

Service Nova Scotia

**Alcohol, Gaming, Fuel and Tobacco
Public Consultation Policy**

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Approved By: John R. MacDonald

I. POLICY STATEMENT

The Alcohol, Gaming, Fuel and Tobacco Division will conduct public consultation as required within the Liquor Control Act (LCA) and the Nova Scotia Liquor Licensing Regulations. ("LCA and associated Regulations")

II. DEFINITIONS

"application" means any application for a permanent license and any application to change existing licensing conditions;

"licensee" means a person who holds a valid license under the Act and these regulations;

"permanent license" means any license other than a special occasion license;

III. POLICY OBJECTIVES

To outline the manner in which public consultation takes place in a community for which an application has been made that requires public consultation under the LCA and associated Regulations.

IV. APPLICATION

This policy applies to all applications which require public consultation under the LCA and associated Regulations. Upon receiving an application which requires public consultation the Alcohol, Gaming, Fuel and Tobacco Division will seek public consultation only at such time as the following information is available:

- (a) the name of the applicant or licensee whose premises is the subject of the public consultation;
- (b) the location of the premises that is the subject of the public consultation;
- (c) the reason for the application; and

- (d) for the purposes of granting a license under subsection 49(8) or 49(12) of the Act, the approximate area and patron accommodation of the premises.

V. POLICY

The Alcohol, Gaming, Fuel and Tobacco Division may conduct public consultation.

The premises which is the subject of the application shall be required to display a public posting placed by the Alcohol, Gaming, Fuel and Tobacco Division in a conspicuous location for 7 days prior to the to the application being granted.

The Alcohol, Gaming, Fuel and Tobacco Division will post online an advertisement a minimum of seven days prior to the application being granted. Social media will be utilized to announce the consultation and direct attention to the online advertisement.

All public consultation postings must contain the following information:

- (a) the name of the applicant or licensee whose premises is the subject of the public consultation;
- (b) the location of the premises that is the subject of the public consultation;
- (c) the reason for the application;
- (d) for the purposes of granting a license under subsection 49(8) or 49(12) of the Act, the approximate area and patron accommodation of the premises; and
- (e) the deadline for objections and comments.

The application will be open for comment and support or objection until the deadline noted on the public posting and in the advertisement. The deadline will be a minimum of seven (7) days from the day the posting appears at the premises and online.

The Alcohol, Gaming, Fuel and Tobacco Division may consider the results of a public consultation or hearing process with respect to liquor service required by municipal zoning and by-laws. In the event that public consultation or a hearing process has taken place regarding the premises pursuant to municipal zoning and by-laws and an executed municipal Development Agreement has been submitted with the application; the premises which is the subject of the application shall be required to display a public posting placed by the Alcohol, Gaming, Fuel and Tobacco Division in a conspicuous location for 7 days prior to the application being granted.

VI. ACCOUNTABILITY

Applicants are responsible to ensure that all required documents relating to an application are submitted accurately, in their entirety, when submitting an application.

Respondents to a public consultation posting are responsible to ensure that their objections and comments are submitted prior to the deadline noted in the public consultation posting and contain the following information:

- (a) the name, address and phone number for the person providing the comment or objection;
- (b) the name of the applicant or licensee, or the location of premises, that is the subject of the comment or objection;
- (c) the comment or objection.

VII. REFERENCES

Form and manner of public consultation

- 85A(1) The Executive Director may seek public consultation respecting a license or license application for the following reasons:
- (a) for the purposes of granting a license under subsection 49(8) or 49(12) of the Act;
 - (b) to determine whether to impose or amend conditions on a license as a result of
 - (i) a request by a licensee;
 - (ii) concerns from the public regarding a licensee or a licensed premises.
 - (c) as permitted or required by the Act or these regulations.
- (2) If public consultation is sought the Executive Director must provide public notice using at least one of the following methods:
- (a) newspaper;
 - (b) mail distribution;

- (c) a method that provides reasonable notice to the public, as determined by the Executive Director.
- (3) The public notice must be
 - (a) publically available for at least seven business days;
 - (b) provided in one of the following licensing areas:
 - (i) the licensing area where the licensed premises is located, if a license has already been granted; or
 - (ii) the licensing area where the premises is located in respect of which a license is sought.
- (4) The public notice must be in writing and contain all of the following:
 - (a) the name of the applicant or licensee whose premises is the subject of the public consultation;
 - (b) the location of the premises that is the subject of the public consultation;
 - (c) the reason for the public consultation;
 - (d) notification that any person may, by filing a notice with the Executive Director by the deadline set in the public notice, do any of the following:
 - (i) object to an application by an applicant or licensee, if the application is the subject of public consultation;
 - (ii) comment on a matter that is the subject of the public consultation.
- (5) A notice of comment or objection in clause (3)(d) must be in writing and contain all of the following:
 - (a) the name, address and phone number for the person providing the comment or objection;
 - (b) the name of the applicant or licensee, or the location of premises, that is the subject of the comment or objection;

(c) the comment or objection

VIII. INQUIRIES

Penny Frenette	Phone:	(902) 424-6160
Manager, Licensing	Fax:	(902) 424-6313
Alcohol, Gaming, Fuel and Tobacco	Email:	Penny.Frenette@novascotia.ca
Division		
PO Box 545		
Dartmouth NS B2Y 3Y8		

Author: Penny Frenette
Manager, Licensing
Alcohol, Gaming, Fuel and Tobacco Division

23 FEBRUARY 2017

Date



John MacDonald, Executive Director

