

XI

LIQUOR CONTROL AND LICENSING BRANCH
BOOK OF DOCUMENTS
CONDILL HOTEL
LIQUOR PRIMARY LICENCE NO. 013340
CASE # EH10-150

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**LIQUOR CONTROL AND LICENSING BRANCH
ENFORCEMENT HEARING**

ESTABLISHMENT: Condill Hotel

LICENCE TYPE AND NO. 013340 LP

EXHIBIT NO. (1)

SUBMITTED BY: [Signature]

ESTABLISHMENT BRANCH

ADJUDICATOR: [Signature] DATE: Mar 4 2011



February 18, 2011

Dennis Coates, QC Mair Jensen Blair 700 -275 Lansdowne Street Kamloops, BC V2C 6H6 Ph:(250) 374-3161; Fax (250) 374-6992 dpc@mjblaw.ca	Bode Fagbamiye, branch advocate Liquor Control and Licensing Branch PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8 Ph: (250) 387-3487, s.17 Fax (250) 387-9139 Olubode.Fagbamiye@gov.bc.ca
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Dear Gentlemen:

Re: L & E Budnick Holdings Ltd., dba Condill Hotel, Fort St. John, BC
Liquor Primary No. 013340 **Case: EH10-150**

Further to our recent communication regarding this case, the licensee has admitted that the contravention occurred. However, it disputes the proposed penalty. It has been agreed that the hearing on what penalty, if any, is warranted will take place by way of teleconference call as follows:

Hearing

Enforcement Hearing Date: **March 24, 2011**, commencing at 9:30 am.
(Please note that the hearing date will only be postponed in exceptional circumstances).

S15, S17

Disclosure

Copies of any documents that the adjudicator will be asked to consider at the hearing, must be exchanged by no later than March 10, 2011. In addition, please provide me with a copy of the same, so that I can ensure that they are in the adjudicator's hands in time for the teleconference.

If you have any questions, feel free to contact me directly at (250) 387-0747, toll free 1-866-209-2111 or via email elizabeth.barker@gov.bc.ca.

Sincerely,

Elizabeth M. Barker
Registrar, Enforcement Hearings

cc: Adjudicator
Lorie Barrette, liquor inspector

Ministry of Public Safety & Solicitor General	Liquor Control and Licensing Branch	Mailing Address: PO Box 9292 Stn Prov Govt Victoria BC V8W 9J8 Telephone: 250 387-1254 Facsimile: 250 387-9184	Location: Second Floor, 1019 Wharf Street Victoria BC www.pssg.gov.bc.ca/clb
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File: EH10-150
Job: 000698362-030

April 04, 2011

L. & E. Budnick Holdings Ltd.
c/o Budnick, Elaine
10119 100th Avenue
Fort St John, BC V1J 1Y7

Dear Licensee:

Re: Licence Number: 013340

CONDILL HOTEL
10119 - 100th Avenue
Fort St. John, BC V1J 1Y7

The purpose of this letter is to inform you of the procedures of the Liquor Control and Licensing Branch for imposing enforcement action on the above noted licence. The enforcement action was ordered in the enforcement decision dated April 01, 2011.

It is important to note that you are responsible for the actions of your employees. You should ensure that managers and staff are familiar with the terms of the enforcement action and their responsibilities.

Enforcement Action

Suspension:

Arising from the licensee's non-compliance with section s. 43(2)(b) Act, the licence will be suspended for four (4) business days starting at the close of business on Friday, April 29, 2011, until the opening of business on Wednesday, May 4, 2011. "Business day" means a day on which the establishment would normally be opened for business.

Signs satisfactory to the general manager showing that the licence is suspended will be placed in a prominent location in the establishment by a Liquor Control and Licensing Branch inspector or a police officer, and must remain in place during the period of suspension.

Suspension procedures:

A Liquor Control and Licensing Branch inspector or police officer will attend your establishment prior to opening time on the first day of the suspension to:

- remove the licence,
- post the signs referenced above.

You should make arrangements with the Liquor Control and Licensing Branch inspector or police officer to obtain your licence at the end of the suspension period.

Responsibility of licensee:

1. You must allow the Liquor Control and Licensing Branch inspector or police officer to post the suspension signs. You must not remove, obscure, or alter the prominence and visibility of those signs during the suspension.
2. You must hand over the licence to the Liquor Control and Licensing Branch inspector or police officer when asked.
3. The establishment must remain closed to the public during the period of suspension.
4. You must not permit the sale, service or consumption of liquor in the establishment while the licence is suspended. The licensee is responsible for ensuring there is no sale, service or consumption of liquor in the establishment during the suspension period.
5. You may not de-licence in order to have another event in your establishment. Any previously approved de-licensing event that occurs during the suspension period is automatically rescinded.
6. The establishment is not eligible to hold any Special Occasion Licences (SOL) events during the suspension period. Any previously approved SOL that occurs during the suspension period is rescinded.
7. You may purchase liquor from an approved outlet to stock your establishment during the period of the suspension.

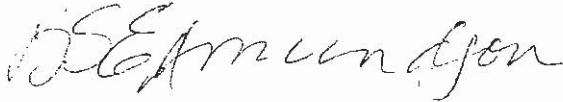
There are serious consequences for the service of liquor in the establishment by any party while a licence is under suspension. If liquor is served, consumed, or sold within the establishment while a licence is suspended, the general manager will do one of the following:

- cancel the licence,
- require that the licence be transferred within a specified time period and cancel the licence if it is not transferred within that time period,
- impose a suspension of at least 15 days.

Contact Number

If you have any questions about the matters covered in this letter, please contact the inspector responsible for your area at 250 787-3345.

Yours truly,



Bruce Edmundson
Deputy General Manager
Compliance and Enforcement

CC: Fort St. John RCMP
Clerk/Secretary City of Fort St. John
Manager of Licensing Rebecca Villa-Arce
Regional Manager Michael Clark
Inspector Lorie Barrette



Handwritten signature: Elaine 3/13

NOTICE OF ENFORCEMENT ACTION
Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267

File No: EH10-150
Job No: 000698362-030

December 15, 2010

L. & E. Budnick Holdings Ltd.
c/o Budnick, Elaine
10119 100th Avenue
Fort St John, BC V1J 1Y7

Dear Budnick, Elaine:

Re: Licence Number: 013340
Licence Type: Liquor Primary
Licence Expiry Date: February 28, 2011
Establishment: Condill Hotel
10119 - 100th Avenue
FORT ST. JOHN, BC V1J 1Y7

The purpose of this notice is to inform you that the General Manager is taking enforcement action for the alleged contravention(s) of the *Liquor Control and Licensing Act*, the *Regulations*, and/or the terms and conditions of your licence as set out in this notice.

The General Manager will consider the information contained in this notice at the enforcement hearing.

THE ALLEGED CONTRAVENTION(S)

No.	Name of Contravention(s)	Section of the Act/Regulation	Date and Time of Contravention(s)	Proposed Penalty
1.	Permit intoxicated person to remain, s. 43(2)(b) Act	s. 43(2)(b) Act	Oct 23, 2010 10:25 PM	4 day suspension

Ministry of Housing and Social Development

Liquor Control and Licensing Branch

Mailing address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Location:
Second Floor, 1019 Wharf Street
Victoria BC

Toll Free: 1 866 209-2111
Telephone: 250 387-1254

<http://www.hsd.gov.bc.ca/lclb>

SUMMARY OF EVIDENCE

The Condill Hotel dba L&E Budnick Holding Ltd. holds a Liquor Primary licence No. 013340, located at 10119 100 avenue Fort St John. The hours of operation are Monday to Saturday 11am to 1am and Sunday 11am to midnight.

On October 23, 2010 Liquor Inspectors Holly Belanger and Holly Glenn entered the bar at 10:25 pm in a covert capacity. Inspector Belanger observed male slouched at table, blonde hair white black lined flannel shirt drinking Budweiser beer, eyes very bloodshot half closed. Inspectors went to bar area immediately noticed female with black hair pulled back into a bun, light blue/grey ski coat. She was approximately 5'4, 115 lbs. The female was swaying standing with a male wearing black woolen coat approximately 5'9, 165 lbs. This male had short black hair, wearing glasses, they stood in front of the bar. Both patrons were very loud drawing attention to themselves. There was a doorman wearing black carhart jacket, black jeans, short brown hair a military cut and mustache he was approximately 5'11, 190 lbs. He had conversations with both patrons that were intoxicated, he had visual of them as well as he was only approximately 4 feet from them. The female staggered while she walked to the smoking area. She slurred her words when talking to inspector, conversation was incoherent. The male hugged inspector while yelling at the intoxicated female. Both patrons had strong odour of liquor.

Inspector Glenn observed a male and female displaying symptoms of intoxication, patrons were very loud. This patron was in front of the bar. The male patron had glassy eyes, odour of strong liquor staggered when he stood. Observed female speaking with security staff several times, she told him he was "hot and she liked him" slurring her words when she spoke. Female used stool to balance herself. Both patrons had conversation with inspector and advised that their names were s.22 that they have been in the bar for three hours spent a lot of money, yelling "having a party". Female bartender served them their drinks, s.22 was drinking Jack Daniels and s.22 was having Tequila Sunrise (short). Male patron hugged inspector and female high five'd the inspector several times. Observed male try to take a drink, missed his mouth and spilled his drink.

ALLEGED CONTRAVENTION(S)

Contravention Number B007387 : C Permit intoxicated person to remain, s. 43(2)(b)
Act

Reasons for Recommending Enforcement Action

To avoid the possibility of further liquor consumption and avoid any harm to other patrons or staff, a licensee must not permit a person who is intoxicated to remain in the part of the establishment where liquor is served. In this occurrence there were two patrons observed by two liquor inspectors, showing several signs of intoxication. The two liquor inspectors observed that two staff members were aware of these patrons and at no time was there any action to have the patrons removed from the licensed area.

Reasons for the Proposed Penalty

It is the licensee's responsibility to ensure compliance is maintained at all times. An intoxicated patron is incapable of making rational decisions and they are placing their safety. This contravention has a public safety issue to the patrons, staff and community. A four day suspension is a strong message to the licensee that compliance with the Act and Regulation is the only way establishments should provide service to the public.

Therefore;

For the alleged contravention of Permit intoxicated person to remain, s. 43(2)(b) Act (Contravention Notice Number B007387) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 4 days is warranted. This recommended suspension penalty falls within the penalty range set out in schedule 4 of the Regulation for a first contravention.

The suspension will be served starting on a Saturday and will continue on successive business days until completed.

THE PROCEDURES

An enforcement hearing may be scheduled to determine whether the alleged contravention(s) occurred and the appropriate penalty, if any, that should be imposed. You can contest the contravention(s) and/or the proposed penalty at the enforcement hearing.

Please Note: If a penalty is warranted, the General Manager may;

- Impose a suspension of the liquor licence for a period of time;
- Cancel a liquor licence;
- Impose terms and conditions to a licence or rescind or amend existing terms and conditions;
- Impose a monetary penalty; or
- Order a licensee to transfer a licence.

An enforcement hearing can be time consuming and costly for all participants. If you sign a waiver, there will be no need for an enforcement hearing for the alleged contravention(s) or the lesser but included contravention(s). By signing the waiver, you expressly and irrevocably:

- Agree that the contravention(s) occurred,
- Accept the proposed penalty in this letter,
- Waive the enforcement hearing, and
- Agree that the finding(s) of contravention(s) and the penalty will form part of your compliance history as a licensee.

Generally, the waiver must be signed within 14 days of the date of this letter. If you decide you want to sign a waiver, please contact me as soon as possible to arrange an appointment.

CONTACTS

- (1) If you do not sign a waiver, the case management administrator will contact you with details of the enforcement hearing process. The case management administrator contact information is: Mandy Fisher; (250) 356-0010; Mandy.Fisher@gov.bc.ca
- (2) Please contact me at (250) 787-3345 if you want to sign a waiver notice or if you have any questions regarding this notice.

Yours truly,

Lorie Barrette
Fort St John

Attachments:
Appendices A & B
Copy of Enforcement Hearing Rules
Copy of Liquor Licence
Copy of Contravention Notice
Copy of Red line Floor Plan

APPENDIX A

Licence Information

Licence number: 013340
Licence type: Liquor Primary
Licence expiry date: February 28, 2011

At an enforcement hearing, the branch may present the following information related to allegations of non-compliance for which the branch did not pursue enforcement action. If there is a finding that the contravention(s) alleged which are the subject of this Notice of Enforcement Action did occur, the following information may be considered by the General Manager, for the purpose of determining what penalty, if any, is appropriate. The General Manager may also consider this information when assessing if the licensee knew that there were problems meeting the legislated requirements and what the licensee has done since it was brought to their attention that there were alleged contraventions:

Date of Incident	Alleged Contravention	Identifying Document(s)
October 23, 2010	Permit intoxicated person to remain, s. 43(2)(b) Act	CN # B007387
August 13, 2010	Allow liquor to be removed from establishment, s. 42(4) Reg.	CN # B007384
March 29, 2003	Fail to request ID, Reg. s. 45(2)	CN # B000882

Compliance Meetings:

Date	Topic
April 11, 2003	

APPENDIX B

Licence Information

Licence Number: 013340
Licence Type: Liquor Primary
Licence Expiry Date: February 28, 2011

At an enforcement hearing, the General Manager will consider compliance history when determining the appropriate penalty for each contravention.

LICENSEE'S COMPLIANCE HISTORY

The licensee's compliance history consists of any prior findings of contraventions and penalties that relate to the licensee in question. A finding of contravention results when the licensee signs a waiver or the General Manager makes a decision that a contravention did occur. The General Manager may also consider this information when assessing if the licensee knew that there were problems meeting the legislated requirements and what the licensee has done since it was brought to their attention that there were alleged contraventions.

No.	Date	Contravention Notice Number	Findings of Contravention	Penalty Imposed
1.	May 29, 2008	B000847; EH08-064	Sell or give liquor to intoxicated person, s. 43(1) Act	4 day suspension
2.	February 26, 2002	A001416	Permit intoxicated person to remain, s. 43(2)(b) Act	4 day suspension
3.	February 26, 2002	A001416	FREE LIQUOR REG. S. 12(11)	\$5000 monetary penalty
4.	February 18, 2002	A001415	Minor - Sell, give or otherwise supply liquor to minor, s. 33(1)(a) Act	4 day suspension

ESTABLISHMENT'S COMPLIANCE HISTORY

The establishment's compliance history consists of any prior findings of contraventions and penalties that relate to the establishment in question. A finding of contravention results when the licensee responsible for the establishment signs a waiver or the General Manager makes a decision that a contravention did occur.

- No compliance history found



NOTICE OF ENFORCEMENT ACTION
Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267

File No: EH10-150
Job No: 000698362-030

December 13, 2010

L. & E. Budnick Holdings Ltd.
c/o Budnick, Elaine
10119 100th Avenue
Fort St John, BC V1J 1Y7

Dear Budnick, Elaine:

Re: Licence Number: 013340
Licence Type: Liquor Primary
Licence Expiry Date: February 28, 2011
Establishment: Condill Hotel
10119 - 100th Avenue
FORT ST. JOHN, BC V1J 1Y7

The purpose of this notice is to inform you that the General Manager is taking enforcement action for the alleged contravention(s) of the *Liquor Control and Licensing Act*, the *Regulations*, and/or the terms and conditions of your licence as set out in this notice.

The General Manager will consider the information contained in this notice at the enforcement hearing.

THE ALLEGED CONTRAVENTION(S)

No.	Name of Contravention(s)	Section of the Act/Regulation	Date and Time of Contravention(s)	Proposed Penalty
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**Ministry of Housing
and Social
Development**

Liquor Control and
Licensing Branch

Mailing address:
PO Box 9292 Str Prov Govt
Victoria BC V8W 9J8

Toll Free: 1 866 209-2111
Telephone: 250 387-1254

Location:
Second Floor, 1019 Wharf Street
Victoria BC

<http://www.hsd.gov.bc.ca/lclb>

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ALLEGED CONTRAVENTION(S)

Contravention Number B007387 : C Permit intoxicated person to remain, s. 43(2)(b)
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Reasons for Recommending Enforcement Action

To avoid the possibility of further liquor consumption and avoid any harm to other patrons or staff, a licensee must not permit a person who is intoxicated to remain in the part of the establishment where liquor is served. In this occurrence there were two patrons observed by two liquor inspectors, showing several signs of intoxication. The two liquor inspectors observed that two staff members were aware of these patrons and at no time was there any action to have the patrons removed from the licensed area.

Reasons for the Proposed Penalty

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Therefore;

For the alleged contravention of Permit intoxicated person to remain, s. 43(2)(b) Act (Contravention Notice Number B007387) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 4 days is warranted. This recommended suspension penalty falls within the penalty range set out in schedule 4 of the Regulation for a first contravention.

The suspension will be served starting on a Saturday and will continue on successive business days until completed.

THE PROCEDURES

An enforcement hearing may be scheduled to determine whether the alleged contravention(s) occurred and the appropriate penalty, if any, that should be imposed. You can contest the contravention(s) and/or the proposed penalty at the enforcement hearing.

Please Note: If a penalty is warranted, the General Manager may;

- Impose a suspension of the liquor licence for a period of time;
- Cancel a liquor licence;
- Impose terms and conditions to a licence or rescind or amend existing terms and conditions;
- Impose a monetary penalty; or
- Order a licensee to transfer a licence.

An enforcement hearing can be time consuming and costly for all participants. If you sign a waiver, there will be no need for an enforcement hearing for the alleged contravention(s) or the lesser but included contravention(s). By signing the waiver, you expressly and irrevocably:

- Agree that the contravention(s) occurred,
- Accept the proposed penalty in this letter,
- Waive the enforcement hearing, and
- Agree that the finding(s) of contravention(s) and the penalty will form part of your compliance history as a licensee.

Generally, the waiver must be signed within 14 days of the date of this letter. If you decide you want to sign a waiver, please contact me as soon as possible to arrange an appointment.

CONTACTS

- (1) If you do not sign a waiver, the case management administrator will contact you with details of the enforcement hearing process. The case management administrator contact information is:
Mandy Fisher; (250) 356-0010; Mandy.Fisher@gov.bc.ca
- (2) Please contact me at (250) 787-3345 if you want to sign a waiver notice or if you have any questions regarding this notice.

Yours truly,

Lorie Barrette
Fort St John

Attachments:
Appendices A & B
Copy of Enforcement Hearing Rules
Copy of Liquor Licence
Copy of Contravention Notice
Copy of Red line Floor Plan

APPENDIX A

Licence Information

Licence number: 013340
Licence type: Liquor Primary
Licence expiry date: February 28, 2011

At an enforcement hearing, the branch may present the following information related to allegations of non-compliance for which the branch did not pursue enforcement action. If there is a finding that the contravention(s) alleged which are the subject of this Notice of Enforcement Action did occur, the following information may be considered by the General Manager, for the purpose of determining what penalty, if any, is appropriate. The General Manager may also consider this information when assessing if the licensee knew that there were problems meeting the legislated requirements and what the licensee has done since it was brought to their attention that there were alleged contraventions:

Date of Incident	Alleged Contravention	Identifying Document(s)
October 23, 2010	Permit intoxicated person to remain, s. 43(2)(b) Act	CN # B007387
August 13, 2010	Allow liquor to be removed from establishment, s. 42(4) Reg.	CN # B007384
March 29, 2003	Fail to request ID, Reg. s. 45(2)	CN # B000882

Compliance Meetings:

Date	Topic
April 11, 2003	

APPENDIX B

Licence Information

Licence Number: 013340
Licence Type: Liquor Primary
Licence Expiry Date: February 28, 2011

At an enforcement hearing, the General Manager will consider compliance history when determining the appropriate penalty for each contravention.

LICENSEE'S COMPLIANCE HISTORY

The licensee's compliance history consists of any prior findings of contraventions and penalties that relate to the licensee in question. A finding of contravention results when the licensee signs a waiver or the General Manager makes a decision that a contravention did occur. The General Manager may also consider this information when assessing if the licensee knew that there were problems meeting the legislated requirements and what the licensee has done since it was brought to their attention that there were alleged contraventions.

No.	Date	Contravention Notice Number	Findings of Contravention	Penalty Imposed
1.	May 29, 2008	B000847; EH08-064	Sell or give liquor to intoxicated person, s. 43(1) Act	4 day suspension
2.	February 26, 2002	A001416	Permit intoxicated person to remain, s. 43(2)(b) Act	4 day suspension
3.	February 26, 2002	A001416	FREE LIQUOR REG. S. 12(11)	\$5000 monetary penalty
4.	February 18, 2002	A001415	Minor - Sell, give or otherwise supply liquor to minor, s. 33(1)(a) Act	4 day suspension

ESTABLISHMENT'S COMPLIANCE HISTORY

The establishment's compliance history consists of any prior findings of contraventions and penalties that relate to the establishment in question. A finding of contravention results when the licensee responsible for the establishment signs a waiver or the General Manager makes a decision that a contravention did occur.

- No compliance history found

No. B 007387



BRITISH COLUMBIA

Liquor Control and Licensing Act
and Regulation 244/2002

CONTRAVENTION NOTICE

Liquor Control and Licensing Branch,
Ministry of Public Safety and Solicitor General

Establishment name: Candell Hotel

Establishment address: 10119 100 Avenue
FORT ST JOHN

Licensee name: _____

License #: 013340 Date CN issued: 10/25/2010

Date and time of alleged contravention(s): 10/28/2010 00:25

On the date noted above, the following alleged contravention(s) of the
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section
1	Permitting unid/oriented person	43(2)(b) <input checked="" type="checkbox"/> Act <input type="checkbox"/> Reg
2	to remain	<input type="checkbox"/> Act <input type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: 2 liquor inspector viewed; talked and
observed male & female intoxicated
in est. with no action taken by staff

Inspector name: Lorie Borrette Badge #: 40

Telephone: 250 787 3345 LPC #: _____

Management acknowledgement (name and title):
[Signature]

The general manager may proceed with enforcement action on the basis of this
contravention notice. The licensee will generally be notified within 45 days if
enforcement action is proposed.

COPY 2: LICENSEE COPY (send to licensee)



August 19, 2010

File No: EH10-096
Job No: 000698362-028

L. & E. Budnick Holdings Ltd.
c/o Budnick, Elaine
10119 100th Avenue
Fort St John, BC V1J 1Y7

Dear Licensee:

Re: Licence Number 013340

CONDILL HOTEL
10119 - 100th Avenue
Fort St. John, BC V1J 1Y7

The purpose of this letter is to inform you of the procedures of the Liquor Control and Licensing Branch for imposing enforcement action on the above noted licence. You agreed to and accepted the following enforcement actions by signing a waiver notice dated August 18, 2010.

It is important to note that you are responsible for the actions of your employees. You will want to ensure that managers and staff are familiar with the terms of the enforcement action and their responsibilities.

Enforcement Action

Monetary penalty

A monetary penalty of \$1500 (One Thousand Five Hundred Dollars) must be paid to the general manager by September 20, 2010.

The payment should be made to Liquor Control and Licensing Branch headquarters at the address indicated in Appendix A. It is important to attach the accompanying Appendix A so that the payment can be correctly recorded on your file.

Consequences of non-payment

There are serious consequences for non-payment of the full amount of a monetary penalty.

1. The general manager may refuse to renew or transfer a licence if a monetary penalty has not been fully paid by the due date.
2. The general manager will consider imposing a suspension penalty for failure to pay a monetary penalty by the due date. The suspension penalty for this contravention is described in item 44 of schedule 4 to the Liquor Control and Licensing Regulations. However, the general manager has the authority to impose a suspension penalty greater than the one set out in the schedule when it is in the public interest to do so.

Contact Number

If you have any questions about the matters covered in this letter, please contact the inspector responsible for your area at (250) 787-3345.

Yours truly,



Bruce Edmundson
Deputy General Manager
Compliance and Enforcement

CC: Fort St. John R.C.M.P.
Clerk/Secretary City of Fort St. John
Manager of Licensing Rebecca Villa-Arce
Manager of Finance Scott McElroy
Regional Manager Michael Clark
Inspector Lorie Barrette

Encl: Appendix A



NOTICE OF ENFORCEMENT ACTION
Liquor Control and Licensing Act R.S.B.C. 1996, c. 267

File No: EH10-096
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August 18, 2010

L. & E. Budnick Holdings Ltd.
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10119 100th Avenue
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Dear Budnick, Elaine:

Re: Licence Number: 013340
Licence Type: Liquor Primary
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10119 - 100th Avenue
FORT ST. JOHN, BC V1J 1Y7

The purpose of this notice is to inform you that the General Manager is taking enforcement action for the alleged contravention(s) of the *Liquor Control and Licensing Act*, the *Regulations*, and/or the terms and conditions of your licence as set out in this notice.

The General Manager will consider the information contained in this notice at the enforcement hearing.

THE ALLEGED CONTRAVENTION(S)

No.	Name of Contravention(s)	Section of the Act/Regulation	Date and Time of Contravention(s)	Proposed Penalty
1.	Allow liquor to be removed from establishment, s. 42(4) Reg.	s. 42(4) Reg.	Aug 13, 2010 11:55 PM	\$1,500.00 penalty

SUMMARY OF EVIDENCE

Condill Hotel is a liquor primary establishment, (LP #013340), dba L & E Budnick Holdings Ltd. It is situated on 10119 100 Avenue, Fort St John BC. Its hours of operation are from Monday to Saturday 11:00am to 1:00am and Sunday 11:00am to midnight.

On August 13, 2010 at approximately 23:55 Cst. John Julyan observed two males consuming open beer one Coors the other Heinekin just past the smoking area which is not in the licensed area. Upon seeing police male proceeded back into the bar area, no door staff present. Cst. Julyan issued Police Licensed Premises Check B042841.

On August 16, 2010 Liquor Inspector held meeting with owners Leo and Elaine Budnick located at the Condill Hotel. Viewed video tape of August 13, 2010 to identify the contravention. An Employee joined the meeting, Mr. Budnick asked the employee s.22 if he recalled this night he stated "Yes, I was standing right there (pointing to the camera) and watched the police get the two guys with the beer, they went into the bar". Mr. Budnick admitted to the contravention and signed Contravention notice B007384 which was issued.

ALLEGED CONTRAVENTION(S)

Contravention Number B007384 : C Allow liquor to be removed from establishment, s. 42(4) Reg.

Reasons for Recommending Enforcement Action

To ensure that the licensee is able to monitor the consumption of liquor sold and consumed in the establishment, the situations in which patrons may take liquor outside of the establishment or the red lined area are restricted. In order to minimize the risk of tampering with unattended drinks, patrons are permitted to take drinks into washrooms, so long as licensees have procedures in place to supervise occurring there.

Reasons for the Proposed Penalty

Monetary penalty is proposed as this is the first contravention in the past twelve months. However, this area adjusted to the licensed area was recommend to the owners to be licensed as a patio by the Liquor Inspector to avoid this contravention.

Therefore;

For the alleged contravention of Allow liquor to be removed from establishment, s. 42(4) Reg. (Contravention Notice Number B007384) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a monetary penalty of \$1,500.00 (One Thousand Five Hundred Dollars) is warranted. This recommended monetary penalty falls within the penalty range set out in schedule 4 of the Regulation for a first contravention.

THE PROCEDURES

An enforcement hearing may be scheduled to determine whether the alleged contravention(s) occurred and the appropriate penalty, if any, that should be imposed. You can contest the contravention(s) and/or the proposed penalty at the enforcement hearing.

Please Note: If a penalty is warranted, the General Manager may;

- Impose a suspension of the liquor licence for a period of time;
- Cancel a liquor licence;
- Impose terms and conditions to a licence or rescind or amend existing terms and conditions;
- Impose a monetary penalty; or
- Order a licensee to transfer a licence.

An enforcement hearing can be time consuming and costly for all participants. If you sign a waiver, there will be no need for an enforcement hearing for the alleged contravention(s) or the lesser but included contravention(s). By signing the waiver, you expressly and irrevocably:

- Agree that the contravention(s) occurred,
- Accept the proposed penalty in this letter,
- Waive the enforcement hearing, and
- Agree that the finding(s) of contravention(s) and the penalty will form part of your compliance history as a licensee.

Generally, the waiver must be signed within 14 days of the date of this letter. If you decide you want to sign a waiver, please contact me as soon as possible to arrange an appointment.

CONTACTS

(1) If you do not sign a waiver, the case management administrator will contact you with details of the enforcement hearing process. The case management administrator contact information is:

(2) Please contact me at (250) 787-3345 if you want to sign a waiver notice or if you have any questions regarding this notice.

Yours truly,

Lorie Barrette
Fort St John

Attachments:
Appendices A & B
Copy of Enforcement Hearing Rules
Copy of Liquor Licence
Copy of Contravention Notice
Copy of Red line Floor Plan

APPENDIX A

Licence Information

Licence number: 013340
Licence type: Liquor Primary
Licence expiry date: February 28, 2011

At an enforcement hearing, the branch may present the following information related to allegations of non-compliance for which the branch did not pursue enforcement action. If there is a finding that the contravention(s) alleged which are the subject of this Notice of Enforcement Action did occur, the following information may be considered by the General Manager, for the purpose of determining what penalty, if any, is appropriate. The General Manager may also consider this information when assessing if the licensee knew that there were problems meeting the legislated requirements and what the licensee has done since it was brought to their attention that there were alleged contraventions:

Date of Incident	Alleged Contravention	Identifying Document(s)
August 13, 2010	Allow liquor to be removed from establishment, s. 42(4) Reg.	CN # B007384
March 29, 2003	Fail to request ID, Reg. s. 45(2)	CN # B000882

Compliance Meetings:

Date	Topic
April 11, 2003	

APPENDIX B

Licence Information

Licence Number: 013340
Licence Type: Liquor Primary
Licence Expiry Date: February 28, 2011

At an enforcement hearing, the General Manager will consider compliance history when determining the appropriate penalty for each contravention.

LICENSEE'S COMPLIANCE HISTORY

The licensee's compliance history consists of any prior findings of contraventions and penalties that relate to the licensee in question. A finding of contravention results when the licensee signs a waiver or the General Manager makes a decision that a contravention did occur. The General Manager may also consider this information when assessing if the licensee knew that there were problems meeting the legislated requirements and what the licensee has done since it was brought to their attention that there were alleged contraventions.

No.	Date	Contravention Notice Number	Findings of Contravention	Penalty Imposed
1.	May 29, 2008	B000847; EH08-064	Sell or give liquor to intoxicated person, s. 43(1) Act	4 day suspension
2.	February 26, 2002	A001416	Permit intoxicated person to remain, s. 43(2)(b) Act	4 day suspension
3.	February 26, 2002	A001416	FREE LIQUOR REG. S. 12(11)	\$5000 monetary penalty
4.	February 18, 2002	A001415	Minor - Sell, give or otherwise supply liquor to minor, s. 33(1)(a) Act	4 day suspension

ESTABLISHMENT'S COMPLIANCE HISTORY

The establishment's compliance history consists of any prior findings of contraventions and penalties that relate to the establishment in question. A finding of contravention results when the licensee responsible for the establishment signs a waiver or the General Manager makes a decision that a contravention did occur.

- No compliance history found

No. B 042841



Liquor Control and Licensing Act
and Regulation 244/2002

POLICE LICENSED PREMISES CHECK (LPC)

Establishment name: Cardell Hotel

Establishment address: 10110 100 Ave

101 50 100 Ave Licence #: 018310

Licensee name: L.E. Buckwold, Manager

Date and time of alleged contravention(s): 08/15/10 22:55

On the date noted above, the following alleged contravention(s) of the
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section
1	Liquor removed from establishment	41(2)(a) <input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg
2		<input type="checkbox"/> Act <input type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: 1st. Floor + 1st. Section observed
two drinks in Cardell Hotel room
including one with extra beer bottle.
one drink reported for wine bottle
later advised they were not worth trouble
Report to Social Licenses unit

Police officer: C. [Signature]

Badge #: 55245 Dept./Detach.: 100-10150

Police Incident/File #: 10-8286

Management acknowledgement (name and title): [Signature]

A copy of this LPC will be forwarded to the Liquor Control and Licensing Branch.
The branch may issue a contravention notice and proceed with enforcement
action as a result of the alleged contravention(s).

Copy 2: LCLB field office copy (forward to LCLB field office)



June 18, 2008

File No: EH08-064
Job No: 000713198-035

L. & E. Budnick Holdings Ltd.
c/o Elaine Budnick
10119 100th Avenue
Fort St John, BC V1J 1Y7

Telephone: (250) 787-3084

Fax: (250) 785-6646

Dear Elaine Budnick:

Re: Licence Number 045235

Condill Hotel
10119 - 100th Avenue
FORT ST. JOHN, BC V1J 1Y7

The purpose of this letter is to inform you of the procedures of the Liquor Control and Licensing Branch for imposing enforcement action on the above noted licence. You agreed to and accepted the following enforcement actions by signing a waiver notice dated June 05, 2008.

It is important to note that you are responsible for the actions of your employees. You will want to ensure that managers and staff are familiar with the terms of the enforcement action and their responsibilities

Enforcement Action

Suspension of the licence

The licence will be suspended for 4 (four) business days starting at the close of business on Wednesday, July 02, 2008, until the opening of business Monday, July 7, 2008. "Business day" means a day on which the establishment would normally be opened for business:

Signs satisfactory to the general manager, showing that the licence is suspended, must be placed in a prominent location in the establishment by a Liquor Control and Licensing Branch inspector or a police officer, and must remain in place during the period of suspension.

Suspension procedures

A Liquor Control and Licensing Branch inspector or police officer will attend at your establishment prior to opening time on the first day of the suspension to:

- remove the licence
- post the signs referenced above

**Ministry of Public
Safety
and Solicitor
General**

Liquor Control and
Licensing Branch

Mailing address:
PO Box 9292 Stn Prov Govt
Victoria, BC V8W 9J8
Toll Free: 1 866 209-2111
Telephone: 250 387-1254
Facsimile: 250 387-9184

Location:
Second Floor
1019 Wharf Street
Victoria BC

<http://www.pssg.gov.bc.ca/cib>

Page 1 of 2

You should make arrangements with the Liquor Control and Licensing Branch inspector or police officer to obtain your licence at the end of the suspension period.

Responsibility of licensee

You must allow the Liquor Control and Licensing Branch inspector or police officer to post the suspension signs. You must not remove those signs during the suspension. You must hand over the licence to the Liquor Control and Licensing Branch inspector or police officer when asked.

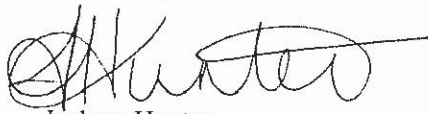
The establishment must remain closed during the period of suspension. You must not permit the sale, service or consumption of liquor in the establishment while the licence is suspended. There are serious consequences for the service of liquor while a licence is under suspension. If you serve liquor while a licence is suspended, the general manager will do one of the following:

- cancel the licence
- require that the licence be transferred within a specified time period and cancel the licence if it is not transferred within that time period
- impose a suspension of at least 15 days.

Contact Number

If you have any questions about the matters covered in this letter, please contact the inspector responsible for your area at (250) 787-3345.

Yours truly,



Jaclynn Hunter
Deputy General Manager
Compliance and Enforcement

CC: FORT ST. JOHN R.C.M.P. - #53
Clerk/Secretary City of FORT ST. JOHN
Brewers Distributors Ltd.
FORT ST. JOHN GLS #3,
PRINCE GEORGE PINE CENTRE GLS #174
Manager of Licensing
Regional Manager Michael Clark
Inspector Lorie Barrette



The Best Place on Earth

CERTIFIED

**NOTICE OF SUSPENSION
PURSUANT TO SECTION 15 (1)
LIQUOR CONTROL AND LICENSING ACT**

June 16, 2008

TO: Leo George Budnick
L. & E. Budnick Holdings Ltd.
Condill Hotel
c/o 13083 Lakeshore Dr.
Fort St. John, BC V1J 4M7

FROM: Rebecca Villa-Arce
Manager, Licensing Administration
Liquor Control and Licensing Branch
P.O. Box 9292, Stn. Prov. Gov't.
Victoria, B.C. V8W 9J8

RE: **Suspension of Liquor Primary Liquor licences # 013340 & # 045235
Licensee Retail Store Liquor licence # 195226
Establishment Name: Condill Hotel & Condill Cold Beer & Wine Store
Establishment Address: 10119 – 100th Ave. in Fort St. John, BC
Licensee: L. & E. Budnick Holdings Ltd.**

Section 15 (1) of the Liquor Control and Licensing Act requires the annual renewal of a liquor licence to be in a form approved by the general manager and be accompanied by the prescribed fee. On January 21, 2008 you were notified that the Branch would suspend your licence as a fee had been received, however the renewal application had not been submitted as requested. A copy of the letter is attached. As you have failed to provide this document the licence will be suspended on **June 30, 2008** until the complete form is received.

If you have any questions, please contact Shari Nadon at (250) 387-9137 or 1-866-209-2111.

Rebecca Villa-Arce
Manager, Licensing Administration

RVA/sjn

Attachment: Copy of letter.

cc: Michael Clark, Regional Manager
Lorie Barrette, Liquor Inspector
Fort St. John RCMP #53 (FAX: 250-787-8133)
Customer Service & Information Branch,
Registration/Close of Business, Ministry of Small Business and Revenue
Establishment Address: 10119 – 100th Avenue, Fort St. John, BC V1J 1Y7

**Ministry of Public
Safety and Solicitor
General**

Liquor Control and
Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Telephone: 250 387-1254
Facsimile: 250 387-9184

Location:
Second Floor, 1019 Wharf Street
Victoria BC V8W 2Y9

<http://www.pssg.gov.bc.ca> Page 30b/

PSS-2011-01597



NOTICE OF ENFORCEMENT ACTION
Liquor Control and Licensing Act R.S.B.C. 1996, c. 267

File No: EH08-064
 Job No: 000713198-035

June 11, 2008

L. & E. Budnick Holdings Ltd.
 c/o Budnick, Elaine
 10119 100th Avenue
 Fort St John, BC V1J 1Y7

Telephone: (250) 787-3084

Fax: (250) -3084

Dear Budnick, Elaine:

Re: License Number: 045235
 License Type: Liquor Primary
 License Expiry Date: February 28, 2009
 Establishment: Condill Hotel
 10119 - 100th Avenue
 FORT ST. JOHN, BC V1J 1Y7

The purpose of this notice is to inform you that the General Manager is taking enforcement action for the alleged contravention(s) of the *Liquor Control and Licensing Act*, the *Regulations*, and/or the terms and conditions of your license as set out in this notice.

The General Manager will consider the information contained in this notice at the enforcement hearing.

THE ALLEGED CONTRAVENTION(S)

No.	Name of Contravention(s)	Section of the Act/Regulation	Date and Time of Contravention(s)	Proposed Penalty
1.	Selling liquor to intoxicated person, s. 43(1)	s. 43(1)	May 29, 2008 1:55 AM	4 day suspension

**Ministry of
 Public Safety and
 Solicitor General**

Liquor Control and
 Licensing Branch

Mailing address:
 PO Box 9292 Stn Prov Govt
 Victoria BC V8W 9J8

Toll Free: 1 866 209-2111
 Telephone: 250 387-1254
 Facsimile: 250 387-9184

Location:
 Second Floor, 1019 Wharf Street
 Victoria BC

www.pssg.gov.bc.ca/iclt

SUMMARY OF EVIDENCE

The Condill Hotel has two Liquor Primary 045235 (lounge) and 013340 (pub) establishment L & E Budnick Holding Ltd., situated at 10119 100th Avenue Fort St John BC. Its hours of operation are Monday to Saturday 11:00am to 1:00am and Sunday 11:00am to midnight.

On 2008 May 29 at approximately 1315hrs, Inspector Walter McCue and Investigator Ron Carriere entered the Condill Hotel. Seated in Pub (LP013340) at round bar table in plain view of two patrons at rectangle table was one male described as approximate age 59, 5/10 feet tall and 160 lbs. with beard wearing dirty white ball cap, blue jacket, dirty light pants. Male was observed having difficulty with hand - eye coordination while lifting his glass to mouth. Inspectors and Investigator viewed male swaying side to side when he exited to smoking pit. Male was viewed returning from smoking pit swaying, Inspector noted his speech was slurred and eyes were glossy and watery. Male patron was noted as zig zagging when leaving the LP to the hotel lobby. The Inspector and Investigator had formed the opinion that the male patron was grossly intoxicated.

Inspector and Investigator proceeded to follow the male patron and viewed male patron in lounge sitting at the bar with fresh foam on a beer in front of him. Inspector viewed patron drink from the glass. Investigator and Inspector exited at approximately 1355hrs.

Inspector McCue made notes and handed them to Inspector Lorie Barrette on May 29, 2008.

On 2008May02 Inspector Lorie Barrette called the Condill Hotel, spoke with owner Mrs. Elaine Budnick advising her on this occurrence. Mrs. Budnick offered to view the security camera with Inspector Barrette as she was having the company programmer presented that day. At approximately 11:15am Inspector Barrette; Mrs. Budnick and two computer programmers viewed a replay of the recorded camera of May 29, 2008. The male patron was viewed falling down before entering the Condill Hotel; viewed the patron in Hotel lobby holding on to the wall, swaying side to side, making his way down the hall to the bathroom. Patron returned in view of a camera and proceeded to lounge and was situated at bar. Waitress was seen on camera taking monies from patron and giving him a beer.

Inspector Barrette met with Mr. and Mrs. Budnick and advised them that contravention notice B000847 would be issued for selling liquor to intoxicated person Sec. 43(1).

ALLEGED CONTRAVENTION(S)

Contravention Number B000847 : C Selling liquor to intoxicated person, s. 43(1)

Reasons for Recommending Enforcement Action

The licensee is responsible for managing and controlling the establishment so that it does not negatively affect patrons or the community. Intoxication is a serious public safety issue. Intoxicated patrons may be a danger to themselves or the public. Intoxication can be a factor in many crimes, including domestic violence, drug offences, assaults and driving violations. Intoxication is also associated with behaviour that has a negative impact on communities, including late night noise, vandalism and unsanitary behaviour.

Intoxicated patrons may not be able to exercise sufficient judgment to stop consuming liquor. Providing liquor to a person who is already intoxicated increase the risk that they will harm themselves or others.

Reasons for the Proposed Penalty

Four day suspension for the liquor primary license for this instance is the first contravention notice in the last twelve months in the licensee history. A suspension is recommended as there was sale of beer to an intoxicated person which was seen on camera and patron was in one of the hotel's liquor primary and then exited and went into other one where he was served. Staff did not exercise sufficient judgment to stop the consumption of liquor which increases the risk that they will harm themselves or others. Reference Liquor Control and Licensing Act Section 43(1), page 13 of the Liquor Primary Guide to Licensees and Item 9, schedule 4.

Therefore,

For the alleged contravention selling liquor to intoxicated person S. 43(1) (Contravention Notice Number B000847) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 4 days is warranted. This recommended suspension falls within the penalty range set out in schedule 4 of the Regulation for a first contravention.

The suspension will be served starting on a Thursday and will continue on successive business days until completed.

Therefore;

For the alleged contravention of Selling liquor to intoxicated person, s. 43(1) (Contravention Notice Number B000847) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 4 days is warranted. This recommended suspension penalty falls within the penalty range set out in schedule 4 of the Regulation for a first contravention.

The suspension will be served starting on a Thursday and will continue on successive business days until completed.

THE PROCEDURES

An enforcement hearing may be scheduled to determine whether the alleged contravention(s) occurred and the appropriate penalty, if any, that should be imposed. You can contest the contravention(s) and/or the proposed penalty at the enforcement hearing.

Please Note: If a penalty is warranted, the General Manager may;

- Impose a suspension of the liquor license for a period of time;
- Cancel a liquor license;
- Impose terms and conditions to a license or rescind or amend existing terms and conditions;
- Impose a monetary penalty; or
Order a licensee to transfer a license.

An enforcement hearing can be time consuming and costly for all participants. If you sign a waiver, there will be no need for an enforcement hearing for the alleged contravention(s) or the lesser but included contravention(s). By signing the waiver, you expressly and irrevocably:

- Agree that the contravention(s) occurred,
- Accept the proposed penalty in this letter,
- Waive the enforcement hearing, and
- Agree that the finding(s) of contravention(s) and the penalty will form part of your compliance history as a licensee.

Generally, the waiver must be signed within 14 days of the date of this letter. If you decide you want to sign a waiver, please contact me as soon as possible to arrange an appointment.

CONTACTS

(1) If you do not sign a waiver, the case management administrator will contact you with details of the enforcement hearing process. The case management administrator contact information is:

Mandy Fisher; (250) 356-0010; Mandy.Fisher@gov.bc.ca

(2) Please contact me at (250) 787-3345 if you want to sign a waiver notice or if you have any questions regarding this notice.

Yours truly,

Lorie Barrette
Fort St John

Attachments:
Appendices A & B
Copy of Enforcement Hearing Rules
Copy of Liquor Licence
Copy of Contravention Notice
Copy of Red line Floor Plan

APPENDIX A

License Information

License number: 045235
License type: Liquor Primary
License expiry date: February 28, 2009

At an enforcement hearing, the branch may present the following information related to allegations of non-compliance for which the branch did not pursue enforcement action. If there is a finding that the contravention(s) alleged which are the subject of this Notice of Enforcement Action did occur, the following information may be considered by the General Manager, for the purpose of determining what penalty, if any, is appropriate. The General Manager may also consider this information when assessing if the licensee knew that there were problems meeting the legislated requirements and what the licensee has done since it was brought to their attention that there were alleged contraventions:

Date of Incident	Alleged Contravention	Identifying Document(s)
May 29, 2008	Selling liquor to intoxicated person, s. 43(1)	CN # B000847
February 26, 2002	SELLING LIQUOR TO AN INTOXICATED PERSON S. 43(1)	CN # A001420
February 13, 2002	MINORS IN PREMISE, S. 35	CN # A001414

Compliance Meetings:

Date	Topic
May 20, 2008	Selling liquor to intoxicated person, s. 43(1)

APPENDIX B

License Information

License Number: 045235
 License Type: Liquor Primary
 License Expiry Date: February 28, 2009

At an enforcement hearing, the General Manager will consider compliance history when determining the appropriate penalty for each contravention.

LICENSEE'S COMPLIANCE HISTORY

The licensee's compliance history consists of any prior findings of contraventions and penalties that relate to the licensee in question. A finding of contravention results when the licensee signs a waiver or the General Manager makes a decision that a contravention did occur. The General Manager may also consider this information when assessing if the licensee knew that there were problems meeting the legislated requirements and what the licensee has done since it was brought to their attention that there were alleged contraventions.

No.	Date	Contravention Notice Number	Findings of Contravention	Penalty Imp
1.	February 26, 2002	A001416	PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B)	4 day suspens
2.	February 26, 2002	A001416	FREE LIQUOR REG. S. 12(11)	\$5000 moneta penalty
3.	February 18, 2002	A001415	SUPPLY TO MINORS, S. 33	4 day suspens

ESTABLISHMENT'S COMPLIANCE HISTORY

The establishment's compliance history consists of any prior findings of contraventions and penalties that relate to the establishment in question. A finding of contravention results when the licensee responsible for the establishment signs a waiver or the General Manager makes a decision that a contravention did occur.

	Date	Contravention Notice Number	Findings of Contravention	Enforce Act
1.	February 26, 2002	A001416	PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B)	4 day suspri
2.	February 26, 2002	A001416	FREE LIQUOR REG. S. 12(11)	\$5000 mon penalty
3.	February 18, 2002	A001415	SUPPLY TO MINORS, S. 33	4 day suspri



LRS 195226

May 9, 2008

Attention: Licensee
Condill Cold Beer and Wine Store
10119 - 100 Avenue
Fort St. John, B.C. V1J 1Y7

Dear Licensee:

**Re: Condill Cold Beer and Wine Store
Compliance Check**

As part of its mandate to ensure outlet stores are in compliance with the Liquor Control and Licensing Act and Regulations, the Liquor Control and Licensing Branch has employed agents, who are between the ages of 19 and 22, to conduct compliance checks of liquor retail stores. Although these agents are of legal age, they have deliberately been chosen because of their youthful appearance, and a liquor retailer should verify the age of these agents by checking two pieces of identification.

On the business day of March 20, 2008 at approximately 3:20 p.m. an agent attended the above noted liquor retail store to conduct a compliance check. The compliance check conducted showed your store to not be properly complying with the requirement to check two pieces of identification when verifying a person's age. The agent was only required to produce one piece of identification when purchasing liquor. The receipt provided to the agent shows the name of the staff person as **s.22**. The staff person is described as a

S22

The Liquor Control and Licensing Branch takes the issue of access to liquor by minors as a serious public safety issue. Underage drinking can have significant and long-lasting impacts, which is why the Branch considers alcohol consumption by minors to be a key public safety priority. For example, when minors drink liquor, they are at an increased risk of vehicle crashes, fighting, sexual assault and alcohol poisoning.

The only assurance a liquor retailer has to guard against the sale of liquor to minors is to verify the age of all youthful looking persons by checking two pieces of identification. One piece of identification must be government issued photo identification with a signature and date of birth, such as driver's license or passport. The second piece of identification must have the person's name, and one or both of the person's signature and picture.

.../2

**Ministry of Public
Safety and Solicitor
General**

Liquor Control and
Licensing Branch

Mailing Address:
Suite 101
9180 King George Highway
Surrey, BC V3V 5V9

Telephone: 604 586-2641
Facsimile: 604 586-2640

Location:
Suite 101
9180 King George Highway
Surrey, BC

<http://www.ag.gov.bc.ca/lclb/>

Condill Cold Beer and Wine Store
May 9, 2008

Page 2

We would strongly recommend that you review with your staff the identification checking requirements set out under section 45 of the Regulations, and the terms and conditions contained within the Guide for Liquor Licensees in British Columbia to ensure that they are properly familiarized with their responsibilities. We appreciate your attention to the matter.

If you have any questions, please contact Shahid Noorani, Manager of Investigations, at 604-586-2641.

Yours truly,



Shahid Noorani
Manager of Investigations

p.c. Jaclynn Hunter, Deputy General Manager, C&E Division
Michael Clark, Regional Manager