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TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON APRIL 8, 2013
FROM:	TIM DOBBIE TIM L. DOBBIE CONSULTING LTD. and WILLIAM C. COXHEAD MANAGING DIRECTOR OF PARKS & RECREATION
SUBJECT:	INTRODUCTION OF BY-LAW FOR APPROVAL OF LIQUOR LICENCE APPLICATIONS FOR THE CITY OF LONDON

RECOMMENDATION

That, on the recommendation of Tim Dobbie – Tim L. Dobbie Consulting Ltd. and the Managing Director of Parks & Recreation, with the concurrence of the City Manager, the attached proposed By-law (Appendix A) **BE INTRODUCED** at the Municipal Council Meeting of April 16, 2013:

- (a) **TO AUTHORIZE** the City Manager or written designate, to execute “Liquor Sales Licence Applications” for submission to the Alcohol and Gaming Commission of Ontario.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- Dearness Home Introduction of By-law for Approval of Liquor Sales Licence Applications (July 19, 2010)
- Introduction of By-law Liquor Sales Licence Applications and Golf Course Food and Beverage Services (January 14, 2009)

BACKGROUND

On July 26, 2010 Council authorized the General Manager of Community Services, or designate, to execute Liquor Sales Licence Applications for submission to the Alcohol and Gaming Commission of Ontario with respect to Dearness Home and on January 19, 2009 Council authorized the General Manager of Community Services, or designate, to execute Liquor Sales Licence Applications for submission to the Alcohol and Gaming Commission of Ontario with respect to City owned golf courses.

As there is no longer a position for the General Manager of Community Services, a new by-law is being presented to authorize the City Manager, or written designate, to apply to the Registrar of Alcohol and Gaming Commission for a licence to sell liquor, the transfer of a licence to sell liquor and the renewal of a licence to sell liquor under the *Liquor Licence Act* for any facility owned or operated by the City of London.

The Dearness Home operates resident programs including the Dearness Pub and festive dinners within the Adult Day Program Space for which a Liquor Sales Licence is required. The current licence renewed in 2010 is set to expire on May 31, 2013. The City is required to return a completed renewal application to the Alcohol and Gaming Commission before the expiry date.

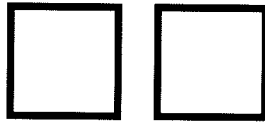
Each City owned golf course currently has a Liquor Sales Licence in place for the sale of alcoholic beverages. These licences will expire at varying times over the next two years. In order to manage the food and beverage services at municipal golf courses administration requires a mechanism to renew these licences as required by the Alcohol and Gaming Commission of Ontario.

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Liquor licences are required to facilitate the business needs of the municipal golf operations including revenue generation. At Dearness Home the ability to offer licenced programs assists in supporting the social needs of the residents and their families. Most of the costs related to these social programs are covered by charges to the guests with a modest balance covered through the program budget in Program and Support Services.

PREPARED BY:	RECOMMENDED BY:
	
JANICE BROWN BUSINESS ADMINISTRATOR	WILLIAM C. COXHEAD MANAGING DIRECTOR PARKS & RECREATION
RECOMMENDED BY:	CONCURRED BY:
	
TIM DOBBIE TIM L. DOBBIE CONSULTING LTD.	ART ZUIDEMA CITY MANAGER

- cc. **A.L. Barbon, Manager Financial & Business Services**
 Lynn Marshall, Solicitor
 C. Gilmour, Manager Community Life – Dearness Home
 S. Stafford, Division Manager – Parks & Community Sports



APPENDIX A

Bill No.
2013

By-law No.

A By-law to authorize the City Manager, or written designate, to execute "Liquor Sales Licence Applications" for submission to the Alcohol and Gaming Commission of Ontario.

WHEREAS section 6 of the *Liquor Licence Act*, R.S.O. 1990, c.L.19 provides that a person may apply to the Registrar of Alcohol and Gaming for a licence to sell liquor;

AND WHEREAS section 17 of the *Liquor Licence Act* provides that a person may apply to the Registrar of Alcohol and Gaming for the transfer of a licence to sell liquor;

AND WHEREAS The Corporation of the City of London owns and operates golf courses, a long-term care home, and other facilities that require liquor licences to sell liquor;

AND WHEREAS section 9 of the *Municipal Act, 2001* S.O. 2001, c.25 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS sections 9 and 10 and 23.1 through 23.5 of the *Municipal Act, 2001* authorize a municipality to delegate its powers and duties under this or any other Act to a person or body;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The City of London's City Manager, or written designate, is hereby authorized to:
 - (1) apply to the Registrar of Alcohol and Gaming for a licence to sell liquor, the transfer of a licence to sell liquor, and the renewal of a licence to sell liquor, under the *Liquor Licence Act*, for any facility owned or operated by The Corporation of the City of London; and,
 - (2) execute the applications referred to in (1) above, on behalf of The Corporation of the City of London.
2. By-law A.-6558-217 and By-law A.-6304-32 are hereby repealed.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on _____, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading -
Second Reading -
Third Reading -