
CITY OF KELOWNA

MEMORANDUM

Date: August 3, 2004
File No.: 4320-50
To: City Manager
From: Recreation Manager
Subject: Liquor Licenses in Parks and Stadiums – Council Policy 223

RECOMMENDATION:

THAT City Council approve the revised Council Policy 223 – Liquor Licenses in Parks and Stadiums as attached to the report from the Recreation Manager dated August 3, 2004.

Discussion:

Council Policy 223 for Liquor Licenses in Parks was last reviewed and updated in July, 2000. Staff has recently conducted another review and is recommending a number of changes to clarify current practices and make other appropriate adjustments. It is important to note that all applications for outdoor licensed liquor beverage areas must be received and approved by the Outdoor Event Committee in compliance with City bylaw 8358. The recommended changes are:

1. Add "Stadiums" in the subject title;
2. Add two additional park sites where outdoor liquor licenses may be approved; Knox Mountain Park and Ellison Softball Fields;
3. Update the name of the current licenses owned by the City from "E-License (Stadium)" to "Liquor Primary (Stadium)" as per language in the *Liquor Control and Licensing Act*;
4. State that the City owned Liquor Primary licenses in 3 stadiums are contracted to local non-profit organizations. Also, our past practice was to charge a fee of 25% of the gross liquor sales to these non-profit groups. This recommendation is to change that to an annual fee of \$2,000 or 10% of annual gross revenue at each stadium location, whichever is greater;

The revenues realized from these stadium licenses has been steadily declining while related expenses has been steadily increasing. Examples include increases in provincial government fees, insurance premiums, staff costs as volunteerism declines, and cost of the liquor products. In addition, fundraising opportunities are more difficult to secure and groups are experiencing a reduction in gaming grants. These groups are our principle tenants in these stadiums, and are finding it increasingly difficult to balance their budgets. Since staff believes it is in the City's interest that these non profit groups be financial stable, staff are recommending a slight reduction in liquor license contract fees.
Note: the revenues that City does receive from this fee are directed to the appropriate stadium reserve account, so this fee adjustment does not directly affect taxation.
5. Authorize the Director of Parks and Leisure Services (or designate) to approve temporary extensions of the City owned Liquor Primary license to park locations included in this policy;

Changes to the provincial *Liquor Control and Licensing Act* now provide for a City official other than City Council to approve such temporary extensions.

Considering the extensive involvement of the Outdoor Event Committee, (including the RCMP), and considerable experience the City has acquired with these extensions in the past years, staff are recommending the Director of Parks & Leisure Services (or designate) be authorized to approve such extensions. Also recommended is a daily fee of \$2,000 or 10% of gross liquor sales which ever is greater for each license extension.

In the past, extensions of the City owned Liquor Primary (Stadium) licenses have been approved for commercial events such as Wakefest, Dragonboat Festival, and Heartland Music Festival.

The other articles in Council Policy 223 remain the same.

JWR Oddleifson
Recreation Manager

Attachment

P/c: Director of Parks and Leisure Services
Sports & Facilities Manager
Financial Accounting & Systems Manager
City Clerk
Outdoor Event Committee



CITY OF KELOWNA

COUNCIL POLICY MANUAL

POLICY: 223
PAGE: 1 of 2
APPROVAL DATE: 2000/06/12
RESOLUTION #: R530/00/06/12
REPLACING #: R399/1998/05/25
R290/1997/05/05
S1314/1992/11/23
DATE OF LAST REVIEW: July 2004

SUBJECT: LIQUOR LICENSES IN PARKS AND STADIUMS

THAT the City of Kelowna allow outdoor licensed liquor beverage areas in conjunction with organized events at Waterfront Park, City Park, Knox Mountain Park, Parkinson Recreation Centre, Mission Recreation Park, Apple Bowl Stadium, Elks Stadium, King Stadium, Rutland Sportsfields, Ellison Softball Park and the East Kelowna Sportsfields Park;

AND THAT City owned Liquor Primary licenses for King Stadium, Apple Bowl Stadium and Elks Stadium be maintained;

AND THAT the City contract the appropriate non-profit organization to operate City owned Liquor Primary licenses to the major tenant at each of King Stadium, Elks Stadium and Apple Bowl Stadium for an annual fee of \$2,000 or 10% of annual gross revenue at each stadium location, which ever is greater;

AND That the Director of Parks and Leisure Services (or designate) be authorized to approve temporary extensions of the City owned Liquor Primary license to other park locations included in this policy, for a daily fee of \$2,000 or 10% of gross liquor sales which ever is greater;

AND THAT all outdoor licensed events allowed in City parks and stadiums are subject to the following conditions:

- a) event organizers are required to apply through the outdoor event approval process to present a request for the licensed area including:
 - i. a site plan of the venue which shows the size and capacity of the licensed area and its location within the venue, the provision of washroom facilities;
 - ii. proposed hours of operation of the licensed area, not to be later than 11:00 pm, and the provision for 6 foot high rigid fencing;
 - iii. the maximum capacity of the licensed area;
 - iv. a security plan submitted by organizers must be approved by the Kelowna Detachment of the R.C.M.P.
 - v. any other information required by the Outdoor Event Committee for a review process;
- b) all regulations of the Liquor Licensing Branch and the Liquor Control Licensing Act of British Columbia must be met;
- c) any incremental costs as required by the Outdoor Event Committee arising out of the licensed area will be paid by the event organizers;
- d) the operation of the licensed area does not have an undo negative impact on neighbours and businesses;
- e) the issuance or extension of the license is approved by the Outdoor Event Committee.



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R290/1997/05/05
S1314/1992/11/23
DATE OF LAST REVIEW: July 2004

SUBJECT: LIQUOR LICENSES IN PARKS AND STADIUMS

REASON FOR POLICY: To establish parameters for licensed outdoor events in parks and stadiums.

LEGISLATIVE AUTHORITY: *Liquor Control and Licensing Act*, Parks Bylaw No. 6819-91, Outdoor Event Bylaw 8358

PROCEDURE FOR IMPLEMENTATION: Applications processed by the Parks & Leisure Services Department.