



In This Issue



DAVID C. GAVSIE

From the Chair...

*In this edition, our lead story is of significant importance to all licensees as it outlines the new policy around **monetary penalties** for infractions under the **Liquor Licence Act (LLA)**.*

*This is a **major change** from the past and it brings Ontario policy in line with most other Canadian provinces. The new program is the result of major consultations with the industry and is something stakeholders and many licensees have been pushing for over several years. It is a further step in modernizing the province's liquor laws and complements recent revisions to the LLA, and the introduction of risk-based licensing and risk-based enforcement.*

***Monetary penalties** provide an alternative tool to encourage compliance with the LLA. Previously, the only options available were a warning or a suspension/revocation of the licence.*

A licensee assessed a monetary penalty may request an appeal before the Board.

*It should be noted, **more serious** offences such as serving intoxicated patrons, serving to minors and allowing narcotics will not be subject to monetary penalties, but will continue to be dealt with by the usual methods such as a suspension or revocation.*

I would emphasize that the monies collected from monetary penalties will be used exclusively by the AGCO for education and training programs for licensees and public awareness initiatives.

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Monetary penalties system now in effect

New compliance option lies between a warning and a suspension

Effective January 1, 2009, the AGCO introduced the use of **monetary penalties** as a new compliance tool to act as a bridge between a warning and a suspension. Specifically, a monetary penalty is a financial consequence where a liquor sales licensee pays a defined amount as a result of a contravention of the *Liquor Licence Act (LLA)* or its Regulations.

The introduction of **monetary penalties** brings Ontario in line with the majority of other Canadian jurisdictions, which have some form of monetary penalty system. This system is being introduced after consultations with stakeholders on modernizing the regulations governing the sale and service of liquor in Ontario. The change also supports the AGCO's shift to be a more risk-based and compliance focused regulator.

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Risk-based licensing extended to transfers and changes

In the Summer 2008 edition of Licence Line (Volume 8, Issue 2), we introduced the risk-based licensing system, a new approach to the issuance and regulation of liquor sales licences, that came into effect in July 2008. This new system, which takes a risk-based and compliance-based approach to the issuance of licences, encourages good business practices by licensees and strategically focuses AGCO resources where they will make the most difference.

Where previously risk-based licensing applied only to new liquor licence applications, **effective January 2009, risk-based licensing will be used in the review of transfers and changes** (patio extensions, changes in capacity, etc.) in the following eleven Ontario municipalities:

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Monetary penalties will help to promote compliance

How will monetary penalties affect licensees?

The primary purpose of monetary penalties is to act as a bridge between a simple warning and a suspension of a liquor licence, and to provide the Registrar of Alcohol and Gaming (Registrar) with an added compliance tool for working with licensees before a suspension or revocation may be necessary.

In other words, monetary penalties are designed to promote compliance so that the suspension or revocation of a licence does not become necessary. However, monetary penalties will not replace the ability to suspend or revoke a licence where the situation warrants. Instead, it will complement other compliance tools available to the Registrar.

Not all types of infractions will be subject to a monetary penalty. Some serious offences under the LLA will still only be subject to suspension or revocation, such as serving

- Are there any mitigating circumstances, including a good compliance history?
- Is there a need for general or specific deterrence?

Monetary penalties as an additional tool to promote compliance

With the introduction of monetary penalties, the compliance tools available to the Registrar to deal with contraventions of the LLA and its Regulations now include:

- Verbal warning;
- Written warning;
- Monetary penalty;
- Increased monetary penalty;
- As part of risk-based licensing, additional licence condition(s);
- Suspension of licence;
- Increased suspension of licence; and
- Revocation of licence.



intoxicated patrons, serving minors, and permitting narcotics. Monetary penalties are also not likely to be used in cases where repeated or very serious violations of the LLA have occurred. Again, in these cases, a suspension or revocation would more likely be proposed.

Monetary penalties will be specifically geared to the circumstances of the offence

The Registrar will look at each case individually and consider the following criteria, if relevant, when deciding whether or not to impose a monetary penalty:

- Is the monetary penalty likely to help ensure future compliance by the licensee?
- What is the disciplinary history of the licensee, such as prior written warnings, conditions or terms, monetary penalties, suspensions, revocations and/or prosecutions?
- How was the contravention discovered or disclosed?
- Did the contravention involve actual or potential injury or loss to persons, property, or both?
- What is the type, size and location of the establishment?

Monetary penalties can be selected from a series of escalating regulatory options available—ranging from warnings to revocations—in order to gain compliance.

The schedules of monetary penalties were established by the Board of the AGCO and approved by the Minister of Government Services, and can be viewed on the AGCO website. The ranges of monetary penalties are designed to address the specific risks posed by each infraction. It is important to note that the schedules list only maximums, and that most penalties assessed will actually fall lower in the potential range.

The AGCO must use the funds collected through monetary penalties exclusively for education and training programs for licensees, as well as for public awareness campaigns, that will further promote compliance with the law in the future.

For more information on monetary penalties, please visit the AGCO website www.agco.on.ca or contact AGCO Customer Service at 1.800.522.2876 or 416.326.8700. ■

Q&A Questions & Answers: Monetary Penalties

Q. What is the purpose of monetary penalties?

A. Liquor sales licensees who are not in compliance with the law could be assessed a monetary penalty. The primary purpose of monetary penalties is to act as a bridge between a simple warning and a suspension of a licence or registration, and to provide the Registrar with an added compliance tool for working with licensees before a suspension or revocation may be necessary.

Q. What types of offences are included in monetary penalties?

A. Most offences under the LLA will be included in the monetary penalties system; however, some serious offences will not be eligible. These include serving intoxicated patrons, serving minors and permitting narcotics. In these cases, licensees will still only be subject to a suspension or revocation of their licence.

Q. Who will be affected by monetary penalties?

A. Potentially any liquor licensee could be assessed a monetary penalty as an alternative to suspensions or revocations as a result of specific breaches of the LLA and its Regulations. The amount of the monetary penalty will be based on approved Schedules.

Q. What are the actual dollar amounts of the penalties?

A. Each type of infraction has a certain range of monetary penalties associated with it. The Registrar will impose an amount from within that range. For example, if the monetary penalty range for a specific infraction is up to \$1,000, then the Registrar can impose the monetary penalty of any amount up to \$1,000 depending on the facts of the case.

Depending on the infraction and the circumstances surrounding the infraction, the maximum penalty for a liquor sales licensee or ferment on premises facility is \$5,000.

It is important to note that the Schedule lists only the maximum penalties for each offence, and most penalties assessed will actually fall below the maximum of the range, based on individual circumstances.

Q. What is the process for being assessed a monetary penalty?

A. Monetary penalties are not an 'on the spot' ticket system, such as one would get for a traffic or parking violation. Instead, the process for assessing a monetary penalty is similar to the one used to make decisions about proposals to suspend or revoke a licence, and the information provided to the Registrar will flow through the same channels. In many cases, a licensee will be given the opportunity to provide comments and discuss the specifics of the situation before any monetary penalties are imposed.

Q. Will I be able to dispute or appeal my monetary penalty?

A. Any licensee assessed a monetary penalty may ask for an appeal before the Board of the AGCO, which may uphold or set aside the monetary penalty for the infraction. However, if the Board upholds the monetary penalty, it cannot adjust the actual amount of the penalty imposed by the Registrar.

Q. Could two different establishments be assessed different monetary penalty amounts for the same infraction?

A. Yes. No two situations are exactly the same, even for the same type of infraction. When assessing a monetary penalty, the Registrar will consider the particular circumstances on a case-by-case basis.

Q. Could a single establishment be assessed different monetary penalty amounts for the same infraction that occurred at different times?

A. Yes. Remember that each infraction will be reviewed on a case-by-case basis and a graduated approach may be used for repeat infractions.

Q. Will monetary penalties just become "the cost of doing business" for successful establishments who have repeated infractions and can afford to pay the penalties?

A. No. The primary goal of the introduction of monetary penalties is to help ensure future compliance. If a licensee incurs repeated or serious infractions, the Registrar will likely propose to suspend or, if warranted, revoke the licence.

Q. Were monetary penalties developed in order to make money for the AGCO or for the government?

A. No. The AGCO is required to use all of the monies collected through monetary penalties exclusively for education and training programs for licensees, as well as for public awareness. This should encourage a greater understanding of regulatory requirements by industry stakeholders, as well as the responsibilities of the public-at-large, and help to create an environment more conducive for regulatory compliance. ■

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 **November 1, 2008** ending **January 31, 2009**. 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
Alfonsetti's Ristorante Italiano Stittsville	Not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i>	Revoked
Blurr Night Club, Toronto	Overcrowding; permitted drunkenness; permitted narcotics on premises	35 days
Cane Grove Restaurant, Toronto	Permitted drunkenness, quarrelsome, violent and disorderly conduct; licensee failed to ensure reasonable measures taken to deter disorderly conduct, or minimize the harm caused from it, in the vicinity of the licensed establishment	28 days
Clinton's, Toronto	Obstructing an inspection; service outside prescribed hours; failure to clear signs of service	14 days
Club 147, Timmins	Permitted riotous, quarrelsome, violent and disorderly conduct; licensee failed to ensure control of premises was maintained	36 days
Copperfields Restaurant, Belleville	Not financially responsible in conducting its business due to <i>Retail Sales Tax Act</i>	Revoked
Cottage Restaurant & Lounge, Toronto	Obstructing an inspection; failure to clear signs of service; permitted removal of liquor from premises; permitted drunkenness	14 days
El Mocambo Rocks, Toronto	Liquor sold to person who appears to be intoxicated; service outside prescribed hours; permitted removal of liquor from premises; permitted drunkenness, violent and disorderly conduct	20 days
Grace O'Malley's, Nepean	Permitted removal of liquor from premises; overcrowding; permitted drunkenness	18 days
Jamrock Bar and Grill, Hamilton	Failure to clear signs of service; liquor not in original container; permitted drunkenness; permitted narcotics on premises	65 days ¹
Little Texas Bar & Grill, Belleville	Overcrowding	14 days
Mackie's Restaurant Bar & Grill, Brampton	Past conduct; failure to clear signs of service; permitted violent and disorderly conduct; permitted narcotics on premises; contracted out sale and service of liquor in contravention of regulation; held a series of events sponsored by the same person; failure to ensure sale and service of liquor by authorized persons; failure to ensure employee has undertaken approved server training	Revoked ²

¹ Decision released October 31, 2008 ordering the suspension already served from May to July 2008 under an interim suspension. Decision released November 17, 2008 ordering a further 13 day suspension to start on January 2, 2009 for a total of 65 days.

² Licence revocation ordered October 14, 2008. Establishment under an interim suspension since August 1, 2008.

Decision Summary Continued from page 4

<i>ESTABLISHMENT</i>	<i>INFRACTION</i>	<i>SANCTION</i>
Metro Lounge, Toronto	Permitted drunkenness	18 days
O'Connor's Irish Pub, Ottawa	Permitted drunkenness	17 days
O'Grady's Tap & Grill, Toronto	Permitted drunkenness	14 days
Paddy O'Dea's Restaurant, Gloucester	Permitted unlawful gambling	14 days
Philthy McNasty's, Kanata	Permitted drunkenness and disorderly conduct; licensee failed to ensure reasonable measures taken to deter disorderly conduct, or minimize the harm caused from it, in the vicinity of the licensed establishment	33 days
Remedy Nightclub, Hamilton	Serving minors; overcrowding; permitted drunkenness	92 days
Serbian Community Centre, Windsor	Permitted drunkenness, violent and disorderly conduct	14 days
Sugar Island Restaurant and Bar, Mississauga	Breach of condition	25 days ³
The Conroy Pub, Ottawa	Serving minors; failure to inspect identification; liquor not purchased under licence; permitted drunkenness; licensee failed to ensure reasonable measures taken to deter disorderly conduct, or minimize the harm caused from it, in the vicinity of the licensed establishment	16 days
The James Joyce Irish Pub, Toronto	Permitted drunkenness	18 days
Trasheteria, Peterborough	Serving minors; overcrowding	21 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 **November 1, 2008** ending **January 31, 2009**. Any omissions will be reflected in our next edition. Sanctions for similar infractions may vary in length according to the specifics of each case.

Balmer Motor Hotel, Balmertown	Permitted drunkenness—did not contest	19 days
Blvd Room, Toronto	Permitted drunkenness; overcrowding—did not contest	30 days
Boston Pizza, Simcoe	Overcrowding; permitted drunkenness, violent and disorderly conduct—did not contest	17 days
Buddy's Bar and Grill, Toronto	Liquor sold to person who appears to be intoxicated; failure to clear signs of service; overcrowding; permitted removal of liquor from premises; permitted narcotics on premises; service outside prescribed hours; liquor not purchased under licence; failure to ensure sale and service of liquor by authorized persons; failed to provide requisite details concerning the catered event; permitted drunkenness; did not ensure light meals were available at event—did not contest	65 days

³ Decision released December 18, 2008 ordering a 25 day suspension, of which 13 days have already been served in October 2008 under an interim suspension. The remaining 12 days to start January 18, 2009 for a total of 25 days.

Decision Summary continued from page 5

<i>ESTABLISHMENT</i>	<i>INFRACTION</i>	<i>SANCTION</i>
Chocored Bar and Lounge, Markham	Failure to clear signs of service; obstructing an inspection; failure to facilitate inspection—did not contest	14 days
Churrasqueira O Espeto, Toronto	Liquor not purchased under licence; breach of condition—did not contest	60 days
Club 338, Toronto	Past conduct; permitted narcotics on premises; overcrowding; failed to have a defined partition making the premises readily distinguishable from adjacent premises; obstructing an inspection; failure to clear signs of service—did not contest	Revoked
Cocos, Grand Bend	Serving minors; failure to inspect identification; licensee permitted removal of person(s) from licensed premises with unnecessary force; permitted removal of liquor from premises; breach of condition—did not contest	21 days
Courthouse Bar & Grill Inc. (The), Newmarket	Serving minors; failure to inspect identification; overcrowding; permitted drunkenness, violent and disorderly conduct; licensee failed to ensure reasonable measures taken to deter disorderly conduct or minimize the harm caused from it, in the vicinity of the licensed establishment—did not contest	17 days
Dragonfly Night Club, Niagara Falls	Permitted drunkenness; permitted narcotics on premises—did not contest	28 days
Dunnville Grape Juice Ltd., Dunnville	The licensee failed to ensure the customer was provided the required ingredients before the end of the customer's first visit; the licensee failed to ensure that the customer combined or mixed beer wort, wine juice, wine juice concentrate or other juice or juice concentrate with the customer's other ingredients; provided services contrary to the regulations; produced on the licensed premises liquor for sale or exchange; kept for sale or exchange, offered for sale or exchange, sold or exchanged beer or wine on the licensed premises; gave liquor to person on licensed premises; permitted someone other than a customer to make liquor on the licensed premises; failed to provide and prepare an invoice setting out the required information; failed to ensure that each carboy being used for making beer or wine had attached to it the required tag—did not contest	19 days
First Choice Restaurant, Toronto	Permitted violent and disorderly conduct; permitted narcotics on premises; failure to clear signs of service—did not contest	21 days
La Vita Banquet Gala & Convention Centre, Woodbridge	Liquor not purchased under licence; permitted removal of liquor from premises; failure to clear signs of service—did not contest	14 days
Lameizi Barbecue Restaurant, Scarborough	Service outside prescribed hours; failure to clear signs of service—did not contest	17 days

Decision Summary continued from page 6

ESTABLISHMENT	INFRACTION	SANCTION
Le Skratch Billiards Bar & Grill, Oshawa	Breach of condition; failure to inspect identification; serving minors; overcrowding; permitted drunkenness; adulterated liquor; liquor not in original container —did not contest	30 days
Metro Lounge, Toronto	Serving minors; failure to inspect identification; permitted drunkenness—did not contest	17 days
One Love Restaurant and Bar, Toronto	Service outside prescribed hours; failure to clear signs of service; permitted removal of liquor from premises; overcrowding; non-compliance with zoning by-laws—did not contest	Revoked
Palazzo Sincity, Vaughan	Permitted drunkenness; permitted narcotics on premises; no light meals available; failure to post Fetal Alcohol Spectrum Disorder warning sign; failure to post licence in a conspicuous place —did not contest	28 days
The Office, Thunder Bay	Liquor sold to person who appears to be intoxicated; permitted drunkenness; failure to clear signs of service—did not contest	14 days
The Other Place, Sault Ste Marie	Permitted quarrelsome and disorderly conduct; obstructing an inspection; failure to facilitate inspection; failure to clear signs of service—did not contest	17 days
The Water Street Cooker / Emma's Back Porch, Burlington	Serving minors; failure to inspect identification; permitted drunkenness—did not contest	17 days
Timezone Bar and Restaurant, Toronto	Failure to clear signs of service—did not contest	14 days
Wild Indigo, Toronto	Service outside prescribed hours; failure to clear signs of service; overcrowding—did not contest	14 days
Windsor The Tap, Windsor	Permitted narcotics on premises—did not contest	21 days

Continued from p.1 *Chair's column*

Fair decisions

In this edition, we are also focusing on fairness and impartiality for licensees at hearings before the Board. I have written an article on this which is found on page 8.

Green environment

More than ever, we are moving towards a greener environment. Everywhere we look people and business organizations are focusing on measures that reduce the "carbon footprint". This publication (17,400 copies) is printed on recycled paper. No action is too small. No effort is too meager. For our part, the AGCO has set up an ECO Committee to encourage a greener environment in our workplace. This voluntary committee is on the lookout for

ideas and processes for all employees to become more ecologically responsible at home and at the workplace. In this regard, we have published some suggested tips for licensees (page 10) which we hope will be useful.

Once again, we invite our readers to submit ideas for stories in this publication. You can send your suggestions to editor@agco.on.ca or write to The Editor, Licence Line, AGCO, 90 Sheppard Ave East, 2nd Floor, Toronto Ontario M2N 0A4.

David C. Gavsie
Chair

Fairness in hearings

By: David Gavsie, Chair – Alcohol and Gaming Commission of Ontario

Over the past several months I have had the opportunity to meet with and listen to many licensees to discuss a variety of liquor issues that relate to the practices and policies of the Board of the AGCO.

One of the central questions that inevitably crops up is whether licensees, who appear before the Board, receive a fair hearing. The brief answer is, “Yes, absolutely!”

Perhaps it might be useful to briefly outline some of the Board’s duties as we carry out our responsibilities under Ontario’s beverage alcohol and gaming legislation.

In addition to the Board’s governance role, the Board has a quasi-judicial function. It conducts appeals and holds hearings. Licensees who have requested a hearing or who have appealed certain decisions or orders will appear before the Board. Evidence is introduced by the parties through witnesses. The witnesses may be cross-examined by the other party. Each party may also make submissions.

The Board makes a Decision based on (1) the evidence presented and its assessment of that evidence including the testimony of the witnesses, and (2) the law. In the case of a Notice of Proposal to suspend a liquor licence, for example, the Board may decline to carry out the proposal or may carry out the proposal, in whole or part.

Board members are appointed by the government through an Order-in-Council and represent all geographical areas of the province.

Broad experience

The Board members bring broad experience and a varied perspective to the important issues that come before them. They all appreciate the need for impartiality in carrying out their duties.

There are currently 14 members on the Board, six of whom—including myself—are full-time appointments.

The Board is supported by a Hearings Department. The Hearings Department staff, while under the supervision of the Chair, are neutral and impartial. They arrange hearings and set appeal dates, provide summonses for witnesses and communicate with liquor licensees and others about any other hearing or appeal related matters.

The AGCO also has a CEO/Registrar who is responsible for the general day-to-day operations of the Commission, and for administering the *Liquor Licence Act* and the *Gaming Control Act*. It is important to know that the two operations, the Board and the Registrar, operate as separate entities.

Board members (sitting usually as a one or two member panel) listen to evidence on the various Notices of Proposal issued by the Registrar to suspend, revoke or put certain conditions on a liquor licence, or refuse to issue or renew a liquor licence.

Legal advice encouraged

During this process (hearing) the Registrar is represented by legal counsel. Licensees who appear before the Board on such occasions are strongly encouraged to also engage the advice of a representative(s) authorized by the *Law Society of Upper Canada*.

Hearings before the Board are conducted as a legal process, similar to a trial in court.

The Board decisions are made impartially based upon the evidence heard at the hearing from all the witnesses.

The Board is acutely aware of its adjudicative responsibility and works diligently to ensure that its practices provide a fair process for all parties who appear before it—a process that results in fair decisions. Decisions arising from a Notice of Proposal may be appealed by any party to the Divisional Court on a question of law.

In the 2007/08 fiscal year, the Board conducted 422 liquor related hearings.

Presently there are about 17, 400 liquor licensed establishments in Ontario. ■

ATTENTION ALL LICENSEES—We want to hear from you!

*Licence Line is a publication intended to provide practical and timely information to liquor licensees and interested parties in Ontario’s beverage alcohol industry relating to licensing, regulation and enforcement under the **Liquor Licence Act** and its Regulations.*

The publication is free of charge and mailed to liquor licensees and others, generally on a quarterly schedule.

To ensure Licence Line continues to print helpful and useful material, the Editor is requesting licensees and

other interested parties to send along ideas for stories you feel would be beneficial in explaining the liquor laws of Ontario, and that may help you to better operate your licensed establishment.

Please address all correspondence to:

*The Editor, Licence Line
Alcohol and Gaming Commission of Ontario
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Toronto, Ontario M2N 0A4
or by e-mail to: editor@agco.on.ca ■*

Continued from p.1 **Risk-based licensing**

- Toronto (including Scarborough, North York, Etobicoke, York and East York)
- Ottawa (including Nepean, Kanata, Gloucester, Cumberland, Goulburn, Osgoode, Rideau, West Carleton, Rockcliffe Park and Vanier)
- Thunder Bay • Kitchener • Guelph
- Sault Ste Marie • Waterloo • Hamilton
- Windsor • Niagara Falls • London

By Fall 2009, risk-based licensing will be expanded to include all types of liquor sales licensing applications throughout the rest of Ontario.

How does risk-based licensing work?

There are four key principles behind risk-based licensing:

1. To identify persons or places that pose specific risks to public safety or the public interest;
2. To lessen any risks and ensure compliance with the *Liquor Licence Act* through the entire life cycle of a liquor licence;
3. To reduce the administrative burden for those who pose a lower risk, where possible; and
4. To focus more AGCO resources on those establishments that pose enhanced risks.

Overall, risk-based licensing will be helpful for liquor licensees as this new process will assist them in operating their establishments in a safe and responsible way, and in compliance with the *Liquor Licence Act* (LLA) and its Regulations. It is estimated 75% of establishments will see no change in the way their liquor licences are administered.

The application of risk-based licensing can occur at any point in the life cycle of a liquor licence, and is a three step process:

- a) After an application is received, an assessment process takes place. During the initial application review, the Registrar of Alcohol and Gaming (Registrar) uses AGCO Board-approved criteria to assess the risk(s) posed to public safety and the public interest, and of non-compliance with the law. Licensees/applicants are evaluated under the criteria of past conduct, liquor-related infractions, honesty and integrity, financial responsibility, and training and experience. The premises themselves are evaluated under the criteria of type, location, occupancy, activities and hours of operation.
- b) After reviewing all the available information on both the licensee/applicant and the establishment, the Registrar assesses the risks and determines if the licence should have a Level I, Level II or Level III risk designation, or no designation.

- If the Registrar believes no conditions need to be placed on a licence, or if a licensee has taken steps on his/her own to recognize and manage any risks, then the Registrar will most likely assess the licensee/establishment as having no designation. These establishments (approximately 75% of all licences in Ontario) will see no change in the way their licences are administered.
- If the Registrar believes a licensee may need more assistance and support to remain compliant with the LLA (for example, by placing conditions on the licence, or by focusing more of the AGCO's resources on the licensee and the establishment), then the establishment will be designated at Level I, Level II or Level III. It is anticipated only about 25% of all establishments in Ontario will receive a risk designation, and the majority of these will fall into the Level I category.

c) If the Registrar designates an establishment at Level I, Level II or Level III, s/he may attach certain conditions (from among those approved by the AGCO Board for this purpose) to the liquor licence to help address the identified risks.

At any time during the life cycle of a licence, the Registrar can reassess the risk posed by the licensee. This reassessment can occur either because the licensee requests a reassessment, or because the Registrar becomes aware of a change in circumstances that would warrant a reassessment.

Conditions and plans

To help a licensee in Level I, Level II or Level III manage identified risks, conditions can be attached to the licence that address these risks. For example, if a licensee wishes to operate a nightclub but has no previous experience, a condition might be applied that requires the holder of the licence to retain a person acceptable to the Registrar to assist in the management of the premises and its operations for a period designated by the Registrar. If after a period of time it is demonstrated the licensee has remained in compliance with the LLA and a condition is no longer needed, it may be removed by the Registrar.

A licensee/establishment designated as Level I, Level II or Level III may also be required to submit a plan—such as a safety and security plan, nuisance mitigation plan (covering noise, litter, etc.) or patron control plan—to help him/her comply with liquor licence laws and protect public safety. The Registrar may provide standards or guidelines to assist licensees in preparing these plans.

For more information on risk-based licensing, please visit the AGCO website at www.agco.on.ca

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.



AGCO launches **ECO** Committee

It's getting greener on our side of the fence!

In an effort to reduce our carbon footprint by engaging and encouraging a green environment in our workplace, the AGCO established an **ECO Committee** in December 2008. The aim of the committee is to generate ideas to reduce waste and encourage recycling, and to communicate regularly with staff on how to become ecologically responsible both in the workplace and at home. ■

New appointment to AGCO Board



BRUCE MILLER

Bruce Miller, London, Ontario has been appointed as a part-time member of the Board of the AGCO. Mr. Miller is a graduate of McGill University, Montreal and a holder of certificates in police studies from the University of Western Ontario. After 21 years as a police officer with the London Police Service, he was appointed Chief Administrative Officer of the Police Association of Ontario in 2001. ■

Tips for a greener workplace

It doesn't take a complete overhaul to make a difference and even a small change adds up to a positive impact for the environment and your bottom line. Below are some suggestions you may find useful towards helping make your establishment a little gentler on the environment.

- ✂ **Recycle.** If your establishment isn't following a recycling program, try to adopt one. You'll find it's not much work and makes a world of difference. Bottles, cans, cardboard and paper need never reach a landfill!
- ✂ **You can save water in the kitchen** by installing more efficient pre-rinse spray valves, dishwashers and boilerless steamers. By saving hot water, you also reduce energy costs.
- ✂ If you are considering renovating your washroom(s) you can **switch to high-efficiency water-saving fixtures.**
- ✂ **Replace incandescent light bulbs with compact fluorescents,** and use efficient LED fixtures for accent lighting, along with other efficiency measures. Consider replacing traditional exit signs with LED exit lighting. A reduction in energy costs can mean an increase in profitability.
- ✂ **Many cleaning products have reduced quantities of harmful chemicals.** You can also choose paper and plastic products with recycled content. Consider replacing paper towels or old, noisy hand dryers with newer, high-velocity hand dryers.
- ✂ **Turning off interior/exterior lights** and cooking hoods when not in use, installing motion detectors in store rooms, offices and restrooms, and setting lights on timers can save a lot of energy.
- ✂ **Fixing leaks will reduce your energy bills.** Repair leaky faucets and toilets. Stop air leaks by caulking and insulating around leaky windows and doors. Consider installing energy curtains in freezer rooms.
- ✂ **Clean equipment runs more efficiently.** Regularly dust and clean appliances, top to bottom. Perform routine preventive maintenance on HVAC, plumbing, appliances, and major equipment.
- ✂ **Train and inform your employees** on energy saving procedures and on the importance of energy conservation and water use. Tell customers about your energy efforts—they'll be impressed! ■



Get ready for Patio Season

The snow is melting and patio season is around the corner...

If you are interested in applying for a new outdoor area, you should submit your application as soon as possible as the application process takes approximately six to eight weeks. If an objection from a member of the public is received, however, the process may take much longer.

To make sure that you are in compliance with the *Liquor Licence Act* and its Regulations, the partition that separates

the outdoor licensed area from the unlicensed public area (i.e. sidewalk/parking lot) should be at least 36 inches or 0.9 metres high.

To obtain an application form for an additional licensed area, please call the Licensing and Registration Branch at 416.326.8700 or toll free 1.800.522.2876 in Ontario.

You can also download the form from the AGCO website at <http://www.agco.on.ca/pdf/forms/1221e.pdf> ■



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Licence Line

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 comments are welcome. This newsletter is available free of charge to all holders of a liquor sales licence in Ontario.

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