirit and wine coolers;
 - spirits; and
 - wine.
6. Service may be provided at any tee off area and on the fairway, subject to golf course etiquette.
7. Alcoholic beverages purchased in the clubhouse may be brought directly onto the course:
 - such purchases cannot be carried into/across non-permitted areas such as a parking lot;
 - consumption of alcohol around the clubhouse and practice areas such as the driving range or putting green is not permitted.

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Policy Continued:

8. Hours of operation:
 - Beverage cart/kiosk service cannot begin before 9:00 a.m. and must end at dusk - Monday through Sunday inclusive.
 - The 9:00 a.m. daily start time for service also applies to the clubhouse.

10. Signage shall be posted at the entrance to the golf course and/or first tee advising that only alcohol purchased from the club (i.e. cart/kiosk or clubhouse) is allowed on the course.

11. A Course Marshal or other designated employee shall be on duty on the course at all times alcohol is being served to ensure compliance with these terms and conditions.

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Product Pricing

Rationale: *To curb the sale of alcohol at reduced prices and prevent increased or excess consumption because of low pricing.*

Authority: *Liquor Control Act Regulations - Section 71
Liquor Control Act - Sections 13, 22 and 33*

Policy:

Minimum selling price for alcoholic beverages shall be based on **standard servings** and unless authorized by the commission shall not be sold for less than the specified **minimum selling price plus GST and PST rounded up to the nearest \$.05** as follows.

Standard Serving:

Beer 341 ml(12oz)per bottle or glass minimum selling price **\$2.50 plus GST& PST= \$2.95**

Draught Beer 8 oz glass minimum selling price **\$1.25 plus GST& PST = \$1.50**

Wine 142 ml (5oz) per glass minimum selling price **\$3.00 plus GST& PST = \$3.55**

Spirits 28.4 ml (1 oz) per glass minimum selling price **\$2.00 plus GST& PST = \$2.35**

Coolers 341 ml(12oz)per bottle minimum selling price **\$3.00 plus GST& PST = \$3.55**

If a licensee offers, sells, serves or provides a beverage containing liquor in a larger or smaller volume than specified above, the minimum price of that beverage shall increase or decrease in direct proportion to the increase or decrease in volume of the liquor contained in that beverage. **The license shall post the standard size and regular price of the beverage and the reduced or increased size and price of the beverage price not to be less than the minimum selling price approved.**

The following types of promotions, either in the media or within a premise, are strictly prohibited:

- first drink at regular price, second drink for 10 cents etc.;
- special prices;
- two for one;
- free liquor;
- complementary drink;
- house pop; (when alcoholic beverage is meant)

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continued:

- lump sum payment for unlimited drinks;
- any promotion that, in the commission's opinion, promotes the over consumption of alcohol, or which is an attempt to defeat the spirit or intent of this Policy.

The promotion of liquor by slang terms such as the following, is prohibited:

- booze
- shot
- primer
- bash

Although not specifically mentioned, happy hours are allowed at anytime of the day provided the price of the drink is not less than the minimum approved selling price as indicated above.

Contravention of the above pricing policy can result in suspension or cancellation of your liquor license.

The above pricing structure is subject to change by the Commission without notice.

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PRICE

**Admission and
Drink Entitlement**

Rationale: Provide greater control in providing alcoholic beverages and prevent over consumption.

*Authority: Liquor Control Act Regulations - Section 71
Liquor Control Act - Section 13, 22 and 33*

Policy: The price of admission cannot be tied to the cost of drinks within a licensed premises.

An admission price shall entitle the patron to admission to the premises only.

A licensee may not offer a set lump sum dollar amount which will entitle the patron to have beverage all evening. All drinks must be sold and served at a per unit price.

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PRICE

Discount Program

Rationale: *A retail discounting program designed to stimulate growth in the Hospitality Industry.*

Authority: *Liquor Control Act*

- Policy:
- Licensees will purchase draught beer at a discount of 11%.
 - Licensees will purchase wine at a discount of 15%
 - Calculation of wine cost
 - Basic price less 15%
 - Plus 10% surcharge after discount
 - Plus 1/2 of bottle deposit
 - Equals cost of wine
 - The wine and draught beer discount program is subject to review by the Commission and may be revoked at any time without notice.

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PRODUCT

Replacement of Defective Product

Rationale: *To advise of Commission policy regarding replacement of defective products to ensure that products provided to licensees are of a high quality and standard.*

Policy: *The following constitutes sufficient grounds for determination of product as deficient and returned to the Commission for replacement:*

- (a) contaminated products, being those containing foreign matters;
- (b) foul tasting products;
- (c) chipped or cracked bottles or bottles containing leaking corks, leaking caps or otherwise;
- (d) bottles broken in delivery.

Licensees are requested to bring matters of defective products to the attention of Inspectors during their routine visits to the premises.

Licensees are requested to store the defective product until they have accumulated 24 defective bottles. At that time, the case may be reviewed by an Inspector on a routine visit and, if the Inspector is satisfied that the product is defective, the case will be checked, sealed and an invoice authorizing its replacement will be placed on the case or box and the same may be returned to the Commission either at the warehouse or a designated store for replacement.

In the case of wine and spirits, these are to be dealt with on an individual basis by Inspectors who will have discretion as to whether to authorize a return or replacement in each particular case.

Any other matters not covered by the above policy are to be brought to the attention of Inspectors during their routine visits to your premises.

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Stand-up Bars

Rationale: *To assist licensees in creating a more social atmospheres within their licensed premises and permit better control.*

Authority: *Liquor Control Act Regulations
Section 70, Subsection C
Section 23 (f)
Section 82*

Policy: The Commission approves stand-up drinking in licensed lounges.

1. The creation of stand-up or milling areas is at the discretion of the holder of a lounge license.
2. The Licensee must provide seating for patrons wishing to utilize seating. The minimum seating area in any licensed premise shall be 50% of the usable area of the premise.
3. The Licensee must provide high tables or bars for patrons to accommodate glasses or bottles and to provide gathering areas.
4. At no time can the number of patrons exceed the capacity approved for the licensed premise.
5. The licensee may not alter the capacity of his premises without first receiving an authorized capacity from the Fire Marshal and approval from the Commission.

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SERVICE OF LIQUOR

Dispensers

Rationale: To ensure consistency and proper service within the industry.

*Authority: Liquor Control Act Regulations
Section 73*

Policy: Liquor dispensed in licensed premises shall be measured and dispensed in accordance with the following:

1. By means of approved measuring containers of a minimum two (2) ounce (56.8 ml) capacity clearly marked with a line at the one (1) ounce (28.4 ml) level and having lines indicating quantity in 1/4 ounce (7.1 ml) increments thereafter, which shall be clearly visible to the patron.
2. By means of a mechanical dispenser of a type and manufacture approved by the Commission and periodically checked to ensure accuracy.
3. By means of an electronic dispenser of a type and manufacture approved by the Commission and periodically checked to ensure accuracy.
4. At the request of a patron, mix shall be provided and served in a separate glass from the liquor served.

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SERVICE OF LIQUOR

Underage Employees Dining Room Only

Rationale:

Authority: *Liquor Control Act Regulations*
 Section 16 and Section 70 (e)

Policy:

1. Legal age is defined as being anyone who has attained the age of 19 years.
2. Anyone under the legal age will be permitted to work and take liquor orders in a licensed dining room.
3. Liquor orders taken by anyone under the legal age in a dining room can only be delivered and served by staff of the legal age of 19 years.

LICENSEE POLICY MANUAL - Underage Employees	Issue Date: April, 1994	Revised: May, 1997	Page No. 13.2
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SERVICE OF LIQUOR
Bar Service - Staff

Rationale: *To provide clean professional service in all licensed premises.*

Authority: *Liquor Control Act Regulations*

<i>Section 11 (a)</i>	<i>Section 50.3 (2)(a)</i>
<i>Section 21 (b)</i>	<i>Section 50.4 (1)(a)</i>
<i>Section 32 (d)</i>	<i>Section 50.5 (1)(a)</i>
<i>Section 50.1 (1)(a)</i>	<i>Section 50.6 (2)(a)</i>
<i>Commission Policy</i>	<i>Section 50.7 (3)(a)</i>

Policy: The provision of prompt, courteous service to the public serves only to enhance business for licensed premises. In view of this, the Commission recommends that operators of all licensed premises ensure the following:

1. All staff are neat in appearance and well groomed before starting work - after all it is the staff that greets the public and it is your business.
2. Bar areas should be kept free of all litter and only items necessary for the preparation and service of liquor should be in evidence.
3. Only the bartender is to be permitted behind the bar. This excludes other staff such as waitresses and doormen from presence behind the bar.
4. Licensees are responsible to ensure that their staff are aware of the contents and provisions of the Liquor Control Act, Regulations and Policies respecting the service of liquor.
5. Licensees are responsible to ensure all staff engaged in the service of liquor or in control of admission to the premises are in possession of a valid training certificate under the PEI Mandatory Server Program.
6. Licensees must ensure that they and their staff serve alcoholic beverages in a responsible manner because you can be held liable for your actions under the Criminal Code and the Liquor Control Act and Regulations.

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Rationale: *Mandatory Training in the area of Responsible Service of Alcohol is designed to inform providers of alcohol of their responsibilities and liabilities under the Law.*

Authority: *Liquor Control Act and Regulations Section 54.1*

- Policy:
- Server Training is not a voluntary program. All staff, including but not limited to owners, managers, bartenders, servers, and doormen, will be required to take this program.
 - **Mandatory Training came into effect February 1, 1994 and is renewable every (5) five years on the anniversary date of the original certificate.**
 - The Program is delivered by Holland College under the authority of the P.E.I. Liquor Control Commission.
 - Licensees will be responsible to ensure that all staff have taken the Program by having staff produce a Certificate of Training at the time of employment, or within the allotted time for training.
 - **Staff hired will have 30 days from the date of employment to obtain a Certificate of Training or 30 days from the date of expiry of the certificate of training .**
 - **Training can be arranged by contacting Holland College at 1- 800-446-5265 or 629-4214.**
 - The fee for the Program is as follows:
 - Owner/Manager \$30.00
 - Bartender, Server, Doorman \$25.00
 - The Program provider will endeavour to provide the Program as follows:
 - on location in licensed premises
 - at locations in Kings, Prince and Queens specific dates
 - on days and times convenient to licensees.

LICENSEE POLICY MANUAL - Mandatory Training	Issue Date: April, 1994	Revised: January 1, 2006	Page No. 14
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Rationale:

Authority:

Policy:

1. (a) The Provincial Fire Marshal shall set the capacity for all licensed premises. Based on usable area capacity cards must be posted so as to be seen by patrons.

- (b) Usable Area: Usable area shall be defined as the total area of the premise less the following:
 - Bar areas
 - Stages
 - Entrance ways
 - Areas allotted for games
 - Washrooms
 - Any other areas required by codes administered by the Fire Marshal's office.

An area equivalent to 15% of the usable area shall be dedicated as dance floor for premises providing this service.

Once assigned, this area must be clearly defined and cannot be changed without approval from the Commission and the Fire Marshal's office.

A minimum of 50% of the usable area shall be dedicated for seating.

The balance of the usable area will have a capacity assigned suitable for the intended purpose. The Fire Marshal's office shall have the flexibility to determine this capacity based on the codes he administers and the facilities provided.

In all cases, the combined capacity will be at the discretion of the Fire Marshal's Office based on the codes he administers and safety factors.

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Policy Continued:

2. If there is a variance between the capacity set by the Fire Marshal and that allowed by the Department of Health, based on the washroom facilities available, then the lesser of the two will be the allowable capacity of the premises.
3. It is the responsibility of the licensee to ensure that the capacity is not exceeded.
4. The Licensee, during all hours of operation, shall ensure that fire exits are:
 - (a) lighted;
 - (b) are not locked or fastened;
 - (c) free of any obstruction, i.e., garbage, snow or barriers;
 - (d) in good repair, i.e., doors, stairs, railing, etc.

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