



From
the
Chair ...

DAVID C. GAVSIE

As we move towards the beginning of a new year, it is always worthwhile to pause and look back on the various challenges and accomplishments that occurred during the past twelve months.

For us at the Alcohol and Gaming Commission of Ontario (AGCO), 2006 was an especially active year involving a major relocation of business operations, and a series of far-reaching policy initiatives that will have both a positive and constructive effect on the alcohol and gaming business sectors in Ontario.

New headquarters

In May of this year we completed the move to a new headquarters at 90 Sheppard Avenue East, Toronto. Some 300 staff and a wide array of technical equipment including our electronic gaming testing lab were relocated. This location in north Toronto is conveniently situated a block and a half East of the corner of Yonge Street and Sheppard Avenue with easy access from the subway, and lots of visitor parking. Our new facilities are much more customer and client accessible, modern and friendly.

*The AGCO completed a major **Organization Review**, assisted by outside consultants, that was aimed at determining the best organizational design for the Commission, and one that would ensure the successful delivery of priorities and core business functions in the future. Recommendations from the Review have now been incorporated into the AGCO'S 2006/07 Business Plan.*

*On the other side of our business, the non-liquor element, the **Modernization of Charitable Gaming** initiative launched late in 2004 is working its way towards implementation. A number of preliminary*

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Proposed changes to Ontario's liquor laws proceeding through legislative process

Bill 152, the Ministry of Government Services Consumer Protection and Service Modernization Act, 2006 with amendments to the *Liquor Licence Act* received 3rd reading in the Ontario Legislature on Tuesday, December 12, 2006.

Proposed amendments to the *Liquor Licence Act* and Regulations are aimed at improving public safety and increasing service delivery.

Included in the **proposed** changes are regulatory measures to protect bar patrons from dangers such as date rape drugs. This change would allow patrons in liquor licensed facilities to take their drinks to a hallway or washroom. Consumers would be able to monitor their drinks at all times reducing the likelihood an unknown substance, such as date rape drugs, could be added to their drinks without their knowledge. Details on how to implement this change are now being worked on by the AGCO.

Must be authorized

This change and other proposed reforms to the LLA and Regulations are not yet in effect. Licensees and liquor licensed establishments should keep in mind that until the changes have been authorized by the Government the current liquor laws remain in place and violations to the LLA are subject to present disciplinary action or fines.

Other **proposed** reforms to the LLA are designed to deter illegal activity by increasing powers for AGCO investigators to better examine situations where liquor licence applicants or licensees may be acting on behalf of others, such as business associates, family or friends, who are ineligible for a liquor licence. This change would permit the AGCO to refuse or revoke a liquor licence should the applicant or licensee be unable to demonstrate that they are the true operator of a licensed establishment.

There are several other **proposed** changes to the liquor regulatory regime. These changes were outlined in the **Special Edition of Licence Line** sent to all licensees and interested parties in November 2006. To review this material, go to the AGCO website at www.agco.on.ca. Click on publications; click on Licence Line; click on 2006 Special Edition (Volume 6: Issue 2).

Licensees and other interest parties are advised to keep up-to-date on the progress of the **proposed** changes to the LLA and Regulations from media reports and scanning frequently the AGCO internet site. ■

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Alcohol and Gaming Commission of Ontario
90 Sheppard Avenue East, Suite 200
Toronto, Ontario
M2N 0A4



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steps were put in place in 2006, such as an interim revenue model now available to municipalities and charitable organizations to help stabilize charitable fund-raising activities.

Following a review of our **Hearing Process** last year, we have established new Rules of Practice, and streamlined and refined how we schedule disciplinary hearings before the Board. Since we incorporated the new procedures in late 2005, we have been able, in 2006, to reduce requests for a hearing date by more than eight weeks (from an average of more than nine months to less than seven months). We hope to improve this downward trend even more in 2007; and we have had measurable success of encouraging early settlements through agreements with the parties involved.

Liquor proposals

Of province-wide major significance are the **proposed** changes to Ontario's liquor laws.

In October, the Minister of Government Services, to whom the Commission reports, announced comprehensive **proposals** to update the province's liquor laws-and implementing legislation was introduced in the Legislature.

These **proposals** which include allowing patrons to take their drink to a hallway or washroom and broadening the scope of AGCO investigations during the licensing process are the result of consultations with the public, hospitality industry and stakeholder focus groups.

The AGCO was an integral player in this process and provided a substantial number of the recommendations that are included in the **proposals** put forward by the government. Also included in the **proposed** changes will be a more concerted effort by the AGCO to provide better education initiatives to enhance knowledge of licensees relating to their responsibilities under the liquor regulatory regime.

At this time, the **proposed** changes to the Liquor Licence Act and Regulations are being debated in the Ontario Legislature. All licensees and other interested parties should remember that none of the **proposed** changes are law, and everyone should wait until they are approved.

It is with a great deal of pleasure that I have this opportunity to wish all of our clients, stakeholders, the Board members and the management and staff of the Alcohol and Gaming Commission of Ontario, a most happy, prosperous and healthy NEW YEAR.

We look forward to an interesting, challenging and productive year in 2007.

Season's Greetings!

David C. Gavsie
Chair

Reminder – we have moved !

The head office of the Alcohol and Gaming Commission of Ontario has moved to a new location. We are now located at:

**90 Sheppard Avenue E.
Suite 200
Toronto, Ontario
M2N 0A4**

This new location is conveniently located on the Yonge Street sub-way line and is only one block east from the Yonge/Sheppard Ave. intersection.

Main Reception Offices are on the 2nd floor, and the Hearing Offices/Rooms are on the 3rd floor.

All current telephones lines will remain in operation.

Check our website at www.agco.on.ca in connection with the new location. ■



AGCO – NEW LOCATION

Parliamentary Assistant Appointed

Vic Dhillon, MPP (Brampton West-Mississauga) has been appointed Parliamentary Assistant to the Minister of Government Services.



VIC DHILLON, MPP

He is also Chair, Standing Committee on Justice Policy and Deputy Government Whip. He was first elected to the Ontario Legislature on October 02/03.

The Alcohol and Gaming Commission of Ontario (AGCO) which has responsibility for licensing activities and enforcement of the province's liquor laws reports to the Ontario Legislature through the Ministry of Government Services. ■

Recent Appointments to the Board of the AGCO

Mr. Guy Maurice, Wyevalle, Ontario (near Barrie) has been appointed as a full-time member to the Board of the Alcohol and Gaming Commission of Ontario for a period of two years.

Mr. Maurice is a former Justice of the Peace (J.P.).

Also, **Beryl Ford** (Brampton, Ontario) has been reappointed as a part-time member of the Board for a period of three years. She is a former chair of the Peel District School Board.

And, **Brian J. Ford**, Ottawa has been appointed for a further three year term as a part-time member of the Board. Mr. Ford was previously Ottawa Chief of Police. ■

Director of Licensing & Registration Branch Appointed

AGCO Chief Executive Officer, **Mr. Jean Major** has announced the appointment of **Tom Mungham** as the new Director of Licensing and Registration. The appointment is effective December 1, 2006.



TOM MUNGHAM

Mr. Mungham was most recently Chief Financial Officer and Director of the Business and Financial Services Bureau of the Ontario Provincial Police (OPP). He also has considerable experience in developing employer training programs and leading organizations through information technology changes.

Mr. Major said Mr. Mungham is an accomplished executive who has held senior positions in both the private and public sectors. "He is well positioned to lead the (Branch) through the many challenges that lay ahead including changes originating from the proposed reform of the *Liquor Licence Act*", said Mr. Major. ■

A DAY IN THE LIFE OF A LIQUOR INSPECTOR

Liquor Inspectors are employed by the Alcohol and Gaming Commission of Ontario. They play a very important role in helping the AGCO to fulfill its mandate of regulating the alcohol and gaming sectors in accordance with the principles of honesty and integrity, and in the public interest.

Liquor inspectors work varied hours. You will see them enter a licensed establishment at all times of the day or night to conduct inspections. It is very important when a liquor inspector is conducting inspections that they receive full cooperation from licensee staff members at all times. Liquor inspectors are there to not only ensure compliance under the *Liquor Licence Act* but to educate licensees on running the establishment within the confines of the law. Failure to cooperate with the inspection could result in disciplinary action.

Who's in charge!

A liquor inspector usually begins the day in the office doing various administrative duties before going out on the road. Once on the road they begin to do compliance inspections at licensed establishments.

To start the compliance inspection a liquor inspector enters the premises and usually requests to speak to the person in charge (manager/owner) right away. It is very important to ascertain who the person in charge is as someone must be responsible for the actions inside the establishment. Then they inspect such things as stock areas, bar displays and storage, draft lines, washroom and kitchen areas. Liquor inspectors may also ask a licensee to see such things as LCBO and The Beer Store

receipts dating back to the required year. (A licensee must keep the receipts, **Smart Serve** certification for staff members, the required **Liquor Menu** and any other documents pertaining to the licensed establishment.) The **Liquor Licence** (both pages if applicable) must be posted in a conspicuous location as well as the required **Sandy's Law** sign.

Violations

Depending on the type of licensed establishment, a liquor inspector may ask to see a **capacity count** conducted by one of the licensee's staff (usually in nightclub settings), and may conduct observations looking for things such as *intoxicated patrons, patrons who appear to be under the age of 19 years old and are consuming alcohol, the permitted use of narcotics on the premises, any disorderly behaviour by patrons, the sale/service of alcohol outside the allowed hours and the failure to clear all signs of service 45 minutes past the allowed time that liquor is allowed to be served.*

(The above infractions are the most common violations of the *Liquor Licence Act* and Regulations committed by licensees which lead to liquor licence suspensions and sometimes

revocation of a liquor licence).

Undercover capacity

A liquor inspector may also enter the licensed establishment in an undercover capacity. This means they do not tell a licensee who they are when they enter or when they leave. They will conduct observations and when it is practical to do so, the licensee will be informed of any infractions that were observed. An inspector will notify the licensee of the outcome of an undercover inspection. However, it may not be until several days later that a licensee is contacted.

After the inspection is completed liquor inspectors are responsible for reporting observations to their supervisors who are **Ontario Provincial Police** officers. Liquor inspectors and OPP officers make up the **AGCO'S Investigations Unit**. The Registrar and deputy registrar(s) appointed under the *Liquor Licence Act* rely on the work of the Unit to assist them in exercising their responsibilities in assessing whether disciplinary action is warranted based on the results of these inspections. A licensee will be notified in writing if any action will be taken.

The *Liquor Licence Act* governs how a licensee operates the licensed establishment and how liquor inspectors do their jobs. Inspectors are available to answer any questions a licensee may have. They encourage licensees to take advantage of their knowledge of this legislation in order to ensure the licensed establishment is operating the best that it can and within the liquor laws of Ontario. ■



Q&A Questions & Answers

Operate Another Business from a Licensed Premises

Q: Can I operate another business (i.e. a clothing sale) from my licensed establishment?

A: No. The *Liquor Licence Act* states that the premises for which a licence is issued must be used primarily for the sale and service and for consumption on the premises, of light meals and liquor.

The licence holder shall not operate or permit to be operated at the premises to which the licence applies any business other than,

- (a) the sale and service of liquor and food;
- (b) the sale of articles incidental to the sale and service of liquor and food;
- (c) the sale of lottery tickets distributed under a government licence; or
- (d) the provision of entertainment ancillary to the sale and service of liquor and food.

Province-wide anti-smoking laws in effect

On May 31, 2006 the Ontario government proclaimed the *Smoke-free Ontario Act* as part of a broad effort to improve public health.

The legislation bans smoking in all enclosed workplaces and enclosed public places to protect workers from second-hand smoke.

Smoking is now banned in restaurants, bars, nightclubs, banquet halls, casinos, slot operations at racetracks, legion halls and other entertainment facilities, including enclosed outdoor patios designed to shelter smokers from rain and cold weather, and establishments deeming themselves as "private clubs". For more information on the province's smoke-free laws visit the internet site at www.ontario.ca/smokefree ■

New Year's Eve hours

Ontario licensed establishments are permitted to serve beverage alcohol until 3:00 a.m. for New Year's Eve.

Regulation 719/90, Section 25 of the *Liquor Licence Act* allows sale and service from 11:00 a.m. on New Year's Eve (December 31) through to 3:00 a.m. on the following day, an hour later than normal service time.

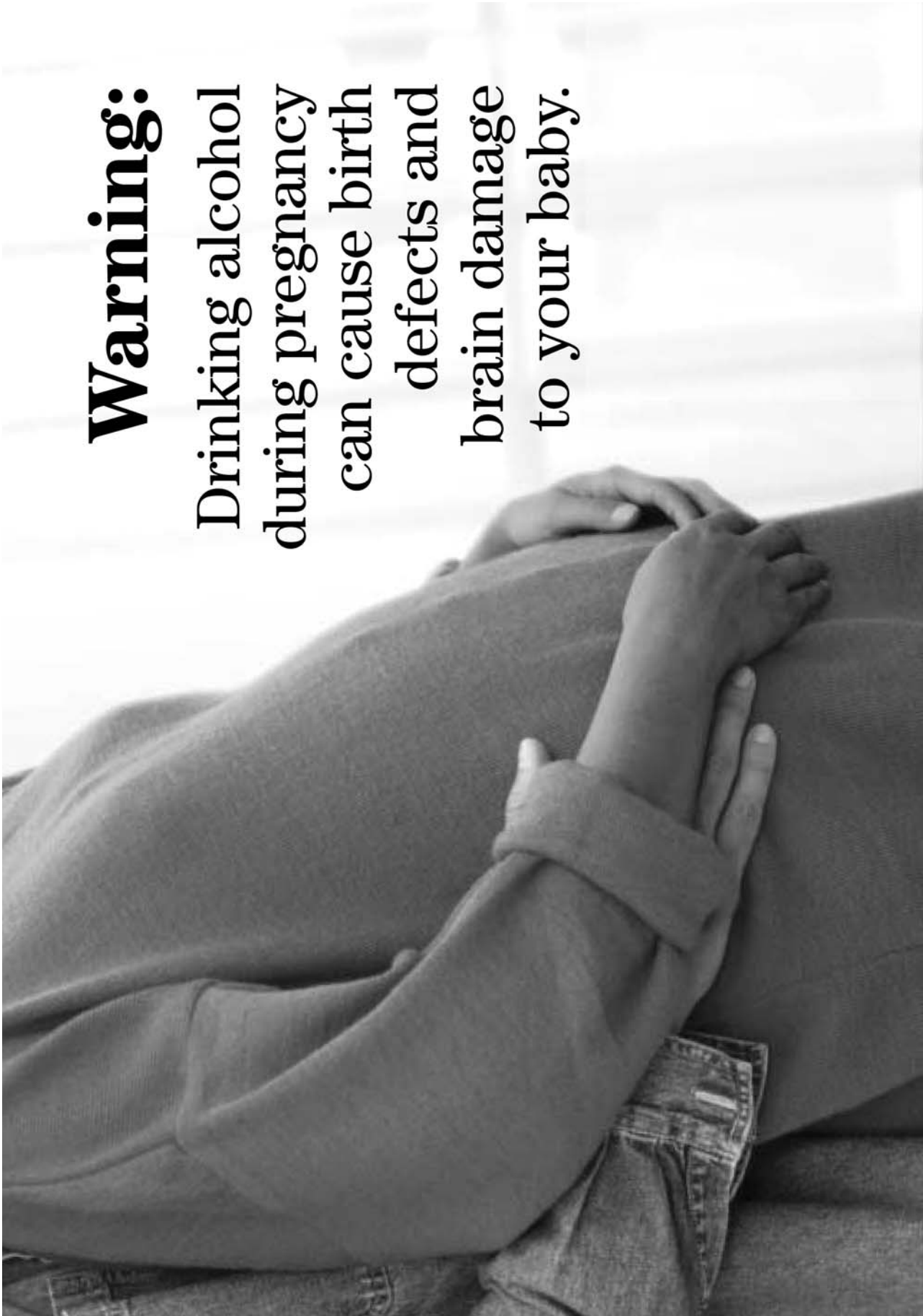
For those who may hold Special Occasion Permits (SOPs), the New Year's Eve hours are extended from 1:00 a.m. to 2:00 a.m.

Licensees and SOP holders are reminded they must remove all signs of service and consumption of liquor within forty-five minutes after the stop-service time.

While New Year's Eve is a traditional time to celebrate, licensees, party-goers and celebrants are reminded that drunk driving and inappropriate behaviour such as intoxication is not tolerated.

Everyone can have a good time during the New Year's Eve celebrations, but also important is the responsible service and drinking of alcoholic beverages. ■

Sandy’s Law: Sample Signage (cut out or photocopy and display in prominent location)



Warning:
Drinking alcohol
during pregnancy
can cause birth
defects and
brain damage
to your baby.

1-877-FAS-INFO • www.alcoholfreepregnancy.ca



Decision Summary

The following establishments were recently brought before the Board of the AGCO for disciplinary action. The list represents only those licensees that received suspensions of 14 days or more and revocations for the period beginning April 1, 2006 ending October 31, 2006. Any omissions will be reflected in our next edition. Sanctions for similar infractions may vary in length according to the specifics of each case. Details about all Board decisions are now available on QUICKLAW.

ESTABLISHMENT	INFRACTION	SANCTION
5 Star Sports Café, Toronto	Service outside prescribed hours; permitted removal of liquor from premises; permitted drunkenness	45 days
A.J.’s Hangar, Kingston	Permitted removal of liquor from premises	20 days
Alto Basso Bar, Toronto	Overcrowding	60 days
Ania’s, Toronto	Overcrowding; failure to retain records of sales and purchase of liquor	21 days
Armani’s Nightclub, Thunder Bay	Permitted drunkenness	14 days
Atlantic Restaurant, Toronto	Liquor sold to person who appears to be intoxicated; service outside prescribed hours	35 days
Beef ‘N Bird Tavern, Sudbury	Overcrowding; permitted drunkenness	20 days
Bel Café Bar, Toronto	Permitted drunkenness	14 days
Blue Moon Restaurant, Toronto	Liquor sold to person who appears to be intoxicated; public interest; permitted drunkenness and disorderly conduct	Revoked
Blue Moon, Windsor	Past conduct; change to the corporate licensee without Registrar approval; contracted out sale and service of liquor	Revoked
Blue Star Restaurant, Toronto	Liquor sold to person who appears to be intoxicated; no light meals available; permitted drunkenness and disorderly conduct	25 days
Brew Experts, Hawkesbury	Failed to ensure customer removed product; failed to ensure that each carboy being used for making beer or wine had attached to it the required tag; licensee advertised beer or wine in a manner inconsistent with the regulations	14 days
Brewster’s Roadhouse Restaurant, Brampton	Permitted drunkenness	14 days
Café Luso Churrasqueira, Toronto	Service outside prescribed hours; obstructing an inspection	18 days
Campbell Street Station Restaurant, Sarnia	Serving minors; failure to inspect identification; permitted drunkenness	18 days
Carib Circle, Toronto	Failure to facilitate inspection; liquor not purchased under licence; permitted narcotics on premises; non-compliance with <i>Fire Protection and Prevention Act</i>	32 days
Champs Sports Bar, Prescott	Encouraged immoderate consumption; liquor sold to person who appears to be intoxicated; permitted drunkenness	21 days
Channaman’s Caribbean Corner Restaurant, Scarborough	Liquor not purchased under licence; failure to facilitate inspection	30 days*
Charlie’s Eccentricafé, Harrow	Breach of condition	Revoked
Chimo Hotel & Restaurant, Cochrane	Failure to clear signs of service; permitted drunkenness	14 days
Churrasqueira O Espeto, Toronto	Service outside prescribed hours; failure to facilitate inspection	18 days
Clancy’s, Peterborough	Overcrowding	14 days
Collège Boréal, Sudbury	Serving minors; permitted removal of liquor from premises	14 days
Copperfields Restaurant, Belleville	Permitted removal of liquor from premises; overcrowding; permitted drunkenness	18 days
Dixie’s Bar and Grill, Kitchener	Failure to clear signs of service; permitted removal of liquor from premises; permitted drunkenness	14 days
Dream Lounge, Toronto	Failure to clear signs of service; permitted drunkenness	14 days
Duc Hung Vietnamese Restaurant, Toronto	Failure to post Fetal Alcohol Spectrum Disorder warning sign; non-compliance with <i>Fire Protection and Prevention Act</i> ; permitted narcotics on premises; over-service; liquor not purchased under licence; failure to give access to police; failure to retain records of sales and purchases of liquor	60 days
Dynasty Bar & Grill, Toronto	Permitted drunkenness, violent and disorderly conduct; failure to clear signs of service	Revoked

* All managers and servers must take Smart Serve® responsible server training program.

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ESTABLISHMENT	INFRACTION	SANCTION
Emerald Restaurant & Sports Bar, Toronto	Permitted removal of liquor from premises; permitted drunkenness; failure to retain records of sales and purchases of liquor	21 days
Evolution Restaurant & Nightclub, Toronto	Failure to post Fetal Alcohol Spectrum Disorder warning sign; permitted removal of liquor from premises; failure to post licence in a conspicuous place; failure to provide or post liquor menu in accordance with regulations; breach of condition	Revoked
Fez Batik and B-Side, Toronto	Permitted removal of liquor from premises; permitted drunkenness; permitted noise from licensed outdoor area to disturb local residents	21 days
Focus Karaoke and Lounge, Richmond Hill	Service outside prescribed hours; failure to clear signs of service; permitted drunkenness	18 days
Fox & Fiddle Restaurant (The), Scarborough	Permitted drunkenness, violent and disorderly conduct	14 days
Fred’s Bar & Grill, Mississauga	Past conduct	21 days
Grand Night Club (The), Sudbury	Serving minors; overcrowding	14 days
Grand Night Club (The), Sudbury	Serving minors; permitted removal of liquor from premises; failure to inspect identification; permitted drunkenness	21 days
H.I.M./Sneakers, Toronto	Permitted drunkenness; permitted narcotics on premises	35 days
Hardwood Billiards & Café, Ajax	Serving minors	14 days
Hoang Viet Billiards, Toronto	Service outside prescribed hours; failure to clear signs of service; permitted drunkenness	14 days
Horn of Africa Restaurant (The), Ottawa	Liquor not purchased under licence	20 days
Hotel Boutique Lounge, Toronto	Liquor not purchased under licence; overcrowding; permitted drunkenness, violent and disorderly conduct; service outside prescribed hours; serving minors; obstructing an inspection; failure to facilitate inspection	60 days
Inntowner Tavern, Thunder Bay	Serving minors; overcrowding	90 days
Island Pride Plus, Brampton	Liquor sold to person who appears to be intoxicated; permitted drunkenness; permitted narcotics on premises; overcrowding	18 days
Jack’s Backyard, Brampton	Overcrowding	17 days
Jimmy’s, Toronto	Permitted drunkenness; permitted narcotics on premises	30 days
Johnny Shotz Billiards and Café, Tecumseh	Overcrowding; permitted drunkenness	16 days
Kelly’s Welcome Irish Pub and Restaurant, Manotick	Substituted liquor without customer’s consent; permitted drunkenness; service outside prescribed hours; failure to provide or post liquor menu in accordance with regulations	18 days
Kramer’s Coffee, Toronto	Liquor sold to person who appears to be intoxicated; service outside prescribed hours; permitted drunkenness	25 days
Krystle’s Family Restaurant, Renfrew	Permitted drunkenness, violent and disorderly conduct	14 days
Krystle’s Family Restaurant, Renfrew	Failure to inspect identification	14 days
La Cantina, Sarnia	Permitted drunkenness, violent and disorderly conduct; liquor sold to person who appears to be intoxicated	21 days
Ledo Hotel, Sudbury	Serving minors; failure to inspect identification; permitted drunkenness	35 days
Lee’s Palace, Toronto	Service outside prescribed hours; failure to clear signs of service	15 days
Little Memphis Cabaret, Windsor	Failure to clear signs of service	15 days
Lot 332, Toronto	Overcrowding; permitted drunkenness	28 days
Lust Nightclub, Toronto	Permitted narcotics on premises; permitted drunkenness, violent and disorderly conduct; serving minors	Revoked
Mad Trapper’s Food Lodge & Beer Hall, Tillsonburg	Liquor sold to person who appears to be intoxicated; permitted drunkenness and disorderly conduct	14 days
Maple Leaf Sports Bar & Grill, Toronto	Failure to clear signs of service; permitted drunkenness	25 days
* All managers and servers must take Smart Serve® responsible server training program.		

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ESTABLISHMENT	INFRACTION	SANCTION
Maple Leaf Tavern, Toronto	Liquor not purchased under licence; permitted drunkenness; permitted narcotics on premises	30 days
May Café, Toronto	Permitted violent and disorderly conduct	28 days
Murphy’s Inn, Cornwall	Permitted unlawful gambling	30 days
My Town Restaurant, Toronto	Failure to post Fetal Alcohol Spectrum Disorder warning sign; permitted drunkenness; failure to retain records of liquor	16 days
New Crossroads House (The), Toronto	Liquor not purchased under licence; permitted removal of liquor from premises; permitted drunkenness; permitted narcotics on premises	45 days
New Moon Bar and Restaurant, Toronto	Liquor sold to person who appears to be intoxicated; permitted drunkenness	25 days
Peters Bar & Grill on Adelaide, Toronto	Encouraged immoderate consumption; breach of condition; permitted drunkenness; overcrowding; permitted noise from licensed outdoor area to disturb local residents	21 days
Pete’s Place Restaurant, Toronto	Permitted drunkenness, violent and disorderly conduct; serving minors; failure to inspect identification	14 days
Phil’s Grandson’s Place, Waterloo	Serving minors; permitted drunkenness, violent and disorderly conduct	15 days
Pho 66, Toronto	Permitted removal of liquor from premises; permitted drunkenness, violent and disorderly conduct; non-compliance with <i>Fire Protection and Prevention Act</i>	20 days
Phoenix Theatre (The), Toronto	Overcrowding	14 days
Piazza Sport Bar & Café, Toronto	Service outside prescribed hours; serving minors; failure to clear signs of service; permitted removal of liquor from premises; permitted drunkenness and disorderly conduct; non-compliance with <i>Fire Protection and Prevention Act</i>	30 days
Player’s Sport Bar, Toronto	Failure to facilitate inspection; permitted removal of liquor from premises; permitted drunkenness, violent and disorderly conduct; permitted narcotics on premises; breach of condition	45 days
Plaza Garibaldi, Toronto	Liquor not purchased under licence; failure to provide or post liquor menu in accordance with regulations	14 days
Portuguese Café Bar, Toronto	Service outside prescribed hours; permitted drunkenness	30 days
Prime Time, Oakville	Serving minors; failure to inspect identification; permitted drunkenness	20 days
Pulse Night Club, Toronto	Liquor sold to person who appears to be intoxicated; serving minors; failure to inspect identification; permitted drunkenness and disorderly conduct	30 days
Q’s Billiards & Café, Markham	Service outside prescribed hours; failure to clear signs of service; failure to post Fetal Alcohol spectrum Disorder warning sign; liquor not purchased under licence; liquor not in original container; failure to provide or post liquor menu in accordance with regulations; failure to post licence in a conspicuous place; obstructing an inspection; failure to facilitate inspection; substituted liquor without customer’s consent	14 days
Queen’s Pub, Napanee	Permitted removal of liquor from premises; overcrowding; permitted drunkenness, quarrelsome and disorderly conduct; liquor sold to person who appears to be intoxicated	25 days
Renna’s Entertainment Centre, Toronto	Past conduct; not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i> ; obstructing an inspection	Revoked
Republik Nightclub, Toronto	Overcrowding; permitted drunkenness	17 days
River Rock Café and Nightclub, Sault Ste. Marie	Overcrowding; permitted drunkenness; past conduct; not financially responsible in conducting its business	Revoked
Ross Bar & Grill, Toronto	Permitted removal of liquor from premises; permitted drunkenness	45 days
Royal Hotel, Picton	Permitted drunkenness	21 days
Royal Hotel, Whitby	Permitted narcotics on premises	28 days
Ruby Chinese Restaurant, Toronto	Overcrowding	14 days
Scudder Beach Bar & Grill, Pelee Island	Failure to clear signs of service; permitted removal of liquor from premises; permitted drunkenness; liquor sold to person who appears to be intoxicated; breach of condition	21 days

* All managers and servers must take Smart Serve responsible server training program.

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ESTABLISHMENT	INFRACTION	SANCTION
Sincity Palazzo Entertainment, Toronto	Carried on business under a name other than the name set out on the licence; encouraged immoderate consumption; serving minors; permitted removal of liquor from premises	40 days
Smijie’s Bar and Grill, Kingston	Overcrowding	21 days
Sneakers Sports Bar and Grill, Newmarket	Liquor sold to person who appears to be intoxicated; permitted drunkenness	15 days
Solid Gold Adult Entertainment, London	Serving minors; permitted removal of liquor from premises; permitted drunkenness, violent and disorderly conduct; permitted narcotics on premises	30 days
Solid Gold Inn, Burlington	Permitted drunkenness; failure to post sign concerning suspension	17 days
Stampede Corral Restaurant, Kitchener	Overcrowding	14 days
Stone Street Bar & Grill, Gananoque	Liquor sold to person who appears to be intoxicated; permitted drunkenness	18 days
Take One Studios, Markham	Failure to clear signs of service; permitted drunkenness and disorderly conduct	18 days
Take One Studios, Markham	Serving minors; failure to inspect identification, permitted drunkenness	60 days
Tantra Restaurant & Bar, Toronto	Overcrowding	31 days
Tinh Say Karaoke, Concord	Permitted narcotics on premises	14 days
Up & Down Bar Lounge, Toronto	Permitted drunkenness, violent and disorderly conduct; permitted removal of liquor from premises	20 days
VC’s Bar & Grill, North York	Permitted removal of liquor from premises; permitted drunkenness	17 days
Vibe Nightclub, Peterborough	Serving minors; permitted drunkenness and disorderly conduct	21 days
Wah Too Seafood Restaurant, Toronto	Liquor not purchased under licence	14 days
Wallace Arms, Ajax	Failure to post Fetal Alcohol Spectrum Disorder warning sign; permitted drunkenness; failure to post licence in a conspicuous place	14 days
Walton Hotel (The), Port Hope	Not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i> ; serving minors; permitted drunkenness	Revoked
West Hotel, Thunder Bay	Permitted drunkenness	40 days
West Side Moronis, Gananoque	Liquor not purchased under licence; permitted removal of liquor from premises; overcrowding; required purchase of liquor in order to gain entry to, or remain on, the licensed premises; permitted drunkenness; breach of condition	Revoked
White House Hotel, Peterborough	Permitted drunkenness, violent and disorderly conduct	40 days
Woody’s Outhouse, Windsor	Permitted drunkenness	14 days
Zone 1, Mississauga	Failure to clear signs of service; permitted violent and disorderly conduct; permitted narcotics on premises; failure to post sign concerning suspension	40 days
The following is a list of sanctions where the licensee did not request a hearing and received suspensions of 14 days or more and revocations for the period beginning April 1, 2006 ending October 31, 2006. Any omissions will be reflected in our next edition. Sanctions for similar infractions may vary in length according to the specifics of each case.		
ESTABLISHMENT	INFRACTION	SANCTION
318 Volume, Toronto	Past conduct; permitted riotous, quarrelsome, violent and disorderly conduct - did not contest	Revoked
Alto Basso Bar, Toronto	Not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i> - did not contest	Revoked
Avenue Hotel, Espanola	Permitted drunkenness, violent and disorderly conduct; liquor sold to person who appears to be intoxicated; permitted removal of liquor from premises - did not contest	21 days
* All managers and servers must take Smart Serve responsible server training program.		

Decision Summary continued from page 8		
ESTABLISHMENT	INFRACTION	SANCTION
Blue Boy Restaurant, Sault Ste. Marie	Breach of condition - did not contest	Revoked
Café D.J.'s, Toronto	Permitted removal of liquor from premises; permitted narcotics on premises; permitted drunkenness and disorderly conduct - did not contest	Revoked
Careca Sports Bar, Brampton	Serving minors; failure to inspect identification; failure to post Fetal Alcohol Spectrum Disorder warning sign; permitted unauthorized persons behind bar; obstructing an inspection; failure to facilitate inspection – did not contest	30 days
Cho Sun Ok Korean BBQ Restaurant, Hamilton	Illegal liquor; liquor not purchased under licence; failure to post Fetal Alcohol Spectrum Disorder warning sign - did not contest	14 days
Heart and Soul, Dunrobin	Not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i> - did not contest	Revoked
Imperial Jade Chinese Cuisine, Richmond Hill	Breach of condition; liquor not purchased under licence; failure to facilitate inspection; failure to provide or post liquor menu in accordance with regulations - did not contest	21 days
Kabin Music Lounge, Toronto	Serving minors; failure to inspect identification - did not contest	21 days
Krystal Restaurant and Bar, Etobicoke	Permitted unauthorized persons behind bar; failure to clear signs of service; breach of condition - did not contest	14 days
Leo the Lion Lounge, Woodbridge	Past conduct; permitted narcotics on premises - did not contest	Revoked
Lisas, Toronto	Failure to give notice of catered event; liquor not purchased under licence; permitted removal of liquor from premises – did not contest	14 days
M Bar, Hamilton	Liquor not purchased under licence - did not contest	21 days
Mill & Boiler Room (The), Dwight	Not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i> - did not contest	Revoked
New Commercial Hotel, Verner	Not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i> - did not contest	Revoked
O Descanco Sports Bar, Toronto	Breach of condition; not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i> - did not contest	15 days
Players Athletic Lager Co., Hamilton	Not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i> - did not contest	Revoked
Private I's Show Bar, Thunder Bay	Liquor not purchased under licence - did not contest	14 days
Raven Sport, Stoney Creek	Past conduct; not financially responsible in conducting its business - did not contest	Revoked
Soho Karaoke, Toronto	Failure to clear signs of service; permitted drunkenness - did not contest	21 days
Twelve Thirty Bar, Toronto	Past conduct; liquor not purchased under licence; permitted drunkenness, violent and disorderly conduct; permitted narcotics on premises; failure to retain records of sales and purchases of liquor - did not contest	Revoked
Yanni's Greek Garden, Hamilton	Past conduct; not financially responsible in conducting its business; obstructing an inspection - did not contest	Revoked
* All managers and servers must take Smart Serve responsible server training program.		

AGCO website has lots of information

If you are looking for general information on beverage alcohol, how to apply for a liquor sales licence or other liquor licensing matters, please visit our website at www.agco.on.ca. You can download, and fill out on screen, liquor related forms such as liquor licence applications, renewals, transfers, etc. ■



Sandy's Law

Earlier this year, new regulations were put in place that required all licensees to prominently display a sign warning patrons of licensed establishments that drinking alcohol during pregnancy can cause alcohol spectrum disorder (FASD).

Sandy's Law was named after MPP Ernie Parsons' (Prince Edward-Hastings) 25-year-old adopted son who died as a result of a brain aneurysm that doctors said was caused by malformed blood vessels, as a result of his mother drinking alcohol during pregnancy.

This is a **reminder** to all licensees that it is mandatory to post the proper signage in their licensed establishments.

Over the past several months since this Regulation took affect (February 5/06) a number of liquor licenses have been suspended for failing to observe this law. On page 4 of this edition of **Licence Line** we once again publish a *sample poster* that can be cut out/duplicated and used to display in a prominent location in the licensed premises. ■



Update Bring Your Own Wine (BYOW)

More than **1050** family and fine dining establishments, cafes and similar facilities across Ontario have now been approved to participate in this initiative. Introduced by the Ontario government in **February 2005**, **BYOW** provides consumers with a choice on how they want to spend their entertainment dollars and, gives licensees more flexibility in operating their business. Licensees who currently hold a liquor sales licence may apply for a BYOW endorsement to their liquor licence by filling out an endorsement form and returning it to the Licensing Branch of the AGCO. Endorsement Forms can be downloaded from our website at www.agco.on.ca Full details on **BYOW** and **Take Home the Rest (THTR)** are also on the AGCO website. ■



LIQUOR DELIVERY SERVICE REQUIREMENTS

A Liquor Delivery Licence allows you to deliver liquor purchased from the LCBO or The Beer Store to individuals for a fee.

In order to operate a Liquor Delivery Service in the Province of Ontario, you are required to obtain a licence from the AGCO.

This Liquor Delivery Service Licence is valid for a 2 year period, and expires on the date set out in the licence.

Operating Practices

- A copy of the Liquor Delivery Service Licence must be carried by each individual delivering liquor products.
- Before purchasing liquor, you must have an order from the person on whose behalf the purchase is being made. The order must include:
 - a) your name and address;
 - b) the kind(s) and quantities of liquor to be purchased;
 - c) the residential address where the liquor is to be delivered;
 - d) the name and address of the person on whose behalf the purchase is being made.

Once an order has been made you

can then go to the LCBO or The Beer Store to purchase the requested liquor.

- Liquor must only be delivered to a residential address or directly to a guest's hotel room. When you deliver the liquor you must obtain a signed receipt from the person who placed the order or by another person who is over 19 years of age who resides at the residence.
- Signed receipts must state:
 - a) the name and address of the person for whom the purchase was made;
 - b) the date of the delivery;
 - c) the kinds and quantity of liquor delivered;
 - d) the price paid for the liquor purchased;
 - e) the delivery fee;
 - f) the name of the person making the delivery.
- Liquor must be delivered the day it is purchased and while the retail store is open or within one hour of the retail store's closing.
- Return all liquor to the store it was purchased for a refund if the liquor is not delivered on the day of purchase.

- The licence holder shall charge the recipient of the liquor the following minimum fee for delivery:
 - a) \$6.00 is to be collected upon delivery to the municipalities of Burlington, Peterborough, Toronto and Welland;
 - b) \$5.50 is to be collected upon delivery to the municipalities of Barrie and Petawawa;
 - c) \$5.00 is to be collected upon delivery to the municipalities of Niagara Falls, Orillia and St. Catharines; and
 - d) \$4.00 is to be collected upon the delivery to all other municipalities.
- All records pertaining to the delivery of liquor, including purchase orders and signed receipts, must be kept at the place of business as set out in the licence for at least one year, and be made available upon request.
- The holder of a licence to deliver liquor cannot contract out the delivery of liquor.

Protect yourself, your staff and your business by understanding and obeying the *Liquor Licence Act* and its Regulations. ■

Licence Line is published by the Alcohol and Gaming Commission of Ontario to provide licensees and interested parties with information regarding alcohol legislation and related issues. Reader contributions, letters and suggestions are welcome. This newsletter is available free of charge to all holders of a liquor sales licence in Ontario.

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