



## COMPLIANCE MEETING

This document is the record of a meeting between a licensee and the Liquor Control and Licensing Branch [LCLB]. The purpose of the record is to document that concerns about the licensee's non-compliance with the Act, Regulations and or the Terms and Conditions on the license have been brought to the licensee's attention. This record will also show that licensee is aware of these concerns and has made specific commitments to address those concerns.

### Establishment Details:

HOUSE MAIL

Establishment Name: Jimmy's Pub and Grill  
Establishment Address: 7215 Pioneer Avenue  
AGASSIZ, BC V0M 1A0  
Licensee: COOMBER MECHANICAL LTD.  
Licence #: 038118

### Meeting Date and Location:

October 02, 2013 at Agassiz RCMP Detachment

### For the LCLB:

Linda Hoy, Inspector #61  
Stuart. FALEBRINZA i/c Agassiz Detachment. 796-2211  
Compliance meeting C009992

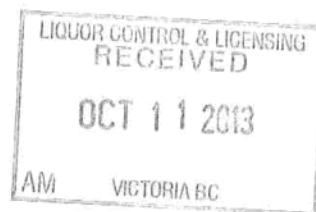
### For the Licensee:

David Mawhinney, Manager s.22  
David Mawhinney supplied a letter of authority from Peter Kosmas to act on behalf of Coomber Mechanical Ltd. dated August 1, 2013

### Reason for the Meeting:

CN # B012102 issued September 27/28, 2013 – liquor removed / intoxication  
From RCMP – report of failure to have video in working order while open for business.

Review specific terms and conditions as relate to this licence



**Section of the Act, Regulation, or T&C Guide Reviewed at the Meeting:**

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**Allow liquor to be removed from establishment, s. 42(4) Reg.**

A breach of section 42 (4) of this regulation by permitting liquor sold in the licensed establishment to be taken from the establishment.

To ensure that the licensee is able to monitor the consumption of liquor sold 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 activities occurring there.

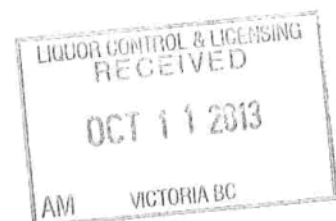
Minimum Monetary and/or the Minimum Suspension for a first contravention of the above cited section of the Act or Regulation is **1 to 3 day suspension and/or \$1000 to \$3000 penalty.**

**Permit intoxicated person to remain, s. 43(2)(b) Act**

A breach of section 43 (2) (b) of the Act by permitting an intoxicated person to remain in that part of the licensed establishment where liquor is sold or served

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. To ensure their safety, intoxicated persons may remain in unlicensed areas of an establishment while waiting for assistance or a ride home.

Minimum Monetary and/or the Minimum Suspension for a first contravention of the above cited section of the Act or Regulation is **4 to 7 day suspension and/or \$5000-\$7000 penalty.**



Mr. Mawhinney started operating the establishment approximately 2 months ago. He is currently working on arranging a management agreement with the licensee. Mr. Mawhinney has been advised that he must pay attention to the specific Terms and Conditions of this licence as well as the requirements under the Liquor Control and Licensing Act, Regulations and Terms and Conditions of Guide Book for the licence type.

Mr. Mawhinney also understands that he has to take serious steps to ensure that establishment is compliance with the terms and conditions and that further contraventions of the ACT, Regs, or Terms and Conditions will result in enforcement action.

**Commitment/s made by the Licensee:**

Terms and Conditions of Appendix 'A' specific to this licence to followed as required.

- 1) Chris, security /door person, to remain focused on door
- 2) 24/7 security team will be monitoring security system to ensure system is in good working order.
- 3) We will ensure video surveillance working at all times when we are open.
- 4) Regular Team Meetings to insure patron safety and intoxication levels are monitored.
- 5) Staff to be educated on processes.

- 
- *I acknowledge the above concerns have been brought to my attention,*
  - *I agree to implement the measures cited above,*
  - *I acknowledge my responsibility to provide on-going training to my staff,*
  - *I acknowledge my responsibility to be fully compliant at all times with the Liquor Control and Licensing Act, the Regulations and the Terms and Conditions on my licence.*

Licensee/Representative:

**David Mawhinney, agent for licensee**  
(print name and position)

Licensee/Rep Signature:

**Original CM C009992 from signed.**

LCLB Representative:

**Linda Hoy, Inspector #61**  
(print name and position)

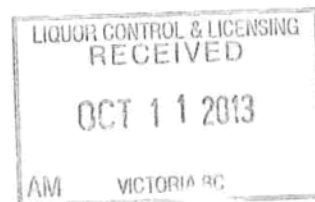
LCLB Signature:

**Original CM C009992 from signed.**

**Attachment/s:**

Copy to:

- field file,
- POSSE Docs Tab
- Establishment File
- Licensee





ENTERED IN POSSE  
**BRITISH COLUMBIA**

No. **B012102**

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: Jimmy's Pub & Grill  
 Establishment address: 7215 Pioneer Avenue  
Agassiz BC V0M 1A0  
 Licensee name: CODMREIL MECHANICAL LTD.  
 Licence #: 038118 Date CN issued: 09/28/13  
 Date and time of alleged contravention(s): 09/28/13 01:00 am

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 h. ESTAB.	§42(4)	<input type="checkbox"/> Act <input type="checkbox"/> Reg
2	Permit not to remain	§43(6)	<input type="checkbox"/> Act <input type="checkbox"/> Reg
3			<input type="checkbox"/> Act <input type="checkbox"/> Reg
4	<b>FILE COPY</b>		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: male, Native At Dora when I  
arrived - had pint of beer outside:  
manager + a/bn mid of night returned  
observed male as people standing  
at bar, subject to double gesture  
offer to move with wait into washroom  
 Inspector name: David Hay Badge #: 6  
 Telephone: 604 386 6666 LPC #: \_\_\_\_\_  
 Management acknowledgement (name and title): DAVID MANIHOVEN  
Manager

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.

by manager escorted out & took home  
when came out of washroom

COPY 4: LCLB FIELD OFFICE COPY (place on field establishment file)

AM  
 VICTORIA BC  
 OCT 11 2013  
 LIQUOR CONTROL & LICENSING  
 RECEIVED

I advised manager Dave the male was in the women's washroom; he went and looked and came back stating he wasn't in there. I said he has to be as there is no other exit from the area. I suggested we sit there and discuss the issues. After approx 3 to 5 minutes the male then walked out of the women's washroom and I pointed him out to the manager and that he was intoxicated. The manager said he would have to get him out of there and took the male outside and drove him home.

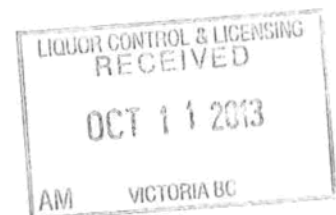
I then made few notes and went to my car and got CN Book. AT approx 0100 hours when Dave returned I wrote CN B012102 and continued observations and discussions with Dave as I did this. I noted two other patrons 1 male; 1 female, both native and a white male leave the establishment - the white male was relatively sober, the other male and female were both intoxicated.

Another male inside, native, tall, red ball cap, was also showing signs intoxication - appeared disoriented, hyper, moving around, up and down from bar stool then to other tables. Pointed him out to Dave who said yes he would have to get him out. The bartender continued serving drinks and did not appear to notice this male or pay attention. The door person remained at door or dealing with patrons in that area.

I then noted the male get a full glass of beer from another table - advised Dave who agreed he should not be having any more.

s.22 bartender on duty, had two full shot glasses behind the bar. I asked about them and she stated they had fruit flies so she poured two more and just left those there.

Dave signed the CN and we arranged for a compliance meeting which will be done Wednesday, October 2nd at Agassiz RCMP Detachment.



# JIMMY'S PUB

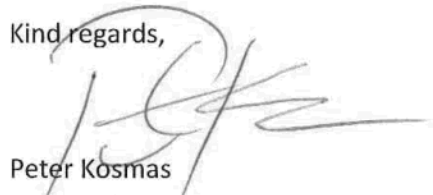
August 1, 2013

To it may concern,

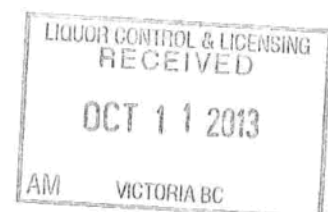
This letter is to inform you that s.22 have authority to represent Jimmy's Pub and Grill (license #038118) in any matter to do with the business located at 7215 Pioneer Ave, Agassiz.

Please direct any concerns or inquiries to either s.22

Kind regards,



Peter Kosmas  
Coomer Mechanical Ltd.



### COMPLIANCE MEETING

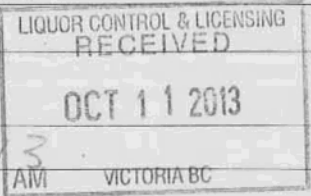
 Inspector's Name: Linda Hoy Date: Oct 2, 2013  
 Office Location: SRO - Mtg at Agassiz RCMP Detachment.
**ESTABLISHMENT INFORMATION:**

 Establishment Name: Jimmy's Pub and Grill  
 Establishment Address: 7215 Pioneer Avenue, Agassiz  
 Licence No.: 038118 Licence Class: LP Expiry date: June 30, 2014  
 Licensee Name: COOMBER MECHANICAL LTD
**MEETING DETAILS:**

## Attendees at compliance meeting:

Name: <u>David Maitland</u>	Association/Position: <u>MANAGER</u>	Contact No: <u>604-791-3670</u>
Name: <u>Stuart Fairbrairn</u>	Association/Position: <u>RCMP - Agassiz</u>	Contact No: <u>506-796-2011</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

 Reason compliance meeting was convened (cite CN # if relevant): CN B012102

 Information reviewed at the meeting: Liquor Removal / Intoxication


- Relevant section(s) of the *Liquor Control and Licensing Act* S.12
- Relevant section(s) of the *Liquor Control and Licensing Regulations* S.42 ; S.43
- Relevant section(s) of the *Compliance and Enforcement Program, Policy and Procedures Manual*

 Relevant section(s) of the *Guide to Liquor Licensees* Schedule 4
 Other Reviewed APPENDIX A Specific Terms and Conditions applied to this license.  
→ Discussed Video not working when requested by Police during Fair Trial

 Commitments made by licensee: As requested.  
Terms: Licensee to be responsible for...  
24/7 Security...

 Other Is the Licensee Working Under the License at all times?  
( ) STATE IS THE EQUIPMENT OF LICENSEES

 Inspector Name: Linda Hoy Inspector Signature: Linda Hoy  
 Licensee Name: Jimmy's Pub - David Maitland Licensee Signature: D

**COMPLIANCE MEETING**

Inspector's Name: Linda O'Boyle Date: Oct 2, 2013  
Office Location: 5400 - 1st St. Victoria RCMP Detachment

**ESTABLISHMENT INFORMATION:**

Establishment Name: Jimmy's Husband Cafe  
Establishment Address: 7215 Pioneer Avenue, Victoria  
Licence No.: 038118 Licence Class: LP Expiry date: June 30, 2014  
Licensee Name: Coomsie Macdonald Ltd

**MEETING DETAILS:**

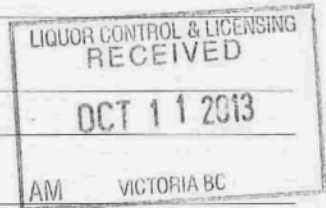
Attendees at compliance meeting:

Name: <u>Dave Macdonald</u>	Association/Position: <u>Proprietor</u>	Contact No: <u>604 741 3670</u>
Name: <u>Inert Galbraith</u>	Association/Position: <u>RCMP - Officer</u>	Contact No: <u>250-746-2111</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): CN B012102  
Liquor License / Information

Information reviewed at the meeting:

- Relevant section(s) of the *Liquor Control and Licensing Act* 3.12
- Relevant section(s) of the *Liquor Control and Licensing Regulations* 5.47 ; 5.43
- Relevant section(s) of the *Compliance and Enforcement Program, Policy and Procedures Manual*
- Relevant section(s) of the *Guide to Liquor Licensees* Schedule 4
- Other Reviewed Appendix A Specific Terms and Conditions applicable to this license.



→ Disciplinary Warnings were issued when required to be done during this time.

Commitments made by licensee: \_\_\_\_\_

Other \_\_\_\_\_

Inspector Name: Linda O'Boyle Inspector Signature: [Signature]  
Licensee Name: Jimmy's Pub & Restaurant Licensee Signature: [Signature]



ENTERED IN POSSE No. B012102



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: Jimmy's Pub and Grill

Establishment address: 7215 Pioneer Avenue, Quesnel BC V0M 1A0

Licensee name: COOMBER MECHANICAL LTD.

Licence #: 038118 Date CN issued: 09/28/13

Date and time of alleged contravention(s): 09/28/13 @ 10:00am

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 Estab.	8.42(4)	<input type="checkbox"/> Act <input type="checkbox"/> Reg
2	Permit received	8.43(6)	<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: male, Native, At door when I

arrived - had pint of beer outside: manager + a bar man full on retrieval

Observed male at table 510 acting, first cards exposed, while getting into washroom

Inspector name: Linda Hoy Badge #: 61

Telephone: 604 5862462 LPC #:

Management acknowledgement (name and title): David Manthover, Manager

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.

manager escorted out of work home when came out of washroom

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

**COMPLIANCE MEETING**

Inspector's Name: Linda Hoy ENTERED IN POSSE Date: MARCH 15, 2012  
Office Location: SKO

**ESTABLISHMENT INFORMATION:**

Establishment Name: JIMMY'S PUB and GRILL  
Establishment Address: 7215 PIONEER AVENUE, NGASSIZ BC  
Licence No.: 038118 Licence Class: LP Expiry date: DEC 31, 2012  
Licensee Name: COOMBER MECHANICAL LTD.

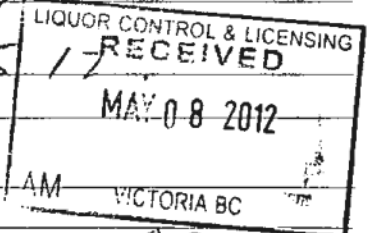
**MEETING DETAILS:**

Attendees at compliance meeting:

Name: PETER KOSMAS Association/Position: OWNER Contact No: 604 793 5353  
Name: Stuart Falabrino Association/Position: Agassiz IC member Contact No: 604-796-2211  
Name: \_\_\_\_\_ Association/Position: \_\_\_\_\_ Contact No: \_\_\_\_\_  
Name: \_\_\_\_\_ Association/Position: \_\_\_\_\_ Contact No: \_\_\_\_\_  
Name: \_\_\_\_\_ Association/Position: \_\_\_\_\_ Contact No: \_\_\_\_\_

Reason compliance meeting was convened (cite CN # if relevant): LPC A 125404; A125402; and LPC A125403 POLICE FILE 12-6793 CN R014014  
Information reviewed at the meeting: TCNB 014015

- Relevant section(s) of the Liquor Control and Licensing Act S. 73(2)(a)(6); S 17
- Relevant section(s) of the Liquor Control and Licensing Regulations
- Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
- Relevant section(s) of the Guide to Liquor Licensees



Other Terms & Conditions re APPENDIX A, APRIL 26 2010 CONTRAVENTION OCCURRED on mARCH 4, 2012 FROM BUSINESS DAY OF SATURDAY MARCH 3, 2012

Commitments made by licensee:

- 1) Will have Video Tapping by Monday MARCH 19, 2012 or will cease operating until Video is working
- 2) ACCEPTS they will sign a waiver for 30 day

Other on the Contravention of TAC APPENDIX A(5)  
3) ACCEPTS they will sign a waiver for \$7500 penalty on Contravention of FAIL TO produce DRUG TEST  
4) re CN B0406 - LICENSEE IS TERMINATING EMPLOYEE

Inspector Name: Linda Hoy Inspector Signature: Linda Hoy  
Licensee Name: Peter Kosmas Licensee Signature: [Signature]



No. C008266  
LIQUOR CONTROL & LICENSING  
RECEIVED  
MAY 08 2012  
AM VICTORIA BC

**COMPLIANCE MEETING**

Inspector's Name: Linda Hoy Date: MARCH 13, 2012  
Office Location: SKO

**ESTABLISHMENT INFORMATION:**

Establishment Name: JIMMY'S PUB and GRILL  
Establishment Address: 7215 PIONEER AVENUE, NGASSIZ BC  
Licence No.: 038118 Licence Class: LP Expiry date: DEC 31, 2012  
Licensee Name: COLUMBIAN MECHANICAL LTD.

**MEETING DETAILS:**

Attendees at compliance meeting:

Name: <u>PETER KOSMAS</u>	Association/Position: <u>OWNER</u>	Contact No: <u>604 793 5353</u>
Name: <u>Stuart Faleharinze</u>	Association/Position: <u>AGASSI7 COMMUNITY</u>	Contact No: <u>604-795-7211</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): LPC A 125404; A125402;  
and LPC A125403 POLICE FILE 12-6793 CN R014014  
Information reviewed at the meeting: CN B 014015

- Relevant section(s) of the Liquor Control and Licensing Act S. 73(2)(a)(6); 517
- Relevant section(s) of the Liquor Control and Licensing Regulations
- Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
- Relevant section(s) of the Guide to Liquor Licensees

Other: Terms & Conditions re APPENDIX A, APRIL 26 2010  
CONTRAVENION OCCURRED on MONDAY, 2012 FROM BUSINESS DAY  
of SATURDAY MARCH 3, 2012

Commitments made by licensee:

- 1) Will have Video Camera by Monday MARCH 19, 2012 or will cease operating until Video is working.
- 2) ACCEPTS they will sign a waiver for 30 days
- Other on the Contradiction of TAC APPENDIX A(S)
- 3) ACCEPTS they will sign a waiver for 7,500
- Results on Contradiction of TAC to include due notice
- AKI CN B0406 - LICENSEE IS TERMINATING EMPLOYEE

Inspector Name: Linda Hoy Inspector Signature: Linda Hoy  
Licensee Name: Peter Kosmas Licensee Signature: [Signature]



# COMPLIANCE MEETING

This document is the record of a meeting between a licensee and the Liquor Control and Licensing Branch [LCLB]. The purpose of the record is to document that concerns about the licensee's non-compliance with the Act, Regulations and or the Terms and Conditions on the license have been brought to the licensee's attention. This record will also show that licensee is aware of these concerns and has made specific commitments to address those concerns.

**Establishment Details:**

Establishment Name: Jimmy's Pub and Grill  
Establishment Address: 7215 Pioneer Avenue  
AGASSIZ, BC V0M 1A0  
Licensee: COOMBER MECHANICAL LTD.  
Licence #: 038118

ENTERED IN POSSE

**Meeting Date and Location:**

March 15, 2012, Agassiz RCMP Detachment

**For the LCLB:**

Linda Hoy, Liquor Inspector #61: Phone # 604 586-2656

**For the RCMP:**

Stu Falebrinza, Commander Agassiz RCMP: Phone # 604 796-2211

**For the Licensee:**

Peter Kosmas<sup>s.22</sup> Shareholder: Phone # s.22

**Reason for the Meeting:**

LPC  
A125402 Fail to comply with T&C's of licence  
A125403 Fail to produce video  
A125404 Obstruct or attempt to obstruct Police officer  
CN #  
B014014 Contravene T&C  
B014015 Contravene LCLA s.73(2)(a)  
B014016 Contravene LCLA s.&7(3)

LIQUOR CONTROL & LICENSING  
RECEIVED  
MAY 08 2012  
AM VICTORIA BC

**Section of the Act, Regulation, or T&C Guide Reviewed at the Meeting:**

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**Contravene term & condition, s. 12 Act**

April 26, 2010 specific Terms and Conditions  
**APPENDIX A, Jimmy's Pub and Grill**

**The following terms and conditions apply to the licence:**

4. The licensee must use the ID process, **video** and wand all patrons, without exception, before any patrons are admitted.
5. The video surveillance system must be capable of retaining one month (30 days) worth of data, and **the licensee must produce video recordings and/or photographs requested by police or Liquor Control and Licensing Branch (the branch) at any time upon demand.** "On Demand" shall mean as soon as reasonably possible.
  - a. (i.e., the next business day and sooner if the Licensee can contact the holder of the tapes or maintains their own tapes).
6. **In the event that the video surveillance equipment, ID process or metal detector wand is not working or available, the Licensee agrees to refuse to admit patrons to the establishment until all such equipment is repaired, or suitable back-up equipment is in place and fully operational.**
  - a. Upon request, the police or the Branch Liquor Inspectors have the right to examine the Video Recorder and the metal detector wand at any time to confirm they are operational and working.

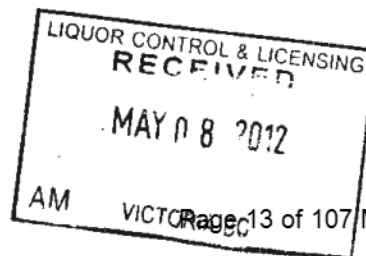
**Minimum Monetary and/or the Minimum Suspension** for a first contravention of the above cited section of the Act or Regulation is  
1 to 3 day suspension and/or \$1000 to \$3000

**Fail to promptly produce and submit a record, thing or sample, s. 73(2)(a) Act**

The failure to produce documents and records and the refusal to allow liquor sampling are serious contraventions that undermine the Compliance and Enforcement Program. Without access to documents, records and things associated with the operation of the establishment, the branch may be unable to identify serious contraventions, such as the sale of illicit liquor, and deal with them effectively.

Cst. Parish requested the Video on March 4, 2012 at 1512 hours from the incident on March 4<sup>th</sup> at approximately 0100 hours (from business day of March 3<sup>rd</sup>)  
Kosmas was unable to produce the video as the system had been down since November 2011.  
On March 13, 2012 the licensee was issued LPC A125403 for failure to produce the video

**Minimum Monetary and/or the Minimum Suspension** for a first contravention of the above cited section of the Act or Regulation is  
10 to 15 day suspension and/or \$7500 to \$10,000



**Obstruct or attempt to obstruct entry or search by peace officer, s. 67(3)(a) Act**

Failing to allow a peace officer to enter a licensed establishment undermines the branch enforcement structure. A licensee who obstructs or attempts to obstruct the entry of a peace officer manifests a flagrant and utter disregard for the law. For these reasons, the general manager will respond quickly and conclusively. The regulation sets out serious consequences for this contravention.

As the result of information received at approximately 0010 hours concerning the licensed establishment and the fact that a number of very large gangster type individuals were in the bar and were trying to start fights with various people, police attended the establishment where observations were made in the early morning hours of Sunday March 4<sup>th</sup> from the business day of Saturday March 3<sup>rd</sup>, from approximately 0030 hours until approximately 0100 hours when back up units from Chilliwack arrived in the area. During observations numerous person known to police were recognized. These patrons are known to be involved in gang activity, drug trafficking, weapon offences, and are well known to police in the Fraser Valley and beyond. This person entered and exited the bar numerous times.

Observed with these patrons was a male who has Court imposed conditions prohibiting him from attending any licensed establishment due to his involvement in violent offences when consuming alcohol.

Once police back up units arrived, Police attempted to enter the establishment to arrest this person; however, several of the persons known to police ran inside and shouted 'COPS'. At this time, Cst. Pascuzzo entered the establishment and searched for the male who was not located. Police believe that a s.22

s.22 The only way he could have left, as the front door was under observation, would have been through this rear exit that is in the kitchen area. To access this area a person has to go behind the bar, through the kitchen and out the back. s.22 person. Police spoke with the s.22 s.22

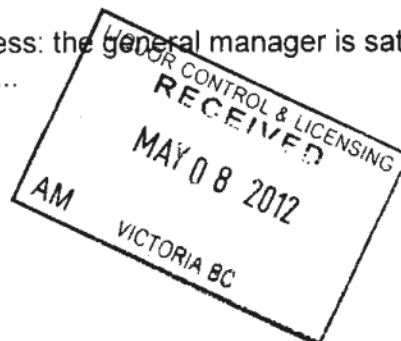
Police made patrols in the area and tracks were noted in the snow behind the bar that led to the highway where bystanders stated a taxi cab was observed picking up a male matching the description of the subject.

Police later spoke with s.22 who stated that he believed that s.22 let this male out the back door.

Minimum Monetary and/or the Minimum Suspension for a first contravention of the above cited section of the Act or Regulation is

A contravention under this section of the Act which has the elements to issue a Contravention Notice under s.73(2)(b) of the ACT would result in a recommendation of cancellation of the licence as per Section 28.2.4 of the Compliance and Enforcement Policy Manual

..... The general manager must cancel the licence, unless: the general manager is satisfied that it is in the public interest not to cancel the licence .....



**Commitment/s made by the Licensee:**

- 1) Will have video running by Monday, March 19, 2012 or will cease operating until video is working
- 2) Accepts they will gain a waiver for a 3 day suspension on the contravention of the Terms & Conditions as noted above
- 3) Accepts they will sign a waiver for a \$7500 penalty for the contravention of Fail to produce a document, record, or thing.
- 4) Re contravention notice CN B014016 for obstructing the police, the license understands there will not be any enforcement action as that is a police matter to determine if they will proceed with obstruction and in these circumstances it does not fall under s.73(2)(b) of the ACT which would be enforceable by the Branch. The Branch will not take action on this contravention.
  - a. The licensee however has stated that it is his intention s.22

- 
- *I acknowledge the above concerns have been brought to my attention,*
  - *I agree to implement the measures cited above,*
  - *I acknowledge my responsibility to provide on-going training to my staff,*
  - *I acknowledge my responsibility to be fully compliant at all times with the Liquor Control and Licensing Act, the Regulations and the Terms and Conditions on my licence.*

Licensee/Representative: Peter Kosmas, Shareholder of Licensee Company  
(print name and position)

Licensee/Rep Signature: Original Compliance Meeting form C008226 Signed.

LCLB Representative: Linda Hoy, Liquor Inspector # 61  
(print name and position)

LCLB Signature: Original Compliance Meeting form C008226 Signed.

**Attachment/s:**

Copy to:

- field file,
- POSSE Docs Tab
- Establishment File
- Licensee



No. B014014



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: Jimmy's Pub & Grill
Establishment address: 215 Pioneer Avenue, Agassiz BC
Licensee name: COOMER MECHANICAL LTD
Licence #: 038118 Date CN issued: 03/15/12
Date and time of alleged contravention(s): 03/12/12 01:00

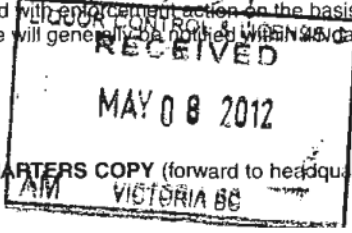
On the date noted above, the following alleged contravention(s) of the Liquor Control and Licensing Act or regulation were identified:

Table with 2 columns: Contravention, Section. Row 1: T.C. S12 APPENDIX A'S 812. Row 2: of licence. ENTICED IN POSSE.

Details: FAIL to comply with provisions in T.C. APPENDIX A of APRIL 26, 2010 POLICE FILE 12-6773

Inspector name: LINDA HOY Badge #: 61
Telephone: 6043862656 LPC #: A125402
Management acknowledgement (name and title): PETER KOSMAS / OWNER

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 48 days if enforcement action is proposed.



COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)



No. A 125402



Liquor Control and Licensing Act  
and Regulation 608/76

**POLICE LICENSED PREMISES CHECK (LPC)**

Establishment Name: Jimmy's Pub and Grill  
Establishment Address: 7215 Pioneer Ave. Agassiz BC  
Licence #: 038118 Date: 12/03/08 Time: 01:00  
Licensee Name: Coomber Mechanical LTD

On the date noted above, the following alleged contraventions of the *Liquor Control and Licensing Act* or regulations were identified:

**MINORS**

- Supplying to minors s. 33
- Minors in premises s. 35

Number and age of minors: \_\_\_\_\_

I.D. type shown: \_\_\_\_\_

Details (e.g. no ID checked at door; inadequate lighting at door) \_\_\_\_\_

**OVERCROWDING**

- Overcrowding beyond Building Occupancy Load (BOL) Reg. s. 4(7)
- Overcrowding beyond Licence Capacity Reg.

BOL: \_\_\_\_\_ Actual: \_\_\_\_\_ Lic. Cap.: \_\_\_\_\_ Actual: \_\_\_\_\_

Details (e.g., how was count conducted; how many times was count done; did staff member verify count; number of door staff; door control; identify public safety issues): \_\_\_\_\_

**INTOXICATED PATRON**

- Selling to intoxicated person s. 43(1)
- Permitting a person to become intoxicated s 43(2)(a)
- Permitting intoxicated person to remain s. 43(2)(b)

Details (e.g. evidence of intoxication): \_\_\_\_\_

**OTHER ALLEGED CONTRAVENTIONS** (see flap): \* Video inactive Since Nov 2012

Details: S. 12 LCLA  
Fail to comply with provisions in Terms

Police Officer (please print): Cst PASCUBZO

Badge #: 57525 Dept./Detach.: AGASSIZ RCMP

Police Incident/File #: 12-6793 (Served Mar 13 2012)

Management Acknowledgement (Name and Title)  
Peter KOSMAS - Owner

A copy of this LPC will be forwarded to the Liquor Control and Licensing Branch. The branch may proceed with enforcement action on the basis of this alleged contravention.

COPY 2: LCLB FIELD OFFICE COPY (forward to LCLB field office)

Printed in B.C. 4500051087



CN B014014

ENTERED IN POSSE

LIQUOR CONTROL & LICENSING  
RECEIVED  
MAY 18 2012  
AM VICTORIA

UPPER FRASER VALLEY REG RCMP  
NARRATIVE TEXT HARDCOPY

GO# 1501 2012-6793

Narrative:

LCLA LPC No. A125402

Author: 180128 PASCUZZO, DANIEL

Related date: Tuesday, 2012-Mar-13 at: 12:57

On November 15, 2011, a break and enter was discovered at Jimmy's Pub and Grill s.15  
s.15

As per Terms and Conditions of Jimmy's Pub Appendix A (Items 4, 5, and 6):

4. The licensee must use the ID process, video and wand all patrons, without exception, before any patrons are admitted.
5. The video surveillance system must be capable of retaining one month (30 days) worth of data, and the licensee must produce video recordings and/or photographs requested by police or Liquor Control and Licensing Branch (the branch) at any time upon demand. "On Demand" shall mean as soon as reasonably possible.
  - a. (i.e., the next business day and sooner if the Licensee can contact the holder of the tapes or maintains their own tapes).
6. In the event that the video surveillance equipment, ID process or metal detector wand is not working or available, the Licensee agrees to refuse to admit patrons to the establishment until all such equipment is repaired, or suitable back-up equipment is in place and fully operational.
  - a. Upon request, the police or the Branch Liquor Inspectors have the right to examine the Video Recorder and the metal detector wand at any time to confirm they are operational and working.

s.15

LPC for LCLA S. 12 issued for failing to comply with provisions in terms.

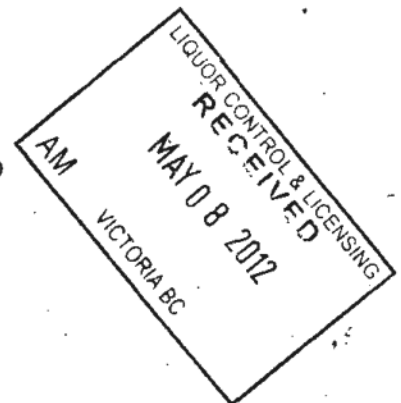


Constable D.B. PASCUZZO

180128

Agassiz

UFVRD



\*\*\* CONFIDENTIAL \*\*\*

No. A 125403



Liquor Control and Licensing Act  
and Regulation 608/76

**POLICE LICENSED PREMISES CHECK (LPC)**

Establishment Name: Jimmy's Pub and Grill  
Establishment Address: 7815 Pioneer Ave Agassiz BC  
Licence #: 028118 Date: 12/03/04 Time: 1512  
Licensee Name: Coomber Mechanical

On the date noted above, the following alleged contraventions of the *Liquor Control and Licensing Act* or regulations were identified:

**MINORS**

- Supplying to minors s. 33
- Minors in premises s. 35

Number and age of minors: \_\_\_\_\_

I.D. type shown: \_\_\_\_\_

Details (e.g. no ID checked at door, inadequate lighting at door) \_\_\_\_\_

**OVERCROWDING**

- Overcrowding beyond Building Occupancy Load (BOL) Reg. s. 4(7)
- Overcrowding beyond Licence Capacity Reg.

BOL: \_\_\_\_\_ Actual: \_\_\_\_\_ Lic. Cap.: \_\_\_\_\_ Actual: \_\_\_\_\_

Details (e.g., how was count conducted; how many times was count done; did staff member verify count; number of door staff; door control; identify public safety issues): \_\_\_\_\_

**INTOXICATED PATRON**

- Selling to intoxicated person s. 43(1)
- Permitting a person to become intoxicated s 43(2)(a)
- Permitting intoxicated person to remain s. 43(2)(b)

Details (e.g. evidence of intoxication): \_\_\_\_\_

**OTHER ALLEGED CONTRAVENTIONS (see flap):**

Details: S. 73(2)(a) LCLA

Did not produce video upon request (March 4, 2012)

Police Officer (please print): Sgt PASTUZZO

Badge #: 57525 Dept./Detach.: AGASSIZ RCMP

Police Incident/File #: 12-6793 (Served Mar 13, 2012)

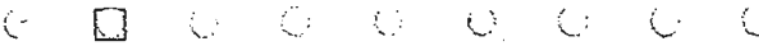
Management Acknowledgement (Name and Title)

Peter KOSMAS - Owner

A copy of this LPC will be forwarded to the Liquor Control and Licensing Branch. The branch may proceed with enforcement action on the basis of this alleged contravention.

COPY 2: LCLB FIELD OFFICE COPY (forward to LCLB field office)

Printed in B.C. 4500051C87



CW B014011

No. B01-015



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: Jimmy's Pub & Grill
Establishment address: 705 Pioneer Ave
Licensee name: COOMBER MECHANICAL LTD
Licence #: A125403 Date CN issued: 03/15/12
Date and time of alleged contravention(s): 03/12/12 10:00

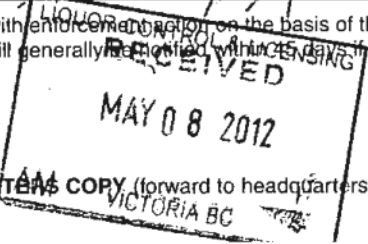
On the date noted above, the following alleged contravention(s) of the Liquor Control and Licensing Act or regulation were identified:

Table with 2 columns: Contravention, Section. Row 1: Fail to Produce Document, Act/Reg. Row 2: OATUNG, \$752A, Act/Reg. Row 3: Empty. Row 4: ENTERED IN POSSE, Act/Reg.

Details: FAIL TO PRODUCE VIDEO AS REQUESTED AT 3:15 PM ON SUNDAY MARCH 4, 2012; RIND MARCH 13, 2012 VIDEO NOT AVAILABLE - LPC ISSUED

Inspector name: Linda Hoyle Badge #: 61
Telephone: 604 586 2616 LPC #: A125403
Management acknowledgement (name and title): JOURNAL

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified with 15 days if enforcement action is proposed.



COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters) VICTORIA BC

No. A 125403



Liquor Control and Licensing Act  
and Regulation 608/76

**POLICE LICENSED PREMISES CHECK (LPC)**

Establishment Name: Jimmy's Pub and Grill  
Establishment Address: 7115 Pioneer Ave Agassiz BC  
Licence #: 038118 Date: 12/10/08/09 Time: 1512  
Licensee Name: Coomer Mechanical

On the date noted above, the following alleged contraventions of the *Liquor Control and Licensing Act* or regulations were identified:

**MINORS**

- Supplying to minors s. 33
- Minors in premises s. 35

Number and age of minors: \_\_\_\_\_

I.D. type shown: \_\_\_\_\_

Details (e.g. no ID checked at door; inadequate lighting at door) \_\_\_\_\_

**OVERCROWDING**

- Overcrowding beyond Building Occupancy Load (BOL) Reg. s. 4(7)
- Overcrowding beyond Licence Capacity Reg.

BOL: \_\_\_\_\_ Actual: \_\_\_\_\_ Lic. Cap.: \_\_\_\_\_ Actual: \_\_\_\_\_

Details (e.g., how was count conducted; how many times was count done; did staff member verify count; number of door staff; door control; identify public safety issues): \_\_\_\_\_

**INTOXICATED PATRON**

- Selling to intoxicated person s. 43(1)
- Permitting a person to become intoxicated s 43(2)(a)
- Permitting intoxicated person to remain s. 43(2)(b)

Details (e.g. evidence of intoxication): \_\_\_\_\_

**OTHER ALLEGED CONTRAVENTIONS (see flap):**

Details: S. 73(2)(a) LCLA  
Did not produce video upon request (March 4, 2012)

Police Officer (please print): Cst PASKUZZO

Badge #: 51525 Dept./Detach.: Agassiz RCMP

Police Incident/File #: 12-6793 (Served Mar 13, 2012)

Management Acknowledgement (Name and Title)  
Peter Kosmas - Owner

A copy of this LPC will be forwarded to the Liquor Control and Licensing Branch. The branch may proceed with enforcement action on the basis of this alleged contravention.

COPY 2: LCLB FIELD OFFICE COPY (forward to LCLB field office)

ENTERED IN POSSE

Printed in B.C. 4500051087



CW B014011

LIQUOR CONTROL & LICENSING  
RECEIVED  
MAY 08 2012  
AM  
VICTORIA BC

UPPER FRASER VALLEY REG RCMP  
NARRATIVE TEXT HARDCOPY

GO# 1501 2012-6793

Narrative:

LCLA LPC No. A125403 (Part 1)

Author: 180128 PASCUZZO, DANIEL

Related date: Tuesday, 2012-Mar-13 at: 11:40

On March 4 2012 at 1512 hrs, Cst. PARISH attended Jimmy's Pub in Agassiz and spoke with owner Peter KOSMOS.

s.15

KOSMOS stated that he was unable to provide video surveillance, s.15  
s.15

s.15

Cst.

PARISH advised KOSMOS that the investigating officer would be contacting him next week s.15  
s.15

LCLA LPC issued for S. 73 (2) (a), for failing to produce video upon request.

  
Constable D.B. PASCUZZO

180128

Agassiz

UFVRD



\*\*\* CONFIDENTIAL \*\*\*

UPPER FRASER VALLEY REG RCMP  
NARRATIVE TEXT HARDCOPY

GO# 1501 2012-6793

Narrative:

LCLA LPC No. A125403 (Part 2)

Author: 180128 PASCUZZO, DANIEL

Related date: Tuesday, 2012-Mar-13 at: 11:48

On November 15, 2011, a break and enter was discovered at Jimmy's Bar and Grill s.15

s.15

s.15

s.15

File is still under investigation.

Cst WESTRA 55371 Agassiz GD RCMP

\*\*\* END OF HARDCOPY \*\*\*



\*\*\* CONFIDENTIAL \*\*\*

No. B014016



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: Jimmy's Pub and Grill
Establishment address: 7215 Pioneer Avenue, Agassiz BC
Licensee name: COOMBER MECHANICAL LTD
Licence #: 038118 Date CN issued: 03/15/12
Date and time of alleged contravention(s): 03/04/12 @ 10:00

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

Table with 2 columns: Contravention, Section. Row 1: OBSTRUCT or ATTEMPT to OBSTRUCT. Row 2: to OBSTRUCT. Row 3: ENTERED IN POSSE. Row 4: [Empty]

Details: FEMALE EMPLOYEE ASSISTED MARY POLICE WERE SEARCHING FOR TO EXIT ESTAB WAS UNCOOPERATIVE (V Conf at room with Police.

Inspector name: Linda Hay Badge #: [Blank]
Telephone: 2045862650 LPC #: A125404
Management acknowledgement (name and title): OWNER PETER KOSMAS

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.

RECEIVED ENTERED IN POSSE MAY 08 2012 VICTORIA BC

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)



No. A 125404



Liquor Control and Licensing Act and Regulation 608/76

POLICE LICENSED PREMISES CHECK (LPC)

Establishment Name: Jimmy's Pub and Grill
Establishment Address: 7215 Pioneer Ave Agassiz BC
Licence #: 038118 Date: 12/10/2011 Time: 0100
Licensee Name: Chamber Mechanical LTD

On the date noted above, the following alleged contraventions of the Liquor Control and Licensing Act or regulations were identified:

MINORS

- Supplying to minors s. 33
Minors in premises s. 35

Number and age of minors:

I.D. type shown:

Details (e.g. no ID checked at door; inadequate lighting at door)

OVERCROWDING

- Overcrowding beyond Building Occupancy Load (BOL) Reg. s. 4(7)
Overcrowding beyond Licence Capacity Reg.

BOL: Actual: Lic. Cap.: Actual:

Details (e.g., how was count conducted; how many times was count done; did staff member verify count; number of door staff; door control; identify public safety issues):

INTOXICATED PATRON

- Selling to intoxicated person s. 43(1)
Permitting a person to become intoxicated s 43(2)(a)
Permitting intoxicated person to remain s. 43(2)(b)

Details (e.g. evidence of intoxication):

OTHER ALLEGED CONTRAVENTIONS (see flap): \* Male being

Details: S 67(3) LCLA - let out rear of bar
Obstruct or attempt to obstruct PO

Police Officer (please print): Cst PASCUZZO

Badge #: 57525 Dept./Detach.: AGASSIZ RCMP

Police Incident/File #: 12-6793 (Serve) Mar 13, 2012

Management Acknowledgement (Name and Title)

Peter KOSMAS - owner

A copy of this LPC will be forwarded to the Liquor Control and Licensing Branch. The branch may proceed with enforcement action on the basis of this alleged contravention.

COPY 2: LCLB FIELD OFFICE COPY (forward to LCLB field office)

Printed in B.C. 4500051087

ENTERED IN POSSE



Page 026

Withheld pursuant to/removed as

s.15

Page 027

Withheld pursuant to/removed as

s.15

UPPER FRASER VALLEY REG RCMP  
NARRATIVE TEXT HARDCOPY

GO# 1501 2012-6793

s.15

**EVIDENCE OF OBSTRUCTION**

At 0050 hours, s.15

KOSMAS, exited the establishment s.15

s.15 After a few minutes, KOSMAS re-entered the bar s.15

s.15

s.15

The owner of the bar, Peter

at 0100 hours police attended the bar

**CONTACT WITH KOSMAS**

Later that night. Police spoke with KOSMAS, s.15  
s.15

MAY 08 2012

\*\*\* CONFIDENTIAL \*\*\*

**From:** "Hoy, Linda C SG:EX" <Linda.Hoy@gov.bc.ca>  
**To:** "sarah.reyes@rcmp-grc.gc.ca" <sarah.reyes@rcmp-grc.gc.ca>  
**Date:** 2012-03-15 09:27  
**Subject:** FW: Jimmy's Pub & Grill  
**Attachments:** LPCs and Documentation.pdf

From: Brock Pascuzzo [brock.pascuzzo@rcmp-grc.gc.ca]  
 Sent: March 13, 2012 2:24 PM  
 To: Hoy, Linda C SG:EX  
 Subject: Re: Jimmy's Pub & Grill

Hi Linda,

Attached are the LPC's issued (3) and the corresponding occurrence reports for each. All issued under police file 2012-6793.

S. 12, S. 67(3), and S. 73(2)(a) as requested.

I served them on KOSMAS himself today about 10 minutes ago. He was understanding, and said that he would contact you, his good friend, immediately.

Will call you shortly to ensure you receive this, or at least are aware that it is awaiting in your email. Let me know if there are any issues.

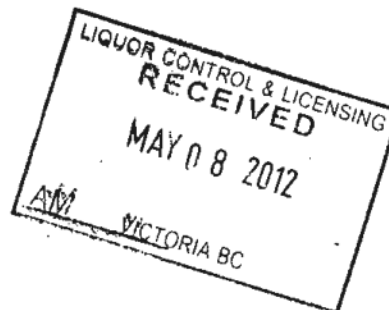
Brock

Constable D.B. (Brock) PASCUZZO  
 Agassiz RCMP  
 Upper Fraser Valley Regional Detachment (UFVRD)  
 6869 Loughheed Hwy, Box 349  
 Agassiz B.C. VOM 1A0  
 604 - 796 - 2211  
 604 - 796 - 1623 (Fax)

>>> "Hoy, Linda C SG:EX" <Linda.Hoy@gov.bc.ca> 2012-03-12 18:24 >>>  
 Hi Stu

Just touching base re the noted establishment.  
 I can do a compliance meeting with them on Thursday if the LPC has been issued - Let me know as will have to contact Peter for availability.  
 s.15

I am in the office for a short time tomorrow morning, then on the road most of the day and again on Wednesday.  
 If you don't contact me at the office or by email, please call my cell at s.17



-----Original Message-----

From: Hoy, Linda C SG:EX  
Sent: Monday, March 5, 2012 12:39 PM  
To: 'Brock Pascuzzo'  
Subject: RE: Agassiz file 2012-5862: Jimmy's Pub

Hi Brock

Issue Kosmas an LPC under LCLA s.73(2)(a) and LCLA s.12 for failure to comply with provisions provided for in the Terms and Conditions of Appendix 'A' sent previously. Specifically refer to Appendix 'A' Items 4, 5, and 6:

4. The licensee must use the ID process, video and wand all patrons, without exception, before any patrons are admitted.

5. The video surveillance system must be capable of retaining one month (30 days) worth of data, and the licensee must produce video recordings and/or photographs requested by police or Liquor Control and Licensing Branch (the branch) at any time upon demand. "On Demand" shall mean as soon as reasonably possible.

a. (i.e., the next business day and sooner if the Licensee can contact the holder of the tapes or maintains their own tapes).

6. In the event that the video surveillance equipment, ID process or metal detector wand is not working or available, the Licensee agrees to refuse to admit patrons to the establishment until all such equipment is repaired, or suitable back-up equipment is in place and fully operational.

a. Upon request, the police or the Branch Liquor Inspectors have the right to examine the Video Recorder and the metal detector wand at any time to confirm they are operational and working.

I will have to review policy to determine if action could be taken under s.73 or only under s.12 in the specific circumstances.

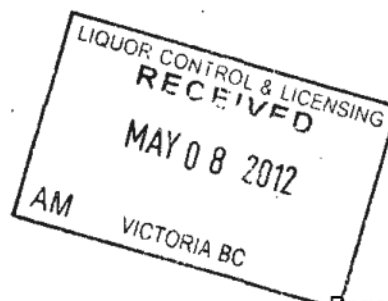
Regardless, I think it is time to have a compliance meeting and remind Mr. Kosmas that while we have been somewhat lenient in enforcing the terms and conditions of Appendix 'A' that given the circumstances we are going to be enforcing them to the letter until he shows evidence of being in total compliance.

Those conditions were added as a result of the establishment getting out of hand, increased over service, lack of door control, increased 'gang' activity, etc. and we need to ensure it does not go in that direction again. Specifically, Appendix 'A', Item 6, the establishment cannot permit patrons to enter while the Video surveillance equipment is not working. That needs to be dealt with immediately.

Please call me when you are available to discuss the next steps.

Linda

Linda C. Hoy  
Inspector 61



Hoy, Linda C SG:EX

**From:** Hoy, Linda C SG:EX  
**Sent:** Monday, March 5, 2012 11:44 AM  
**To:** 'Brock Pascuzzo'  
**Subject:** RE: Agassiz file 2012-5862: Jimmy's Pub  
**Attachments:** Jimmy's Pub & Grill, APPENDIX A, LP 038118.docx; Jimmy's Pub & Grill, FLOOR PLAN, LP 038118.jpg; Jimmy's Pub and Grill, LP 038118.pdf; LCLA s.73 Power to retain documents and inspect books and premises.docx

Hi Brock

When you request the video, make sure you make good notes and identify whom you are speaking to; s.15 please speak directly with Peter Kosmas, or if he is unavailable, please notify him of the date and time the video is to be produced by. A document is to be produced immediately upon request, however, in the case of a video where they must request an outside source to produce the video, you can give them 24 hours to produce the video.

Should they fail to produce the video on time as requested, issue an LPC under s.73(2)(a) of the Liquor Control and Licensing Act. Should it occur that an LPC must be issued, please notify me immediately with a copy of all relevant notes and a copy of the LPC.

I will then set up a meeting to issue a Contravention Notice and take the next appropriate steps.

Attached for your reference is

- a) Copy of the Licence
- b) Copy of the floor plan
- c) Copy of Appendix 'A' - specific Terms and Conditions.
- d) LCLA s.73(2)(a)

I am available in the office today at 604 586-2656 or on my cell anytime at s.17 if you have any questions.

Regardless of what occurs next, please try and touch base before the end of the week with an update.

Thanks, Linda

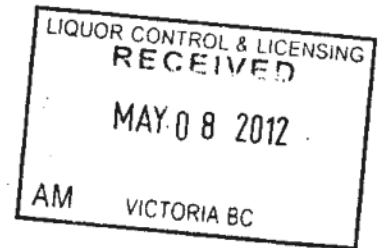
Linda C. Hoy  
Inspector 61

-----Original Message-----

**From:** Brock Pascuzzo [<mailto:brock.pascuzzo@rcmp-grc.gc.ca>]  
**Sent:** Sunday, March 4, 2012 8:49 AM  
**To:** Hoy, Linda C SG:EX  
**Subject:** Agassiz file 2012-5862: Jimmy's Pub

Hi Linda,

Our files.15  
s.15



Peter KOSMAS, the owner of Jimmy's, s.15  
s.15

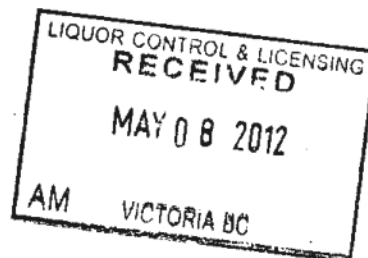
s.15 KOSMAS' intentions were, s.15  
wanted to cooperate with police. I have left a pass on to obtain the video surveillance  
from the bar from 2100 hours on March 3, 2012 to 0200 hours on March 4, 2012. s.15  
s.15

Just wanted to let you know s.15 KOSMAS s.15 getting  
us the surveillance footage. Please call me or send me an email with any questions.

Thanks very much,

Brock

Constable D.B. (Brock) PASCUZZO  
Agassiz RCMP  
Upper Fraser Valley Regional Detachment (UFVRD)  
6869 Lougheed Hwy, Box 349  
Agassiz B.C. V0M 1A0  
604 - 796 - 2211  
604 - 796 - 1623 (Fax)





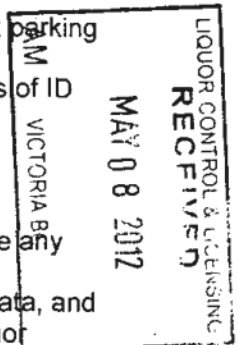


April 26, 2010

## APPENDIX A

The following terms and conditions apply to the licence:

1. The Licensee will accept and agree to a reduction in operating hours from the current operating hours of Sunday: 9:00 a.m. to 1:00 a.m.; Monday through Thursday: 9:00 a.m. to 2:00 a.m.; and Friday and Saturday: 9:00 a.m. to 3:00 a.m. to the hours of Sunday through Thursday: 9:00 a.m. to 1:00 a.m. and 9:00 a.m. to 2:00 a.m. Friday and Saturday.
2. The licensee will install, maintain and monitor:
  - a. A video surveillance system that covers all areas within the red-line areas identified on the official plan attached to the Liquor Primary liquor license #038118, currently issued to Coomber Mechanical Ltd., known as the Triple Crown Pub & Bistro (the establishment) and currently doing business under the operating name of Insomnia; this video surveillance will also cover all areas behind the bar area of the establishment;
  - b. the video surveillance system will also include coverage at the front entrance of the establishment, the side entrance and the rear exit/entrance encompassing the back parking lot;
  - c. An ID program whereby you will ID every patron entering the establishment for 2pcs of ID and keep record of relevant details; and
  - d. A metal detector wand at the entrance to the establishment.
3. The licensee will ensure appropriate signage is in place at the establishment outlining what information is being captured by any new technology and what purpose it is being used for.
4. The licensee must use the ID process, video and wand all patrons, without exception, before any patrons are admitted.
5. The video surveillance system must be capable of retaining one month (30 days) worth of data, and the licensee must produce video recordings and/or photographs requested by police or Liquor Control and Licensing Branch (the branch) at any time upon demand. "On Demand" shall mean as soon as reasonably possible.
  - a. (i.e., the next business day and sooner if the Licensee can contact the holder of the tapes or maintains their own tapes).
6. In the event that the video surveillance equipment, ID process or metal detector wand is not working or available, the Licensee agrees to refuse to admit patrons to the establishment until all such equipment is repaired, or suitable back-up equipment is in place and fully operational.
  - a. Upon request, the police or the Branch Liquor Inspectors have the right to examine the Video Recorder and the metal detector wand at any time to confirm they are operational and working.
7. The licensee will maintain proper control over all entrance/ exits to the establishment by employing sufficient, experienced and conscientious door patrons who maintain a valid Serving-it-Right Certificate to ensure their understanding the laws around service of alcoholic beverage.
8. Posted signage "MANAGER ON DUTY - NAME" which includes the on duty manager's name.



A copy of this appendix showing the terms and conditions must be kept with the licence at all times.

Ministry of Housing and  
Social Development

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

[http:// www.hsd.gov.bc.ca/lclb](http://www.hsd.gov.bc.ca/lclb)

DISTRICT OF KENT  
P.O. BOX 70,  
7170 CHEAM AVENUE  
AGASSIZ, B.C. V0M 1A0

Occupancy with 100 persons  
AGASSIZ, B.C. V0M 1A0  
WINE Dist. Lic.  
Occupancy with 100 persons  
WINE Dist. Lic.

FIRE CALLER  
[Signature]

LCLB OFFICIAL PLAN  
MUST BE KEPT WITH LIQUOR LICENCE AND  
AVAILABLE FOR INSPECTION AT ALL TIMES  
Date Issued: April 5, 2011  
LP Licence #: 038118  
General Manager  
Karen Agassiz

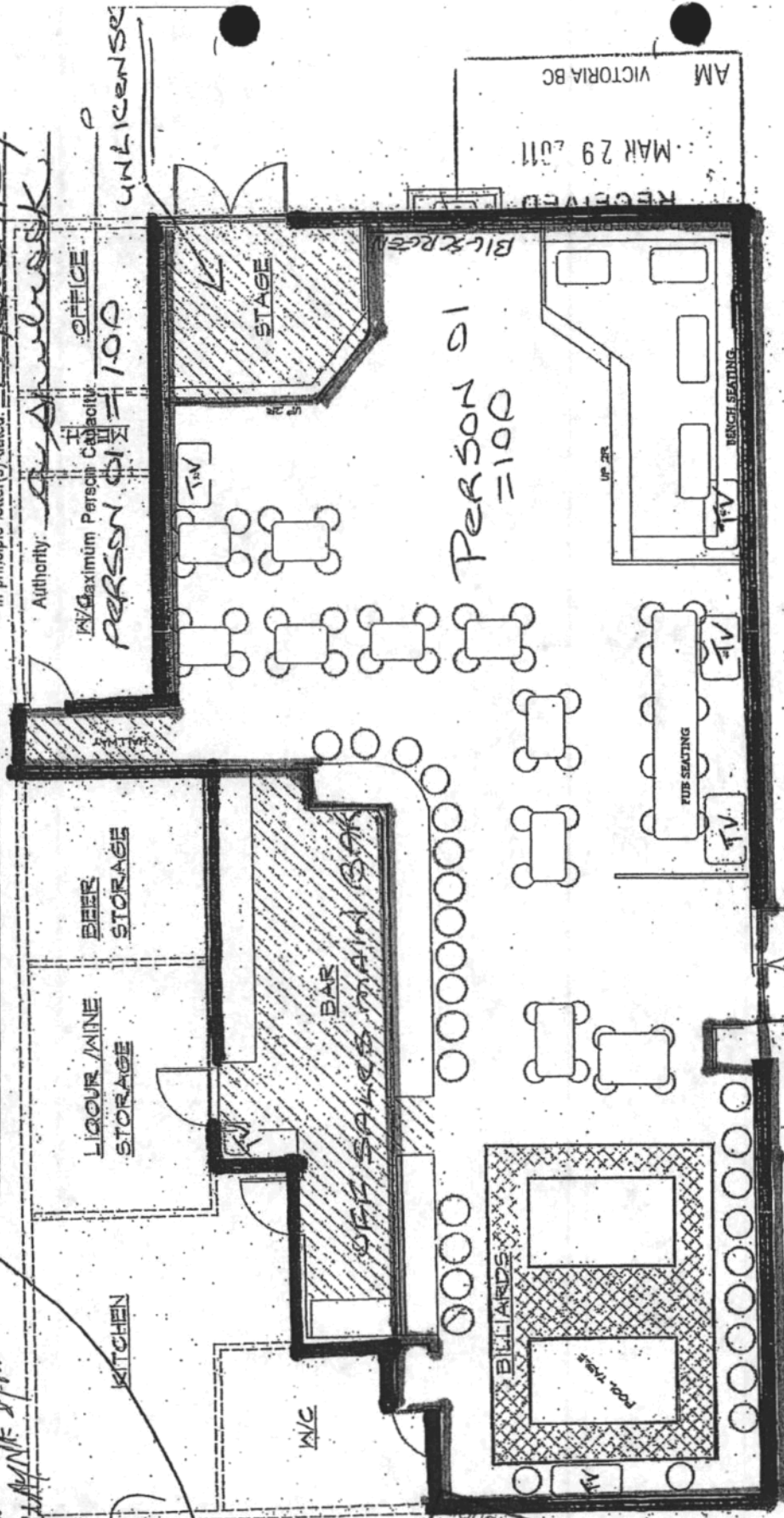
LIQUOR CONTROL AND LICENSING BRANCH  
APPROVED, IN PRINCIPLE

Subject to the terms and/or conditions specified in the approval  
in principle letter(s) dated: March 15/11

Authority: [Signature]

Maximum Person Capacity:  
PERSON 01 = 100

UNLICENSED



BUILDING MUST COMPLY  
WITH CURRENT BRITISH  
COLUMBIA BUILDING  
CODE 2006

ACCEPTED FOR  
CONSTRUCTION  
MAR 08 2011

The Corporation of the  
District of Kent

LIQUOR CONTROL & LICENSING  
RECEIVED  
MAR 14 2011  
AM VICTORIA BC

OWNER-OPERATOR  
Peter Kosmets  
Camber Mech.  
604 793 5353  
2/12/10

Submission for occupancy load approval  
by District of Kent, City of Agassiz.  
Total Seating - 90 persons / total allowable 100

LIQUOR CONTROL & LICENSING  
RECEIVED  
MAY 08 2012  
AM VICTORIA BC

No. B012342



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: Jimmy's Pub & Grill
Establishment address: 7215 Pioneer Avenue Agassiz BC V0M 1A0
Licensee name: COOMBER MECHANICAL LTD.
Licence #: 038118 Date CN issued: 05/01/12
Date and time of alleged contravention(s): 04/20/12 12:00 midnight

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

Table with 2 columns: Contravention, Section. Row 1: Default in Monetary Penalties 206.6, Act checked. Row 2: Penalties, Act/Reg unchecked. Row 3: ENTERED IN POSSE, Act/Reg unchecked. Row 4: [Redacted], Act/Reg unchecked.

Details: Penalty imposed from hearing EH12-046 due on April 20, 2012. Licensee gave check dated May 3, 2012 to pay on appearance. Inspector name: Linda Hoy Badge #: 61 Telephone: 604 586 2656 LPC #:

Management acknowledgement (name and title): PRESIDENT PETER KOSMAS - PK

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 3: LCLB HEADQUARTERS COPY (forward to headquarters)



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) 952-5787  
Fax: (250) 952-7066

Location:  
Fourth Floor  
3350 Douglas Street  
Victoria BC

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

### RECEIPT FOR PAYMENT

Applicant/Licensee Name: CHAN, GORDON  
Establishment Name: FAN TAN CAFE  
Receipt Address: 549 FISGARD STREET  
VICTORIA, BC V8W 1R5

**Payment Receipt  
# 2012-117959**

Date Paid: Tuesday, March 13, 2012  
Location: Victoria  
Payment Method: Cheque #114

Receipt Inquiries? Call LCLB Victoria Head Office toll free at 1-866-209-2111

**1. Job No: 722673-25**

**Food Primary Change Application Fee (111962) \$330.00**

**TOTAL: \$330.00**

*DUTY CAPED  
TRANSFER*



April 26, 2012

Coomber Mechanical Ltd.  
c/o Peter Kosmas  
7215 Pioneer Avenue  
Agassiz, BC V0M 1A0

Dear Licensee:

**Re: Coomber Mechanical Ltd., dba Jimmy's Pub & Grill, Agassiz, BC  
Liquor Primary Licence No. 038118**

**Case: EH12-046**

On March 22, 2012 the licensee signed a waiver admitting that it had contravened as alleged in the above noted Notice of Enforcement Action. By signing the waiver, the licensee also agreed to pay a \$7500 penalty by April 20, 2012. As of today's date, the branch has not received the penalty owing.

As we discussed yesterday, failure to pay a monetary penalty by the date ordered is a contravention of s. 20(2.6) of the *Liquor Control & Licensing Act*. The penalty letter sent to you on March 26<sup>th</sup> advised you that there are serious consequences for non-payment of the full amount of a monetary penalty by the due date. Once again, they are as follows:

1. The general manager may refuse to renew or transfer the licence.
2. The general manager may refer an unpaid penalty to the Ministry of Finance for collection.
3. The general manager may impose a licence suspension for failure to pay a monetary penalty by the due date. The penalty range for a first proven contravention of this type is a 10-15 day suspension of the liquor licence (item 44 of Schedule 4, *Regulation*). 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.

Please note that the contravention of failing to pay a monetary penalty and the associated suspension penalty are in addition to the original contravention and monetary penalty.

Yours truly,

Bruce Edmundson  
Deputy General Manager  
Compliance and Enforcement

cc: Michael Clark, regional manager  
Linda Hoy, liquor inspector

Ministry of Energy and  
Mines

Liquor Control and  
Licensing Branch

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

Telephone: 250 952-5787  
Toll free: 1-866-209-2111  
Facsimile: 250 952-7066

Location:  
4<sup>th</sup> Floor, 3350 Douglas Street  
Victoria BC

[www.pssg.gov.bc.ca/clb](http://www.pssg.gov.bc.ca/clb)



File: EH12-046  
Job: 000685129-052

March 26, 2012

Coomber Mechanical Ltd.  
c/o Peter Kosmas  
7215 Pioneer Avenue  
Agassiz, BC V0M 1A0

Dear Licensee:

**Re: Licence Number: 038118**

JIMMY'S PUB AND GRILL  
7215 Pioneer Avenue  
Agassiz, BC V0M 1A0

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 March 22, 2012.

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.

---

Liquor Control and  
Licensing Branch

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

Toll Free: 1 866 209-2111  
Telephone: 250 952-5787

Location:  
Fourth Floor, 3350 Douglas Street  
Victoria BC

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

## **Enforcement Action**

### **Monetary Penalty:**

Arising from the licensee's non-compliance with section s. 73(2)(a) Act a monetary penalty of \$7500 (Seven Thousand Five Hundred Dollars) must be paid by April 20, 2012.

The payment must be made to the Minister of Finance and sent 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.

Signs satisfactory to the general manager showing that a monetary penalty has been imposed 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 for ten (10) business days starting at the opening of business on Sunday, April 8, 2012, until the close of business on Tuesday, April 17, 2012. "Business day" means a day on which the establishment would normally be opened for business.

### **Posting of Signs:**

A Liquor Control and Licensing Branch inspector or police officer will attend your establishment prior to opening time on Sunday, April 8, 2012, to post the signs referenced above. You must allow the Liquor Control and Licensing Branch inspector or police officer to post the monetary penalty signs. You must not remove, obscure, or alter the prominence and visibility of those signs during the time they are required to be posted.

### **Consequences of non-payment:**

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

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 may refer an unpaid penalty to the Ministry of Finance for collection.
3. 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 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.

### **Suspension:**

Arising from the licensee's non-compliance with section s. 12 Act, the licence will be suspended for three (3) business days starting at the close of business on Friday, April 06, 2012 until the opening of business on Tuesday, April 10, 2012. "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:**

4. 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.
5. You must hand over the licence to the Liquor Control and Licensing Branch inspector or police officer when asked.
6. The establishment must remain closed to the public during the period of suspension.
7. 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.
8. 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.
9. 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.
10. 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 604 586-2656.

Yours truly,



*for* Bruce Edmundson  
Deputy General Manager  
Compliance and Enforcement

cc: Agassiz R.C.M.P.  
Clerk/Secretary City of Agassiz  
Manager of Licensing Rebecca Villa-Arce  
Manager of Finance Scott McElroy  
Regional Manager Michael Clark  
Inspector Linda Hoy

Encl: Appendix A

**Ministry of Public Safety  
Solicitor General**



*Linda Hoy*

To:

From:

LIQUOR CONTROL LICENSING BRANCH

SURREY REGIONAL OFFICE

9180 King George Hwy, Surrey BC, V3V 5V9

*Mandy Fisher*

Phone:

Pages:

fax

Date:

*2012 March 26*

Re:

*Jimmy's Pub*

Phone:

s.22

CC:

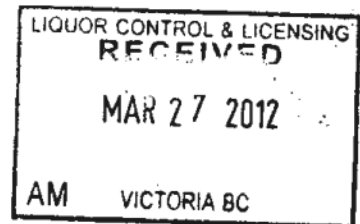
*Waiver*

Fax:

604-586-2640

Material Contained in the fax may be confidential, and should be delivered only to the Addressee. If all pages are not received please call 604-586-2636

*EH12-046*



*Linda Hoy*



## WAIVER NOTICE

*Liquor Control and Licensing Act, RSBC, c.267*

File: EH12-046  
Job: 000685129-052  
Licence: 038118  
Contravention Notice: B014014\*

March 21, 2012

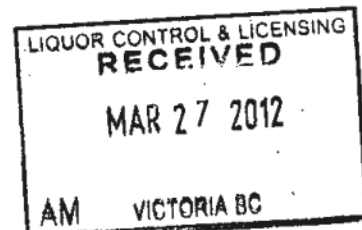
With respect to the Notice of Enforcement Action (NOEA) EH12-046, dated March 21, 2012, this Waiver Notice is an agreement on the part of the licensee as follows.

**BETWEEN:** COOMBER MECHANICAL LTD., c/o  
Agassiz Stn Main  
BOX 250  
Agassiz, BC V0M 1A0

**Alternate:** COOMBER MECHANICAL LTD., c/o  
7215 Pioneer Avenue  
Agassiz, BC V0M 1A0

**AND:** The General Manager,  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

**RE: LP Licence #038118, Jimmy's Pub and Grill, at 7215 Pioneer Avenue  
AGASSIZ, BC V0M 1A0.**



Ministry of Public Safety  
and Solicitor General

Liquor Control and  
Licensing Branch

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

Toll Free: 1 866 209-2111  
Telephone: 250 952-5787

Location:  
Fourth Floor, 3350 Douglas Street  
Victoria BC

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

LCLB Waiver Notice

The licensee:

1. Agrees the licensee committed the contravention/s of:
  - a. Contravene term & condition, s. 12 Act
  - b. Fail to promptly produce and submit a record, thing or sample, s. 73(2)(a) Act

as set out in the attached NOEA, and

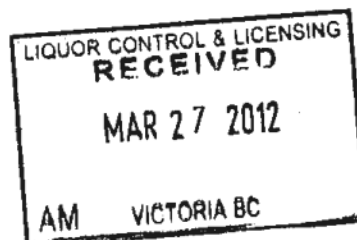
2. Accepts the enforcement action/s as set out in the attached NOEA for the contravention/s referenced in paragraph 1.
3. Accepts the monetary penalty of \$7500 (Seven Thousand Five Hundred Dollars)
4. Accepts that the monetary penalty referenced above must be paid in full within 30 days of the date this Waiver Notice is signed by the licensee.

*Failure to pay a monetary penalty within 30 days is a breach of s. 20 (2.6) of the Liquor Control and Licensing Act which may result in suspension or cancellation of the licence.*

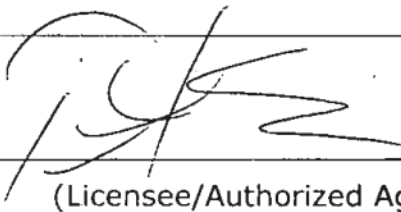
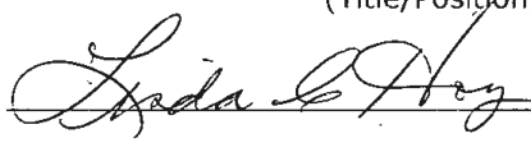
5. Accepts that the licence will be suspended for 3 business days, and
6. Accepts that the suspension will start and be served at the Jimmy's Pub and Grill from the close of business on April 6, 2012, to the opening of business on April 10, 2012.
7. Waives the opportunity for a hearing in respect of each of the contravention/s and enforcement action/s cited above.
8. Accepts that signs satisfactory to the General Manager referencing the enforcement action/s cited above will be placed by the police or Branch staff in prominent locations in the establishment.

*You must not obscure, alter or in any manner diminish the prominence of the sign/s. Failure to allow posting of these signs is a serious contravention that could lead to an extended licence suspension, cancellation or transfer of your liquor licence.*

9. Accepts that the finding of contravention/s and specified enforcement action/s will form part of the compliance history of the licensee.

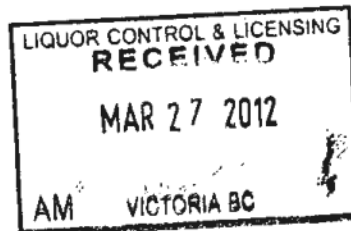


**The licensee understands and agrees that this Waiver Notice is irrevocable.**

DATE:	<u>THURSDAY</u> , the <u>22</u> , day of <u>MARCH</u> , 20 <u>12</u> (day) (date) (month) (yr.)
SIGNATURE OF LICENSEE	 (Licensee/Authorized Agent)
NAME OF LICENSEE	<u>PETER KESMAS / COMBER MECH. LTD.</u> (Please Print)
	<u>PRESIDENT</u> (Title/Position)
SIGNATURE OF WITNESS	
NAME OF WITNESS	<u>Linda C Hoy.</u> (Please Print)

*Your liquor inspector will require the original for the Branch's records. You may photocopy this document or request a copy from your liquor inspector for your own records.*

Attachment: Notice of Enforcement Action





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

File: EH12-046  
Job: 000685129-052

March 21, 2012

COOMBER MECHANICAL LTD.  
c/o Peter Kosmas  
Agassiz Stn Main,  
BOX 250  
Agassiz, BC V0M 1A0

**Re: Licence Number:** 038118  
**Licence Type:** Liquor Primary  
**Licence Expiry Date:** June 30, 2012  
**Establishment:** Jimmy's Pub and Grill  
**CN #:** B014014\*

The purpose of this notice is to inform you that pursuant to section 20 of the *Liquor Control and Licensing Act* (the Act), the general manager is pursuing enforcement action against the licensee.

This Notice of Enforcement Action (NOEA) will:

1. Set out the branch's allegation(s) of non-compliance with the Act, and or the *Liquor Control and Licensing Regulation* (the Regulation) and or the terms and conditions of the licence,
2. Provide a narrative of events,
3. Describe the evidentiary basis for the elements of each alleged contravention,
4. Provide reasons why the branch is pursuing enforcement,
5. Provide reasons why the branch believes the particular enforcement action (i.e. penalty) proposed is warranted, and
6. Outline the licensee's options and the branch procedures that will be followed depending on whether or not the licensee disputes what is being alleged.

Included with this NOEA is the licensee's enforcement history and an explanation of how that history will be applied in any hearing decision of the general manager.

Ministry of Public Safety  
and Solicitor General

Liquor Control and  
Licensing Branch

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

Toll Free: 1 866 209-2111  
Telephone: 250 952-5787

Location:  
Fourth Floor, 3350 Douglas Street  
Victoria BC

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

**1. THE ALLEGED CONTRAVENTION(S):**

No.	Name of Contravention(s)	Section of the Act/Regulation	Date and time of Contravention(s)	Proposed Enforcement Action
1.	Contravene term & condition, s. 12 Act	s. 12 Act	2012-MAR-04 1:00 AM	3 day suspension
2.	Fail to promptly produce and submit a record, thing or sample, s. 73(2)(a) Act	s. 73(2)(a) Act	2012-MAR-04 1:00 AM	\$7500 monetary penalty

**NARRATIVE**

This is a liquor primary establishment located in the town of Agassiz, B.C. The establishment is located on one of the main streets of the town and has been there since approximately 1982. On September 4<sup>th</sup>, 2008, there was a change in Shareholders and Peter Kosmas became the main shareholder in the company. On October 27, 2010 there was another change in shareholders; however, Peter Kosmas remained the main shareholder in the company. On June 30<sup>th</sup>, 2009 a 3<sup>rd</sup> party operator was confirmed in place and operated the establishment until approximately March of 2010. Following that, Peter Kosmas took over management of the establishment.

**Section 7.6.2 of the Compliance and Enforcement manual refers to Using terms and conditions to increase compliance**

Under section 12(2)(a) of the *Liquor Control and Licensing Act*, the general manager has the authority to "impose, in the public interest, terms and conditions (a) that vary the terms and conditions to which the licence is subject under the regulations, or (b) that are in addition to those referred to in paragraph (a)". Section 20(2)(b) of the Act gives the general manager the authority to impose, rescind or amend terms and conditions on a licence "with or without a hearing".

The establishment has had many issues since Mr. Kosmas initially took over the establishment and while the 3<sup>rd</sup> party operator was in place. These issues resulted in additional very specific Terms and Conditions being added to the licence in an attempt to prevent continued and ongoing public safety concerns which were causing problems for the community and the local RCMP Detachment.

Following a meeting in April 2010, where these conditions were imposed, there was a subsequent issue, prior to the licence being placed in 'dormant state,' and one again during the dormant state. Mr. Kosmas has since made changes in attempt to control the establishment.

While Mr. Kosmas himself has always been cooperative and given a clear indication of wanting to work with police and the branch, the problems have not been resolved.

The establishment has hours of operation from 9:00 a.m. to 1:00 a.m. Sunday through Thursday and hours of 9:00 a.m. to 2:00 a.m. Friday and Saturday. There is a by-law

currently in place in the community that prohibits the establishment from operating past 1:00 a.m., however that is enforceable by police and by-laws officers, not Liquor Control and Licensing.

Mr. Kosmas is well aware of the terms and conditions imposed on this licence as he was the signing authority on the conditions being imposed and subsequent meetings were held to review these terms and conditions prior to them re-opening from dormant state.

Information was received, by police, at approximately 0010 hours on the morning of Sunday, March 4<sup>th</sup>, 2012, that a number of very large gangster type individuals were in the bar and were trying to start fights, police attended the establishment. Observations were made in the early morning hours of Sunday March 4<sup>th</sup>, from approximately 0030 hours until approximately 0100 hours when back up units from Chilliwack arrived in the area. Numerous persons known to police were recognized. These patrons are known to be involved in gang activity, drug trafficking, weapon offences, and are well known to police in the Fraser Valley and beyond. Observed with the patrons was a male who has court imposed conditions prohibiting him from attending any licensed establishment due to his involvement in violent offences when consuming alcohol. The above noted patrons entered and exited the bar numerous times.

Once police back up units arrived, Police attempted to enter the establishment to arrest this person; however, several of the persons known to police ran inside and warned the individual by shouting 'COPS'. At this time, Cst. Pascuzzo entered the establishment and searched for the male who was not located. Police believe that s.22

s.22

The only way he could have left, as the front door was under observation, would have been through this rear exit that is in the kitchen area. To access this area a person has to go behind the bar, through the kitchen and out the back. This could not have been done without assistance from a staff person. s.22

s.22

The above circumstances resulted in the police request for the video surveillance tapes, which are required by term and condition to be kept. The establishment is not permitted to be open for business if the surveillance system is not in working order.

The licensee was unable to provide the video surveillance tapes and stated the equipment has not been operational since November 15<sup>th</sup>, 2011, when the video surveillance equipment was stolen during a break in.

The police issuing Licensed Premises Check forms for the following contraventions under the Liquor Control and Licensing Act.



## **2. THE ELEMENTS OF THE ALLEGED CONTRAVENTION(S)**

Contravene term & condition, s. 12 Act

April 26, 2010 specific Terms and Conditions  
**APPENDIX A, Jimmy's Pub and Grill**

**The following terms and conditions apply to the licence:**

4. The licensee must use the ID process, **video** and wand all patrons, without exception, before any patrons are admitted.

5. The video surveillance system must be capable of retaining one month (30 days) worth of data, and **the licensee must produce video recordings and/or photographs requested by police or Liquor Control and Licensing Branch (the branch) at any time upon demand.** "On Demand" shall mean as soon as reasonably possible. (i.e., the next business day and sooner if the Licensee can contact the holder of the tapes or maintains their own tapes).

6. **In the event that the video surveillance equipment ID process or metal detector wand is not working or available, the Licensee agrees to refuse to admit patrons to the establishment until all such equipment is repaired, or suitable back-up equipment is in place and fully operational.**

Upon request, the police or the Branch Liquor Inspectors have the right to examine the Video Recorder and the metal detector wand at any time to confirm they are operational and working.

### **Other Factors:.**

The video surveillance equipment has not been in operation since November 15th of 2011. The licensee has been operating approximately four (4) months in non compliance of the Terms and Conditions of the licence.

### **2.2 Fail to promptly produce and submit a record, thing or sample, s. 73(2)(a) Act**

Cst. Parish requested the Video on March 4, 2012 at 1512 hours from the incident on March 4<sup>th</sup> at approximately 0100 hours (from business day of March 3<sup>rd</sup>).

Kosmas was unable to produce the video as the system had been down since November 2011.

On March 13, 2012 the licensee was issued LPC A125403 for failure to produce the video.

### **Other Factors:**

The failure to produce the video surveillance tape as requested was a direct result of the licensee being in contravention of a Term and Condition that was placed on their licence in the past for similar issues. The licensee has been knowingly operating, on a daily basis, in contravention of this Term and Condition for almost 4 months.

This circumstance would not have occurred had the licensee been in compliance with the Term and Condition by either not opening since the equipment was not working or ensuring some other video coverage or device was in place until their equipment was replaced.

### **3. REASONS FOR PURSUING ENFORCEMENT**

#### **3.1 Contravene term & condition, s. 12 Act**

The failure to produce documents or records are serious contraventions that undermine the Compliance and Enforcement Program. Without access to documents, records and things associated with the operation of the establishment, the branch may be unable to identify serious contraventions, and deal with them effectively.

##### **In this case,**

The failure to comply with the Terms and Conditions of the licence resulted in further failure to be able to supply documents as required under s. 73(2)(a) Act and undermined the ability of Police to do their job.

#### **3.2 Fail to promptly produce and submit a record, thing or sample, s. 73(2)(a) Act**

The failure to produce documents and records and the refusal to allow liquor sampling are serious contraventions that undermine the Compliance and Enforcement Program. Without access to documents, records and things associated with the operation of the establishment, the branch may be unable to identify serious contraventions, such as the sale of illicit liquor, and deal with them effectively.

##### **In this case.**

The failure to produce the document was a direct result of the licensee's non compliance with specific Terms and Conditions of their licence which were imposed originally as a result of continued non-compliance with the Act and circumstances which endangered the public and caused considerable expense and police man hours to monitor.

#### **4. REASONS FOR THE PROPOSED ENFORCEMENT ACTION (i.e. penalty)**

##### **4.1 Contravene term & condition, s. 12 Act : three (3) day suspension proposed**

For the alleged contravention of contravene term & condition, s. 12 act (Contravention Notice Number B014014\*), a suspension penalty of three (3) days is proposed. This recommended suspension penalty falls within the penalty range set out in schedule 4 of the Regulation for a first contravention of this type.

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

##### **In this case**

A suspension of the licence is necessary for the licensee to understand the seriousness of this contravention and the failure to abide by the specific Terms and Conditions applied to their licence. It will also give the licensee time and incentive to ensure the video surveillance equipment is in place.

##### **4.2 Fail to promptly produce and submit a record, thing or sample, s. 73(2)(a) Act : \$7500 monetary penalty proposed**

For the alleged contravention of fail to promptly produce and submit a record, thing or sample, s. 73(2)(a) act (Contravention Notice Number B014014\*), a monetary penalty of \$7,500.00 ( Seven Thousand Five Hundred Dollars ) is proposed. This recommended monetary penalty falls within the penalty range set out in schedule 4 of the Regulation for a contravention.

##### **In this case,**

A suspension has been requested for the contravention which led to this occurrence. A monetary penalty will ensure the licensee understands the seriousness of this contravention and takes steps to ensure the contravention does not occur in the future.

#### **5. THE PROCEDURES**

The licensee may agree with or dispute the above allegation(s) and proposed enforcement action.

If there is a dispute, the general manager will decide if the contravention(s) occurred and what enforcement action, if any, is warranted. A hearing may be scheduled for that purpose.

If the general manager decides that enforcement action is warranted, the general manager will determine what enforcement action will be imposed on the licensee. The general manager may

- Impose a suspension of the liquor licence for a period of time
- Impose a monetary penalty
- Cancel the liquor licence

- Rescind, amend or impose new terms and conditions on the licence
- Order a transfer of the licence

Imposing enforcement action is discretionary. Where the general manager finds that a suspension or monetary penalty is warranted the general manager must follow the minimums set out in Schedule 4 of the Regulations. The general manager is not bound by the maximums and may impose a higher suspension or monetary penalty when it is in the public interest to do so. The general manager is not bound to order the enforcement action proposed in this NOEA.

Schedule 4 of the Regulation sets out the range of enforcement actions when a contravention occurs in an establishment within a 12 month period of a contravention of the same type. It is the date that the contravention occurred that is used for the purpose of determining if a contravention is a first, second or subsequent contravention for penalty purposes.

If the licensee agrees that the contravention(s) took place and accepts the enforcement action proposed, there is no need for a hearing. In that case, the licensee must sign a document called a waiver. By signing a waiver, the licensee irrevocably

- Agrees that the contravention(s) occurred,
- Accepts the proposed enforcement action,
- Agrees that the contravention(s) and enforcement action will form part of the compliance history of the licensee, and
- Waives the opportunity for an enforcement hearing.

If you decide to sign a waiver, or if you have any questions regarding this matter, please contact me at 604 586-2656 as soon as possible. If you do not sign a waiver, the branch will schedule a pre-hearing conference for you to discuss the hearing process with the branch registrar and the branch advocate.

For further information about the hearing and waiver process please visit our website at [http://www.pssg.gov.bc.ca/lclb/comp\\_enforce/index.htm](http://www.pssg.gov.bc.ca/lclb/comp_enforce/index.htm)

Yours truly,

Linda Hoy  
Liquor Inspector

Enclosures

Copy of *Liquor Control and Licensing Branch Enforcement Process – Information for Liquor Licensees* (located at <http://www.pssg.gov.bc.ca/lclb/docs-forms/LCLB168.pdf>)

## ENFORCEMENT ACTION

If the general manager determines that the licensee has committed the above alleged contravention(s), the general manager may consider the following when determining what enforcement action, if any, is warranted pursuant to section 20(2) of the Act:

### Past Enforcement Action Taken

Date of Incident	Licence Number	Identifying documents	Finding of Contravention	Enforcement Action
September 16, 2006	LP#038118	CN#b001890; EH06-171	Overcrowding beyond patron capacity less than or equal to occupant load, s. 12 Act, Reg. s. 71(2)(b)	1 day suspension

### Compliance Meetings

Date	Topic
July 24, 2007	Permit person to become intoxicated, s. 43(2)(a) Act
November 28, 2006	Overcrowding beyond patron capacity less than or equal to occupant load, s. 12 Act, Reg. s. 71(2)(b)
March 15, 2012	Contravene term & condition, s. 12 Act, Fail to promptly produce and submit a record, thing or sample, s. 73(2)(a) Act, Obstruct or attempt to obstruct entry or search by peace officer, s. 67(3)(a) Act
December 23, 2009	Contravene term & condition, s. 12 Act
April 07, 2010	Operate contrary to the public interest/disturb persons in the vicinity, s. 20(1)(c.1) Act
October 06, 2010	Contravene term & condition, s. 12 Act
March 15, 2012	Contravene term & condition - entertainer consuming liquor, s.12 Act, Fail to promptly produce and submit a record, thing or sample, s. 73(2)(a) Act, Obstruct or attempt to obstruct entry or search by peace officer, s. 67(3)(a) Act
April 08, 2010	Sell or give liquor to intoxicated person, s. 43(1) Act

### Other Factors

No. B 007210



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: TRIPLE CROWN PUB & BISTRO
Establishment address: 7215 PIONEER AVENUE, AGASSIZ BC V0N 1A0
Licensee name: COOMER MECHANICAL LTD.
Licence #: 03818 Date CN issued: MAR 16 2010
Date and time of alleged contravention(s): 19.06.95 01:00

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

Table with 2 columns: Contravention, Section. Row 1: Licensee or Employee, 42(3) [Act, Reg]. Row 2: Consume liquor in [Act, Reg]. Row 3: Premises [Act, Reg]. Row 4: [Act, Reg].

Details: owner/manager employee ANDY KOSMAS
Consuming alcohol stated premises closed, sent him to the 3rd floor. adm. H. to consuming work

Inspector name: LINDA C. HOY Badge #: 61
Telephone: 604 586-2656 LPC #: A125355
Management acknowledgement (name and title): OWNER

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.
NOTICE PROCESSED

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

Jimmy's Bar  
and Grill

LICENSING  
LICENSING  
OCT 27 2011  
AM VICTORIA BC

No. A 125355



Liquor Control and Licensing Act and Regulation 608/76

POLICE LICENSED PREMISES CHECK (LPC)

Establishment Name: INSOMNIA Night Club
Establishment Address: 7215 PIONEER AVE.
Licence #: 038118 Date: 2018/06/05 Time: 0100hrs
Licensee Name: Triple Crown Pub & Bistro

On the date noted above, the following alleged contraventions of the Liquor Control and Licensing Act or regulations were identified:

MINORS

Supplying to minors s. 33
Minors in premises s. 35
Number and age of minors:
I.D. type shown:
Details (e.g. no ID checked at door; inadequate lighting at door)

OVERCROWDING

Overcrowding beyond Building Occupancy Load (BOL) Reg. s. 4(7)
Overcrowding beyond Licence Capacity Reg.
BOL: Actual: Lic. Cap.: Actual:
Details (e.g., how was count conducted; how many times was count done; did staff member verify count; number of door staff; door control; identify public safety issues):

INTOXICATED PATRON

ENTERED IN POSSE

Selling to intoxicated person s. 43(1)
Permitting a person to become intoxicated s. 43(2)(a)
Permitting intoxicated person to remain s. 43(2)(b)
Details (e.g. evidence of intoxication):

OTHER ALLEGED CONTRAVENTIONS (see flap):

Details: 1) Licensee consuming 2) Operating contrary to terms & condition of license

Police Officer (please print): Cst. K. BOUDREAU
Badge #: 56649 Dept./Detach.: Agassiz RCMP
Police Incident/File #: 2018-16975
Management Acknowledgment (Name and Title):

A copy of this LPC will be forwarded to the Liquor Control and Licensing Branch. The branch may proceed with enforcement action on the basis of this alleged contravention.

COPY 3: LCLB HEAD QUARTERS COPY (forward to LCLB field office)



LIQUOR CONTROL & LICENSING  
RECEIVED  
OCT 27 2010  
AM VICTORIA BC

COMPLIANCE MEETING

Inspector's Name: Linda C. Hoy Date: 2010 October 6
Office Location: 240 Mt. Helix Chubasco

ESTABLISHMENT INFORMATION:

Establishment Name: Three-Crown Pub & Bistro
Establishment Address: 7215 Pioneer Avenue Agassiz BC V0M 1A0
Licence No.: 038118 Licence Class: JLP IV Expiry date: June 30, 2012 (2011)
Licensee Name: COOMBER MECHANICAL LTD.

MEETING DETAILS:

Attendees at compliance meeting:
Name: Peter Kosmas Association/Position: OWNER Contact No: 604 793-5353
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:

Reason compliance meeting was convened (cite CN # if relevant): RCMP LCP A125355 / POLICE FILE 10-16975 CST K. BOURGEOIS ROAD # 56649.

Information reviewed at the meeting:

- Relevant section(s) of the Liquor Control and Licensing Act S. 12 TAC
Relevant section(s) of the Liquor Control and Licensing Regulations 42(3)
Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
Relevant section(s) of the Guide to Liquor Licensees Terms & Conditions Guide for LP MANAGED AVAILABLE ONLINE
Other

Due to commitments of changes taking place Group actions of Peter Kosmas this issue will be concluded with this meeting.

Commitments made by licensee:

Partner ANDREW Kosmas is being removed from license. Peter Kosmas and parents are taking control of the establishment which is currently closed.

Other Upon re-opening will firmly stress to all employees that alcohol consumption by employees is not permitted. All TAC's of license will be complied with.

Inspector Name: Linda C. Hoy Inspector Signature: Linda C. Hoy
Licensee Name: PETER KOSMAS Licensee Signature: [Signature]

Case: GO 1501 2010-16975 LIQUOR-CONTRARY TO LICENCE

SYNOPSIS  
SYNOPSIS

On 2010/06/05 at approx 0100hrs, Cst BOUDREAU was advised by Cst SCHNEIDER that the night club, Insomnia, no longer had chains on its doors. Insomnia is currently closed for business pending a re-opening in the near future as a pub style establishment. Cst BOUDREAU then walked behind the bar and noted numerous empty beer bottles and one cocktail glass. The cocktail glass contained a full drink that smelled of liquor with fresh ice. Cst BOUDREAU picked up the drink, approached KOSMOS, and asked him who owned this drink. KOSMOS reponded "Oh, that's mine, it's just vodka". KOSMOS operating contrary to terms and conditions of the licence.

Police Licenced Premise Check served to owner, Peter KOSMOS.

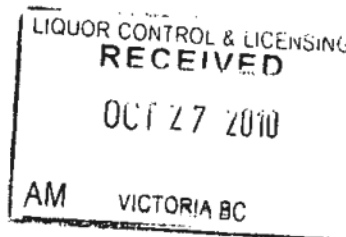
CH

Cst BOUDREAU  
Agassiz GD  
UFVRD RCMP

Author:BOUDREAU, KELLY  
Related date:Sat, 2010-Jun-12 0436

Signatures: \_\_\_\_\_

\_\_\_\_\_  
(Tue.) 2010-Jun-15



Case: GO 1501 2010-16975 LIQUOR-CONTRARY TO LICENCE  
LPC  
OCCURRENCE REPORT

---

On 2010/06/05 at approx 0100hrs, Cst BOUDREAU was advised by Cst SCHNEIDER that the night club, Insomnia, no longer had chains on its doors. Insomnia is currently closed for business pending a re-opening in the near future as a pub style establishment.

Cst BOUDREAU and SCHNEIDER approached the establishment and noted that the door was locked, the lights inside were turned off, but people were inside the bar. Cst BOUDREAU recognized Andrew KOSMOS as one of the individuals inside of the bar, so she knocked on the window to gain his attention and motioned for him to come to the door.

Andrew KOSMOS unlocked the door and asked police why we were there. e  
s 15 Cst BOUDREAU noted that there were three females sitting on stools at the end of the drink service area of the bar. Cst BOUDREAU asked why people were in the bar when it's not open for business. KOSMOS stated that he had brought some people over to help clean up in preparation for its re-opening. Cst BOUDREAU pointed out to KOSMOS that it seemed odd to have people performing such services at this late hour, with the lights off.

Cst BOUDREAU asked KOSMOS why there were empty beer bottles on the bar, which she could see from where she stood, at the bar entrance. KOSMOS stated that those bottles were left from the last night the bar operated.

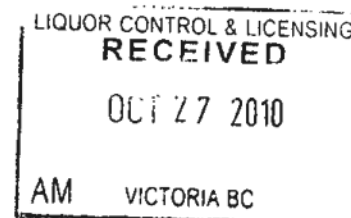
Cst BOUDREAU asked KOSMOS if he and his "cleaning crew" were drinking here at the moment. KOSMOS acted insulted by the question and adamantly stated "No".

Cst BOUDREAU asked KOSMOS if he would mind police having a look around, to which he responded, "Yeah, come on in."

s.15

Cst BOUDREAU then walked behind the bar and noted numerous empty beer bottles and one cocktail glass. The cocktail glass contained a full drink that smelled of liquor with fresh ice. Cst BOUDREAU picked up the drink, approached KOSMOS, and asked him who owned this drink. KOSMOS reponded "Oh, that's mine, it's just vodka".

s.15



Case: GO 1501 2010-16975 LIQUOR-CONTRARY TO LICENCE  
LPC  
OCCURRENCE REPORT

s.15 Cst BOUDREAU asked KOSMOS why he lied about he and his company drinking in the bar. KOSMOS stated "Well you guys caught me off guard and I didn't know what to say".

s.15 KOMOS assured police that "everything was cool and that he still has his liquor licence".

Cst BOUDREAU and SCHNEIDER left KOSMOS and his company.

Police Licenced Premise Check served to owner, Peter KOSMOS.

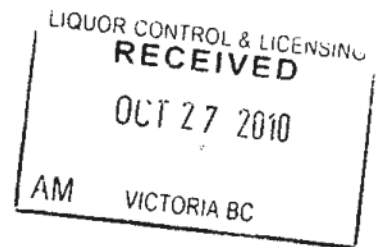
Cst BOUDREAU  
Agassiz GD  
UFVRD RCMP

Author:BOUDREAU, KELLY  
Related date:Fri, 2010-Jun-11 1825

Signatures: \_\_\_\_\_

\_\_\_\_\_

(Tue.) 2010-Jun-15



ENTERED IN POSSE

COMPLIANCE MEETING

Inspector's Name: Linda C. Hoy Date: 2010 October 6
Office Location: S40 Mt. Helix Checkpoint

ESTABLISHMENT INFORMATION:

Establishment Name: Three Crown Pub & Bistro
Establishment Address: 7215 Pioneer Avenue, Victoria BC V8M 1A0
Licence No.: 038118 Licence Class: LP Expiry date: June 30, 2012
Licensee Name: COOMBER MECHANICAL LTD.

MEETING DETAILS:

Attendees at compliance meeting:
Name: Peter Kosmas Association/Position: OWNER Contact No: 604 793-5353
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:

Reason compliance meeting was convened (cite CN # if relevant): RCMP LCP A125355 / Police File 10-16975 Cst K. Boudreau Bldg # 56649

- Information reviewed at the meeting:
[ ] Relevant section(s) of the Liquor Control and Licensing Act S. 12 T9C
[ ] Relevant section(s) of the Liquor Control and Licensing Regulations 42(3)
[ ] Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
[ ] Relevant section(s) of the Guide to Liquor Licensees Terms & Conditions Guide for LP MAN 1201 AVAILABLE ONLINE
[ ] Other

Due to a combination of changes taking place in the actions of Peter Kosmas this issue will be concluded with this meeting.

Commitments made by licensee:
Peter and Andrea Kosmas is being removed from License. Peter Kosmas and parents are taking control of the establishment which is currently closed.

Other Upon re-opening with friendly stress to all employees that alcohol consumption by employees is not permitted. All TAC's of license will be completed with

Inspector Name: Linda C. Hoy Inspector Signature: Linda C. Hoy
Licensee Name: PETER KOSMAS Licensee Signature: [Signature]

RECEIVED OCT 17 2010 AM VICTORIA BC LIQUOR CONTROL & LICENSING



April 26, 2010

## APPENDIX A

### The following terms and conditions apply to the licence:

1. The Licensee will accept and agree to a reduction in operating hours from the current operating hours of Sunday: 9:00 a.m. to 1:00 a.m.; Monday through Thursday: 9:00 a.m. to 2:00 a.m.; and Friday and Saturday: 9:00 a.m. to 3:00 a.m. to the hours of Sunday through Thursday: 9:00 a.m. to 1:00 a.m. and 9:00 a.m. to 2:00 a.m. Friday and Saturday.
2. The licensee will install, maintain and monitor:
  - a. A video surveillance system that covers all areas within the red-line areas identified on the official plan attached to the Liquor Primary liquor license #038118, currently issued to Coomber Mechanical Ltd., known as the Triple Crown Pub & Bistro (the establishment) and currently doing business under the operating name of Insomnia; this video surveillance will also cover all areas behind the bar area of the establishment;
  - b. the video surveillance system will also include coverage at the front entrance of the establishment, the side entrance and the rear exit/entrance encompassing the back parking lot;
  - c. An ID program whereby you will ID every patron entering the establishment for 2pcs of ID and keep record of relevant details; and
  - d. A metal detector wand at the entrance to the establishment.
3. The licensee will ensure appropriate signage is in place at the establishment outlining what information is being captured by any new technology and what purpose it is being used for.
4. The licensee must use the ID process, video and wand all patrons, without exception, before any patrons are admitted.
5. The video surveillance system must be capable of retaining one month (30 days) worth of data, and the licensee must produce video recordings and/or photographs requested by police or Liquor Control and Licensing Branch (the branch) at any time upon demand. "On Demand" shall mean as soon as reasonably possible.
  - a. (i.e., the next business day and sooner if the Licensee can contact the holder of the tapes or maintains their own tapes).
6. In the event that the video surveillance equipment, ID process or metal detector wand is not working or available, the Licensee agrees to refuse to admit patrons to the establishment until all such equipment is repaired, or suitable back-up equipment is in place and fully operational.
  - a. Upon request, the police or the Branch Liquor Inspectors have the right to examine the Video Recorder and the metal detector wand at any time to confirm they are operational and working.
7. The licensee will maintain proper control over all entrance/ exits to the establishment by employing sufficient, experienced and conscientious door patrons who maintain a valid Serving-it-Right Certificate to ensure their understanding the laws around service of alcoholic beverage.
8. Posted signage "MANAGER ON DUTY - NAME" which includes the on duty manager's name.

**A copy of this appendix showing the terms and conditions must be kept with the licence at all times.**

Ministry of Housing and  
Social Development

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

[http:// www.hsd.gov.bc.ca/lcb](http://www.hsd.gov.bc.ca/lcb)



April 26, 2010

Coomber Mechanical Ltd.  
Triple Crown Pub & Bistro  
Attn: Peter Kosmas  
PO Box 250, 7215 Pioneer Avenue  
Agassiz BC V0M 1A0

Dear Mr. Kosmas

**RE: Addition of Terms and Conditions to your Liquor Licence**  
**Establishment: Triple Crown Pub & Bistro**  
**Establishment Address: 7215 Pioneer Avenue, Agassiz**  
**Liquor- Primary Licence # 038118**

---

On April 7, 2010 you agreed to add terms and conditions to the above liquor licence and amend the hours of liquor service.

Attached is a copy of your liquor licence with the amendments to the hours of liquor service and the additional terms and conditions. Appendix A dated April 26, 2010 must be kept with the licence at all times.

If you have any questions about the changes to your liquor licence, please contact Linda Hoy at 604-586-2656.

Sincerely,

Katherine Colquhoun  
Assistant Manager, Licensing Administration

Enclosure: Liquor Licence # 038118  
Appendix A dated April 26, 2010  
*Letter dated April 7, 2010*

cc: Linda Hoy, Liquor Inspector  
Mike Clark, Regional Manager

---

Ministry of Housing and  
Social Development

Liquor Control and  
Licensing Branch

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

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April 26, 2010

## APPENDIX A

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2. The licensee will install, maintain and monitor:
  - a. A video surveillance system that covers all areas within the red-line areas identified on the official plan attached to the Liquor Primary liquor license #038118, currently issued to Coomber Mechanical Ltd., known as the Triple Crown Pub & Bistro (the establishment) and currently doing business under the operating name of Insomnia; this video surveillance will also cover all areas behind the bar area of the establishment;
  - b. the video surveillance system will also include coverage at the front entrance of the establishment, the side entrance and the rear exit/entrance encompassing the back parking lot;
  - c. An ID program whereby you will ID every patron entering the establishment for 2pcs of ID and keep record of relevant details: and
  - d. A metal detector wand at the entrance to the establishment.
3. The licensee will ensure appropriate signage is in place at the establishment outlining what information is being captured by any new technology and what purpose it is being used for.
4. The licensee must use the ID process, video and wand all patrons, without exception, before any patrons are admitted.
5. The video surveillance system must be capable of retaining one month (30 days) worth of data, and the licensee must produce video recordings and/or photographs requested by police or Liquor Control and Licensing Branch (the branch) at any time upon demand. "On Demand" shall mean as soon as reasonably possible.
  - a. (i.e., the next business day and sooner if the Licensee can contact the holder of the tapes or maintains their own tapes).
6. In the event that the video surveillance equipment, ID process or metal detector wand is not working or available, the Licensee agrees to refuse to admit patrons to the establishment until all such equipment is repaired, or suitable back-up equipment is in place and fully operational.
  - a. Upon request, the police or the Branch Liquor Inspectors have the right to examine the Video Recorder and the metal detector wand at any time to confirm they are operational and working.
7. The licensee will maintain proper control over all entrance/ exits to the establishment by employing sufficient, experienced and conscientious door patrons who maintain a valid Serving-it-Right Certificate to ensure their understanding the laws around service of alcoholic beverage.
8. Posted signage "MANAGER ON DUTY - NAME" which includes the on duty manager's name.

**A copy of this appendix showing the terms and conditions must be kept with the licence at all times.**

Ministry of Housing and  
Social Development

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

[http:// www.hsd.gov.bc.ca/lclb](http://www.hsd.gov.bc.ca/lclb)

**Colquhoun, Katherine HSD:EX**

---

**From:** Clark, Michael J HSD:EX  
**Sent:** Friday, April 23, 2010 8:38 AM  
**To:** Colquhoun, Katherine HSD:EX  
**Subject:** RE: Triple Crown Pub & Bistro

My apologies, I thought I had responded. Yes, I support the T & C s proposed.

Thanks,

Mike Clark  
Regional Manager  
LCLB SRO

---

**From:** Colquhoun, Katherine HSD:EX  
**Sent:** Thursday, April 22, 2010 1:14 PM  
**To:** Clark, Michael J HSD:EX  
**Subject:** FW: Triple Crown Pub & Bistro

Hi Mike

I haven't heard back from you so I thought I would follow up. Do you have any issues with the terms and conditions be added to this licence as requested by Linda?

No pressure.... Kathy

---

**From:** Colquhoun, Katherine HSD:EX  
**Sent:** Friday, April 16, 2010 1:57 PM  
**To:** Clark, Michael J HSD:EX  
**Subject:** FW: Triple Crown Pub & Bistro

Hi Mike

I have received a package from Linda Hoy for the addition of terms and conditions on LP licence 038188 – Triple Crown Pub & Bistro. The addition of these terms and conditions is a result of a compliance meeting that was held April 7, 2010. The specific terms and conditions have been initialled and signed by the licensee

Could you please confirm that you support the addition of these terms and conditions as laid out in the attached document.

Thanks, Kathy

---

**From:** Hoy, Linda C HSD:EX  
**Sent:** Saturday, April 10, 2010 10:55 AM  
**To:** Colquhoun, Katherine HSD:EX  
**Cc:** Clark, Michael J HSD:EX  
**Subject:** FW: Triple Crown Pub & Bistro

Hi Kathy

I am forwarding this to you as Rebecca is away until the 23rd of April and we are looking for immediate implementation of the Terms and Conditions.

Thanks, Linda

*Linda C. Hoy*

---

**From:** Hoy, Linda C HSD:EX  
**Sent:** Sat 2010-04-10 10:54  
**To:** Villa-Arce, Rebecca HSD:EX  
**Cc:** Clark, Michael J HSD:EX  
**Subject:** FW: Triple Crown Pub & Bistro

Rebecca

RE:

Triple Crown Pub & Bistro  
7215 Pioneer Avenue BOX 250 AGASSIZ, BC V0M 1A0  
JOB 000685129

The attached letter is for new Terms and Conditions to be added to this licence as a result of a Compliance Meeting conducted on Wednesday April 7, 2010.

A have sent the signed copy with the meeting documents to Mandy's attention in C&E in a confidential envelope with a copy for licensing.

Due to the seriousness of the problems with this establishment, we would like to have the Terms and Conditions added to the licence as soon as possible.

The signed copy has had the date amended to April 7 (instead of 8th) and has also been initialled by the owner.

I have spoken with Mike and he suggested I send a copy directly to you so that you would be aware it is coming and the seriousness of the concerns.

Additionally, this past Friday night, April 9th, 2010, a number of minors were found within the establishment; no ID's had been checked; this is a small community and most people are known to each other. They manager should have been aware that these persons were minors. This incident will be going forward to enforcement action.

If you have any questions please call me. I have a meeting in Aldergrove Monday morning, and expect to be in the office around 11:30. Prior to that I can be reached on my cell phone at s.17 s.17

Thank You.

**NOTE: I understand the conditions will likely have to be 'short formed' to add to the licence and as long as the intent remains the same I don't think that is an issue?**

*Linda C. Hoy*  
*Inspector*

604 586-2656 (O)  
604 586-2640 (F)  
Toll Free Victoria: 1 866-209-2111

*There is more paper work that goes with these will send complete package when all included*

Hi MANDY

I don't know if you are the one I should send this to, but starting with you.

I sent a note to Mike in reference to this, but wanted to get the docs to Victoria asap, so have just put everything together in an envelope – if Mike has any issues he or I will get back to you.

Thanks, Linda

Re: Triple Crown Pub & Bistro  
7215 Pioneer Avenue BOX 250 AGASSIZ, BC V0M 1A0  
000685129-000

---

*I have forwarded all the documents in relation to the noted establishment to Victoria, however, I have not completed all the updates in posse, but will continue to do so next week.*

*Due to the severity of the issues and concerns as well as the escalation of the problems, I would like to have the new Terms and Conditions which the licensee has agreed to (as opposed to a suspension) added to the licence asap.*

*Everything has been reviewed with the licensee at the Compliance Meeting and they have agreed to the changes and signed the attached letter.*

*I believe the wording can be adjusted to add to the licence as long as the intent is not changed; obviously they will have to be short formed to put on the licence anyhow.*

*I am way out of time and still have some other things to finish up this week, and next week is going to be lost with the conference in Victoria.*

*For that reason, I am forwarding everything to Victoria with a note that I would like the Terms and Conditions implemented as ap.*

Thanks, Linda



ORIGINAL

*OK*

2010 April 8<sup>7</sup>

Triple Crown Pub & Bistro  
Coomber Mechanical Ltd.  
Attn: Peter Kosmas  
PO Box 250, 7215 Pioneer Avenue  
Agassiz BC V0M 1A0

Dear Mr. Kosmas

Re: Triple Crown Pub & Bistro dba: Insomnia  
7215 Pioneer Avenue, Agassiz BC V0M 1A0  
Licensee: Coomber Mechanical Ltd.  
LP LICENCE # 038118 Expiry Date: June 30, 2010

**Request to add specific Terms and Conditions to the Liquor Licence**

As a result of the ongoing concerns resulting from the operation of this establishment Compliance Meeting C 004063 held today's date in conjunction with you, Agassiz RCMP and me.

Resulting from the ongoing and escalating concerns around the operation of this establishment, specifically the escalating occurrences of intoxication; assaults; a patron being left behind in the establishment overnight as well as the failure to produce video documentation upon request by police, or taking the necessary steps to make this document/video available, the Liquor Control and Licensing Branch has increased concerns around the operation of your establishment.

The above events were reviewed and discussed at the noted compliance meeting C004063; we also discussed the previous concerns and the commitments made by the 3<sup>rd</sup> party operator of your establishment at compliance meeting C002393 held on December 23<sup>rd</sup>, 2009.

You advised the 3<sup>rd</sup> party operator is no longer manages the establishment, however the concerns have not lessened at this point and the failure to produce documents has occurred while you are in control of the establishment and the requirement to ensure the establishment is being properly operated at all times has always remained with you as the licensee of record.

The concerns identify areas where there is a specific danger to the public and it is believed the operations of the establishment are contrary to the public interest.

The lack of control has resulted in the Branch asking you to agree to implement procedures which will ensure your establishment does not continue to operate in a manner that leads to escalating problems which may endanger the public, and your staff.

Ministry of Housing and Social Development

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

www.hsd.gov.bc.ca/lcib

*AK*

Resulting from the Compliance Meeting C004063 conducted on Wednesday, April 8<sup>th</sup>, 2010, in conjunction with the Liquor Control and Licensing Branch, the Agassiz RCMP, you were requested to implement the use of an ID checking process and metal detector wand in order to ensure the safety of all patrons who enter your establishment in the future; employ sufficient security / door staff to control all entrances / exits to the establishment and cease permitting patrons from using the front sidewalk as a designate smoking area; prevent in /outs of patrons; as well as maintain a clear area around the front entrance and sidewalk area of the establishment.

Most importantly we request that you accept the reduction in hours of operation of your establishment from the closing time of 2:00 a.m. Sunday through Thursday and 3:00 a.m. Friday and Saturday to a closing time of 1:00 a.m. Sunday to Thursday and 2:00 a.m. Friday and Saturday.

With that in mind, we agreed the following terms and conditions be added to your liquor license in an effort to ensure that appropriate safety related measures are in place for your staff and patrons as soon as possible. With your acceptance of these terms and conditions on your licence, the Branch will take no further action in relation to the contraventions identified as of today's date and noted in the compliance meeting.

The terms and conditions that are proposed to be amended to your liquor licence would be as follows:

1. The Licensee will accept and agree to a reduction in operating hours from the current operating hours of Sunday: 9:00 a.m. to 1:00 a.m.; Monday through Thursday: 9:00 a.m. to 2:00 a.m.; and Friday and Saturday: 9:00 a.m. to 3:00 a.m. to the hours of Sunday through Thursday: 9:00 a.m. to 1:00 a.m. and 9:00 a.m. to 2:00 a.m. Friday and Saturday.
2. The licensee will install, maintain and monitor:
  - a. A video surveillance system that covers all areas within the red-line areas identified on the official plan attached to the Liquor Primary liquor license #038118, currently issued to Coomber Mechanical Ltd., known as the Triple Crown Pub & Bistro (the establishment) and currently doing business under the operating name of Insomnia; this video surveillance will also cover all areas behind the bar area of the establishment;
  - b. the video surveillance system will also include coverage at the front entrance of the establishment, the side entrance and the rear exit/entrance encompassing the back parking lot;
  - c. An ID program whereby you will ID every patron entering the establishment for 2pcs of ID and keep record of relevant details: and
  - d. A metal detector wand at the entrance to the establishment.
3. The licensee will ensure appropriate signage is in place at the establishment outlining what information is being captured by any new technology and what purpose it is being used for.
4. The licensee must use the ID process, video and wand all patrons, without exception, before any patrons are admitted.
5. The video surveillance system must be capable of retaining one month (30 days) worth of data, and the licensee must produce video recordings and/or photographs requested by police or Liquor Control and Licensing Branch (the branch) at any time upon demand. "On Demand" shall mean as soon as reasonably possible.
  - a. (i.e., the next business day and sooner if the Licensee can contact the holder of the tapes or maintains their own tapes).
6. In the event that the video surveillance equipment, ID process or metal detector wand is not working or available, the Licensee agrees to refuse to admit patrons to the establishment until all such equipment is repaired, or suitable back-up equipment is in place and fully operational.
  - a. Upon request, the police or the Branch Liquor Inspectors have the right to examine the Video Recorder and the metal detector wand at any time to confirm they are operational and working.
7. The licensee will maintain proper control over all entrance/ exits to the establishment by employing sufficient, experienced and conscientious door patrons who maintain a valid Serving-it-Right Certificate to ensure their understanding the laws around service of alcoholic beverage.

8. Posted signage "MANAGER ON DUTY - NAME" which includes the on duty manager's name.

Please be advised if future operations indicate the ID process you have in place is insufficient, the branch will review this process with the request that you install a proper ID scanner at the entrance which would include capturing relevant details, including age/photograph of all patrons.

In summary, permanently adding these terms and conditions to your current liquor licence will convey a clear message to all staff and patrons that violent behavior or any behaviour that is contrary to the public interest is not tolerated, and that you are making every effort to ensure the safety of the staff and patrons within your establishment.

If you agree with the additional conditions, please sign the bottom of this letter and hand-deliver and/or fax to me at your earliest convenience, so that I may pass on to relevant licensing officials for incorporation to your existing licence.

I look forward to your cooperation in these areas and your commitment to ensuring the operation of the establishment is in a safe manner which is not contrary to the public interest.

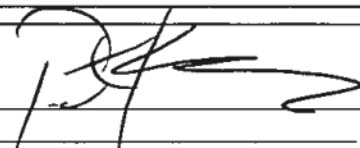
Please also do not hesitate to contact me to discuss this letter and how we can work together to make these changes to your license. In closing, let me convey my appreciation at your proactive efforts to prevent any future occurrences of the events such as those which occurred since the previous Compliance Meeting conducted December 23<sup>rd</sup>, 2009.

Yours sincerely,

Linda C. Hoy  
Liquor Inspector  
Liquor Control & Licensing Branch  
Surrey Regional Office  
Ministry of Housing & Social Development

604 586-2656 (O)  
604 586-2640 (F)  
Toll Free Victoria: 1 866-209-2111

I agree with adding conditions #1 to #8 inclusive to my Liquor Primary Licence # 038118 as described in detail above, effective immediately:

  
\_\_\_\_\_  
**Peter James KOSMAS** Date: 4/8/10

cc: DGM - Compliance & Enforcement: Bruce Edmondson  
Regional Manager - Surrey Regional Office: Mike Clark  
RCMP, Sgt.: M.S. (Mike) McCarthy, NCO i/c Agassiz  
RCMP, Cpl. S.W. STOUGHTON, Operations NCO-Agassiz



COMPLIANCE MEETING

Inspector's Name: Linda Hay Date: APRIL 7, 2010
Office Location: PRO - Inter Field Agassiz RCMP

ESTABLISHMENT INFORMATION:

Establishment Name: THREE CROWN PUB & RESTAURANT
Establishment Address: 7215 Pioneer Avenue Agassiz BC V0M 1A0
Licence No.: 038118 Licence Class: LP Expiry date: June 30, 2010
Licensee Name: COOMBER MECHANICAL LTD. 3RD PARTY FERRARI BUILDINGS U.S.

MEETING DETAILS:

Attendees at compliance meeting:

Name: PETER KOSMAS Association/Position: OWNER Contact No: 604 793 5353
Name: Scott Staughton Association/Position: RCMP Agassiz Contact No: 604-796-2211
Name: ENTERED IN POSSES
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:
Name: Association/Position: Contact No:

Reason compliance meeting was convened (cite CN # if relevant): Compliance file for Dec 23/09
C002393 copy attached; Police Files to April 8/10

Information reviewed at the meeting:

- Relevant section(s) of the Liquor Control and Licensing Act s. 20(1)(c.1); 3.73 Act. s 43, 5.76(2)
Relevant section(s) of the Liquor Control and Licensing Regulations Refer license to Act/Reg's on website.
Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
Relevant section(s) of the Guide to Liquor Licensees T4C Guide to be reviewed by staff
Other Other concerns with operation

POLICE FILES REFER ATTACHED TAB # 2, # 3, # 4, Docs
CN B008194; 8195; 8196 & 8197

Commitments made by licensee:

- Change to Terms & Conditions of license as per attached letter dated, today's date, APRIL 7, 2010
APPL submitted for share transfer, name change, structure
Other Change Control of EST - Licensee to be completed by APRIL 30/10
All issues concluded to today's date APRIL 7/10

Inspector Name: Linda Hay Inspector Signature: [Signature]
Licensee Name: PETER KOSMAS Licensee Signature: [Signature]



**COMPLIANCE MEETING**

Inspector's Name: Linda Hay Date: APRIL 7, 2010  
Office Location: SRO - Peter Field Agassiz Kemp

**ESTABLISHMENT INFORMATION:**

Establishment Name: TRIPLE Crown Pub & Bar  
Establishment Address: 7215 Pioneer Avenue, Agassiz BC V0M 1A0  
Licence No.: 038118 Licence Class: LP Expiry date: JUNE 30 2010  
Licensee Name: COOMBE MECHANICAL LTD. 305 PINE ST. FERRIS BC V0M 1A0

**MEETING DETAILS:**

Attendees at compliance meeting:

Name: <u>PETER KOSMAS</u>	Association/Position: <u>OWNER</u>	Contact No: <u>604 793 5313</u>
Name: <u>Scott Sloughton</u>	Association/Position: <u>Kemp Agassiz</u>	Contact No: <u>604-795-2211</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): Compliance with Section 5.20(1)(c.1)  
COO2393 not attached; Police files to April 8/10

Information reviewed at the meeting:

- Relevant section(s) of the Liquor Control and Licensing Act 5.20(1)(c.1); 3.73 Act; 5.93; 5.36(2)
  - Relevant section(s) of the Liquor Control and Licensing Regulations Refer license to Act/Reg on website.
  - Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
  - Relevant section(s) of the Guide to Liquor Licensees THC Guide to be reviewed by staff
  - Other Other concerns will be addressed
- POLICE FILES REFER ATTACHED TAB # 2, # 3, # 4, Docs  
CN BOO5194; 8195; 8196, 8197

Commitments made by licensee:

- 1. Change to Terms & Conditions of license as per attached letter dated today's date, APRIL 7, 2010
- 2. APPL submitted, share transfer, name change, structure
- Other 0.01% (tax) of AST - result of May 16 meeting of 3rd party operator. - APPL to be completed by APRIL 30/10
- All issues (included to today's date) done by 7/10

Inspector Name: Linda Hay Inspector Signature: [Signature]  
Licensee Name: PETER KOSMAS Licensee Signature: [Signature]



OK  
2010 April 8

2010 April 8

Triple Crown Pub & Bistro  
Coomber Mechanical Ltd.  
Attn: Peter Kosmas  
PO Box 250, 7215 Pioneer Avenue  
Agassiz BC V0M 1A0

Dear Mr. Kosmas

Re: Triple Crown Pub & Bistro dba: Insomnia  
7215 Pioneer Avenue, Agassiz BC V0M 1A0  
Licensee: Coomber Mechanical Ltd.  
LP LICENCE # 038118 Expiry Date: June 30, 2010

Request to add specific Terms and Conditions to the Liquor Licence

As a result of the ongoing concerns resulting from the operation of this establishment Compliance Meeting C 004063 held today's date in conjunction with you, Agassiz RCMP and me.

Resulting from the ongoing and escalating concerns around the operation of this establishment, specifically the escalating occurrences of intoxication; assaults; a patron being left behind in the establishment overnight as well as the failure to produce video documentation upon request by police, or taking the necessary steps to make this document/video available, the Liquor Control and Licensing Branch has increased concerns around the operation of your establishment.

The above events were reviewed and discussed at the noted compliance meeting C004063; we also discussed the previous concerns and the commitments made by the 3<sup>rd</sup> party operator of your establishment at compliance meeting C002393 held on December 23<sup>rd</sup>, 2009.

You advised the 3<sup>rd</sup> party operator is no longer manages the establishment, however the concerns have not lessened at this point and the failure to produce documents has occurred while you are in control of the establishment and the requirement to ensure the establishment is being properly operated at all times has always remained with you as the licensee of record.

The concerns identify areas where there is a specific danger to the public and it is believed the operations of the establishment are contrary to the public interest.

The lack of control has resulted in the Branch asking you to agree to implement procedures which will ensure your establishment does not continue to operate in a manner that leads to escalating problems which may endanger the public, and your staff.

Ministry of Housing and Social Development

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

www.hsd.gov.bc.ca/lclb

PK  
2010

Resulting from the Compliance Meeting C004063 conducted on Wednesday, April 8<sup>th</sup>, 2010, in conjunction with the Liquor Control and Licensing Branch, the Agassiz RCMP, you were requested to implement the use of an ID checking process and metal detector wand in order to ensure the safety of all patrons who enter your establishment in the future; employ sufficient security / door staff to control all entrances / exits to the establishment and cease permitting patrons from using the front sidewalk as a designate smoking area; prevent in /outs of patrons; as well as maintain a clear area around the front entrance and sidewalk area of the establishment.

Most importantly we request that you accept the reduction in hours of operation of your establishment from the closing time of 2:00 a.m. Sunday through Thursday and 3:00 a.m. Friday and Saturday to a closing time of 1:00 a.m. Sunday to Thursday and 2:00 a.m. Friday and Saturday.

With that in mind, we agreed the following terms and conditions be added to your liquor license in an effort to ensure that appropriate safety related measures are in place for your staff and patrons as soon as possible. With your acceptance of these terms and conditions on your licence, the Branch will take no further action in relation to the contraventions identified as of today's date and noted in the compliance meeting.

The terms and conditions that are proposed to be amended to your liquor licence would be as follows:

1. The Licensee will accept and agree to a reduction in operating hours from the current operating hours of Sunday: 9:00 a.m. to 1:00 a.m.; Monday through Thursday: 9:00 a.m. to 2:00 a.m.; and Friday and Saturday: 9:00 a.m. to 3:00 a.m. to the hours of Sunday through Thursday: 9:00 a.m. to 1:00 a.m. and 9:00 a.m. to 2:00 a.m. Friday and Saturday.
2. The licensee will install, maintain and monitor:
  - a. A video surveillance system that covers all areas within the red-line areas identified on the official plan attached to the Liquor Primary liquor license #038118, currently issued to Coomber Mechanical Ltd., known as the Triple Crown Pub & Bistro (the establishment) and currently doing business under the operating name of Insomnia; this video surveillance will also cover all areas behind the bar area of the establishment;
  - b. the video surveillance system will also include coverage at the front entrance of the establishment, the side entrance and the rear exit/entrance encompassing the back parking lot;
  - c. An ID program whereby you will ID every patron entering the establishment for 2pcs of ID and keep record of relevant details: and
  - d. A metal detector wand at the entrance to the establishment.
3. The licensee will ensure appropriate signage is in place at the establishment outlining what information is being captured by any new technology and what purpose it is being used for.
4. The licensee must use the ID process, video and wand all patrons, without exception, before any patrons are admitted.
5. The video surveillance system must be capable of retaining one month (30 days) worth of data, and the licensee must produce video recordings and/or photographs requested by police or Liquor Control and Licensing Branch (the branch) at any time upon demand. "On Demand" shall mean as soon as reasonably possible.
  - a. (i.e., the next business day and sooner if the Licensee can contact the holder of the tapes or maintains their own tapes).
6. In the event that the video surveillance equipment, ID process or metal detector wand is not working or available, the Licensee agrees to refuse to admit patrons to the establishment until all such equipment is repaired, or suitable back-up equipment is in place and fully operational.
  - a. Upon request, the police or the Branch Liquor Inspectors have the right to examine the Video Recorder and the metal detector wand at any time to confirm they are operational and working.
7. The licensee will maintain proper control over all entrance/ exits to the establishment by employing sufficient, experienced and conscientious door patrons who maintain a valid Serving-it-Right Certificate to ensure their understanding the laws around service of alcoholic beverage.

8. Posted signage "MANAGER ON DUTY - NAME" which includes the on duty manager's name.

Please be advised if future operations indicate the ID process you have in place is insufficient, the branch will review this process with the request that you install a proper ID scanner at the entrance which would include capturing relevant details, including age/photograph of all patrons.

In summary, permanently adding these terms and conditions to your current liquor licence will convey a clear message to all staff and patrons that violent behavior or any behaviour that is contrary to the public interest is not tolerated, and that you are making every effort to ensure the safety of the staff and patrons within your establishment.

If you agree with the additional conditions, please sign the bottom of this letter and hand-deliver and/or fax to me at your earliest convenience, so that I may pass on to relevant licensing officials for incorporation to your existing licence.

I look forward to your cooperation in these areas and your commitment to ensuring the operation of the establishment is in a safe manner which is not contrary to the public interest.

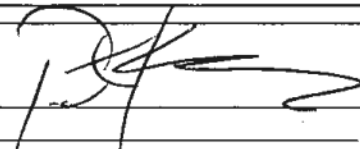
Please also do not hesitate to contact me to discuss this letter and how we can work together to make these changes to your license. In closing, let me convey my appreciation at your proactive efforts to prevent any future occurrences of the events such as those which occurred since the previous Compliance Meeting conducted December 23<sup>rd</sup>, 2009.

Yours sincerely,

Linda C. Hoy  
Liquor Inspector  
Liquor Control & Licensing Branch  
Surrey Regional Office  
Ministry of Housing & Social Development

604 586-2656 (O)  
604 586-2640 (F)  
Toll Free Victoria: 1 866-209-2111

I agree with adding conditions #1 to #8 inclusive to my Liquor Primary Licence # 038118 as described in detail above, effective immediately:

  
\_\_\_\_\_  
**Peter James KOSMAS** Date: 4/8/10

cc: DGM - Compliance & Enforcement: Bruce Edmondson  
Regional Manager – Surrey Regional Office: Mike Clark  
RCMP, Sgt.: M.S. (Mike) McCarthy, NCO i/c Agassiz  
RCMP, Cpl. S.W. STOUGHTON, Operations NCO-Agassiz



No. B 008194



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: TRIAL CROWN PUB & RESTAURANT

Establishment address: 7215 Pioneer Ave, Agassiz BC V0M 1A0

Licensee name: COOMBER MECHANICAL LTD

Licence #: 038118 Date CN issued: 01/03/10

Date and time of alleged contravention(s): MM/DD/YY 00:00

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

	Contravention	Section
1	operate contract public int. (S20(1))	<input checked="" type="checkbox"/> Act <input 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: Foston on 33236, Jan 2-2013, MM2 110, D Police File 10-2809/10-213/10-6411, 09-233036

See attached File Docs.

Inspector name: Linda Chel, Badge #: 61

Telephone: 604-562-6110, LPC #:

Management acknowledgement (name and title): OWNER, PETER KOSMAS

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.

[Handwritten signature]

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

No. B 008195



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: Triple Crown Pub & Bistro
Establishment address: 7215 Howard Ave.
Licensee name: Coombes Mechanical Ltd
Licence #: 038118 Date CN issued: 04/07/10
Date and time of alleged contravention(s): 04/12/10 10:00

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

Table with 2 columns: Contravention, Section. Row 1: Failure to produce doc, s.73. Row 2: Record of hours.

Details: Did not request to be closed on business days Thursday, May 4 / Friday, May 5

Inspector name: Linda Hoy Badge #:
Telephone: 604-586-2652 LPC #: A125313
Management acknowledgement (name and title): OWNER PETER KOSMAS

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 3: LCLB HEADQUARTERS COPY (forward to headquarters)

No. B 008196



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: Triple Crown Pub & Bistro
Establishment address: 4213 Pinetree Ave
Licensee name: Coombs Mechanical Ltd.
Licence #: B38118 Date CN issued: (M16D) (M4)
Date and time of alleged contravention(s): 07/11/20 7:00

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

Table with 2 columns: Contravention, Section. Row 1: Permit intor to remain §.43(2)(a) Act/Reg. Row 2: Fail to clear with a valid license Act/Reg. Row 3: Police Five ID - 6426 Act/Reg.

Details: 1 male remained in ord... night. Awoke 6:30 AM... Did not know what happened; still intoxicated at 6:30 AM.

Inspector name: L. Woodley Badge #: 61
Telephone: 604-596-2657 LPC #:
Management acknowledgement (name and title): OWNER
PETER KESNAS

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.

Handwritten signature/initials

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

No. B 008197



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: Triple Crown Refractories Ltd
Establishment address: 7215 Pioneer Ave
Massis BC V0M 1A0
Licensee name: COMBER MECHANICAL LTD
Licence #: 038118 Date CN issued: 04/07/10
Date and time of alleged contravention(s): 04/03/10 09:00

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

Table with 2 columns: Contravention, Section. Row 1: Permit intoxicated person to remain. Section: Act (checked), Reg.

Details: Female intoxicated. U.A. ABLE to stand, slurred speech.

Inspector name: KIMDA CHOI Badge #: 61
Telephone: 604-596-2656 LPC #: A125428
Management acknowledgement (name and title): OWNER
PETER KOSMATS

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.

Handwritten signature of Peter Kosmats

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)



No. A 125428



Liquor Control and Licensing Act  
and Regulation 608/76

**POLICE LICENSED PREMISES CHECK (LPC)**

Establishment Name: Insomnic / Triple Crown Pub & Bistro  
Establishment Address: 7215 Pioneer Ave  
Licence #: 038118 Date: 10/04/03 Time: 2:45  
Licensee Name: Triple Crown Pub & Bistro

On the date noted above, the following alleged contraventions of the *Liquor Control and Licensing Act* or regulations were identified:

**MINORS**

- Supplying to minors s. 33
- Minors in premises s. 35

Number and age of minors: \_\_\_\_\_

I.D. type shown: \_\_\_\_\_

Details (e.g. no ID checked at door; inadequate lighting at door) \_\_\_\_\_

**OVERCROWDING**

- Overcrowding beyond Building Occupancy Load (BOL) Reg. s. 4(7)
- Overcrowding beyond Licence Capacity Reg.

BOL: \_\_\_\_\_ Actual: \_\_\_\_\_ Lic. Cap.: \_\_\_\_\_ Actual: \_\_\_\_\_

Details (e.g., how was count conducted; how many times was count done; did staff member verify count; number of door staff; door control; identify public safety issues): \_\_\_\_\_

**INTOXICATED PATRON**

- Selling to intoxicated person s. 43(1)
- Permitting a person to become intoxicated s 43(2)(a)
- Permitting intoxicated person to remain s. 43(2)(b)

Details (e.g. evidence of intoxication): Female in premises in

intox state, unstable on feet, slurred  
speech, confrontational with other  
 OTHER ALLEGED CONTRAVENTIONS (see flap): patrons

Details: \_\_\_\_\_

Police Officer (please print): CST. NICHOLSON

Badge #: 53229 Dept./Detach.: Agassiz RCMP

Police Incident/File #: 2010-9541

Management Acknowledgement (Name and Title)  
[Signature]

A copy of this LPG will be forwarded to the Liquor Control and Licensing Branch. The branch may proceed with enforcement action on the basis of this alleged contravention.

**COPY 2: LCLB FIELD OFFICE COPY (forward to LCLB field office)**

**TAB 1** LICENCE, OWNERSHIP, FLOOR PLANS

- NAME CHANGE
- STRUCTURAL CHANGE
- OCCUPANT LOAD

## TAB 2

### Compliance Meeting C002393

July 12 to December 5 2009 – police files

#### ❖ Licensee's responsibility for disturbance in the vicinity

- Operating Concerns
- Relevant sections of the LCLA s.43(1)(2)(a)(2)(b),
- various sections of the Regulations and the Terms and Conditions Guide in general

July 12, 2009 **09-28160**

- Unruly patron refusing to leave
- Male and female both intoxicated; loud; ignorant

July 24, 2009 **09-22908**

- Intoxicated male; extremely agitated
- Returned again after first departure/2<sup>nd</sup> call

August 1, 2009 **2058 hours 09-28160**

- Drunk male causing disturbance

August 8, 2009 **0333 hours 09-24967**

- Noise complaint; all drunks outside yelling on street

November 19, 2009 **09-37018**

- Male causing disturbance
- Aggressively threatening patrons and servers with death and weapons threats.
- Arrested

November 29 **0000 hours – 0300 hours 09-37978**

- Male outside heavily under influence of alcohol
- Passed out while standing up waiting for his ride
- 0300 hours police transported to residence

December 5, 2009 **09-38633** (reference Nov 19 file 09-37018)

- assault Nov 19 at club; highly impaired on drugs and/or alcohol;
- Fractured cheek bone; damaged ear drum

December ?, 2009 **09-38580**

- Intoxicated male; fight; disturbance
- Violent, disorderly conduct

#### **Commitments by licensee 3rd party:**

1. will apply extra diligence to ensure liquor is not removed from the establishment
2. Will ensure intoxicated persons are not permitted entry
3. if the intoxicated person becomes difficult requiring force to prevent entry, licensee is to call police immediately.
4. Licensee 3rd party will hold a meeting with staff stressing the issue of 'no over service; door person will also have authority to tell waitress to discontinue service to patrons; intoxicated patrons will not be permitted to remain on the premises (ie: waiting for friend/spouse/ etc.)
5. will make every effort to restrain from using force to deal with patrons
6. will co-ordinate with police re events and actions proposed for New Year's Eve
7. will co-ordinate with police over patrons known to not be permitted to consume alcohol

CN B008120 Issued JULY 14, 2009 signed by 3<sup>rd</sup> party operator

CN B008107 issued September 4, 2008 signed by new shareholder

---

## TAB 3 NEW COMPLAINTS

FILE HISTORY CONTINUED

March 5, 2010 0635 hours

10-6426

Contrary to Public Interest?

- Female locked in bar/pub overnight
- Passed out in wash room past closing time
- Statement by s.22 : ***she did not seem to be all that drunk***
- Permit intoxicated to remain s.43(2)(b) ACT
- Permit to become intoxicated s.43(2)(a) ACT
- Sell to intoxicated s.43(1)
- Fail to clear patrons within ½ hour x.44(1)(a) LCLA Regulations

TAB 3A WITNESS STATEMENTS

## TAB 4 POLICE FILES

January 10, 2010 0120 hours 10-2809

Operate contrary to Public Interest CN to be issued S.20(1)(C.1) LCLA  
Intoxicated/ assault

- LPC A125351 / permit intoxicated to remain Assault

January 9, 2010 0120 hours 10-2809

- Cause disturbance / Assault
- Witnesses stated male and female had been in Insomnia for past four hours
- Stated the female had had too much to drink
- Victim claimed female was very drunk and had freaked out on him in the bar, yelling and screaming at him

March 12, 2010 1702 hours 10-6426

Failure to produce document, record or thing s.73 CN to be issued s.73 LCLA

- Failure to produce document/thing s.73 LCLA
- video as requested in relation to events of Thursday, March 4/ Friday March 5.

January 02, 2010 2127 hours 10-213 CN to be issued S.20(1)(C.1) LCLA

- Cause disturbance – 2 guys fighting in bar

December 26, 2009 2025 hours 09-40623

- Cause disturbance – report from s.22

January 9, 2010 0247 hours 10-797 Contrary to Public Interest

- Aggravated assault
- Assist police /fire/ ambulance

March 5, 2010 0117 hours 10-6411

- Complaint of assault report by 50 people; bleeding from face / Caller intoxicated
- Police called by EHS to assist with complaint
- Police met intoxicated male leaving the bar by the back door – was subject of complaint
- **Why were two males permitted re-entry and the male who had been assaulted refused?**

February 6, 2010 0230 hours 09-33236

- Intoxicated male on railroad track
- Drank excessive amounts of alcohol at Insomnia
- Grossly intoxicated
- Refused to get off tracks
- Had to be physically restrained and hand cuffed and removed from tracks for his own safety
- WITNESSES AVAILBE RE SERVED AND CONSUMED IN INSOMNIA

NEWER COMPLAINTS –PAPER WORK NOT RECIEVED

Failure to provide video on another file  
Sell to intoxicated at related LRS.

OVERVIEW OF ISSUES / CONTRAVENTIONS/ ACTION TO BE TAKEN /  
POSSIBLE SOLUTIONS

## SOLUTIONS

- Who is in charge of establishment
- Submit changes
- Recommended suspensions/penalties
  - Combination of?
- Most issues appear to occur after 1:00 a.m.
  - Roll back hours to 1:00 a.m. closure

Commit to changes on licence to ensure compliance  
See sample letter

- ✓ Results
- ✓ agree to T&C's
- ✓ roll back hours
- ✓ minimum suspension/penalty

Page 087

Withheld pursuant to/removed as

s.22

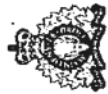
Please file. 😊

Triple Crow Pub

licence # 038118

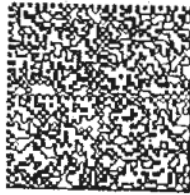
thanks.



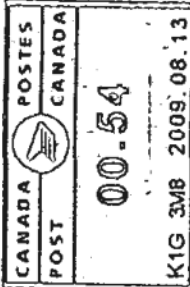


Royal Canadian Mounted Police Gendarmerie royale du Canada

R.C.M.P. - G.R.C.  
IDENTIFICATION SERVICES  
BOX 8885  
OTTAWA, ON  
K1G 3M8



PB031 1925148  
002708 =08DY  
0813 131311



MIN. OF PUBLIC SAFETY SOLICITOR GENERAL  
LIQUOR CONTROL & LICENSING BR.  
2ND FL.  
1019 WHARF ST.  
VICTORIA BC V8W 2Y9

Canada

2492 (05-04) 7530-21-907-5305

No. A 125351



Liquor Control and Licensing Act  
and Regulation 608/76

**POLICE LICENSED PREMISES CHECK (LPC)**

Establishment Name: Insomnia  
Establishment Address: 7215 Pioneer Ave  
Licence #: 038118 Date: 10/01/2009 Time: 1:20  
Licensee Name: Triple Crown Pub & Bistro

On the date noted above, the following alleged contraventions of the Liquor Control and Licensing Act or regulations were identified:

**MINORS**

- Supplying to minors s. 33
- Minors in premises s. 35

Number and age of minors: \_\_\_\_\_

I.D. type shown: \_\_\_\_\_

Details (e.g. no ID checked at door; inadequate lighting at door) \_\_\_\_\_

ENTERED IN POSSE

**OVERCROWDING**

- Overcrowding beyond Building Occupancy Load (BOL) Reg. s. 4(7)
- Overcrowding beyond Licence Capacity Reg.

BOL: \_\_\_\_\_ Actual: \_\_\_\_\_ Lic. Cap.: \_\_\_\_\_ Actual: \_\_\_\_\_

Details (e.g. how was count conducted; how many times was count done; did staff member verify count; number of door staff; door control; identify public safety issues): \_\_\_\_\_

**INTOXICATED PATRON**

- Selling to intoxicated person s. 43(1)
- Permitting a person to become intoxicated s 43(2)(a)
- Permitting intoxicated person to remain s. 43(2)(b)

Details (e.g. evidence of intoxication): Odour of liquor, slurred speech, irrational behavior, admissions

**OTHER ALLEGED CONTRAVENTIONS (see flap):**

Details: \_\_\_\_\_

Police Officer (please print): CSI NICHOLSON  
Badge #: 5323 Dept./Detach.: Agassiz RCMP  
Police Incident/File #: 10-2809 Disturbance  
Management Acknowledgement (Name and Title):  
Anthony LELLE - Owner

A copy of this LPC will be forwarded to the Liquor Control and Licensing Branch. The branch may proceed with enforcement action on the basis of this alleged contravention.

LIQUOR CONTROL AND LICENSING BRANCH  
RECEIVED  
APR 12 2010  
AM VICTORIA BC

FILE COPY

Case: GO 1501 2010-2809

CAUSE A DISTURBANCE  
DISTURBANCE  
OCCURRENCE REPORT

---

---

Author: PARISH, GARY  
Related date: Fri, 2010-Jan-29 0313

Signatures: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Fri.) 2010-Feb-12

LIQUOR CONTROL & LICENSING  
**RECEIVED**  
APR 12 2010  
AM VICTORIA BC

No. A 125353



Liquor Control and Licensing Act and Regulation 608/76

POLICE LICENSED PREMISES CHECK (LPC)

Establishment Name: Triple Town Pub Kistral  
Establishment Address: 7215 Diotree Ave Burnaby  
Licence # 038118 Date: YY / MM / DD Time:  
Licensee Name: Coomber Mechanical LTD.  
Operating as: INSOMNIA

On the date noted above, the following alleged contraventions of the Liquor Control and Licensing Act or regulations were identified:

MINORS  
 Supplying to minors s. 33  Minors in premises s. 35  
Number and age of minors: \_\_\_\_\_  
I.D. type shown: \_\_\_\_\_  
Details (e.g. no ID checked at door; inadequate lighting at door) \_\_\_\_\_

OVERCROWDING  
 Overcrowding beyond Building Occupancy Load (BOL) Reg. s. 4(7)  Overcrowding beyond Licence Capacity Reg.  
BOL: \_\_\_\_\_ Actual: \_\_\_\_\_ Lic. Cap.: \_\_\_\_\_ Actual: \_\_\_\_\_  
Details (e.g., how was count conducted; how many times was count done; did staff member verify count; number of door staff; door control; identify public safety issues): \_\_\_\_\_

INTOXICATED PATRON  
 Selling to intoxicated person s. 43(1)  
 Permitting a person to become intoxicated s 43(2)(a)  
 Permitting intoxicated person to remain s. 43(2)(b)  
ENTERED IN POSSE  
[Redacted Box]  
Details (e.g. evidence of intoxication): \_\_\_\_\_

OTHER ALLEGED CONTRAVENTIONS (see flap): SEC 73  
Details: Video/document LCLA requested, not provided.

Police Officer (please print): [Signature]  
Badge #: 51561 Dept./Detach.: 4-93-2 RCMP  
Police Incident/File #: 10-6426  
Signature Acknowledgement (Name and Title): [Signature] Portenator

A copy of this LPC will be forwarded to the Liquor Control and Licensing Branch. The branch may proceed with enforcement action on the basis of this alleged contravention.

COPY 3: LCLB HEAD QUARTERS COPY (forward to LCLB field office)

No. A 125353



BRITISH COLUMBIA

Liquor Control and Licensing Act  
and Regulation 608/76

**POLICE LICENSED PREMISES CHECK (LPC)**

Establishment Name: Triple Town Pub &istro  
 Establishment Address: 7215 Pioneer Hwy Victoria  
 Licence # 028118 Date: YY / MM / DD Time: \_\_\_\_\_  
 Licensee Name: Pioneer Mechanical LTD.  
 Police Officer (please print): G PARISH  
 Badge #: 58354 Dept./Detach.: \_\_\_\_\_  
 Police Incident/File #: \_\_\_\_\_

Details:  
Served to Shannon BOUCHER  
bartender 2010-03-12 1702 HRS  
no answer on ANDREW KOSMAS  
cell phone & mail box full  
2010-03-12 1650 HRS  
Andrew & Peter not at TASOMMA  
at this time

OFFICER'S NOTES

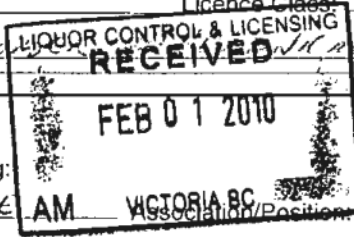
LIQUOR CONTROL & LICENSING  
**RECEIVED**  
 APR 12 2010  
 AM VICTORIA BC

COMPLIANCE MEETING

Inspector's Name: Linda Hoy Date: Dec 23, 2009 Office Location: SNO - Mtg held at Agassiz RCMP Detachment

ESTABLISHMENT INFORMATION:

Establishment Name: Three Crown Pub &istro aka: INSOMNIA Establishment Address: 7215 Pioneer Avenue, Agassiz BC V0N 1A0 Licence No.: 038118 Licence Class: LP Expiry date: June 30, 2010 Licensee Name: Co-owner Ltd.



ENTERED IN POSSE

MEETING DETAILS:

Attendees at compliance meeting: Name: Tony Lecce Association/Position: Party Operator Contact No: s.22 Name: Scott Stoughton Association/Position: Agassiz RCMP Contact No: 604-796-2211

Reason compliance meeting was convened (cite CN # if relevant): Police reports - 7 reports. Licence suspension for distribution. July 12 - Dec 5 - 7 Reports. Licence suspension for distribution.

Information reviewed at the meeting:

- Relevant section(s) of the Liquor Control and Licensing Act s.43(1)(2)(a)(b) Relevant section(s) of the Liquor Control and Licensing Regulations NOV 29-09-37018 - 09-37018 Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual ASSOCIATION OF... Relevant section(s) of the Guide to Liquor Licensees TBC Guide Book in govt ml - NOV 29-09-37018 Other July 12 09-21357 July 24 09-22905 - ANNEX 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Commitments made by licensee: Dec 5 09 - 09-38560 - Extra diligence to ensure liquor not removed. - Ensure intoxicated not permitted entry. IF intoxicated prevented and police immediately.

Other meeting to be held with staff stressing the issue of NO OVERSICKE. Do person at co his' authority to tell waitress to discontinue service - ext of wine not be permitted to remain. Will make every effort to restrain from using profanity - Police

Inspector Name: Linda Hoy Inspector Signature: [Signature] Licensee Name: Tony Lecce Licensee Signature: [Signature]

**Compliance Meeting**

Date: Dec 23, 2009 Contravene term & condition, s. 12 Act

Effective Start Date:

Effective End Date:

**Details**

Comments

Compliance Meeting C002393  
December 23, 2009 from 1:30 pm to 2:30 pm.  
Location of meeting was the Agassiz RCMP Detachment.

Attended by:

Third Party Operator: Tony Lecce, S.22  
Agassiz RCMP Member: Scott Stoughton, 604 796-2211

Reason: Police Reports July 12 to December 5, 2009 inclusive  
Licensee's responsibility for disturbances in the vicinity.  
Specific Files: July 12, 2009: 09-28160; July 24, 2009: 09-22908  
August 1, 2009: 09-28160; August 8, 2009: 09-24967  
November 19, 2009: 09-37018; December 5, 2009: 09-38580

The specific files refer to calls from the licensee to request police assistance or attendance by police during routine walk throughs or public complaint.

The over all picture from the Police perspective is that there is a good working relationship with the 3rd party operator, however, extra diligence should be applied in some areas, specifically in relation to persons 'hanging around' on the street while smoking or when asked to leave the establishment or refused entry.

Police and Licensee 3rd party agreed on when they felt that police should be called and when/where the issue should be handled by the licensee.

Relevant sections of the LCLA s.43(1)(2)(a)(2)(b), various sections of the Regulations and the Terms and Conditions Guide in general, were reviewed.

Commitments by licensee 3rd party:

- 1) will apply extra diligence to ensure liquor is not removed from the establishment
- 2) Will ensure intoxicated persons are not permitted entry
- 3) if the intoxicated person becomes difficult requiring force to prevent entry, licensee is to call police immediately.
- 4) Licensee 3rd party will hold a meeting with staff stressing the issue of 'no over service; door person will also have authority to tell waitress to discontinue service to patrons; intoxicated patrons will not be permitted to remain on the premises (ie: waiting for friend/spouse/ etc.)
- 5) will make every effort to restrain from using force to deal with patrons
- 6) will co-ordinate with police re events and actions proposed for New Year's Eve
- 7) will co-ordinate with police over patrons known to not be permitted to consume alcohol

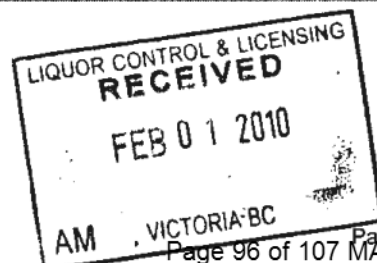
Meeting was mutually agreeable - all files were reviewed with satisfactory results and no further action is deemed necessary.

Signed by: Tony Lecce, 3rd party operator  
Signed by: Linda Hoy, Liquor Inspector

Date: Dec 23, 2009  
 Licence: 038118  
 Project ID:  
 Topic: C Contravene term & condition, s. 12 Act

**Inspectors**

Inspector: Linda Hoy (AG19756)





**COMPLIANCE MEETING**

Inspector's Name: Linda Hay Date: Dec 23, 2009  
Office Location: SNO - Mtg held at Assessor Room in back room.

**ESTABLISHMENT INFORMATION:**

Establishment Name: Three Crown Pub &istro dba INSO-NIA  
Establishment Address: 7015 Pioneer Rd, Victoria BC V8N 1A0  
Licence No.: 038118 Licence Class: LP Expiry date: June 30, 2010  
Licensee Name: Cornelia Macpherson Ltd.

**MEETING DETAILS:**

Attendees at compliance meeting:

Name: <u>Tony Licce</u>	Association/Position: <u>Party Member</u>	Contact No: <u>s.22</u>
Name: <u>Scott Slaghten</u>	Association/Position: <u>AGASS: RCMP</u>	Contact No: <u>684-796-3211</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): Police Reports - Over 100  
July 10 - Dec 5 - 7 Reports. Licensee responsible for distribution  
Information reviewed at the meeting:

- Relevant section(s) of the Liquor Control and Licensing Act s.43(1)(2)&(2)(c)
- Relevant section(s) of the Liquor Control and Licensing Regulations
- Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
- Relevant section(s) of the Guide to Liquor Licensees TLC Guide Book in front of - N/A
- Other July 21 09-21357 July 24 09-22908 - Alcohol related offences  
Aug 10 09-28160 - Positive international by jurisdiction 8-09-24967  
Current list of all party - Res. 09-37018 - There is not  
make - State membership is same as license of 1st serving.

Commitments made by licensee: Dec 23 09-38560  
- Extra diligence to ensure liquor not removed.  
- Ensure not intoxicated not permitted to stay.  
IF 0.05 not prevented a call Police immediately.

Other: meeting to be held with staff stressing the issue of no  
over service. Don Person who has authority to tell waitress to  
stop service - ext of wine not be permitted by manager.  
- Will make every effort to restrain if on duty, prevent over - Police

Inspector Name: Linda Hay Inspector Signature: \_\_\_\_\_  
Licensee Name: Tony Licce Licensee Signature: \_\_\_\_\_

CO-ORDINATE WITH POLICE RE SERVICE OF ALCOHOL  
CO-ORDINATE WITH POLICE COLLABORATION NOT

Case: 1501 2009-37018

s.15 CONTACTED POLICE  
OCCURRENCE REPORT

---

Assoc to file 2009-38633

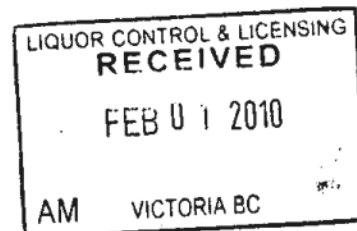
On December 5, 2009 at approximately 1435 hours, Constable PASCUZO spoke with s.15 who had phoned police to report an assault that had occurred on November 19, 2009 at Insomnia Night Club in Agassiz, BC.

Constable PASCUZZO was the investigating officer of the incident, and remembers the events that transpired.

s.15

Constable PASCUZZO retold the nights of the incident from the police's knowledge. s.15 police attended Insomnia after a report came in s.15  
s.15

No further action required. Concluded here.



Case: 1501 2009-37018

15 CONTACTED POLICE  
OCCURRENCE REPORT

---

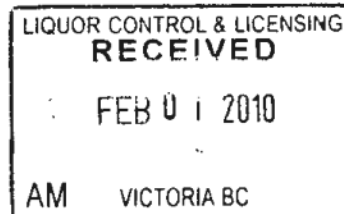
Constable D.B. PASCUZZO 180128 Agassiz UFVRD

---

Author: PASCUZZO, DANIEL  
Related date: Sat, 2009-Dec-05 1440

Signatures: \_\_\_\_\_

\_\_\_\_\_  
(Wed.) 2009-Dec-23



Case: GO 1501 2009-38580 CAUSE A DISTURBANCE  
CST. NICHOLSON 145278  
POLICE STATEMENT

On December 5, 2009 Cst. NICHOLSON was in regular RCMP uniform working general duty in the Agassiz detachment area. Cst. NICHOLSON was driving in a marked police car with Cst. PARISH.

At approximately 01:50 hrs, Cst. NICHOLSON and other Agassiz RCMP officers responded to a disturbance at the Insomnia night club on Pioneer Ave. s.15

s.15  
several patrons in the club. s.15  
s.15

the male had attempted to fight with

s.15  
s.15

Cst. NICHOLSON arrested the male,

Cst. NICHOLSON  
Agassiz GD  
UFVRD RCMP

LIQUOR CONTROL & LICENSING  
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FEB 01 2010  
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Case: GO 1501 2009-38580 CAUSE A DISTURBANCE  
CST. NICHOLSON 145278  
POLICE STATEMENT

---

---

Author: NICHOLSON, TREVOR  
Related date: Tue, 2009-Dec-08 0840

Signatures: \_\_\_\_\_

\_\_\_\_\_  
(Wed.) 2009-Dec-16

LIQUOR CONTROL & LICENSING  
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Case: 1501 2009-37978

INTOXICATED MALE  
SYNOPSIS

---

On November 29, 2009, at approximately 0000 hours, Constable PASCUZZO was conducting a patrol near Insomnia bar in Agassiz BC. A male was outside of the establishment, heavily under the influence of alcohol. The male was passed out, standing up and was waiting for his ride according to bouncers at Insomnia. At approximately 0300 hours, the male was still standing outside. s.15

s.15 Full, unopened bottle of Silent Sam Vodka found s.15

s.15 . No further action required. Concluded here.

Constable D.B. PASCUZZO 180128 Agassiz UFVRD

---

Author: PASCUZZO, DANIEL  
Related date: Sun, 2009-Nov-29 0404

Signatures: \_\_\_\_\_

\_\_\_\_\_

---

(Wed.) 2009-Dec-16

Case: 1501 2009-37018

DISTURBANCE AT INSOMNIA  
SYNOPSIS

---

On November 19, 2009, Agassiz RCMP attended the Insomnia night club in response to a male causing a disturbance. s.15  
s.15

s.15

Concluded here.

Constable D.B. PASCUZZO 180128 Agassiz UFVRD

---

Author: PASCUZZO, DANIEL  
Related date: Fri, 2009-Dec-04 1259

Signatures: \_\_\_\_\_  
\_\_\_\_\_

---

(Wed.) 2009-Dec-16

Case: 1501 2009-24967

DRUNKS ON THE STREET  
SYNOPSIS

---

A noise complaint received s.15 on 2009-08-08 at 0333 hours.  
s 15 members drive by the INSOMNIA club as there were  
people there causing excessive noise. All of the drunks were out on the  
street yelling.

CST. CAMPOS RUIZ made patrols but all subjects of complaint were gone on  
arrival. Concluded here.

M.MARTEL, RECORDS, UFVRD RCMP  
for  
CST. CAMPOS RUIZ

---

Author:MARTEL, MELISSA  
Related date:Mon, 2009-Aug-10 0929

Signatures: \_\_\_\_\_

\_\_\_\_\_

---

(Wed.) 2009-Dec-16



Case: 1501 2009-28160

DISTURBANCE/CH  
SYNOPSIS

---

At approximately 2058 hours on August 1, 2009, Cst CAMPOS RUIZ was  
 dispatched to a call of a disturbance at the local bar, Insomnia. s.15  
 there was a drunk male causing a disturbance at  
 the bar s.15 Member arrived on scene s.15  
 s.15

NFAR.

s.15  
CH

Cst Osvaldo CAMPOS RUIZ 162827 Agassiz UFVRD

---

Author:CAMPOS RUIZ, OSVALDO  
 Related date:Tue, 2009-Sep-01 2255

Signatures: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Wed.) 2009-Dec-16

Case: 1501 2009-22908

SUSPICIOUS PERSON  
SYNOPSIS

---

On July 24, 2009 Cst. ROSCHKER, CAMPOS RUIZ and SYMONS attended Insomnia  
night Club to a complaint of a patron refusing to leave. s.15  
s.15

s.15 reattend. s.15 -a-second-call was made s.15 for members to  
s.15

NFAR CH

Cst.B.L. ROSCHKER  
Agassiz GD  
49549

---

Author:CAMPOS RUIZ, OSVALDO  
Related date:Fri, 2009-Jul-24 1906

Signatures: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Wed.) 2009-Dec-16

Case: 1501 2009-21257

REFUSE TO LEAVE  
SYNOPSIS

---

On July 12, 2009 staff at the Insomnia Night club in Agassiz BC called police because they had an unruly patron that refused to leave after they told him to.

s.15

NFAR

Cst Paul Symons  
Agasiz RCMP

---

Author: SYMONS, PAUL  
Related date: Sun, 2009-Jul-12 0258

Signatures: \_\_\_\_\_

\_\_\_\_\_

---

(Wed.) 2009-Dec-16