

# YUKON LIQUOR CORPORATION BOARD OF DIRECTORS BYLAW 2025-015

## Rules Respecting Renewals, Transfers and Changes of Licensee

### *preamble*

**WHEREAS** the Yukon Liquor Corporation Board of Directors has determined that it is necessary, desirable and in the public interest that rules be enacted respecting renewals, transfers and changes of licensee under the *Act* and *Liquor Regulations*.

**THEREFORE** the majority of a quorum of the Yukon Liquor Corporation Board of Directors present at a meeting of the Yukon Liquor Corporation Board of Directors duly convened enacts this bylaw to provide for rules respecting renewals, transfers and changes of licensee under the *Act* and *Liquor Regulations*.

### **PART ONE – CITATION, APPLICATION AND PURPOSE**

1. This Bylaw: **(1)** is enacted for the purpose of providing Rules respecting renewals, transfers and changes of licensee under the *Act* and the *Liquor Regulations*; **(2)** may be cited as the *Renewal Rules*; **(3)** applies to all renewals, transfers and changes of licensee under the *Act* and the *Liquor Regulations*; and, **(4)** must be read with the *Definitions Bylaw*.

### **PART TWO – RENEWAL OF LICENCE**

#### *validity of licence*

2. Every Licence for the sale of Liquor shall be held to be a Licence and valid only so long as the premises named therein are operational for at least three months of the Licence year.<sup>1</sup>

#### *deemed new application*

3. When a Licence has not been renewed for a period of one year, it shall be deemed a new Application in which case, and subject to these *Renewal Rules*, shall be made in accordance with the *Liquor Board New Licence Application Rules*.<sup>2</sup>

#### *application for renewal*

4. Every Application for the renewal of a Licence shall be forwarded to the President

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<sup>1</sup>*Liquor Act*, s. 35 (9)

<sup>2</sup>*Liquor Act*, s. 35 (10)

at least thirty days before the expiration of that Licence.<sup>3</sup>

***president may renew***

5. The President may, without reference to the Board, grant an Application for renewal of a Licence.<sup>4</sup>

***president may refer application to board***

6. The President may refer an Application under Rule 4 to the Board.<sup>5</sup>

***objection to renewal***

7. Despite Rule 5, any person may object to the Application by filing with the President an Objection in the prescribed form, with written reasons therefor, not later than January 1 before the renewal date of the Licence.<sup>6</sup>

***referral to board***

8. If any Objection is received under Rule 7, the President shall refer the Application to the Board for a Decision.<sup>7</sup>

***inspection, investigation***

9. In considering an Application under Rules 5, 6 or 8, the President or the Board may cause to be made: **(1)** an inspection of the Premises; and **(2)** any other investigation the President or the Board considers necessary.<sup>8</sup>

***board meeting to consider matter***

10. On receipt of the Application under Rules 6 or 8, the Chair shall call a Meeting, which shall immediately proceed to consider the matter.<sup>9</sup>

***place of hearing***

11. The Board shall meet to consider the Application at the place in respect of which the

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<sup>3</sup>*Liquor Regulations*, s. 3 (1)

<sup>4</sup>*Liquor Act*, s. 35 (1)

<sup>5</sup>*Liquor Act*, s. 35 (2)

<sup>6</sup>*Liquor Act*, s. 35 (3)

<sup>7</sup>*Liquor Act*, s. 35 (4)

<sup>8</sup>*Liquor Act*, s. 25 (2)

<sup>9</sup>*Liquor Act*, s. 28

Application is made or as near thereto as is reasonably practical having regards to all the circumstances.<sup>10</sup>

***hearing***

12. The Board shall meet on the day set for the Hearing to consider the Application and any Objection, and shall decide: (1) whether or not to grant the Application<sup>11</sup>; and, (2) if granted, the terms and conditions of the grant.<sup>12</sup>

***notice of decision***

13. On reaching a Decision, the Chair shall communicate the Decision together with the Reasons to the Applicant, the President and any Objector.<sup>13</sup>

***opportunity to make representations***

14. If the Board decides that the Application under Rules 6 and 8 should be granted with conditions it shall give the Applicant an opportunity to make representations concerning the conditions.<sup>14</sup>

***rules 9 to 13 apply mutatis mutandis***

15. If the Application is referred to the Board under Rules 6 or 8, the provisions of Rules 9 to 13 shall apply *mutatis mutandis*.<sup>15</sup>

***objector to serve notice***

16. An Objection pursuant to Rule 7 shall be served by the Objector on the Licensee either in person or by registered mail at the same time as the Objection is filed with the President.<sup>16</sup>

***objector may appear***

17. Any Objector whom has complied with Rules 7 and 10 may appear at the Hearing and may be represented by agent or Counsel.<sup>17</sup>

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<sup>10</sup>*Liquor Act*, s. 33 (1)

<sup>11</sup>*Liquor Act*, s. 32

<sup>12</sup>*Liquor Act*, s. 32

<sup>13</sup>*Liquor Act*, s. 33 (2)

<sup>14</sup>*Liquor Act*, s. 30 (2)

<sup>15</sup>*Liquor Act*, s. 35 (5)

<sup>16</sup>*Liquor Act*, s. 35 (6)

<sup>17</sup>*Liquor Act*, s. 35 (7)

***representation by agent, counsel***

18. The Licensee and the President may be represented at the Hearing by agent or Counsel.<sup>18</sup>

***advertisement exemption***

19. The provisions of section 26 of the *Act* for public notice of the making of an Application and proof thereof do not apply to an Application under Rules 6 and 8, unless so ordered by the Board or the President.<sup>19</sup>

***hearings open to public***

20. Board hearings pertaining to Applications under these *Renewal Rules*, suspension or cancellation of Licences shall be open to members of the general public.<sup>20</sup>

**PART THREE – TRANSFER OF LICENCE**

***president to authorize***

21. No Licence shall be transferred except on the written authorization of the President and subject to any conditions the President may impose.<sup>21</sup>

***application to transfer***

22. Every Application for the approval for a transfer of a Licence shall be forwarded to the President at least thirty days before the date proposed for the transfer.<sup>22</sup>

***requirements for transfer of licence***

23. Every Applicant for a transfer of a Licence shall: **(1)** apply for a transfer of a Licence by submitting an Application to the Board in the prescribed form;<sup>23</sup> **(2)** satisfy the Board that: **(a)** the Applicant is personally of good character and reputation;<sup>24</sup> **(b)** the Applicant is the owner or lessee of the proposed Premises to be licensed or holds

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<sup>18</sup>*Liquor Act*, s. 35 (8)

<sup>19</sup>*Liquor Act*, s. 36

<sup>20</sup>*Liquor Regulations*, s. 49 (1)

<sup>21</sup>*Liquor Act*, s. 60 (2)

<sup>22</sup>*Liquor Regulations*, s. 3 (2)

<sup>23</sup>*Liquor Regulations*, s. 47 (1) (a)

<sup>24</sup>*Liquor Regulations*, s. 47 (1) (b) (i)

an option to purchase or lease<sup>25</sup>; (c) the furniture and equipment therein, are or will be suitable for use as Licensed Premises;<sup>26</sup> (d) the Applicant has or can acquire the necessary building, occupancy, fire prevention, health, zoning and other permits or authorizations required to permit the construction or alteration and operation of the Premises to be licensed;<sup>27</sup> and, (3) pay a non-refundable Application fee of \$150.00.<sup>28</sup>

***fee***

24. If an Application to transfer a Licence under Rules 6 or 8 is approved by the Board, the Application fee required under Rule 17, sub-rule (3) shall not be applied to the Licence fee.<sup>29</sup>

**PART FOUR– CHANGE OF LICENSEE**

***change referral***

25. Any change of Licensee or Manager on any Licence may be referred by the President to the Board.<sup>30</sup>

***notice as to management of licensed premises***

26. If any Licensee is not in personal day to day control of the Licensed Premises, the Licensee shall notify the President of the name of the Manager together with the terms of any contract arrangement between the parties, and that person's name shall be endorsed on the Licence as Manager.<sup>31</sup>

***president may refer endorsement to board***

27. The President may refer the decision for endorsement of a Manager on a Licence to the Board.<sup>32</sup>

DATED this 12<sup>th</sup> day of November, 2025.

**CERTIFIED** to be a true and complete copy of bylaw regarding for rules respecting

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<sup>25</sup>*Liquor Regulations*, s. 47 (1) (b) (ii)

<sup>26</sup>*Liquor Regulations*, s. 47 (1) (b) (ii)

<sup>27</sup>*Liquor Regulations*, s. 47 (1) (b) (iii)

<sup>28</sup>*Liquor Regulations*, s. 47 (1) (c)

<sup>29</sup>*Liquor Regulations*, s. 47 (3)

<sup>30</sup>*Liquor Regulations*, s. 46 (2)

<sup>31</sup>*Liquor Act*, s. 62 (1)

<sup>32</sup>*Liquor Act*, s. 62 (3)

renewals, transfers and changes of licensee under the *Act* and *Liquor Regulations* enacted by the Yukon Liquor Corporation Board of Directors on the 12<sup>th</sup> day of November, 2025, which bylaw is in full force and effect, unamended.



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Eva Bidrman, Chair