

EXTENDED LIQUOR SERVICE & CLOSING HOURS IN THE CITY OF CALGARY - UPDATE

EXECUTIVE SUMMARY

On 2014 March 10, Council adopted Councillor Colley-Urquhart's motion and referred Councillors Sutherland, Keating and Magliocca's proposed Revised Motion, NM2014-08, Extended Liquor Service & Closing Hours in the City of Calgary, to Administration for further consultation with the Licensed Establishment Multi-Agency Group (LEMAG) and report back to the Priorities and Finance Committee as soon as possible. The Revised Motion and discussions at Council focused on finding solutions to address the current challenges around social disorder, public safety and the demand on transportation services, by assessing the merits of staggered closing times.

In response to Council's direction, Administration consulted LEMAG for its expertise and proposed strategy to help address the issues outlined in the Revised Motion on current liquor service hours such as social disorder complaints, demand and supply of transportation services, and public safety concerns. This report provides background information on LEMAG, the Alberta Liquor and Gaming Commission, related programs and initiatives and proposed next steps.

At this time, it is still too early to determine the right option or strategy to pursue and LEMAG is recommending an outcome focused approach with objectives to enhance public safety, community standards, and economic vitality. LEMAG recommends the logical next step, as per the Revised Motion, is that Council request the Mayor send a letter to the President of Treasury Board and the Minister of Finance, advocating for improvements to provincially controlled liquor establishment laws, based on the information and issues contained in this report.

ADMINISTRATION RECOMMENDATION(S)

That the Priorities and Finance Committee recommend that Council request the Mayor send a letter to the President of Treasury Board and the Minister of Finance, advocating for improvements to provincially controlled liquor establishment laws, based on the information and issues contained in this report.

RECOMMENDATION OF THE PRIORITIES AND FINANCE COMMITTEE, DATED 2014 APRIL 22:

That the Administration Recommendation contained in Report PFC2014-0286 be approved.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2014 March 10, Council adopted Councillor Colley-Urquhart's motion and referred Councillors Sutherland, Keating and Magliocca's proposed Revised Motion, NM2014-08, Extended Liquor Service & Closing Hours in the City of Calgary, to Administration for further consultation with the Licensed Establishment Multi-Agency Group and report back to the Priorities and Finance Committee as soon as possible. The Revised Motion proposed that *"Council request the Mayor to send a letter on behalf of Council no later than March 28, 2014, requesting the President of Treasury Board and the Minister of Finance to amend the necessary regulations to change the maximum hours of liquor service to 3:00 a.m. and to change the time the consumption of liquor is permitted on premises to 4:00 a.m."*

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BACKGROUND

The Revised Motion NM2014-08 and discussions at Council focused on finding solutions to address the current challenges around social disorder, public safety and the demand on transportation services, by assessing the merits of extending the liquor service by one hour and a system of staggered closing times.

As summarized in the Revised Motion, the current liquor policy poses a problem for police who report that during weekend nights, resources are stretched to the point it is difficult for them to respond to critical incidents while dealing with the surge of common complaints at closing time, such as fights, noise and public urination. When bars simultaneously close at 2:00 a.m., large crowds leaving establishments are faced with limited transportation choices and loiter on the streets increasing the opportunity for people to precipitate assaults. Taxis in particular are left to deal with the sudden surge of patrons leading to inconvenience, which increases rates of public nuisance and, more dangerously, impaired driving.

The Revised Motion outlined aspects of a system of staggered closing hours which anticipates a decrease in assaults that occur when a crowd simultaneously disperses from a bar. Staggering closing hours may also have the following impact:

- It would reduce the number of patrons lingering on the streets competing for limited transportation where socially incompatible groups are most likely to precipitate assaults;
- It would result in patrons leaving at different times, which would decrease the size of the crowd loitering on the street competing for a limited number of taxis at one point of time; and
- It would result in decreasing the high demand for limited number of taxis at one time.

Licensed Establishment Multi-Agency Group (LEMAG)

Council directed Administration to consult with LEMAG for subject matter expertise and recommendations regarding the Revised Motion on extended liquor service and closing hours. Licensed establishments bring people together, adding to the diversity, economy and vitality of Calgary and are part of the social structure for many citizens. However, if not well managed, licensed establishments can have a negative effect on the surrounding community.

In response to growing concerns regarding social disorder and community impacts in and around licensed establishments, The City of Calgary (The City) established the Licensed Establishment Multi-Agency Group, in 2010.

Mandate

LEMAG works collaboratively, transparently, and in consultation with stakeholders to evaluate and enforce the policies and legislation associated with licensed establishments and to educate licensed establishments about best practices in order to raise standards across the industry in Calgary.

Composition

LEMAG consists of representatives with extensive knowledge, diverse perspectives, and experiences with the legislation, policies or enforcement of licensed establishments. The composition of the group includes:

- 1) Inspections Branch (South), Alberta Gaming & Liquor Commission;

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- 2) Environmental Public Health, Calgary Zone, Alberta Health Services;
- 3) Centralized Analysis Unit, Calgary Police Service;
- 4) Public Safety Compliance Team, Calgary Police Service;
- 5) Operations, Animal & Bylaw Services;
- 6) Compliance Services, Animal & Bylaw Services;
- 7) Community Standards, Calgary Fire Department; and
- 8) Centre City Planning Implementation, Local Area Planning and Implementation.

Alberta Gaming and Liquor Commission (AGLC)

The Alberta Gaming and Liquor Commission is a Government of Alberta agency responsible for administering the *Gaming and Liquor Act*, Regulation and related policy. President of Treasury Board and Finance Minister Doug Horner has the responsibility for the AGLC. The Alberta Gaming and Liquor Commission's focus is on:

- a) Ensuring the gaming and liquor activities in Alberta are conducted honestly, openly and with integrity; and
- b) Maximizing the economic benefits of gaming and liquor activities in the province to benefit all Albertans.

On 2014 February 23, the AGLC allowed all liquor licensees the unprecedented opportunity to begin liquor service at 5:00 a.m. coinciding with the Olympic gold medal hockey game. Media, social media and the public reported that this one-time event was largely well received.

On 2014 February 24, President of Treasury Board and Finance Minister Doug Horner issued the following statement regarding early liquor service for the gold medal hockey game and suggestions to amend liquor legislation:

- *"It was important to give Albertans a chance to watch Sunday's game together, so I was pleased the AGLC was able to accommodate this request. Allowing all licensees to begin liquor service at 5 a.m. was unprecedented for Alberta and proved to be a unique experience for everyone who took part. I know thousands of Albertans truly enjoyed the opportunity to gather in their local pubs, bars and restaurants to watch Canada win gold;*
- *Because this opportunity was so unprecedented, the AGLC is going to take the time to talk to its partners — including law enforcement, licensees and municipalities — to see how this unique event went. I trust they'll use the feedback they receive to help them make informed decisions about any similar future requests; and,*
- *I had already committed to working with the AGLC and my caucus colleagues to review the Gaming and Liquor Act in the next year. Certainly the discussions that have taken place over social media over the past weekend will be taken into consideration as we develop our public consultation."*

LEMAG collaborates closely with the Alberta Gaming and Liquor Commission on several initiatives including: the Alberta Safer Bars Council and the Best Bar None program. LEMAG advised that it would be beneficial provide Council with the background on these initiatives.

Alberta Safer Bars Council (ASBC)

The Alberta Safer Bars Council is an advisory group that provides input on policy development and suggests ways to implement best practices to help reduce violence in and

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around licensed venues. It was formed in 2008 June, in response to concerns regarding violence in and around licensed premises. As a group, the ASBC strives to find solutions to address the issue of violence in and around licensed premises. Taking action to address this issue is complex and requires the cooperation and commitment of government, law enforcement, municipalities, liquor licensees, communities and bar patrons. The City of Calgary's Compliance Services division and the Calgary Police Service are members of the ASBC.

Best Bar None Program

Best Bar None is an accreditation and awards program, promoting the responsible management and operation of liquor-licensed premises. Best Bar None is endorsed by the Alberta Safer Bars Council. The program aims to reduce alcohol-related harms by raising the standards of licensed premises and building positive relationships among all stakeholders – operators of licensed premises, industry partners, law enforcement and concerned community groups. The program was piloted in Edmonton in 2010 and Calgary in 2012, with much success. In 2013, 34 licensed establishments in Calgary were accredited in the Best Bar None program and distinguished themselves by demonstrating a commitment to patron safety and customer service. The 2014 application and accreditation process is currently underway. The successful accredited venues will be announced in 2014 May.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

In response to Council's direction, Administration consulted with LEMAG to provide background information, a summary update, and recommended next steps. LEMAG advised that extended liquor hours was on the Alberta Safer Bars Council's agenda last year, however, staggered liquor closing times and extended liquor hours are not currently on Alberta Safer Bars Council's agenda for review. At this time, it is still too early to determine the right option or strategy to pursue. Therefore, LEMAG is recommending an outcome focused approach to advocate for improvements to provincially controlled liquor establishment laws to enhance public safety, community standards, and economic vitality. This approach is more comprehensive and considers the advantages, disadvantages, costs and benefits of potential options to make improvements to provincially controlled liquor establishment laws.

When the province reviews the Act, in order to achieve the desired outcomes of enhanced public safety, community standards, and economic vitality, it will be essential for the province to conduct stakeholder consultations to gather input from municipalities, regulatory agencies, law enforcement, businesses, the taxi industry, and the citizens. At the administrative level, LEMAG will continue to work with the Alberta Gaming and Liquor Commission and the Alberta Safer Bars Council to advocate for the exploration of options including but not limited to staggered closing times to be added back on their agenda, with an outcome focused approach and cost benefit analysis, and in consideration of industry proposed solutions to help address peak demand periods for taxis.

Given Minister Horner's recent announcement on the anticipated review of the Act, LEMAG recommends the logical next step, as per the Revised Motion, is that Council request the Mayor

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send a letter to the President of Treasury Board and the Minister of Finance, advocating for improvements to provincially controlled liquor establishment laws, based on the information and issues contained in this report. The letter will serve as a formal advocacy record and urges the provinces to take timely action in consultation with The City of Calgary and other stakeholders.

Stakeholder Engagement, Research and Communication

LEMAG and Administration concur that any legislative changes to the *Gaming and Liquor Act*, needs to consider the impacts on communities, enforcement agencies, businesses, the transportation and taxi industry, other stakeholders, and most importantly public safety and community standards.

Strategic Alignment

This report aligns with Council's Fiscal Plan for Calgary 2012-2014, "Investing in great communities and a vibrant urban fabric."

Social, Environmental, Economic (External)

Licensed establishments bring people together, adding to the diversity, economy and vitality of Calgary and are part of the social structure for many citizens. Any legislative amendments to the *Gaming and Liquor Act* needs to: maintain public safety, health and community standards; enhance economic development; and preserve the environment.

Financial Capacity

Current and Future Operating Budget:

At this time, there are no operational implications associated with this report. Future amendments to the *Gaming and Liquor Act* may have operating impacts on enforcement resources.

Current and Future Capital Budget:

There are no capital budget implications associated with this report.

Risk Assessment

Future amendments to *Gaming and Liquor Act* may have impact on citizens, communities, enforcement agencies, businesses, and the transportation and taxi industry. LEMAG and Administration will continue work closely with partners, industry, and stakeholders to mitigate potential risks that may arise.

REASON(S) FOR RECOMMENDATION(S):

LEMAG has subject matter expertise on the *Gaming and Liquor Act*. At this time, it is still too early to determine the right option or strategy to pursue. LEMAG is recommending an outcome focused approach with objectives to enhance public safety, community standards, and economic vitality for improvements to provincially controlled liquor establishment laws. Given Minister Horner's recent announcement on the anticipated review of the *Act*, sending a letter from the Mayor to the province will serve as The City of Calgary's formal advocacy record.

ATTACHMENT

None