

OCCASIONAL PERMIT DIRECTIVE

April, 2010



MLCC



PART II – OCCASIONAL PERMITS

II. OCCASIONAL PERMITS

1. Eligibility Requirements

1.1 Who Can Apply

An occasional permit may be issued to:

- an individual 18 years of age or over
- any recognized society, association, club or other duly constituted organization, whether incorporated or not
- for profit corporations (no-sale permits only)

1.2 Occasional Permit Fees & Type of Events

There are two general types of occasional permits:

1. **No-sale** occasional permit - \$25.00
2. **Sale** occasional permit:
 - a. Family Oriented Events - \$50.00
 - b. Organizational Functions - \$100.00
 - c. Charitable Fundraisers - \$100.00
 - d. Community Events
 - i. Under 200 units of liquor - \$250.00
 - ii. 200 – 399 units of liquor - \$500.00
 - iii. 400+ units of liquor - \$1,000.00

1. **No-sale permit:** means an occasional permit that authorizes liquor to be served at no charge to the patrons. These permits may be issued to individuals, organizations, or corporations (profit and non profit).
2. **Sale permit:** means an occasional permit that authorizes liquor to be sold to patrons.
 - a. **Family Oriented:**
 - i. Sale permits issued to individuals for events such as a wedding reception; wedding social; bridal shower; or family reunion.
 - ii. Restricted to invited guest only.
 - b. **Organizational Functions:**
 - i. Sale permits issued to registered or non-profit organizations.
 - ii. In all circumstances the permittee is an organization.
 - iii. Examples include a club function; meeting; social for members and pre-invited guests; or club tournament.
 - iv. Restricted to invited guests only.
 - v. The application must be signed by an officer of the organization.



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c. Charitable Fundraisers:

- i. Sale permits issued typically to a registered organization to raise money for a registered charity or for a charitable purpose (i.e. raise funds for the Winnipeg Humane Society or to assist a family who lost their home to fire). In some circumstances an individual may make application for this permit. All permits are sent for investigation as to authenticity.
- ii. The event is open to the public, and not restricted to invited guest only.
- iii. With the approval of the MLCC general advertising of this type of event is allowed.

d. Community Event:

Sale permits issued to organizations may also be a community event if:

- i. Designated by the MLCC.
- ii. Must be supported by a letter from the local authority such as a City/Town/Village Council/Municipality sanctioning it as one of their community events for the year.
- iii. Typically involves a significant portion of a community and is of community importance
- iv. The event is open to the public and not restricted to invited guests only
- v. With the approval of the MLCC general advertising of this type of event is allowed.

1.3 Eligible Social Occasions

1. Permits Issued to Individuals

No-sale:

- a wedding reception
- a wedding social
- a bridal shower
- a family reunion
- a gathering following the performance of a religious ceremony
- a birthday celebration (please note only no-sale permits are issued for birthday celebrations)
- a charitable fundraiser
- a business meeting
- the grand opening of a business

Sale:

- a wedding reception
- a wedding social
- a bridal shower
- a family reunion
- a charitable fundraiser

**PART II – OCCASIONAL PERMITS****2. Permits Issued to Corporations****No-sale:**

- a business meeting
- the grand opening of a business

Sale: Not eligible

3. Permits Issued to Non-Profit Organizations**No-sale & Sale:**

- an organization function
- a convention
- a graduation party
- a charitable fundraiser
- a tournament, festival, cultural event or exhibition

A Safe Grad Information Sheet must accompany all applications for a graduation function. This sheet forms part of the *How to Plan a Safe Grad* booklet which should be referred to for more detailed information when accepting an application for a Safe Grad occasional permit function.

4. Discretionary Issuance of Occasional Permit by the MLCC

- The MLCC may issue a sale or no-sale permit at its discretion if the MLCC is satisfied that it is appropriate to do so.
- Discretionary issuance of permits are rare and must be submitted to the Manager, Licences & Permits for consideration.
- Applicants should **not** be advised of the likelihood of securing a permit for such an event.
- Consideration will be given to issuance of sale occasional permits for a significant wedding anniversary (25th and up in multiples of five) or a retirement party.

1.4 Charitable Fundraisers

- With prior approval of the Manager, Licences & Permits, an occasional permit may be issued for a special project for which the main purpose is to raise funds for the advancement of educational, religious, philanthropic or community activities.
- Such an occasional permit may be issued to a recognized charitable organization, or to a recognized service group or association.
- An occasional permit may also be issued to an individual if the project is deemed to be charitable in nature and cannot be accommodated by a charitable organization, recognized service group or association.

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- Some examples of projects that would qualify as charitable fundraisers are as follows:
 - A social to raise funds to send a child or adult for specialized medical treatment outside the province.
 - A social to raise funds to assist a family whose home has burned down and the family is not covered by insurance.
- Advertising, which has first been approved by Permits staff, may only indicate the name of the event, purpose, sponsorship, admission charge, place, time and entertainment. The cause for which funds are being raised must be clearly stated.
- A financial projection of the event may be requested. The projection must clearly show that all of the profits from the event will be paid to the project for which the funds are being raised. If expenses will exceed the funds to be paid to the beneficiary, the MLCC may refuse to issue the occasional permit unless a satisfactory reason is received.
- Within 14 days from the date of the event, a financial statement and proof of contribution must be submitted to Permit staff. Failure to do so results in a breach of *The Liquor Control Act*.
- All permits of this type may be sent to Revenue Canada.

1.5 Community Events

- Community events are those that involve a significant portion of a community and are of community importance.
- Occasional permit functions designated as community events may be open to the general public.
- Advertising, which is first approved by the MLCC, may be directed to the general public.
- Occasional permit applications for a community event must be supported by a letter from the local authority such as a City/Town/Village Council; an Unincorporated Village Council (at least 300 residents); a Municipality; or First Nations Band Resolution.
- In each fiscal year (April 1 to March 31), The City of Winnipeg is allowed to designate 15 community events per Community Committee District, and all other cities may designate six functions. Towns, villages and municipalities may each designate three functions as a community event.
- Each city/town/village/municipality is required to advise the Permits staff of the community events that they have endorsed.
- With the MLCC's approval, additional community events could be considered where a significant event is occurring. For example, a national sports tournament, centennial celebration for a city, town or village, or for an event of provincial importance.

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- Where a Liquor Mart manager or liquor vendor is aware of upcoming events, he/she should encourage the organization to apply at least 30 days in advance of the function.
- Certain significant events listed below are deemed to be of a provincial character and are not counted in the number of permits allowed each year for community events:

Winnipeg

Folklorama
Red River Exhibition
Festival du Voyageur

Outside of Winnipeg

Agricultural Fair & Exhibition, Portage la Prairie
Beaver Days, Whiteshell Provincial Park
Beef & Barley Festival, Russell
Canada's National Ukrainian Festival, Dauphin
Canadian Power Toboggan Races, Beausejour
Corn & Apple Festival, Morden
Dauphin Country Fest, Dauphin
Fun & Fiddle Festival, Miami
Hoof "N" Holler Days, Ste. Rose du Lac
Icelandic Festival, Gimli
Manitoba Stampede & Exhibition, Morris
Nickel Days, Thompson
North West Fair & Round Up, Swan River
Prairie Walleye Classic Tournament, Russell
Provincial Exhibition, Brandon
Rodeo and Country Dance, Portage la Prairie
Royal Winter Fair, Brandon
St. Pierre Frog Follies, St. Pierre
Threshermen's Reunion and Stampede, Austin
Triple S Fair and Rodeo, Selkirk
Trout Festival, Flin Flon
The Trappers' Festival, The Pas
Winterfest, Thompson
Winnipeg Folk Festival, Birds Hill

Inspection Services has established guidelines for outdoor areas and arenas used for these events. (see Appendix A)

1.6 Organization to be Recognized

- An organization must be recognized and approved by the MLCC prior to an occasional permit being issued to it.
- To obtain approval an organization is required to submit its constitution or by-laws, membership list and minutes of the last three meetings to Permits for review.
- Upon approval, the organization will be issued a registration card verifying that it is eligible to apply for occasional permits. This card **must** be presented to the official accepting the application and the card number noted on the application.

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- Unless otherwise authorized by the MLCC, a maximum of 12 occasional permits per fiscal year will be issued to an organization.
- Organizations such as bowling leagues, curling clubs, grad committees, etc., are not required to be registered with the MLCC if they only apply for one occasional permit per year, e.g. a bowling or curling wind-up or a graduation function. This would also include a company holding a grand opening or an annual private product showing, etc.

Organization Function:

- Functions such as team socials do not qualify for onetime only occasional permits unless a full course meal is being served, as in a wind-up banquet.
- A bonspiel, tournament, etc., may only be conducted by a recognized and approved organization.

Sports Tournaments:

- An occasional permit may be issued to an organization for a function related to, and/or during a sports tournament.
- The occasional permit authorizes consumption of liquor only by club members, participants and officials of the tournament, and their guests, under the following conditions:
 - A maximum of seven consecutive days.
 - An organization that has not applied for an occasional permit over a two-year period, will be deemed inactive and will need to re-register with the MLCC before further permits will be issued.

2. Permit Conditions / Restrictions

The MLCC may issue requirements for occasional permits if deemed necessary. Events may be subject to security or special duty police requirements.

2.1 Hours

- Unless otherwise authorized by the Manager, Licences & Permits, or her designate, sale and service of liquor shall not commence prior to 11:00 a.m. or terminate later than 1:00 a.m.
- There is a maximum of a 60-minute tolerance time, to 2:00 a.m., by which time consumption of liquor is to cease and all unconsumed liquor is to be removed from the tables. A shorter period may be specified by the permit holder.
- **Extension of Hours**
 - **Only for very exceptional circumstances will the commencement hour of 11:00 a.m. or the termination hour of 1:00 a.m. be extended.**
 - The termination hour will not be extended past 1:00 a.m. with the exception of Safe Grad functions which in some circumstances, may be approved to 3:00 a.m.
 - Functions with extended hours cannot commence earlier than 10:00 p.m. and the occasional permit will be valid for a maximum of four hours.

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- An applicant for occasional permit must write to the Manager, Licences & Permits, for an extension explaining the circumstances which necessitate operating before 11:00 a.m. or past 1:00 a.m.
- Every request will be referred to Inspection Services for a report and recommendation. Each case will be judged on its own merit.
- Consideration will be given to allowing service of liquor prior to 11:00 a.m. to compliment breakfast or brunch functions held in conjunction with a convention, sports tournament, etc.
- Authorization to operate past 1:00 a.m. will not be given for social functions which can be held during normal hours or where the intention of the individual or organization is only to host a late night function.
- The only functions with late termination hours to a maximum of 3:00 a.m., not requiring prior authorization are recognized New Year's Eve celebrations where a full course meal will be served.
- The following two examples can be used as a guide should the matter of extending hours be raised by an applicant for occasional permit:
 - A recognized organization proposed that a regular social function be held between 11:00 p.m. and 3:00 a.m. The organization felt it would be novel to hold a midnight dance and the late starting time would probably attract more members and guests around beverage room closing time. This request would be disapproved as the reasons are not considered valid.
 - A recognized organization was involved in an all-day television auction which concluded at 11:30 p.m. The organization requested to host a small reception, commencing at 12 midnight, in appreciation of the volunteers who donated their time throughout the day. Approval would be granted to operate until 3:00 a.m. due to the exceptional reason that prevented a reception earlier in the evening.

IT IS IMPORTANT TO STRESS THAT THIS SPECIAL AUTHORIZATION WILL ONLY BE GRANTED IN VERY EXCEPTIONAL CIRCUMSTANCES.

2.2 Number of Days Allowed

- Generally, an application by an individual or organization for a private function lasting more than one day should not be accepted, i.e. pre-marital socials, anniversaries, retirements, or club socials.
- Applications for **more than one day** to a maximum of seven consecutive days can be accepted from organizations hosting recognized community events (fairs, exhibitions, stampedes, etc.) conventions, tournaments or approved charitable fundraisers.
- The Licences & Permits Department will determine whether the occasional permit will be issued for the number of days requested.



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2.3 Holidays

- **Good Friday**
 - Occasional permits **cannot be issued** for Good Friday.
- **Remembrance Day**
 - With the exception of veterans' associations, occasional permits will not be issued to individuals or organizations for functions commencing prior to 1:00 p.m. on Remembrance Day.

2.4 Advertising

- No notice, announcement or advertisement concerning an occasional permit function shall be published unless the MLCC has given prior written approval.
- With the prior written approval of the MLCC, organizations may advertise an upcoming function provided the advertisement is directed to their members and guests.
- Except for an approved community event or an approved charitable fundraiser, a function cannot be advertised in a manner that indicates the public may attend.
- Advertising must not encourage abusive drinking patterns.
- Unless otherwise authorized by the MLCC, reference to liquor may not be included in advertisements. Specialized information respecting the sale of liquor may be allowed provided prior written approval is received from the MLCC, i.e. wine and cheese reception.
- In order for an organization to obtain approval of an advertisement, a copy of the proposed advertisement must be submitted to:

Senior Clerk, Permits
1555 Buffalo Place
P. O. Box 1023
Winnipeg MB R3C 2X1 Fax (204) 453-5254

Please refer to Appendix D for a sample.

If an advertisement is approved it will be given an approval number which must be included in the advertisement, i.e. "MLCC APPROVAL NO. 357/10".

* Advertising approval will not be granted until permit application is approved.



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3. Accepting Permit Applications

3.1 General Requirements

- Applications should be received at least ten days before the event. If it is an outdoor function, applications should be received 30 days in advance.
- When a sale occasional permit is required in less than ten days, contact Permits staff to ascertain whether an application may be taken and processed.
- A no-sale or an emergency sale occasional permit may be issued at all Liquor Marts provided the function is to be held in an approved banquet hall, i.e. listed in the banquet hall directory. Advise the local police authority that an occasional permit was issued.
- **Applicants should never be given the impression that an occasional permit will be issued.** Contact Permits staff if there are concerns with the application. If the applicant insists on completing the application, advise him/her the application will be forwarded to the Permit's Department for review and investigation.
- Advise the applicant to contact their local insurance agency for specific information regarding liability insurance for alcohol related functions.

3.2 How to Complete the Application

- The original white copy is to be forwarded to the Head Office. The green copy is retained at the Liquor Mart/vendor/specialty wine store. The green copy may only be destroyed by the store/vendor in accordance with Records Management Policy & Procedures. The yellow copy is given to the customer for his/her records.
- The permit application is divided into 5 sections:
 - A. Applicant Details
 - B. Type of Function
 - C. Function Details
 - D. Pickup Location Details
 - E. Liquor Details

A. Applicant Details

- Fully complete information as requested in each "box".
- Record a **day, evening and cell phone** number for the applicant. Inspectors may need to contact the applicant after business hours.

Organization

- Registered Organizations – fill in registration # along with the organization name and person's position. (Organization # appears on their organization card).
- Organizations not Registered – fill in the complete organization name (not acronym), and individual's position in the organization. These applications will be sent for investigation.

B. Type of Function

- See quick reference guide on how to determine which type of function the event falls under.

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- If application is for a community event, you will need to complete Part E Liquor Details to determine number of units to decide which category applies. **Fees for community event applications are based on the total number of units applied for in Part E.**

C. Function Details

- List the names of the people being honoured when applicable and provide a short description of the function. i.e. wedding
- Hall # is from Banquet Hall book. Watch for any restrictions listed under the area details.
- Estimated attendance cannot exceed the hall capacity listed in the banquet hall directory.
- One of the two food options must be indicated
- For functions with multiple dates indicate date and times (from – to) for each day

D. Pickup Location Details

- Please print the name of the employee filling out the permit and store/liquor vendor location/number. Head Office may need to contact employee with questions.
- If beer is to be picked up at a hotel beer vendor or wine at a specialty wine store, inform the applicant to contact the hotel or wine store to ensure the brand selection and quantity will be available at the time of pick up.

E. Liquor Details

Sale functions where a full course meal is being served may provide complimentary wine. This wine must be listed on the application but not included in Total Units Applied For or Summary Details. Complimentary drinks are not otherwise allowed at a sale occasional permit function.

Selling Price

- If the event is a no-sale permit (all liquor is being given away), fill in 'n/a' for selling price.
- If the liquor is being sold, the selling price must be listed where applicable.

Units of Liquor

- Maximum Allowable Units are based on the number of **adults** in attendance
- Indicate number of units, size and type of liquor required. The brand should be noted as it increases the likelihood the brands will be in stock. It is also beneficial to Liquor Marts/vendors for controlling stock inventory, accurate ordering procedures and packaging orders in advance.

Summary

- It is intended as a double check to ensure the applicant is not applying for more units than they are allowed.
- List total units in each blank. If unit sizes differ from definitions on form, see Unit Size Guide. Total Units Applied For (in shaded box) should not exceed Maximum Allowable Units.
- **If permit is for a community event, ensure that correct fee in Part B of application form has been selected based on total units applied for.**

Certification

- It is the responsibility of the MLCC official, liquor vendor, specialty wine store, or marketing representative to advise the applicant of the terms and conditions under which an occasional permit is issued. These conditions are listed on the reverse side of the yellow customer's copy of the application.

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- It is important for the applicant to be made aware of these conditions as failure on his/her part to observe the conditions could result in the loss of occasional permit privileges and charges under *The Liquor Control Act* and Regulations.

Signature of Applicant

If application taken by individual

- Application must be signed and dated by the individual.

If application taken by organization

- Application must be signed by an **executive officer** of the organization and must note his/her position in the organization.

Payment for Liquor

- Payment for liquor may be in cash, money order, credit card (Visa, MasterCard, or American Express), debit card, certified cheque or travellers' cheque.
- The applicant is to be given the yellow copy of the occasional permit application for his/her records.

Return of Occasional Permit to Applicant

- All occasional permits will be sent to the Liquor Mart/vendor/specialty wine store where the liquor is to be purchased, rather than mailed to the applicant's home address.
- If only beer is to be purchased, the occasional permit will be sent to the Liquor Mart/vendor of the permittee's choice.
- This will allow the Liquor Mart/vendor personnel, on a Friday for example, to contact Permits staff with respect to tracing an outstanding weekend occasional permit not yet received by the Liquor Mart/vendor.

3.3 Amendments to Occasional Permit

- Please have the permittee review the occasional permit for accuracy as to date(s), hours, liquor quantities etc. before they leave the store.
- It is important for liquor inspectors to know when changes to an occasional permit have been made by authorized officials. The following procedures should be followed when amending an occasional permit:

- The amendment should be clearly marked in red pen and initialled by the Liquor Mart/vendor/specialty wine store employee.

- If the amendment is at the request of the permittee, the permit should read as follows:

"Amended at request of Permittee _____"
signature of permittee

- If the amendment is due to changes phoned in from Permits staff, or stock listed on the occasional permit is not available etc., then the changes should be clearly marked in red pen and initialled by the Liquor Mart/vendor/specialty wine store employee.
- If an amendment to quantities is made at a Liquor Mart, the employee is to e-mail the changes to Permits staff. Liquor vendors/specialty wine stores may phone-in the changes.

**PART II – OCCASIONAL PERMITS****3.4 Pick Up of Liquor**

- The permittee will generally pick up the liquor the day before, or the day of, the function.
- The liquor order should be prepared as listed on the occasional permit (any amendments to be noted).
- For large multiple-day events, such as Folklorama, the permittee may wish to purchase the liquor over a number of days. The Liquor Mart, liquor vendor, or specialty wine store should mark purchases each day to ensure the total purchases are in accordance with the product listed on the occasional permit.
- A permittee for a community event, who pays an application fee based on units applied for then orders additional units of liquor, will be charged the additional application fee if the event then falls into a higher application fee category based on total units purchase. If the permittee, who returns units of liquor after an event, would have fallen into a lower application fee category, they will not be refunded the difference in applications fees.
- The back of the occasional permit is to be completed when the permittee picks up and pays for the liquor.

Delivery of Beer / Liquor by a Retail Vendors (Beer / Liquor)

- Retail vendors may deliver beer to halls where occasional permit functions are being held, subject to the following:
 - The vendor has written permission from the Manager, Licences & Permits to deliver.
 - When a permittee requests this service, the vendor must endorse the application for permit or a copy of the application for permit.
 - The endorsed application or copy must be carried in the delivery vehicle when the delivery is being made and left with the person accepting delivery of the beer/liquor.
 - The vendor is responsible for obtaining any and all authorizations from any municipal or provincial bodies.
 - Under no circumstances may beer/liquor be delivered to residences or business premises, with the exception of one to which an occasional permit has been issued for a specific function.

Carry Over of Liquor to Another Permit

- An organization having multiple functions in one year may request permission of the Manager, Licences & Permits to carry over liquor from one function to another.
- The product to be issued at each function must still be listed on the application for occasional permit, with a notation "product carried over from occasional permit #_____".
- The approval letter must be attached to the permit and the applicant must provide receipt for pre-purchased product.



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4. Duties & Responsibilities of a Permittee and Banquet Hall Operator

4.1 General

- Only liquor purchased from the MLCC, a liquor vendor, a retail beer vendor or a specialty wine store may be listed on the occasional permit and be had, sold or served at an occasional permit function. **Homemade beer or wine cannot be had, sold or served at an occasional permit function.**
- Only liquor of the type and quantity listed on the occasional permit and purchased under authority of the occasional permit may be had, sold or served at the function.
- Food suitable to the occasion and of a quantity and kind satisfactory to the MLCC must be provided by the permittee. Except for community events, sports tournaments and approved charitable fundraisers, the cost of the food must be covered in the price of the admission ticket.
- Liquor may be sold and served only during the hours specified on the occasional permit. Liquor may be consumed **but not sold**, up to an additional 60 minutes after the termination hour. All unconsumed liquor must be removed from the tables by the conclusion of that 60-minute period.
- The selling price for liquor is specified on the occasional permit and the permittee shall not allow liquor to be sold at a price other than as specified on the occasional permit.
- Spirits may only be sold by the glass; beer and coolers/ciders by the bottle, can or glass; and wine by the bottle or glass.
- Liquor must be removed by the permittee from the hall at the conclusion of the function, or can be retained in the hall's lockable storage for pick-up the next day.
- Serving personnel must be in place to ensure the responsible service of alcohol.
- The permittee is to refund the cost of any unused beverage tickets upon the request of the ticket holder.
- Inspectors and/or police can attend any occasional permit function and must be permitted entry for inspection purposes.
- At all times during the function, the permittee must:
 - remain in a non-intoxicated and responsible condition;
 - be in attendance except in the case of an organization where the permittee has named a designate.
- Where washrooms are located within or adjacent to banquet halls patrons may carry their drink with them to the washroom. This is a safety measure to help ensure a drink is not tampered with while left unattended.
- Minors (those under the age of 18 years) may attend occasional permit functions but are prohibited from handling, serving, purchasing, possessing, or consuming liquor. A permittee or banquet hall operator may restrict functions to those 18 years of age and over should they so wish.
- When entertainment is provided, orderly operation shall be maintained and adult entertainment, i.e. exotic entertainers, adult movies or tapes, is not permitted.

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- The holder of an occasional permit shall not allow:
 - Gaming, including raffles, unless licensed by a municipality or the Manitoba Lotteries Corporation (also see casinos).
 - Intoxicated or disorderly persons to be in or about the premises.
 - Sale or service of liquor to any person who is or appears to be intoxicated.
 - Any person engaged in serving or selling liquor or providing security to consume liquor at the social occasion.
 - Any other unlawful conduct to occur at the social occasion.

4.2 Gaming at Occasional Permit Events:

- A raffle with liquor as a prize may only be conducted if:
 - It is licensed by the Manitoba Lotteries Corporation (or municipal authority, where appropriate).
 - Entrants are eighteen years of age or older.
 - The liquor prize is not kept on the premises under the occasional permit.
 - The liquor prize is not presented to the winner on the premises under the occasional permit. MLCC gift certificates, which can be purchased at Liquor Marts, or a letter or card describing the prize and advising where it may be picked up, may be presented to the winner.
- Fun casinos may be located in an occasional permit area provided the area has been reserved and is not accessible to the public. Fun casinos are defined as a casino in which no legal currency is used for gambling nor is play money sold.
- Nevada tickets may be sold in banquet halls provided the hall is licensed by the Manitoba Lotteries Corporation.
- An occasional permit cannot be issued for a Texas Hold'em Poker Tournament unless the charitable organization hosting the event has been licensed by the Manitoba Gaming Control Commission (MGCC).

Failure to Comply

- (a) Any person who gives false information on an application is guilty of an offence as provided in section 129 of *The Liquor Control Act* and may be disqualified from obtaining an occasional permit. Further, the person is liable, upon conviction, to a penalty.
- (b) An occasional permit may be cancelled in the event of a breach of *The Liquor Control Act*, Regulations or conditions of the occasional permit.
- (c) Any person who is the holder of an occasional permit must observe the duties and responsibilities contained in the application for occasional permit. A breach of these duties and responsibilities could result in legal prosecution against the permittee and the loss of future occasional permit privileges to both the permittee and the banquet hall premises. An organization could have its registration card cancelled.

**PART III – LOCATION OF PERMIT FUNCTIONS****III. LOCATION OF PERMIT FUNCTIONS**

Subsections 41(15) and 41(17) of *The Liquor Control Act* establish some of the criteria for the physical premises or area for which the MLCC issues occasional permits.

The Act states that the premises is to be in a safe condition with respect to fire, other causes of danger, in a clean and sanitary condition, has a place for the safekeeping and storage of liquor, and the hall must be approved as suitable and adequate.

The following various locations in which occasional permit events occur:

1. Location**1.1 Banquet Halls**

- The MLCC shall deem a premises to be suitable for the holding of occasional permits if it is satisfied that the owner or operator of the premises will take reasonable measures to ensure that the provisions of *The Liquor Control Act* and Regulations are complied with during the social occasion.
- Upon approving a banquet hall as suitable for occasional permits, the MLCC will provide the banquet hall operator with a Guide for Banquet Hall Operators, a sample hall rental agreement, and brochures on responsible sale and service of alcohol.
- A hall owner must take appropriate action to ensure that social functions held in their banquet hall are conducted in accordance with *The Liquor Control Act*, Regulations, and the terms and conditions under which occasional permits are issued.
- The MLCC may refuse to issue an occasional permit for a banquet hall, where in the opinion of the MLCC, the owner, or representative of the premises does not maintain adequate control and/or supervision of occasional permit functions.
- Municipalities under Local Option - an occasional permit may not be issued to halls in a municipality that is under local option unless the municipal council has by resolution approved the issue of occasional permits within that municipality.

Requirements of banquet halls include the following:

Capacity

1. Authorized capacity for the banquet hall will depend on the actual area available to people based at 12 square feet per person.

The area occupied by the service bar, or stage, if any, will be deducted from the total square footage when making the calculation. The figure obtained will be the maximum number of people allowed in the premises, unless further restricted by another government department.

2. Seating must be provided where meal service is a condition of the occasional permit.



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Washrooms

3. Unless otherwise authorized, premises in which a social occasion is to be held must have reasonable access to a sufficient number of washrooms.

Service Bar

4. The liquor service areas and counters are to have the equipment necessary to prepare and serve beverages.

Food Service Area

5. Kitchen ceiling, walls and floor finishings must meet the standard of the local health authority.
6.
 - (a) The kitchen must comply with *The Public Health Act*.
 - (b) Refrigeration must be provided.
 - (c) Dishwashing facilities must be provided or single service items utilized.

Storage Areas

7. Lockable storage areas must be provided for full and empty beverage containers.

General

8. Outdoor areas may be included for use under occasional permit, however, use of such areas requires prior approval of the MLCC.
9. Any and all regulations/requirements of zoning, building code, health or fire, etc., must be complied with.

1.2 Licensed Premises

- (a) Occasional permits cannot be issued to licensees for commercial use in their licensed premises.
- (b) Generally, a licensed private club is not permitted to use an occasional permit to receive privileges not permitted under the licence held. On an infrequent basis, the licensee may request to utilize the facility under occasional permit.
- (c) Under clause (b), the licensed private club must apply in writing to the Manager, Licences & Permits for permission to utilize the private club under occasional permit.

1.3 Business Premises

Following are certain occasions where a no-sale occasional permit may be issued for a business premises, that is not an approved banquet hall:

- (a) One no-sale occasional permit may be issued each year to a company for a function in conjunction with the introduction or showing of their products, displays of merchandise, etc., provided:
 - the function area is not open for business to the general public
 - the premises has satisfactory washroom facilities, proper entrance and exit, and is otherwise deemed suitable for the purpose

**PART III – LOCATION OF PERMIT FUNCTIONS**

- attendance shall be by invitation and the general public is excluded.
- (b) One no-sale occasional permit may be issued for a function in conjunction with the official opening (ribbon cutting) of that business. Conditions stated under (a) apply.
- (c) In all cases where an occasional permit is to be issued for a business premises, the application must be signed by an executive officer, manager or person authorized by the executive officer or manager of the business, who will be in attendance and responsible for the function.
- (d) All necessary zoning approvals and occupancy permits must be in place prior to an occasional permit being issued.

1.4 Outdoor Areas

- (a) The permittee must have exclusive use of the area. Where there are permanent cottages or temporary residences, i.e. trailers, tents, etc., the area where the occasional permit will be in effect must be suitably segregated, i.e. with snow fencing, to ensure only guests attending the function are allowed into that area and the general public is excluded.
- (b) Where a function is to be held in an area in a park, written authorization to serve liquor from the park authority must accompany the application.
- (c) Outdoor areas must meet all requirements of Inspection Services and other provincial and municipal departments concerned pertaining to outdoor areas under occasional permit. The maximum capacity of 300 persons for an outdoor function under occasional permit may be exceeded for events of provincial or national significance.
- (d) Provide permittees wanting an outdoor area with the *Festival and Outdoor Event Planning Guidelines* brochure and direct any enquiries on the use of outdoor areas to Inspection Services.
- (e) Applications for occasional permits with outdoor areas should be submitted to Permits at least 30 days prior to the event.
- (f) Liquor **cannot** be taken into an outdoor area unless the area is listed on the occasional permit.

1.5 Special Locations - Written Permission Required

- (a) **Schools, Colleges or Universities**
An occasional permit will not be issued for a hall or auditorium in a school, college or university unless the applicant submits written permission from an official of the school, college or university.
- (b) **Federal Property and Public Parks**
An occasional permit will not be issued for federal property or public parks unless the applicant submits written permission from the authority in charge of the federal property or park official.



PART III – LOCATION OF PERMIT FUNCTIONS

2. Duties and Responsibilities – Facilities Operator

- (a) The banquet hall must be reserved for the exclusive use of members and individually invited guests of the person or organization granted the occasional permit. The approved hall capacity as rated by Inspection Services shall not be exceeded.
- (b) The general public shall not be admitted to a social function by sale of tickets or otherwise.
- (c) Once the social begins, no admissions or tickets may be sold. Invited guests must have previously received an invitation or have purchased tickets after being invited to attend the social function. Sale of tickets in a public place is not permitted.
- (d) Clauses (a), (b) and (c) do not apply for a function that has been approved by the MLCC as a community event or a charitable fundraiser.
- (e) Permittees shall not allow owners or managers of banquet halls to benefit from the proceeds from the sale of liquor or admission tickets.
- (f) Hall representatives must be present at all times the occasional permit is in effect.



**MLCC OCCASIONAL PERMIT GUIDELINES
ARENAS & FESTIVALS / OUTDOOR EVENTS**

General Guidelines

1. Any and all regulations/requirements of zoning, building code, health or fire, etc must be complied with. The permittee must secure the necessary approvals to host the event.
2. The liquor service area must be enclosed with a suitable separation, e.g. snow fencing a minimum of 1.2192 metres (4 feet) in height.
3. If there is no fixed seating provided (i.e. grand stand, bleachers) then 1.148 square metres (12 square feet) per person must be provided.
4. Tables and chairs, benches, or fixed seating to be provided for all persons in the area.
5. The authorized capacity of the area shall not be exceeded.
6. Aisles to exits should be at least 1.5240 metres (5 feet) in width and kept free of any obstructions. Sufficient space must be provided between tables to afford public comfort and convenience.
7. Washrooms:
 - (a) Washroom facilities are to be approved by the local health authority. As a guideline the following units should be provided.

Number of Persons	Toilets	Hand Washing Facilities
201 to 300	8	2
301 to 400	10	2
401 to 500	12	3
501 to 600	14	3
601 to 700	16	3
701 to 800	18	3
801 to 900	20	3
901 to 1000*	22	4

* For events in excess of 1000 participants, contact your local health authority for washroom requirements.

- (b) Washrooms are to be reserved for the sole use of patrons attending the event.
- (c) Hand washing facilities are to be provided with soap, paper towels and waste containers.
- (d) Toilet entrances are to be sufficiently screened to afford privacy.
- (e) Washrooms are to be accessible only from inside the occasional permit area.
- (f) Washrooms are to be maintained at regular intervals in order to ensure proper sanitation.
8. Sufficient lighting is to be installed for evening functions for the outdoor area and washrooms.



9. A sufficient number of refuse containers are to be located throughout the permit area. Refuse is to be removed from the site at regular intervals.
10. Secure facilities are to be provided for the proper storage of liquor and the cooling of beer.
11. Food is to be readily available and in sufficient quantity for the number of people attending.
12. Single service containers, with a minimum capacity of 454 ml (16 ounces), are to be provided for beer. No bottles are to leave the service counter. Single service containers are not required for canned beer but the beer must be opened when served.
13. Not more than two (2) drinks are to be served to a patron at one time. Adults purchasing for other adults is acceptable.
14. At least two service counters for the dispensing of liquor are to be provided at different locations to provide efficient service for attendance over 300 people.
15. Outdoor functions must terminate no later than 11:00 p.m. in the City of Winnipeg, and rural areas where located within or in close proximity to a residential area, unless otherwise authorized by the municipality.
16. Recognizable security attendants are to be employed to control entrances, exits, and to supervise behaviour inside and around the occasional permit area as follows:
 - Four (4) for the first 300 people
 - One (1) additional security attendant for each additional 100 persons (i.e. 11 for 1000 people, etc.)Radio contact between security attendants is required for functions having more than 1000 attendees at any one time.
17. Prior to the event, a meeting may be set up to discuss security duties, deployment of staff, and rules and regulations for liquor service.
18. The occasional permit area must be open to inspection by the police and liquor inspectors.
19. The MLCC may request an events proposal to include a:
 - (a) requirement that the event be designated as a community, provincial or charitable event,
 - (b) financial projection for the entire event, including a complete list of revenue and expenses,
 - (c) complete outline of all events that will be conducted during the festival,
 - (d) site plan that shows service areas (i.e. stage, bars, washrooms, etc),
 - (e) copy of the lease agreement, or letter of authority from the property owner, for the use of the site by the permittee, and
 - (f) copy of any agreement between the permittee and a brewer, distiller, winery or promoter.

Arenas

20. The arena must be an approved place for the issue of occasional permits and must meet all existing zoning, building code, health or fire requirements.

SAMPLE ADVERTISEMENT

NOTICE TO MEMBERS AND INVITED GUESTS OF



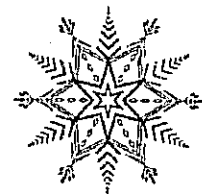
Wexford Comets Sports Club

WINTER SNOWFLAKE BALL

Saturday, November 26, 2010

Wexford Community Hall

8pm - 1am



ADVANCE SALE OF TICKETS ONLY

TICKETS AVAILABLE FROM YOUR EXECUTIVE MEMBERS

MLCC APPROVAL No. 357/10

IMPORTANT:

Please note that advertisements may not be displayed, published or broadcast until an approval number is received.



Application for Occasional Permit



Under
THE LIQUOR CONTROL ACT

A. APPLICANT DETAILS

Name of Individual Applying: Jim Smith
 Address: 456 Brown Street
 City or Town: Wpg. Province: MB Postal Code: R1N 3B6
 Daytime Phone #: 654-1234 Evening Phone #: 222-1345 Cell Phone #: 791-6543
 Organization #: (if applicable) 210543 Organization Name: Jerry's Crew Soccer Club Position in Organization: President

B. TYPE OF FUNCTION (check one)

\$25 No Sale Permit
 \$50 Sale - Family Oriented Event
 \$100 Sale - Charitable Fundraiser
 \$100 Sale - Organization
 \$250 Sale - Community - 1 - 199 units of liquor applied for
 \$500 Sale - Community - 200 - 399 units of liquor applied for
 \$1,000 Sale - Community - 400 or more units of liquor applied for
 NOTE: based on total units applied for in Part E

C. FUNCTION DETAILS

Name of Event/Persons Being Hosted: Summerfest Short Description of Function: Beer Gardens
 Hall #: 201201 Name of Premises where event will be held: Anola Hall
 Address: 213 Main Street City or Town: Anola
 Area Description (from Banquet Hall Directory) or exact location description if not listed (indicate if outdoors): Main Hall + outside tent
 Price of Admission \$: 10.00 Estimated Attendance: 250
 Function Date(s): July 17, 2010 Times (From - To): 1pm - 11pm
 Food Service is required at all functions. See #11 on the reverse
 Full Course Meal OR Alternate i.e. sandwiches/pies

D. PICKUP LOCATION DETAILS

Name of employee receiving application (please print): Jana Wilkin Store #: 45 Liquor pick up location: 45
 Store Name: Grant Park Beer pick up location: Cambridge Hotel
 Permit pick up location: 45 Wine pick up location: 45

E. LIQUOR DETAILS

SELLING PRICE - May not be sold for less than \$2.25 for the quantities listed below.
 Sprints by Drink: 28.4 ml (1oz) \$ 3.00
 Beer by Bottle/Can: Not more than 355 ml (12.5oz) \$ 3.00
 Coolers/Ciders by Bottle/Can: Not more than 355 ml (12.5oz) \$ 3.00
 Wine by Glass: 142 ml (5oz) \$ 3.00
 Premium Spirits by Drink: 28.4 ml (1oz) \$
 Imported Beer by Bottle/Can: Not more than 355 ml (12.5oz) \$

Maximum Allowable Units: Number of adults expected to attend 250 ÷ 5 = 50 units

Item #	Quantity	Size	Description/Brand	Item #	Quantity	Size	Description/Brand
900670	10	24	Labatt Light				
902635	10	24	Bud				
67	10	750	Smirnoff vodka				
117	8	750	Bacardi white				
42	5	750	Canadian club				
4511	5	24	Smirnoff ice				
160879	4	750	Ambiance Red				
160861	4	750	Ambiance White				

- Definition of a Unit
- One bottle containing not more than 750 ml of spirits
 - 24 bottles or cans of beer each containing not more than 355 ml
 - 3000 ml of wine or less (3 x 1L bottles or 4 x 750 ml bottles)
 - 24 bottles or cans of cooler or cider each containing not more than 355 ml

Summary of Units Applied For

Sprints - Number of bottles =	<u>23</u>
Beer - Number of 24-packs =	<u>20</u>
Wine - Number of units =	<u>2</u>
Coolers - Number of 24-packs =	<u>5</u>

TOTAL UNITS APPLIED FOR: 50

Certification: I declare that:
 a) I am not under eighteen years of age or otherwise disqualified from having an occasional permit
 b) The information provided in this application is true and correct
 c) I understand and agree to comply with the terms and conditions set out on the reverse of this application and other regulations of the Liquor Control Act and Regulations

Date: June 26, 2010 Applicant Signature: Jim Smith
 Position by Organization (if applicable): President

