

# LIQUOR LICENCES & HOW TO GET ONE

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- ▶ *4 Steps to Applying for a Liquor Licence*



## TYPES OF LICENCES AVAILABLE

Manitoba has 11 types of liquor licences, each with its own eligibility requirements/conditions.

The following is a brief summary of each type of licence and their unique features. A comparison of the different licence types appears on page 9 of this brochure.

More details regarding the various licences will be discussed with you when you meet with a representative from the MLCC.

### DINING ROOM LICENCE

- **Service of liquor only with a meal.**
- A kitchen and dining facilities (tables/seating) are required.
- A menu is required and it must have a minimum of five different multi-component meal choices i.e. burger, fries and coleslaw; or steak, potato and salad.
- Liquor service is permitted between 9:00 am and 2:00 am Monday to Saturday, and between 11:00 am and 2:00 am on Sunday.
- Annual licence fee - \$300.

### COCKTAIL LOUNGE LICENCE

- **A dining room licence at the same location is required.**
- Service of liquor is with or without a meal.
- Maximum capacity of cocktail lounge cannot exceed the seating capacity in the main licensed dining room.
- Liquor service is permitted between 9:00 am and 2:00 am Monday to Saturday, and between 11:00 am and 2:00 am on Sunday.
- Annual licence fee - \$500.

### BEVERAGE ROOM LICENCE

- **May be issued to an operator of a hotel having a sufficient number of guest rooms based on standards provided by the MLCC; holding a certificate of hotel registration from the MLCC\*; and a licensed dining room.**
- A variety of food including at least two hot food items must be available.
- Liquor service is permitted between 9:00 am and 2:00 am Monday to Saturday, and between 12:00 noon and 12:00 midnight on Sunday.
- Annual licence fee - \$500.

### RETAIL LICENCE

- May be issued to the operator of a beer vendor, brewer's retail store, wine manufacturer's retail store, distiller's retail store or sacramental wine vendor.
- **A beer vendor must be part of a hotel which has a sufficient number of guest rooms and holds a certificate of hotel registration from the MLCC\*.**
- The licence is for off-premises sales only.
- Off-premises sales are permitted between 9:00 am and 2:30 am Monday to Saturday, and between 12:00 noon and 12:00 midnight on Sunday.
- Annual licence fee - \$500.

\* For more information on a certificate of hotel registration, please contact the Licensing Department

## **CABARET LICENCE**

- **Live entertainment must be provided each day of operation.**
- May be issued to the operator of an establishment with kitchen and dining facilities.
- Service of liquor is with or without a meal.
- A menu is required and it must have a minimum of five different multi-component meal choices i.e. i.e. burger, fries and coleslaw; or steak, potato and salad.
- Liquor service is permitted between 9:00 am and 2:00 am Monday to Saturday, and between 12:00 noon and 12:00 midnight on Sunday.
- Annual licence fee - \$500.

## **SPORTS FACILITY LICENCE**

- May be issued to the operator of an establishment that features golf, court sports, skiing, bowling, rink sports, field sports, billiards, or a simulated golf/baseball facility, or hunting/fishing lodges.
- A kitchen and dining area must be provided, and the service of liquor is with or without a meal.
- A menu is required and it must have a minimum of five different multi-component meal choices i.e. i.e. burger, fries and coleslaw; or steak, potato and salad.
- Liquor service is permitted between 9:00 am and 2:00 am Monday to Saturday, and between 11:00 am and 2:00 am on Sunday **provided the sports activity for which the premises is licensed is taking place.**
- Annual licence fee - \$300.

## **SPECTATOR ACTIVITIES LICENCE**

- May be issued to the operator of an establishment constructed for the purpose of holding theatrical or musical arts, spectator sports events, conventions, exhibitions, or fairs.
- Service of liquor is with or without a meal.
- Liquor service is permitted between 9:00 am to 2:00 am Monday to Saturday, and between 11:00 am and 2:00 am on Sunday, **provided a live event for which the premises is licensed is taking place.**
- Annual licence fee - \$500.

## **PRIVATE CLUB LICENCE**

- May be issued to a non-profit corporation operating a private facility for a veterans' association, a sports or a fraternal organization.
- **A private club is only open to members and their signed-in guests.**
- Service of liquor is with or without a meal.
- Liquor service is permitted between 9:00 am and 2:00 am Monday to Saturday. Sunday service hours vary dependent upon the type of club.
- Annual licence fee - \$300.

## **TRANSPORTATION LICENCE**

- **May be issued to the proprietor, operator or lessee of a railway company; an excursion shop; an international airport; an air carrier company; or an inter-city bus line.**
- Service of liquor is with or without a meal.
- Hours of liquor service are dependent on the type of transportation.
- Annual licence fee - \$300.

## **CANTEEN LICENCE**

- May be **issued to the person in control of a military or police canteen.**
- Annual licence fee - \$300.

## **MANUFACTURER'S LICENCE**

- Please contact our Licensing Advisor at (204) 474-5630 for more information.

## **BASIC REQUIREMENTS FOR LICENSED PREMISES**

### **SEATING CAPACITIES**

- The maximum capacity of a licensed area is determined by measuring the area, deducting areas associated with games and stage and any area not available to patrons and dividing by 1.1148 sq. meters (12 sq. feet).
- A licence will not be issued for a capacity of less than 15 persons, with the exception of a cabaret licence which must have a minimum capacity of 200 persons.
- Seating in the cocktail lounge cannot be greater than in the adjacent dining room.
- Capacity may be further restricted by zoning, building code, health, or fire, etc. regulations/requirements.

### **PATIOS**

- You may be eligible for a patio area under your licence provided certain conditions are met. More information is available from the MLCC.
- Every licensed facility must have a permanent indoor seating area in order to qualify for a patio.

### **WASHROOMS**

Unless otherwise authorized, washrooms must be:

- provided within or adjacent to the licensed area;
- leased or owned by the licensee;
- under the licensee's care and control; and
- must meet Manitoba Building Code requirements with regard to numbers

## FOOD TO LIQUOR RATIO

- Revenue from the sale of liquor in a dining room must not exceed 60% of the combined liquor and food revenue (40/60 food to liquor ratio). This information must be reported to the MLCC on a quarterly basis.
- Cabaret licensees must maintain a minimum 10/90 food to liquor ratio with respect to total food and liquor sales.

## WHO CAN APPLY

You may be eligible to apply for a liquor licence if you are:

- An individual who is 18 years of age or older and a Canadian citizen or a permanent resident in Canada.
- A partnership authorized to do business in Manitoba whose partners are 18 years of age or older and Canadian citizens or permanent residents in Canada.
- A corporation authorized to do business in Manitoba.
- A government agency or department.

## WHERE TO APPLY

MLCC Licensing Department  
1555 Buffalo Place  
P. O. Box 1023  
Winnipeg, MB R3C 2X1

Licensing Advisor (204) 474-5630  
Licensing Clerk (204) 474-5606  
1-888- 898-6522 (MLCC)

Email [licinspect@mlcc.mb.ca](mailto:licinspect@mlcc.mb.ca)

## HOW TO APPLY

The four step process listed below applies to new applicants purchasing property not currently licensed or not been licensed in the past year.

If you are purchasing an existing licensed premises there are variations to the four step process. You can start the application process by submitting a signed copy of the offer to purchase. Upon receipt, you will be sent an application and information regarding supporting documents required to be submitted with your application. **It is important to note liquor licences are not transferable.** It is recommended possession date be set seven to ten days after the Licensing Board meeting.

The following are the four steps to getting a liquor licence. Each of the four steps has certain requirements and necessary documents. All steps must be completed and all required documents submitted prior to progressing to the next step. Your premises is not licensed and you cannot sell liquor until you have completed Step 4.

On average, it takes six to eight weeks to get a liquor licence depending on how quickly you complete your application and submit the required documentation.

## 4 STEPS TO APPLYING FOR A LIQUOR LICENCE

### STEP 1

Start by contacting the MLCC's Licensing Department. You will need to provide the following initial information:

- the type of licence you are interested in obtaining
- the name and location of premises
- a contact person's name, address and phone number.

If you are purchasing or leasing a premises that has never been licensed, or has not been licensed within the past year, a licensing advisor or liquor inspector will arrange to meet with you to get more detailed information.

Once all required information has been received and the Licensing Department has determined your premises is suitable for the type of licence you want, you will advance to step 2.

### STEP 2

You will be sent an application which you will need to complete and return to our offices. Along with the application, you will also receive:

- A list of all documents required to be sent with your application
- A list of documents not immediately required, but must be submitted prior to your receiving your licence.
- Instructions on advertising.

If your application and documents are sent in incomplete or are incorrect, your package may be returned to you for completion.

A \$500 application fee must be sent in with your application. You are responsible for all costs associated with advertising, criminal record checks, etc.

#### **Public advertising**

If you are purchasing or leasing a premises that is currently licensed or had the same type of licence within the past year, you are not required to advertise.

If a premises has never been licensed, or you are applying for a different type of licence than was held at that location during the past year, you will need to complete three types of advertising to advise the public of the licence application and allow for the public to object.

1. Advertising notice must be placed in the Manitoba Gazette;
2. Advertising notice must be placed in the local newspaper; and
3. Notice poster(s) must be erected at the site of the proposed licensed premises.

Instructions on advertising; the advertising notice forms; and notice posters will be sent to you with the application package.

**The law has strict deadlines on advertising. Failure to meet these requirements will delay your application.**

## **Criminal Record Check**

You; your partner(s); officer(s); and shareholder(s) with at least 10% of the shares of your corporation will need to provide a criminal record check. Where a licensee will not be present to manage the premises on a day to day basis and hires a person to be the primary manager for the operation, the proposed manager will also require a criminal record check. If a criminal record exists, you will be required to also provide a criminal record transcript. Having a criminal record does not automatically mean that your application will be turned down. The circumstances of your case will be reviewed as they relate to the responsibilities of holding a liquor licence.

## **Security Plans**

Applicants for beverage room, cabaret, cocktail lounge and/or spectator activities licences are required to submit a detailed security plan. Your detailed security plan should, at a minimum, take into consideration four primary areas: 1. identify potential risks to your premises/operations; 2. identify measures to reduce the risks; 3. ensure proper execution of your security plan (monitoring and training); 4. review your security measures and rehearse/review your security plan.

**NOTE:** Once the application is complete and the required documents are submitted and acceptable, your application will be considered by the Licensing Board at their next meeting.

## **STEP 3**

The Licensing Board meets every four weeks to consider new applications. Most applicants are not required to personally appear before the board, unless there are concerns with the application or the proposed operation. If you are required to attend, you will be notified of the date and time of the meeting.

If there is an objection, the applicant and objectors will be given a date to attend and will be given the opportunity to be heard by the Licensing Board. This hearing is open to the public.

The Licensing Board may set additional conditions and/or operating requirements for your licence when they meet.

You will receive the Licensing Board's decision, in writing, within five days of the decision being reached. At this time you will be advised of any other documents or requirements the board has requested before your licence can be issued.

## **Licensing Seminar**

Licensing seminars are held the same day as the Licensing Board meetings. Every applicant is required to attend a seminar and most licensees attend the same day as their matter is being reviewed by the Licensing Board. The seminar is provided free of charge to the applicant and provides a variety of information including, quarterly sales reports; renewing your licence; responsible service; available posters and signage and the role of the liquor inspector.

## STEP 4

Following Licensing Board approval, all outstanding documents must be submitted. Prior to the licence being issued, you must set up a time for the liquor inspector to conduct a final inspection to ensure all requirements have been met. This usually takes place approximately two weeks prior to opening of your premises. Other government regulatory agencies responsible for fire, health and building may also conduct inspections.

Please note that your premises are not licensed until all requirements in Step 4 have been completed.

You will be notified when your licence is ready. You may then pick it up or it will be mailed to you. Once you have received your licence, you may begin to sell liquor.

### WHAT OTHER IMPORTANT INFORMATION SHOULD I KNOW?

It is your responsibility to contact the local zoning authority to ensure the property is properly zoned and that community committee approval has been given for the intended use. A liquor licence cannot be issued by the MLCC without the prior approval of all government departments, including zoning, building code, health and fire.

In Winnipeg contact the Planning Property and Development Department, 31 - 30 Fort Street, Zoning - 986-5140. In rural Manitoba contact your municipal offices for guidance.

### ***It's Good Business***

In Manitoba, it is mandatory that owners, managers, servers and security in licensed premises be trained in the responsible sale and service of alcohol.

All new active owner(s) must successfully complete the *It's Good Business Responsible Service and Safety Program*, **prior to the issue of licence**. In addition, all manager(s), servers and security must successfully complete the course in accordance with MLCC guidelines.

The course is offered by Manitoba Tourism Education Council (MTEC) and you can obtain more details by contacting them at 1534 Gamble Place, Unit 100, Winnipeg, MB R3T 1N6, phone (204) 957-7437, (toll free within Manitoba 1-800-820-6832), web site: [www.mtec.mb.ca](http://www.mtec.mb.ca).



**PLEASE DRINK RESPONSIBLY – MODERATION TASTES SO MUCH BETTER**

May, 2010

## LICENCE TYPE COMPARISONS

	DINING ROOM	COCKTAIL LOUNGE	BEVERAGE ROOM	RETAIL BEER VENDOR	CABARET	SPORTS FACILITY	SPECTATOR ACTIVITIES	PRIVATE CLUB
<b>Food Requirement</b>	✓	✓	✓		✓	✓		✓
<b>Dining Room Licence Required</b>	✓	✓	✓					
<b>Certificate of Hotel Registration Required</b>			✓	✓				
<b>Live Entertainment Required</b>					✓			
<b>Hours of Liquor Service *</b>								
Mon. – Sat. 9 a.m. – 2 a.m.	✓	✓	✓		✓	✓	✓	✓
Mon. – Sat. 9 a.m. – 2:30 a.m.				✓				
Sun. 11 a.m. – 12 midnight								Varies depending on type of club
Sun. 11 a.m. – 2 a.m.	✓	✓				✓	✓	
Sun. 12 noon – 12 midnight			✓	✓	✓			
<b>Annual Licence Fee</b>	\$300	\$500	\$500	\$500	\$500	\$300	\$500	\$300
<b>Admittance of Minors</b>		Semi-restricted	restricted		Semi-restricted			
<b>Unique Requirement</b>	Liquor service with a meal					Approval of type of sports activity required	Restrictions on liquor service to hours event being held	Members and invited guest only

The information provided in this chart is a general summary of the most popular licence types and is designed only to assist the applicant in considering what type of licence(s) they may wish to apply for. Complete restrictions are detailed in *The Liquor Control Act* and Regulations.

\* Exceptions to these hours apply on holidays such as Christmas Day, Good Friday, Easter Sunday and Remembrance Day.