

LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
5TH COUNCIL, 30TH SESSION

RECOMMENDATION TO COUNCIL
NO. 2-30

TABLED ON JUNE 14, 1965



6 May, 1965.

NORTHWEST TERRITORIES

RECOMMENDATION TO COUNCIL NO. 2
(Second Session, 1965)

LOCAL OPTION-LIQUOR SALES

DISPOSITION

Accepted as Read.....
Amended..... See Text.
Rejected. **JUN 21 1965**..... See Text.
Deferred..... See Text.
Not considered.

LOCAL OPTION-LIQUOR SALES

Many Provinces have provision for local option. Local option in the Provinces involves only the question of whether a municipality or specific area is to be "dry" or "wet" and if "wet" what types of liquor outlets are to be permitted. Local option in the Provinces does not, as far as is known, include supplementary questions such as the hours of operation of licensed premises, hours of operation of liquor stores, etc.

There are slight variations in the various liquor control acts of the western Provinces, but the legislation of Manitoba is typical. This may be described in the following terms:-

A majority of the electors of a municipality (or other region) may vote against the sale of liquor. Such a by-law may be repealed as a result of a subsequent vote. A by-law may provide for issuing licences of any one or more of the following classes: Beer Parlour Licence, Cocktail Lounge Licence, Dining Lounge Licence, Dining Room Licence, Special Licence (banquets, etc.), Guest Room Licence.

When local prohibition is in force no licence of any of the kinds mentioned above may be issued and any such licence existing at the date of coming into force of the by-law is void.

There are specific needs and outlets which do not come within the scope of local option. Included in this group are the following: Hospital, medical, pharmaceutical, dental requirements, etc.; Canteen (Military); and Sacramental Wine Uses. In any municipality under local option no liquor store may be established, maintained, or operated, and any existing store at the date of the coming into force of the by-law must be discontinued.

In cities and towns, liquor stores or warehouses for the distribution of liquor, otherwise than by the cash and carry system, may be established and continued regardless of local option.

Where the clerk of a municipality receives a petition from not fewer than 20% of the resident electors, asking the Council of the municipality to submit a by-law on the question of local option to a vote of the electors, the Council must pass the first and second readings of the by-law and submit it to be voted on by the electors.

Voting on the by-law takes place at the same time as the annual municipal elections.

Only three communities in the Northwest Territories would be qualified to undertake elections under a law like the Manitoba one, - Yellowknife, Fort Smith and Hay River. The people of such communities as Fort Simpson, Etc, Fort Providence, Frobisher Bay, and Inuvik could not vote on the question of local option.

The Province of Alberta has provided in its liquor legislation that the liquor board may designate any area as an area in which a vote may be taken on the question of local option, - and this can be an unorganized settlement.

It is noted that the general tendency of voters in the Provinces has been to eliminate "dry areas". In Ontario, for example, only one region now remains "dry". Throughout the balance of Ontario there are about 400 liquor stores. Due to the proximity of "wet areas", anyone in the "dry area" who wishes to purchase liquor can probably do so without much inconvenience.

It appears that local option would serve no useful purpose in the Territories for the following reasons:

1. Local option is gradually receding in the Provinces since residents and visitors everywhere expect to be able to procure liquor for social functions and for their personal needs. The Liquor Ordinance prohibits anyone under the age of 21 and interdicted persons from purchasing liquor.
2. If the Council were to vote in favour of local option it would be possible for 51% of the voters to impose prohibition on the remaining 49%.
3. Local option contributes to a disregard for law and order by offering increased opportunities for the bootlegging fraternity and their patrons.
4. There is the likelihood that with local option in a community, increased activities of bootleggers would simply result in liquor still getting through to those who desire it but at higher cost.

The Commissioner recommends that legislation for local option not be enacted.