



Policy Name:	LIQUOR PERMITS & OFFENCES		
Policy #:	OP 4.33	Last Updated:	2022-05-12
Issued By:	COMMUNITY POLICING BUREAU	Approved By:	SURREY POLICE BOARD
		Review Frequency:	AS REQUIRED

RELATED POLICIES

OP 3.1 Arrest and Detention

OP 3.2 Searches of a Person

1. PURPOSE

1.1. To ensure that Surrey Police Service (SPS) Members are aware of guidelines relating to licensed premises and special events permits controlled under the Liquor and Cannabis Regulation Branch (LCRB) and act in accordance with the *Liquor Control and Licensing Act* (LCLA) and Regulations.

2. SCOPE

2.1. This policy applies to all sworn SPS Members.

3. POLICY

3.1. Investigation of breaches of Liquor Licence or Permits Inspections and Suspensions will normally be the responsibility of the LCRB who will act under the LCLA and Regulations.

3.2. The General Manager of the LCRB can delegate powers and duties in certain sections to peace officers as defined in the LCLA (i.e., Members).

3.3. If violations of the LCLA or Regulations are observed by Members, Members may take enforcement action and report the violation to the LCRB.

3.4. Members have the authority to arrest a person without warrant under sections 61(4) and 74(2) of the LCLA when the following offences are committed:

- i. “Remain in a Licensed Premises After Being Requested to Leave” s. 61(4)(a) LCLA;

- ii. “Enter a Licensed Premises Within 24 hours After Being Requested to Leave” s. 61(4)(b) LCLA;
- iii. “Possess a Knife or Weapon in a Licensed Premises” s. 61(4)(c) LCLA; and
- iv. “State of Intoxication in a Public Place” s. 74(2) LCLA. Under s. 74(2) LCLA, a Member may arrest a person for SIPP, only if the Member has reasonable grounds to believe:
 - a. the person to be in a public place and intoxicated by liquor, drugs or both such that the person is a danger to themselves, others or is causing a disturbance; and
 - b. has inquired as to, and given consideration to, any medical condition the person may be experiencing as a result of trauma or medication and consulted their Supervisor regarding a medical examination of the person (see OP 3.1 *Arrest and Detention*).

3.5. Members are required under s. 44 of the LCLA to have a warrant with them to enter and search vehicles, places or premises unless the delay in obtaining a warrant would result in the loss or destruction of evidence.

3.6. Unless a Member has the lawful authority to arrest a person under the LCLA or other Act, Members do not have authority to search a person under the LCLA.

4. PROCEDURE

Special Events Permits

4.1. Applicants may request Special Events Permits (SEP) from the General Manager of the LCRB.

4.2. SEPs are available to event hosts who wish to provide temporary or infrequent liquor service which allows the host to serve or sell liquor at their event. Special events can either be public or a private social event, such as family celebrations or an event of a social, cultural, recreational, religious, and sporting or community nature.

4.3. Members may encounter events requiring an SEP being held at a community centre, church, outdoor gathering, or private function. SEPs are not issued for private residences.

4.4. SEPs can be held by individuals, non-profit organizations and business corporations. The permit holder must follow British Columbia liquor laws and SEP terms and conditions. The SEP will include any terms and conditions the General Manager deems suitable, including but not limited to the choice of event sites and service areas.

4.5. Subject to limitation by the General Manager, hours permitted for liquor service are 9 a.m. to 2 a.m. the next day. Only beer, wine, ciders, coolers and distilled spirits may be served or sold.

4.6. A copy of the SEP must be displayed in a conspicuous area at the event site.

- 4.7. If the event for which a SEP is held on lands or premises owned or operated by a local government or First Nations, the applicant must obtain written permission from the local government or First Nations prior to the permit being issued. This allows for the local government or First Nation to comment on the application regarding the impact it will have on the community.
- 4.8. SPS's Emergency Operations and Planning Unit will review applications for events with 500 or more attendees before the LCRB can issue a permit. Even if an application for an event with under 500 attendees is approved, SPS can recommend the permit be revoked by the LCRB if SPS has concerns about public safety.
- 4.9. Members have authority to cancel an SEP where the LCLA, Regulations, or Terms and Conditions on the permit are being breached. This authority must be exercised by a Supervisor and documented in a detailed PRIME-BC General Occurrence Report.

Liquor Licence or Permit Inspections and Suspensions

- 4.10. The General Manager has the authority under the LCLA to cancel or suspend any liquor licence, authorization or permit and has the authority to carry out inspections of the premises and event.
- 4.11. Under the Delegation of Authority pursuant to s. 5 of the LCLA, the General Manager delegates the powers and duties in certain sections to Members, relating to:
- i. authority to request records and conduct inspections (s. 42 LCLA);
 - ii. seize and remove liquor kept contrary to LCLA (s. 45 LCLA);
 - iii. authority to suspend all or part of a licence, an authorization or permit under certain conditions, not exceeding 24 hours and to order the removal of patrons, persons, etc. (s. 48(1) and (3) LCLA); and
 - iv. authority to cancel a permit or authorization (s. 50 LCLA).
- 4.12. If the General Manager or delegate requests the assistance of SPS, an Assist Outside Agency file should be opened in PRIME-BC CAD to document the assistance requested and actions taken. In all other matters, a PRIME-BC file will be initiated according to the type of incident or complaint received.

Reporting to Liquor Control Licensing Branch

- 4.13. SPS will designate a Member in the Emergency Operation and Planning Unit as the Liquor Liaison Officer. This Member shall act as the primary liaison between SPS and the LCRB.
- 4.14. To prevent criminal or disorderly behaviour in and near licensed premises, SPS Members must, whenever practicable, conduct licensed premises checks, taking into consideration that the exact nature and extent of the check should be commensurate with the severity of the local problem. Following a licensed premises check, Members complete the Licensed Premises Check form and submit the form to the LCRB in a timely manner.

- 4.15. If violations of the LCLA or Regulations are observed during visits to licensed premises, Members must report them to the LCRB on the Licensed Premises Check Form and forward them to the Liquor Liaison Officer.
- 4.16. The reporting of violations is not intended to replace prosecution of licensees or their staff in circumstances under which such action is warranted. Violations of a serious or flagrant nature should be dealt with immediately by SPS in consultation with a Supervisor.
- 4.17. Section 44 of the LCLA requires peace officers to have a warrant to enter and search vehicles, places or premises, unless the delay in obtaining a warrant would result in the loss or destruction of evidence. Peace officers do not have authority under the LCLA to search persons. (See related Policy – OP 3.2 *Searches of a Person*).

APPENDIX A: DEFINITIONS

“General Manager” means the general manager of the Liquor and Cannabis Regulation Branch, who has legislative authority to make decisions regarding liquor licensing in British Columbia.

“LCLA” means the *Liquor Control and Licensing Act*.

“LCRB” means the Liquor and Cannabis Regulation Branch.

“Member” means a Sworn Police Officer appointed by the Surrey Police Board.

“Peace Officer” means an officer as defined in the *Police Act*.

“SEP” means Special Events Permits.

“Supervisor” means Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

APPENDIX B: REFERENCES

Liquor Control and Licensing Act, S.B.C. 2015, c. 19

Liquor and Cannabis Regulation Branch, *Special Event Permit Manual*, September 2021

Police Act, R.S.B.C. 1996, c. 367

City of Surrey Festival & Events Policy and Procedures

Special Events Regulation By-law, 2002, No. 14731, City of Surrey

Link: https://www.surrey.ca/sites/default/files/bylaws/BYL_reg_14731.pdf