

UB-1(a)

CITY OF VANCOUVER



POLICY REPORT LICENSING

Report Date: March 7, 2006
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RTS No.: 4700
VanRIMS No.: 11-4600-50
Meeting Date: April 6, 2006

TO: Standing Committee on City Services and Budgets

FROM: Chief License Inspector in consultation with the Medical Health Officer and Director of Legal Services.

SUBJECT: Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments

RECOMMENDATION

- A. THAT Council designate the business premises regulation of hours areas, generally as outlined in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix A, for the purpose of regulating hours of liquor service for standard hours liquor establishments and extended hours liquor establishments; and

FURTHER THAT Council authorize the Director of Legal Services to bring forward a Business Premises Regulation of Hours By-law amending by-law, generally as outlined in this report and in Appendix A, to establish the business premises regulation of hours areas, to regulate hours of liquor service for standard hours liquor establishments and extended hours liquor establishments, and to modernize the language of the By-law in order to accommodate the new provisions.

- B. THAT Council, having satisfied the conditions for the previous support-in-principle for the Extended Hours of Liquor Service Policy, approve the Extended Hours of Liquor Service policy generally as outlined in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix A; and

FURTHER THAT Council designate the Vancouver International Jazz Festival and Vancouver Pride Festival as special events for the purposes of the special event extensions as outlined in the Hours of Liquor Service Policy in this report and in Appendix A;

AND FURTHER THAT Council instruct the Chief License Inspector to use the following guidelines when considering 'one day' extensions for the purposes of the special event extensions generally as outlined in the Hours of Liquor Service Policy in this report and in Appendix A:

- (a) the event is a grand opening, business opening anniversary, charity fundraiser, unique/rare live performance, significant date or other similar function,
- (b) single day extensions be limited to a maximum of 12 extensions per year per establishment with no more than two extensions in a single month, not including dates associated with an approved city festival, and
- (c) that letters of support be limited to 2 calendar months and a maximum of 21 days with an amended closing time.

- C. THAT Council approve additional noise level requirements, generally as outlined in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix B, for liquor establishments operating during the extended hours permitted under the Business Premises Regulation of Hours By-law; and

FURTHER THAT Council authorize the Director of Legal Services to bring forward a Noise Control By-law amending by-law, generally as outlined in this report and in Appendix B, to implement the additional noise level requirements.

- D. THAT Council add a specific requirement for the acoustic reports required for extended hours liquor establishments, generally as described in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix C; and

FURTHER THAT Council authorize the Director of Legal Services to bring forward a License By-law amending by-law, generally as outlined in this report and in Appendix C, to add a requirement for the acoustic reports.

E. THAT Council, having considered relevant Council policy and results of the public consultation from the following reports;

- "Liquor Licensing Hours of Service Policy Review", dated September 21, 2004 and received for Information by Council on October 5, 2004,
- "Liquor Licensing Hours of Service Policy Recommendations", dated October 7, 2004 and endorsed by Council on November 18, 2004 with revisions,
- "Hours of Liquor Service Policy: Amendments to Davie Village including the Odyssey at 1251 Howe Street", dated May 31, 2005 and endorsed by Council on June 16, 2005 with revisions, and
- "Hours of Liquor Service Policy: Regulatory Impact Reduction Measures", dated August 30, 2005 and endorsed by Council on September 20, 2005 with revisions;

and the potential for noise and impacts on the surrounding community, approves the implementation plan generally as outlined in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix D; and

FURTHER THAT Council endorses an amendment to the Liquor Primary liquor license of all establishments listed in Appendix D from their current liquor service hours of operation to the standard or extended liquor service hours approved for each licensee's respective Business Premises Regulation of Hours Area.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of A, B, C, D and E.

COUNCIL POLICY

On September 20, 2005, Council approved amendments to the License By-law to incorporate definitions for "extended hours" of liquor service and extended hours liquor establishment Classes 1 through 7. Council also approved License By-law amendments to introduce impact reduction measures to help mitigate the impact of liquor establishments on surrounding communities.

On June 30, 2005, Council approved amendments to the License By-law to provide new definitions, standard hours liquor establishment Classes 1 through 7, for businesses in which the primary function is the sale and consumption of alcohol on the premises and endorsed policy and guidelines relating to their size and location.

On June 16, 2005, Council approved amendments to the Hours of Liquor Service policy for the 1000 to 1200 blocks of Davie Street, including 1251 Howe Street (The Odyssey), to allow

extended hours of liquor service that are equivalent to those in the “primarily commercial” areas.

On November 18, 2004, Council adopted the Hours of Liquor Service Policy that establishes a new model for regulating hours of liquor service for liquor primary establishments and approved staff pursuit of a Cabinet amendment to the Business Premises Regulation of Hours By-law to add “liquor establishment” as a class of business.

In July 1998, Council adopted the “Business Premises Regulation of Hours By-law”.

On November 4, 1997, Council requested the Province to amend the Vancouver Charter to enable the city to regulate the hours that a business may stay open, based on the geographic area in which the business is located.

SUMMARY

This report seeks to put in place the final stages of the Hours of Liquor Service Policy. There were a number of outstanding work items preventing the final implementation of the Hours of Liquor Service Policy approved by Council on November 18, 2004. This report recommends approval of the Business Premises Regulation of Hours By-law amendments that will permit control over the hours of operation of liquor establishments (Appendix A).

Staff are also recommending that the weekday extended closing hours and special event hours extensions in the primarily residential areas be modified from the original policy report. The current policy does not allow for any extended hours of liquor service in the primarily residential areas. Staff think it is reasonable to allow a 1 hour extension during the week to provide some benefits to the operator to help recoup the costs associated with the new License Bylaw impact reduction regulations.

In conjunction with the Business Premises Regulation of Hours By-law staff are recommending additional noise level requirements for establishments intending to operate during the extended hours of operation (Appendix B & C). These requirements should reduce the noise generated by the entertainment and sounds systems used in the liquor establishments. Some establishments may need to invest in building upgrades to meet the new Noise Control by-law requirements if the operators wish to obtain the extended hours business license but staff note that this possibility was stressed to all stakeholders throughout the development of the Hours of Liquor Service policy.

Finally, staff are recommending that the LCLB process the provincial liquor license amendments in bulk whenever possible (Appendix D).

PURPOSE

The purpose of this report is to confirm the boundaries of the business premises regulation of hours areas required to implement the Hours of Liquor Service policy, and to recommend preparation of the appropriate amending by-law. In addition this report recommends a minor revision to the Hours of Liquor Service policy, amendments to the Noise Control By-law to place more stringent regulations on liquor establishments operating during the extended hours and a complementing amendment to the acoustic requirement in the License By-law.

This report has a companion report titled "Business License fees for Extend Hours Liquor Establishments" and dated March 7, 2006.

BACKGROUND

On November 18, 2004, in response to Provincial liquor licensing reforms, a new model to regulate hours of liquor service throughout the City was adopted. This model is based on a two-tiered licensing system that is implemented on an area basis. There are three types of areas: "primarily commercial", "primarily mixed-use", and "primarily residential", each with their own hours of liquor service, that also vary between downtown and non-downtown locations.

A significant level of public consultation was conducted in the development of the Hours of Liquor Service Policy:

- 10 public information open-house meetings throughout the city (downtown and non-downtown);
- newspaper advertisements of all the open-house meetings in the local newspapers;
- press release of the policy development and public consultation process;
- flyer/brochures advertising the open houses and review distributed to the Libraries, Community Centres and most of the downtown liquor establishments;
- direct mail-outs to all Liquor Primary licensees in the city advising them of the review;
- GVTV information piece on the policy review and open-house meetings;
- dedicated webpage with on-line survey/questionnaire; and
- significant media coverage of the policy review, interim policy, open-house meetings and the Council Committee meeting to consider the policy (newspaper, web, television and radio).

The results of the public consultation were reported to Council on October 5, 2004. Staff felt the participation rate was low despite the high level of public consultation conducted. Respondents were divided in their support or non-support of extended hours. A common theme from respondents, regardless of their preference, was the expectation that the City must have the capability to deal with problem operators in an expedient manner, that impacts be minimized, and that citizens have a voice in their neighbourhoods.

While the general model was approved by Council, a number of actions needed to be completed prior to implementation:

- Review of the classification of Davie Village (including the Odyssey) and the 1000-1300 blocks of Granville Street (completed June 2005);
- Report to Council on recommended impact reduction measures (completed September 2005);
- Cabinet regulation to prescribe "liquor primary establishment" as a class of business [Cabinet approved December 9, 2005, refer to Appendix E for the Order in Council];
- Vancouver Charter amendment (upon further legal review, not required);
- Report to Council on new fee schedule [included in this report].

This report is a final step in implementing the Hours of Liquor Service policy, providing recommendations on final amendments and establishing the business premises areas for regulating hours of liquor service.

DISCUSSION

Hours of Liquor Service Policy Amendment

Extended Hours for "Primarily Residential"

A primary intent of the Hours of Liquor Service Policy was to implement hours of liquor service that reflected the predominant land uses throughout the city while recognizing the need for reasonable hours of operation to facilitate the viability of liquor establishments and to improve entertainment opportunities for city residents and tourists.

Issues:

The approved "primarily residential" hours of liquor service (Downtown and Non-Downtown areas) do not provide any opportunity for weekday extended hours. This means that liquor establishments have only a total of 2 "extended" closing hours of operation from which to recoup the costs associated with meeting the License By-law criteria for obtaining the extended hours liquor establishment class of business license (1 hour on Friday & Saturday nights). Also, establishments, particularly those in the Downtown Granville South area, will be subject to a significant reduction in hours of operation on weekdays (2 hours each night Monday through Thursday).

Staff think that the approved-in-principle extended hours have not found the balance between potential neighbourhood impacts and reasonable industry hours of operation given the business license by-law requirements for the extended hours liquor establishment class of business license. As a result, staff propose to use this opportunity to correct this imbalance.

Proposed Solution:

Staff propose revisions to the extended hours and special events extension hours of the Hours of Liquor Service Policy. No revision is proposed for the standard hours of liquor service.

Proposed Revisions:

1. Downtown - Primarily Residential:
 - add 1 hour to the Extended Hours weekday closing time, change from 12 Midnight to 1 am; and
 - allow 2 am closing on weekdays for Special Event Extensions.
2. Non-Downtown - Primarily Mixed-Use:
 - add 1 hour to the Special Events Extensions weekday closing time, change from 1 am to 2 am.
3. Non-Downtown - Primarily Residential:
 - add 1 hour to the Extended Hours weekday closing time, change from 12 Midnight to 1 am.

Table 1 summarizes the Hours of Liquor Service policy for the city and includes the revisions suggested in bold italics.

Table 1: Hours of Liquor Service Policy (with the proposed amendments)

AREAS	STANDARD HOURS	EXTENDED HOURS	SPECIAL EVENTS EXTENSION
DOWNTOWN			
Primarily Commercial	11am-2am 7 days/wk	9am-3am 7 days/wk	9am-4am 7 days/wk
Primarily Mixed-Use	11am-2am Weekends 11am-1am Weekdays	9am-3am Weekends 9am-2am Weekdays	9am-4am Weekends 9am-3am Weekdays
Primarily Residential	11am-1 am Weekends 11am-12 am Weekdays	9am-2am Weekends 9am- <i>1am</i> Weekdays	9am-3am Weekends <i>9am-2am Weekdays</i>
NON-DOWNTOWN			
Primarily Commercial / Industrial	11am-2am 7 days/wk	9am-3am 7 days/wk	9am-3am 7 days/wk
Primarily Mixed-Use	11am-1am Weekends 11am-12 am Weekdays	9am-2am Weekends 9am-1am Weekdays	9am-3am Weekends 9am- <i>2am</i> Weekdays
Primarily Residential	11am-1am Weekends 11am-12 am Weekdays	9am-2am Weekends 9am- <i>1am</i> Weekdays	9am-2am Weekends 9am-1am Weekdays
Downtown Eastside (DEOD)	11am-1am Weekends 11am-12 am Weekdays	n/a	9am-2am Weekends
Note: Weekends = Friday and Saturday/ Weekdays = Sunday through Thursday			

Implications:

The proposed revisions may result in noise/nuisance impacts in the Non-downtown areas later than presently allowed. However, staff feel that the License By-law impact reduction measures, the Noise Control by-law amendments proposed in this report and the two-tiered business license system will provide adequate safeguards to ensure issues can be resolved in a timely fashion.

The revised policy will still result in a net reduction in hours of operation on weekdays for a number of the liquor establishments in the primarily residential areas of the city (both Downtown and Non-downtown). The one hour reduction in weekday closing times for these establishments should be noticed by area residents. Also, staff acknowledge that the 1 hour earlier weekday closing time will have a negative impact on the business operations of these establishments but note that this impact will be less than the current 2 hour reduction. This reduction in closing time may cause operators to re-evaluate the market focus of their businesses.

Business Premises Regulation of Hours By-law

Implementation of the Hours of Liquor Service Policy will be achieved through the Business Premises Regulation of Hours By-law authority. On November 18, 2004 Council approved approximate boundaries for the various policy areas (i.e. Downtown & Non-downtown Primarily Commercial/Mixed-use/Residential areas). In this report staff establish the definitive boundaries for each of the Business Premises Regulation of Hours Areas. In creating these boundaries staff have generally followed the existing Zoning District boundaries. Any variations from the Zoning District boundaries were usually attributed to natural or man-made barriers (eg. significant roadways, greenways, etc.). Please refer to Appendix A for the map, map number and the hours of operation for each license type in each of the proposed regulation areas.

Amendment of the Business Premises Regulation of Hours By-law will include a number of non-substantial housekeeping amendments in order to modernize the by-law and to accommodate the amendments referred to in this report.

Special Event Extension Policy Guidelines

The Hours of Liquor Service Policy allows for establishments to further extend their operating hours in conjunction with certain special events. Staff recommend that eligible city-wide festivals be limited to the festivals eligible under the current policy: Vancouver Jazz Festival and the Vancouver Pride Festival, both of which occur in the summer months. Staff are concerned with expanding the initial list of approved festivals because only request's from establishments with compliance and enforcement issues or problems that cause negative impacts on area residents would normally be refused (i.e. all others would be approved). A large number of approved city festivals would create a greater impact on the city's communities. However, as this is policy/guidelines it would be a relatively simple task for Council to add festivals in the future.

Staff also recommend that the Chief License Inspector be permitted to consider an additional 12 nights per year, with a maximum of 2 per month, for other festivals or special occasions (such as grand openings, business anniversaries, unique/significant live performances, charity fundraisers or other significant dates). This provision will assist staff in granting a limited number of extensions for small city festivals for specific establishments which are integral part of the festival (eg. host venue or key sponsor of the St. Patrick's Day festival and parade, or the Comedy Festival).

Furthermore, the Chief License Inspector's letter of support for the temporary amendment to the provincial liquor license should be limited to 2 calendar months with maximum of 21 closing hour changes. This will mitigate abuse of the temporary approval process and retain a high degree of control over the hours of operation that have the greatest potential to negatively impact area residents and city resources.

Special event extensions can be applied for by operators with either a Standard or Extended Hours Liquor Establishment Class business licenses. The eligible hours of operation for the extension will be limited by the policy for their area. The Chief License Inspector will consider a variety of factors prior to making a decision on each application (VPD comments, enforcement history, feedback/comments/complaints from area residents, etc.).

Approval for the special event extensions would be granted through the Liquor Control and Licensing Branch Temporary Amendment to Liquor License application process which requires comments from the Local Government.

Noise Control By-Law Amendments

A primary concern of residents raised through the public consultation for the Hours of Liquor Service policy were noise impacts from the existing establishments on the liveability of their homes. To address this issue staff feel that the Noise Control By-Law should be amended to place more stringent requirements on businesses intending to operate during the extended hours of operation. Staff note that throughout the creation of the Hours of Liquor Service policy all stakeholders were made aware of the desire and need to reduce noise impacts on the adjacent residents.

The Medical Health Officer consulted with members of the Acoustic Engineering industry to seek advice on possible changes to the Noise Control By-law that would reduce the noise impact of liquor establishments on adjacent residents, be measurable/quantifiable regulations and enforceable in an active urban community. Based on those discussion staff propose revisions to the Noise Control By-Law during extended hours of operation. In

addition, a License By-law amendment is proposed for those establishments that utilize sound and bass limiters on their sound systems to meet the acoustic criteria for extended hours designation. The system shall warn operators when the interior sound level is nearing (within 5 decibels) the interior maximum, as set forth in that establishment's approved acoustic report. Precise bylaw wording is included in Appendices B & C.

The following is a summary of the proposed Noise Control & License By-law Amendments during Extended Hours Liquor Establishment Class business licenses operating hours:

- new provision regarding dBC (leq) that will reduce the sound meter measurement average from 3 minutes to 1 minute and change the measurement location from "point of reception" (i.e. complainants home) to 3 metres from the exterior wall [Noise Control Bylaw];
- new provision regarding dBA (leq) that will reduce the sound meter measurement average from 3 minutes to 1 minute and change the measurement location from "point of reception" (i.e. complainants home) to 3 metres from the exterior wall [Noise Control Bylaw]; and
- add a requirement to allow, based on an approved acoustic report, for the installation of bass and sound-level limiting equipment and a warning system to advise operators when the sound levels approach the Noise Control Bylaw sound level requirements [License Bylaw].

The License By-law now requires that businesses applying for the extended hours liquor establishment class 2 to 7 business license must submit an Acoustical report certifying that the establishment meets Noise Control By-law requirements for the extended operating hours. Some establishments will have no difficulty meeting this new standard with little or no acoustic upgrades required.

However, other establishments may have significant difficulty meeting this new standard and will require substantial acoustic upgrades to their facilities. These operators will have to choose between completing the required upgrades necessary to operate at the extended hours or do nothing, operate at the standard hours for their area and apply for the occasional Special Event extension. In either scenario the surrounding community should benefit. An upgraded facility operating at extended hours will have a more acoustically sound building during all hours of operation; or the business will operate at standard hours that are likely less than the operators present hours of operation which will result in the noise associated with the bar ceasing at an earlier time.

The Medical Health Officer feels that the combination of the recommended amendments to the Noise Control By-law and the requirement for an acoustical report certifying compliance with the Noise By-law limits should afford enhanced protection to residential neighbours of extended hours liquor primary establishments. Since these proposed changes would not apply to the noise generated during the standard hours, the likelihood remains that residential neighbours of these facilities may still have cause for complaint. Experience with the extended hours provisions may provide some insight into whether these tighter acoustical provisions should be applied more broadly over time.

FINANCIAL IMPLICATIONS

The financial implications and cost recovery options are discussed in the companion report titled "Business License fees for Extend Hours Liquor Establishments".

Staff expect that there will be additional monitoring and enforcement work for Property Use Branch Inspectors and Environmental Health Officers but cannot provide a specific estimate at this time. Staff will report back if additional resources are required.

SOCIAL IMPLICATIONS

The Director of Social Planning supports the regulation of hours by area and the proposed noise control measures, noting the need to monitor the effects of extended hours and special event extensions on neighbours, with regard to noise and to public nuisance and public safety. While extended and special event hours may provide benefits to businesses and communities, increased access to alcohol is also a serious social issue, given the extent of alcohol-related harms in the community. In 2003 in B.C., for example, 185 people died from all illicit drugs while 1789 people died from alcohol-related causes. Impact reduction measures are an important part of a balanced alcohol policy. Given the slow response of senior governments to improving alcohol treatment, recovery, and other services, it is particularly important that municipal governments and industry take measures within their power to mitigate harms, keeping in mind the larger social context.

IMPLEMENTATION PLAN

If Council approves all the components of this report staff anticipate implementing the policy in April 2006. Staff envision the remainder of 2006 as a transition year from current system to the new policy and the two tiered license system. The learning curve for staff, industry and the public will be significant. Staff will need to provide industry with interpretations of the new regulations, expectations for compliance and a schedule for meeting compliance. Industry will need to learn the new License By-law impact reduction measures/regulations, Noise Control By-law amendments and put the necessary resources in place to meet the compliance schedule. As staff and the industry work to shift the city's liquor establishments over to the new system the public will need patience to accept the inevitable growing pains of that conversion process.

As a result of the extensive public consultation completed as part of the Hours of Liquor Service Policy review, the authority to apply the hours policy in by-law form and the two tiered business license system, staff support 'batch' processing of the LCLB's amendments to the Liquor Primary liquor licenses to bring these licenses into sync with the Business Premises Regulation of Hours By-law. Batch processing provides the most efficient means to implement the Hours of Liquor Service Policy. Furthermore, staff are confident that the combination of the two tiered business license and the Business Premises Regulation of Hours By-law will address resident's concern that the city have the ability to resolve late night noise issues in a timely manner.

Staff expect that many of the new license by-law regulations will be easily compiled with, except the requirement to obtain an Acoustic report certifying compliance with the new Noise Control By-law requirements. As a result, staff do not anticipate withholding the

issuance of extended hours liquor establishment class 1 - 7 business licenses for 2006 pending compliance with the by-law. However, it is anticipate that in 2007 extended hours liquor establishment business licenses may be held or suspended if operators do not comply with all the License By-law requirements.

Staff support the batch processing of Liquor Primary liquor license amendments of all the establishments as indicated in Appendix D of this report. Appendix D lists the name and address of all Liquor Primary establishments in the city separated into their respective Business Premises Regulation of Hours area, the associated hours of operation by business license type and the map for each area (maps shown in Appendix A).

Staff shall continue to work with LCLB staff to ensure a smooth transition to the hours of liquor service policy throughout the city.

CONCLUSION

This report recommends Council's endorsement of four separate but related pieces of work associated with the final steps to implementation of the Hours of Liquor Service policy:

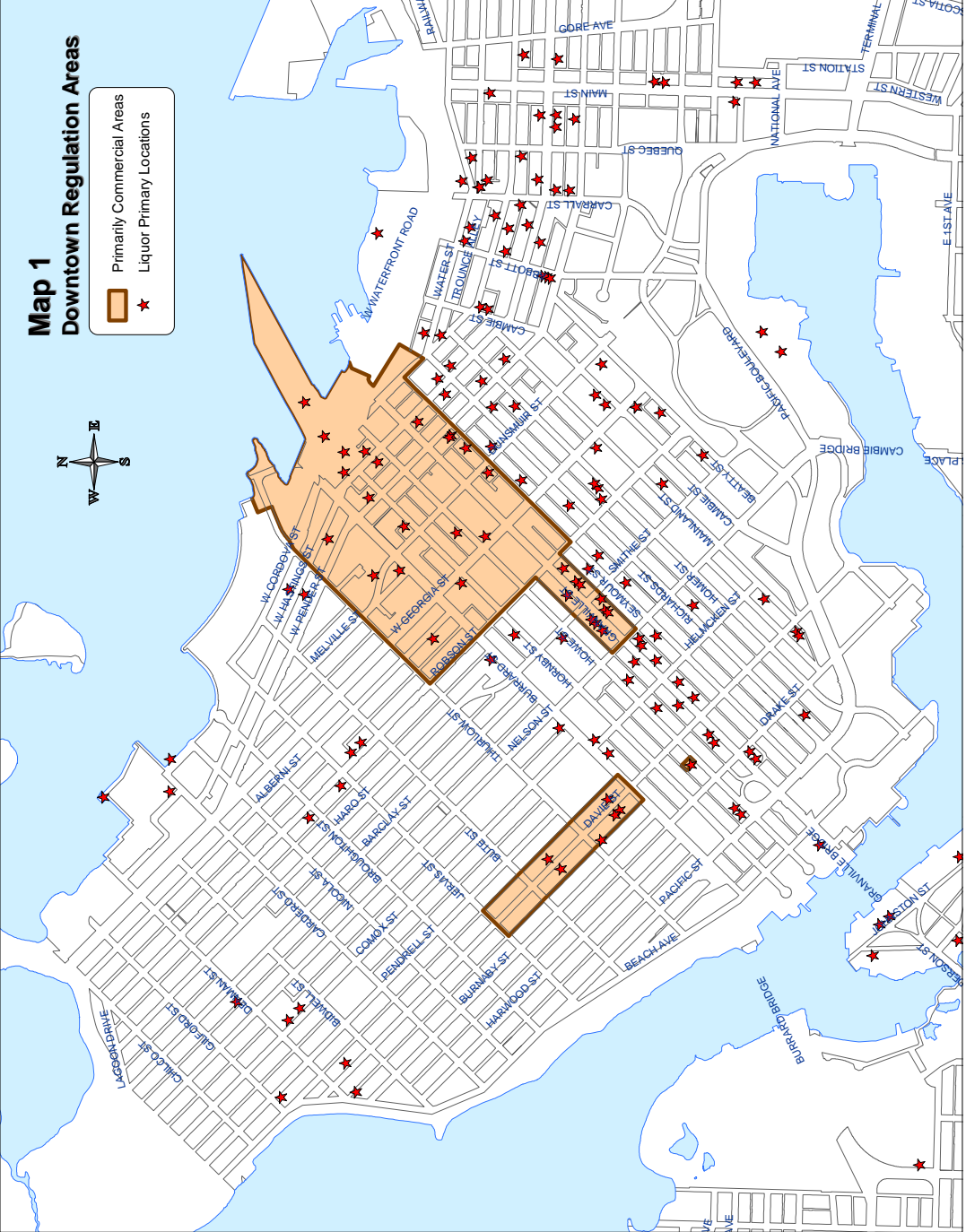
- confirmation of the boundaries of the business premises regulation of hours areas and preparation of the appropriate amending by-law;
- a minor revision to the Hours of Liquor Service policy;
- amendments to the Noise Control By-law to place more stringent regulations on liquor establishments operating during the extended hours; and
- a complementing amendment to the acoustic requirement in the License By-law.

Successful completion of this phase will bring a degree of certainty with respect to hours of liquor service for the city's bars and nightclubs into the foreseeable future.

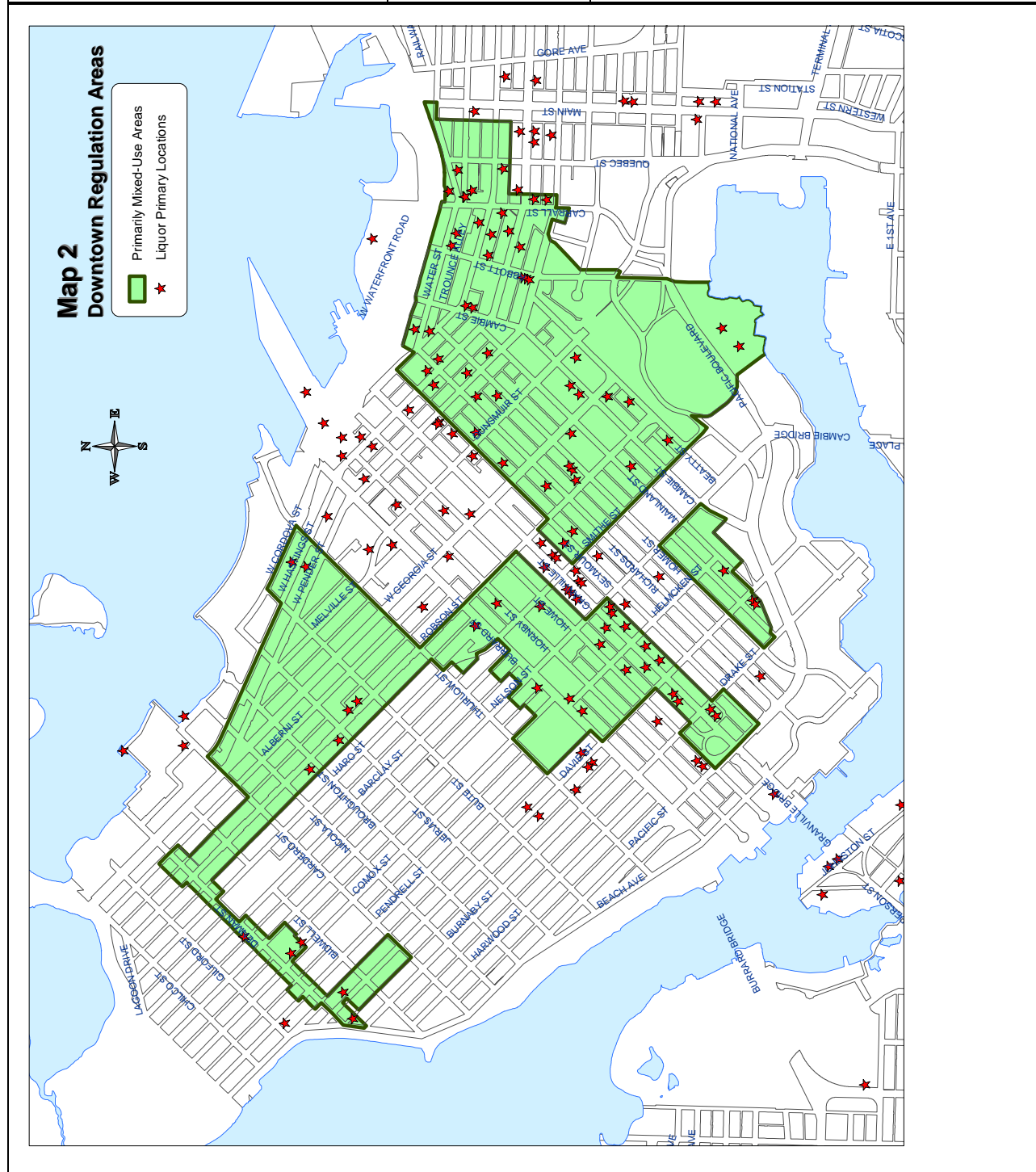
Staff will report back later this year if there is a need to increase Licenses & Inspections staff resources to adequately monitor these businesses and new regulations.

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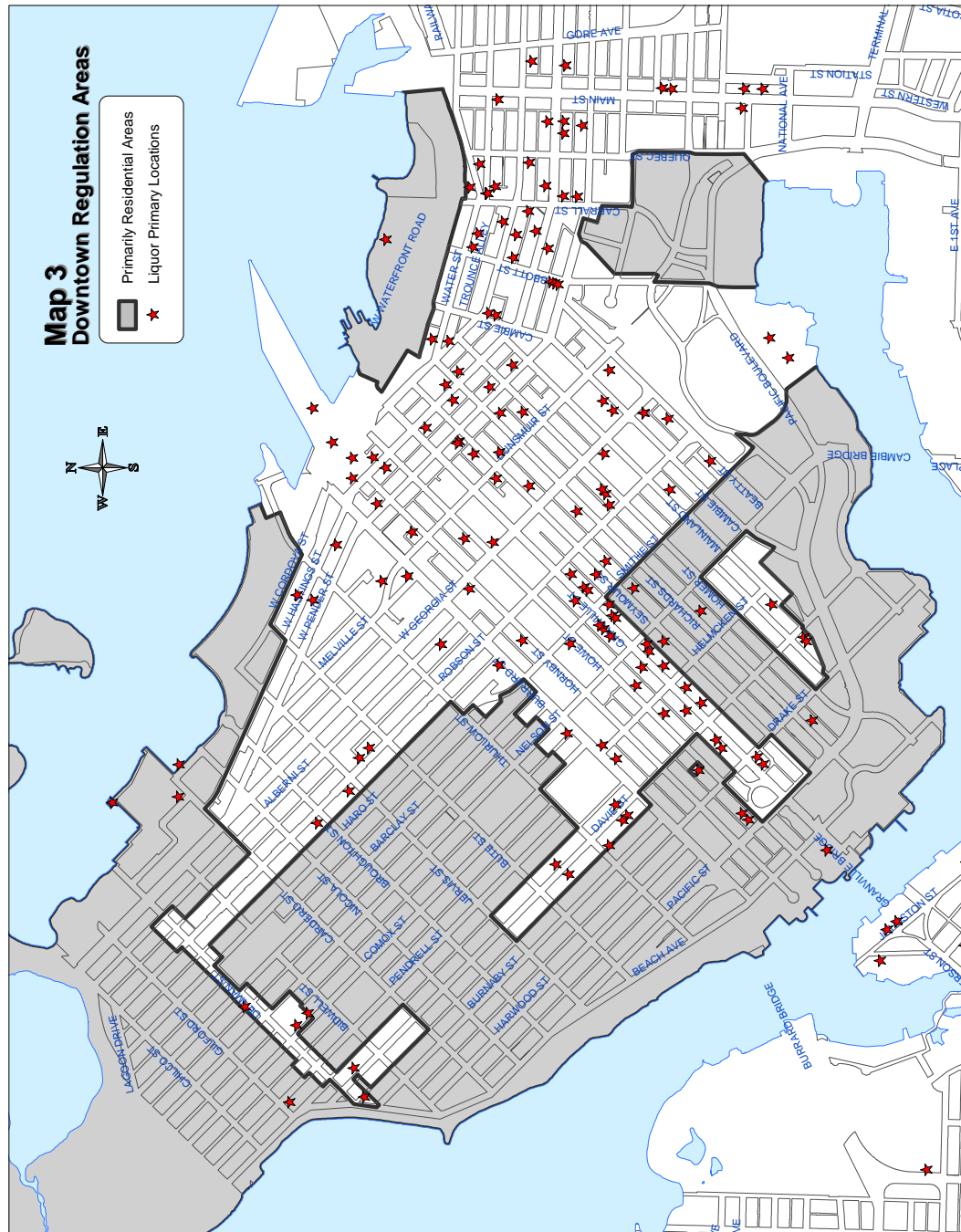
Table 2 - Business Premises Hours of Regulation Areas & Details

<p>Downtown - Primarily Commercial</p> <ul style="list-style-type: none"> Granville Street - Entertainment District Central Business District Davie Village (1000 - 1200 Blks) 	<p>MAP 1</p>	<p>Standard Hours: 11 am - 2 am, 7 days/week Extended Hours: 9 am - 3 am, 7 days/week</p>
		

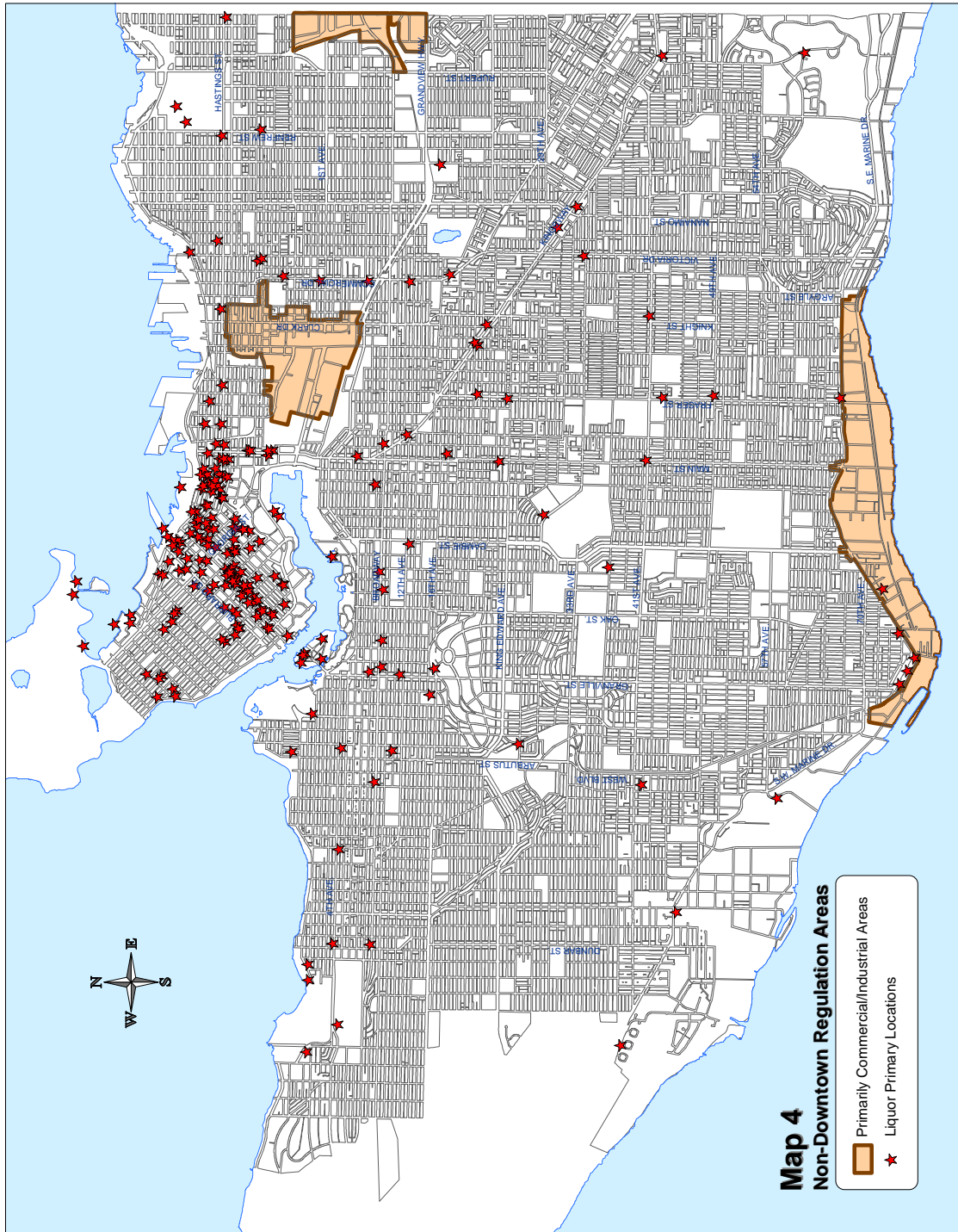
<p>Downtown - Primarily Mixed-Use</p> <ul style="list-style-type: none"> • Gastown (HA-2 zone) • Yaletown (HA-3 zone) • West End Commercial Streets (Davie/ Denman/ Robson) • Other DD zoned areas 	<p>MAP 2</p>	<p>Standard Hours: 11 am – 2 am Weekends, 11 am – 1 am Weekdays</p> <p>Extended Hours: 9 am – 3 am Weekends 9 am – 2 am Weekdays</p>
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<p>Downtown - Primarily Residential</p> <ul style="list-style-type: none"> • Downtown South • False Creek North • Coal Harbour • West End Residential • All remaining areas not noted in the Commercial & Mix-use areas 	<p>MAP 3</p>	<p>Standard Hours: 11 am -1 am Weekends, 11 am -12 am Weekdays</p> <p>Extended Hours: 9 am-2 am Weekends 9 am - 1 am Weekdays</p>
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<p>Non-Downtown - Primarily Commercial/Industrial</p> <ul style="list-style-type: none"> • SW Marine Drive • Terminal/Clark • Boundary/Grandview 	<p>MAP 4</p>	<p>Standard Hours: 11 am to 2 am, 7 days/week Extended Hours: 9 am to 3 am, 7 days/week</p>
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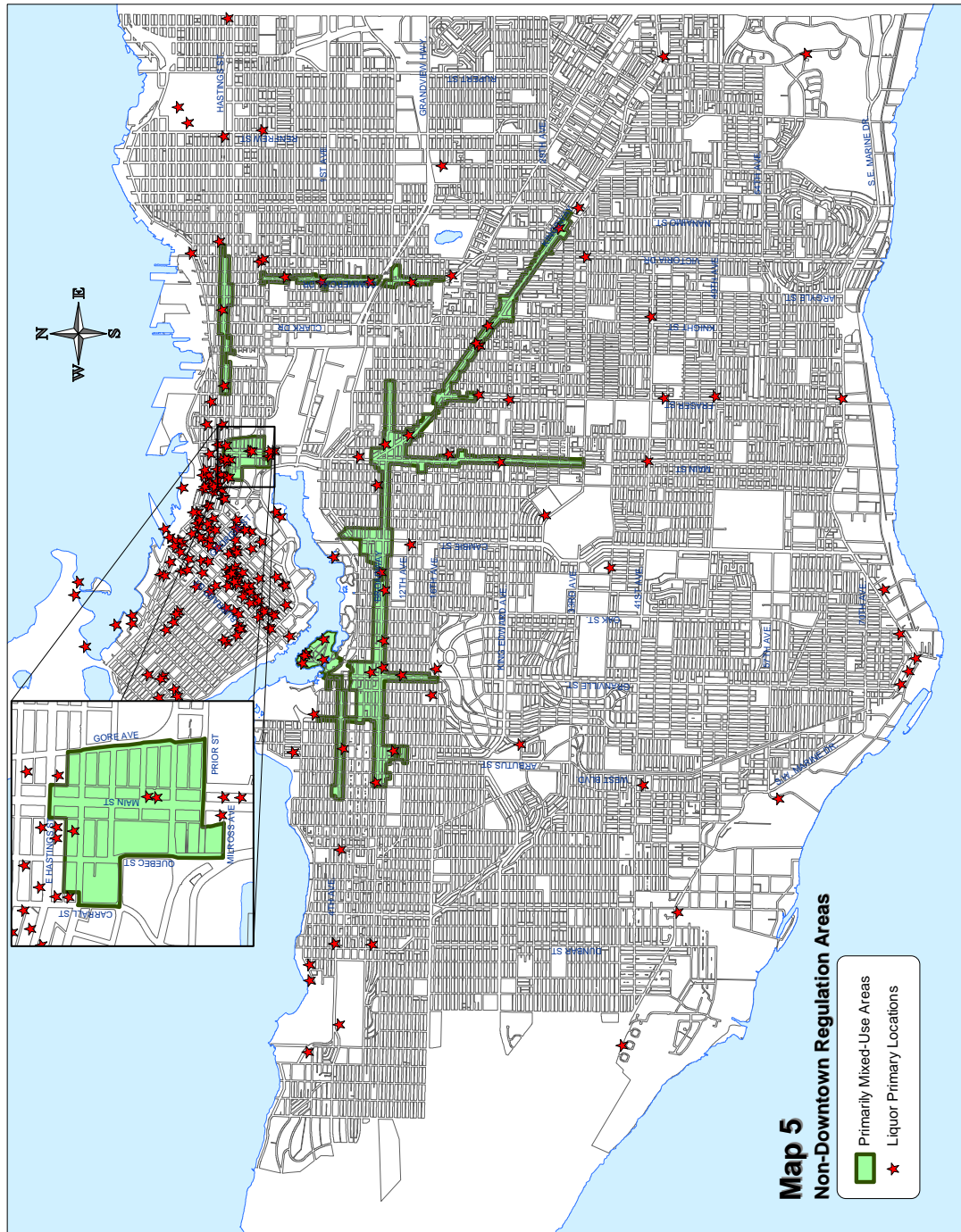


Non-Downtown - Primarily Mixed-Use

- Hastings/Strathcona
- Commercial Drive
- Broadway/Main/Kingsway
- Chinatown
- 4th Avenue/Granville Island

MAP 5

Standard Hours: 11 am - 1 am Weekends,
11 am - 12 am Weekdays
Extended Hours: 9 am - 2 am Weekends
9 am - 1 am Weekdays

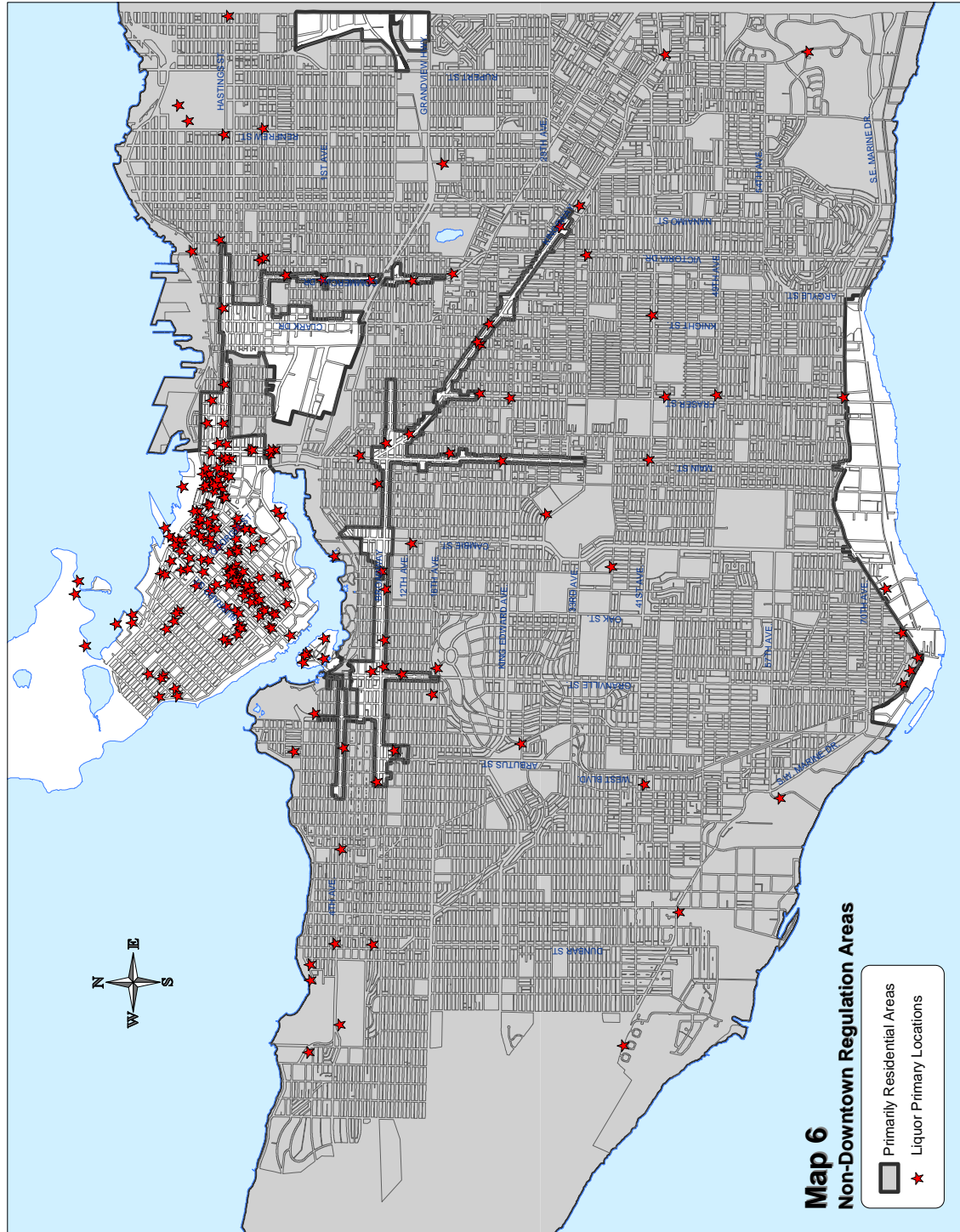


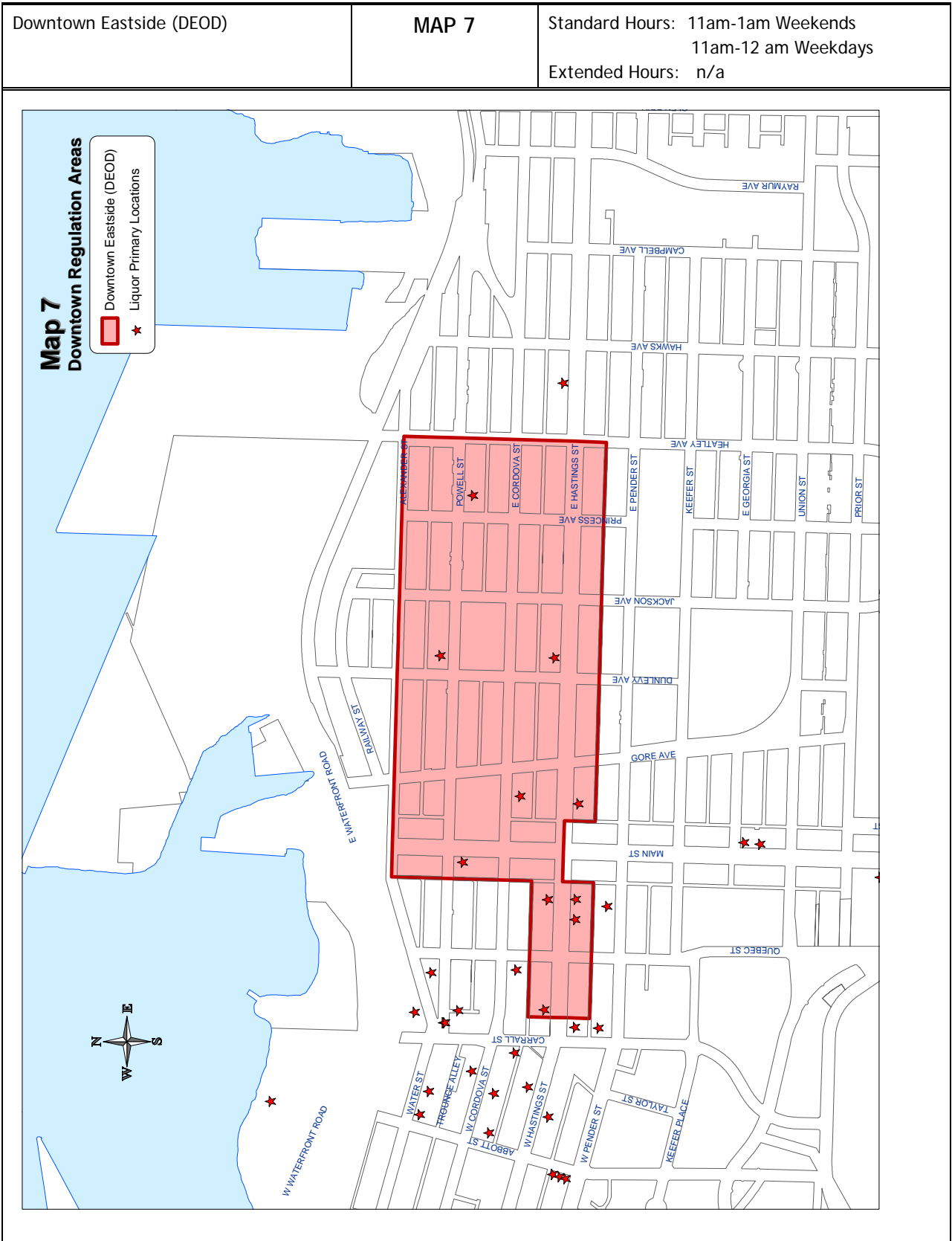
Non-Downtown - Primarily Residential

- All remaining areas not noted in the Commercial & Mixed-use areas

MAP 6

Standard Hours: 11 am-1 am Weekends,
11 am-12 am Weekdays
Extended Hours: 9 am - 2 am Weekends
9 am - 1 am Weekdays





The following amendments are proposed to the Noise Control By-law:

"11D. In addition to the requirements of section 11, a person in an extended hours liquor establishment, as defined under the License By-law, must not make, cause, or permit to be made or caused, during extended hours, continuous or non-continuous bass noise or bass sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of which exceeds a rating of 65 dBC (Leq) when measured on an approved sound meter for a period of one minute at a distance of three metres from an exterior wall of the building in which that liquor establishment is situate, and at least 1.2 metres above the ground."

"11E. In addition to the requirements of sections 11 and 11D, a person in an extended hours liquor establishment, as defined under the License By-law, must not make, cause, or permit to be made or caused, during extended hours, continuous or non-continuous sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of which exceeds 3 decibels (Leq) dBA above the background noise on an approved sound meter when measured for a period of one minute at a distance of, three metres from an exterior wall of the building in which that liquor establishment is situate, and at least 1.2 metres above the ground."

Any consequential amendments to add definitions or re-number sections.

Amendments to Section 19.2A (7) of the License By-Law 4450 to replace the existing provision with the following:

"The licensee of an extended hours liquor establishment, except for an extended hours liquor establishment - class 1, must:

- (a) submit, with the application for a license, an acoustical report, prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise or sound levels in the liquor establishment will comply with the noise or sound level requirements of the Noise Control By-law that apply to the liquor establishment; and
- (b) if the acoustical report requires the installation of bass and sound-level limiting equipment on sound systems, set such equipment to warn the licensee when the sound levels of such sound systems are within five decibels (dBA or dBC) of the limits set out in sections 11D and 11E of the Noise Control By-law."

Table 3 - Business Premises Hours of Regulation Areas & Details

Downtown - Primarily Commercial <ul style="list-style-type: none">Granville Street - Entertainment DistrictCentral Business DistrictDavie Village (1000 - 1200 Blks)	MAP 1	Standard Hours: 11 am - 2 am, 7 days/week Extended Hours: 9 am - 3 am, 7 days/week Special Events: 9 am - 4 am, 7 days/week																																																																																				
<table><tr><th><u>Business Name</u></th><th><u>Business Address</u></th></tr><tr><td>Aqua 1066 Lounge</td><td>1066 West Hastings Street</td></tr><tr><td>BCIT (Downtown Campus)</td><td>555 Seymour Street</td></tr><tr><td>Bentall Centre Athletic Club</td><td>1055 Dunsmuir Street</td></tr><tr><td>Brandi's Show Lounge</td><td>#600 - 595 Hornby Street</td></tr><tr><td>Celebrities</td><td>1022 Davie Street</td></tr><tr><td>Clarence Hotel</td><td>608 West Pender Street</td></tr><tr><td>Club 686 Bar & Lounge</td><td>686 West Hastings Street</td></tr><tr><td>Commodore Ballroom</td><td>868 Granville Street</td></tr><tr><td>Commodore Pub</td><td>870 Granville Street</td></tr><tr><td>Days Inn Vancouver</td><td>921 West Pender Street</td></tr><tr><td>Fountainhead Pub</td><td>1025 Davie Street</td></tr><tr><td>Four Seasons Hotel</td><td>791 West Georgia Street</td></tr><tr><td>Hotel Vancouver</td><td>900 West Georgia Street</td></tr><tr><td>Hyatt Regency Vancouver Hotel</td><td>655 Burrard Street</td></tr><tr><td>Jolly Tax Payer</td><td>828 West Hastings</td></tr><tr><td>Law Courts Inn</td><td>5th Floor - 800 Smithe Street</td></tr><tr><td>Lennox Pub</td><td>800 Granville Street</td></tr><tr><td>Caprice Nightclub</td><td>965 Granville Street</td></tr><tr><td>Metropolitan Hotel</td><td>645 Howe Street</td></tr><tr><td>Numbers</td><td>1042 Davie Street</td></tr><tr><td>Oasis Pub (Vancouver)</td><td>1240 Thurlow Street</td></tr><tr><td>Pan Pacific Vancouver Hotel</td><td>#300 - 999 Canada Place</td></tr><tr><td>Parkhill Hotel</td><td>1160 Davie Street</td></tr><tr><td>Piccadilly Hotel</td><td>622 West Pender Street</td></tr><tr><td>Plaza Cabaret</td><td>881 Granville Street</td></tr><tr><td>PumpJack Pub</td><td>1167 Davie Street</td></tr><tr><td>Roxy Cabaret</td><td>932 Granville Street</td></tr><tr><td>Skybar</td><td>670 Smithe Street</td></tr><tr><td>St. Regis Hotel</td><td>608 Dunsmuir Street</td></tr><tr><td>Hy's Gotham's Steakhouse</td><td>615 Seymour Street</td></tr><tr><td>Sutton Place Hotel</td><td>845 Burrard Street</td></tr><tr><td>Terminal City Club</td><td>837 West Hasting Street</td></tr><tr><td>Terminal City Club</td><td>888 West Cordova Street</td></tr><tr><td>The Fairmont Waterfront</td><td>900 Canada Place</td></tr><tr><td>The Odyssey</td><td>1251 Howe Street</td></tr><tr><td>The Orpheum</td><td>865 Seymour Street</td></tr><tr><td>Tokyo Lounge</td><td>350 - 1050 Alberni Street</td></tr><tr><td>Tom Lee Music Hall</td><td>929 Granville Street</td></tr><tr><td>Tonic Bar</td><td>919 Granville Street</td></tr><tr><td>Vancouver Club</td><td>915 West Hastings Street</td></tr><tr><td>Vogue Theatre</td><td>918 Granville Street</td></tr></table>			<u>Business Name</u>	<u>Business Address</u>	Aqua 1066 Lounge	1066 West Hastings Street	BCIT (Downtown Campus)	555 Seymour Street	Bentall Centre Athletic Club	1055 Dunsmuir Street	Brandi's Show Lounge	#600 - 595 Hornby Street	Celebrities	1022 Davie Street	Clarence Hotel	608 West Pender Street	Club 686 Bar & Lounge	686 West Hastings Street	Commodore Ballroom	868 Granville Street	Commodore Pub	870 Granville Street	Days Inn Vancouver	921 West Pender Street	Fountainhead Pub	1025 Davie Street	Four Seasons Hotel	791 West Georgia Street	Hotel Vancouver	900 West Georgia Street	Hyatt Regency Vancouver Hotel	655 Burrard Street	Jolly Tax Payer	828 West Hastings	Law Courts Inn	5 th Floor - 800 Smithe Street	Lennox Pub	800 Granville Street	Caprice Nightclub	965 Granville Street	Metropolitan Hotel	645 Howe Street	Numbers	1042 Davie Street	Oasis Pub (Vancouver)	1240 Thurlow Street	Pan Pacific Vancouver Hotel	#300 - 999 Canada Place	Parkhill Hotel	1160 Davie Street	Piccadilly Hotel	622 West Pender Street	Plaza Cabaret	881 Granville Street	PumpJack Pub	1167 Davie Street	Roxy Cabaret	932 Granville Street	Skybar	670 Smithe Street	St. Regis Hotel	608 Dunsmuir Street	Hy's Gotham's Steakhouse	615 Seymour Street	Sutton Place Hotel	845 Burrard Street	Terminal City Club	837 West Hasting Street	Terminal City Club	888 West Cordova Street	The Fairmont Waterfront	900 Canada Place	The Odyssey	1251 Howe Street	The Orpheum	865 Seymour Street	Tokyo Lounge	350 - 1050 Alberni Street	Tom Lee Music Hall	929 Granville Street	Tonic Bar	919 Granville Street	Vancouver Club	915 West Hastings Street	Vogue Theatre	918 Granville Street
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Downtown - Primarily Mixed-Use <ul style="list-style-type: none">Gastown (HA-2 zone)Yaletown (HA-3 zone)West End Commercial Streets (Davie/ Denman/ Robson)Other DD zoned areas	MAP 2	Standard Hours: 11 am - 2 am Weekends, 11 am - 1 am Weekdays Extended Hours: 9 am - 3 am Weekends 9 am - 2 am Weekdays Special Events: 9 am - 4 am Weekends 9 am - 3 am Weekdays																																																																																																								
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<u>Business Name</u>		<u>Business Address (Map 2 continued)</u>
Pennsylvania Hotel		412 Carrall Street
Plush		750 Pacific Boulevard
Queen Elizabeth Theatre and Vancouver Playhouse		649 Cambie Street
Railway Mens Club		579 Dunsmuir Street
Rainier Hotel		315 Carrall Street
Ramada Limited Downtown Vancouver		435 West Pender Street
Rosie's on Robson		838 Hamilton Street
Royal Hotel (Vancouver)		1029 Granville Street
Sandman Inn (The Shark Club)		180 West Georgia Street
Sandman Inn		180 West Georgia
Sands Motor Hotel		1755 Davie Street
Sheraton Vancouver Wall Centre Hotel		1088 Burrard Street
Shine		364 Water Street
Simon Fraser University at Harbour Centre		515 West Hastings Street
Sonar		66 Water Street
Steamworks		375 Water Street
Stone Temple Cabaret		1082 Granville Street
Studio 55		1114 Alberni Street
Sugar & Sugar		99 Powell Street
The Buffalo Club		1161 Granville Street
The Cellar		1006 Granville Street
The Morrissey		1227 Granville Street
The Red Room		398 Richards Street
Travelodge Vancouver		1304 Howe Street
Vancouver Marriott Pinnacle Hotel		1128 West Hastings Street
Vancouver Renaissance Hotel		1133 West Hastings Street
Wedgewood Hotel		845 Hornby Street
West Hotel		488 Carrall Street
Westin Grand Hotel		433 Robson Street
Westin Grand Hotel (Voda)		783 Homer Street
Yale Hotel (Vancouver)		1300 Granville Street
Yaletown Brewing Co. Pub & Restaurant		1111 Mainland Street
Yuk-Yuk's Comedy Club		750 Pacific Boulevard
Downtown - Primarily Residential <ul style="list-style-type: none"> Downtown South False Creek North Coal Harbour West End Residential All remaining areas not noted in the Commercial & Mix-use areas 		MAP 3
		Standard Hours: 11 am - 1 am Weekends, 11 am - 12 am Weekdays Extended Hours: 9 am - 2 am Weekends 9 am - 1 am Weekdays Special Events: 9 am - 3 am Weekends 9 am - 2 am Weekdays
<u>Business Name</u>		<u>Business Address</u>
Atlantis Club		1320 Richards Street
Brockton Clubhouse		1151 Stanley Park Drive
Executive Inn		1379 Howe Street
HMCS Discovery		1200 Stanley Park Drive
Lift Bar Grill View		333 Menchions Mews
Live Bait Yacht & Marine Pub		1583 Coal Harbour Quay
Penthouse		1019 Seymour Street
Quality Inn Downtown (Vancouver)		1335 Howe Street
Richard's on Richards		1036 Richards Street
Sylvia Hotel		1154 Gilford Street
Vancouver Rowing Club		450 Stanley Park Drive
Westin Bayshore Hotel		1601 Bayshore Drive

Non-Downtown - Primarily Commercial/Industrial <ul style="list-style-type: none">SW Marine DriveTerminal/ClarkBoundary/Grandview	MAP 4	Standard Hours: 11 am to 2 am, 7 days/week Extended Hours: 9 am to 3 am, 7 days/week Special Events: 9 am to 3 am, 7 days/week																																																								
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<table><tr><th>Business Name</th><th>Business Address</th></tr><tr><td>Army, Navy & Air Force Veterans in Canada #100</td><td>2211 Kingsway</td></tr><tr><td>Army, Navy & Air Force Veterans in Canada #298</td><td>3917 Main Street</td></tr><tr><td>Arts Club of Vancouver Theatre Building</td><td>1585 Johnston Street</td></tr><tr><td>Arts Club Revue Theatre</td><td>1601 Johnston Street</td></tr><tr><td>Astoria Hotel</td><td>769 East Hastings Street</td></tr><tr><td>Avanti's Pub</td><td>1601 Commercial Drive</td></tr><tr><td>Barcode Nightclub and Lounge</td><td>1236 West Broadway</td></tr><tr><td>Biltmore Hotel (2 licenses)</td><td>2755 Prince Edward Street</td></tr><tr><td>Bimini Neighbourhood Pub</td><td>2010 West 4th Avenue</td></tr><tr><td>Bridges</td><td>1696 Duranleau Street</td></tr><tr><td>British Ex-Servicemen's Association</td><td>1143 Kingsway Street</td></tr><tr><td>Cedar Cottage Pub</td><td>3728 Clark Drive</td></tr><tr><td>False Creek Yacht Club</td><td>1661 Granville Street</td></tr><tr><td>Granville Island Hotel (Dockside Brewing Co.)</td><td>1253 Johnston Street</td></tr><tr><td>Holiday Inn Vancouver Centre</td><td>711 West Broadway</td></tr><tr><td>Howard Johnson Plaza Hotel</td><td>395 Kingsway</td></tr><tr><td>Joey's Global Grill (Kitsilano)</td><td>1424 West Broadway</td></tr><tr><td>Lola Cabaret</td><td>2291 West Broadway</td></tr><tr><td>Ming's Dining Complex</td><td>147 East Pender Street</td></tr><tr><td>Planet Uranus Lounge</td><td>315 East Broadway</td></tr><tr><td>Polish Veteran's Hall</td><td>1134 Kingsway</td></tr><tr><td>Portuguese Club of Vancouver</td><td>1144 Commercial Drive</td></tr><tr><td>Ramada Vancouver Centre</td><td>898 West Broadway</td></tr><tr><td>Royal Canadian Legion, Branch No. 179</td><td>2205 Commercial Drive</td></tr><tr><td>Tobys Pub & Grill</td><td>2733 Commercial Drive</td></tr><tr><td>Waldorf Hotel</td><td>1489 East Hastings Street</td></tr><tr><td>Waterfront Theatre</td><td>1412 Cartwright Street</td></tr></table>			Business Name	Business Address	Army, Navy & Air Force Veterans in Canada #100	2211 Kingsway	Army, Navy & Air Force Veterans in Canada #298	3917 Main Street	Arts Club of Vancouver Theatre Building	1585 Johnston Street	Arts Club Revue Theatre	1601 Johnston Street	Astoria Hotel	769 East Hastings Street	Avanti's Pub	1601 Commercial Drive	Barcode Nightclub and Lounge	1236 West Broadway	Biltmore Hotel (2 licenses)	2755 Prince Edward Street	Bimini Neighbourhood Pub	2010 West 4 th Avenue	Bridges	1696 Duranleau Street	British Ex-Servicemen's Association	1143 Kingsway Street	Cedar Cottage Pub	3728 Clark Drive	False Creek Yacht Club	1661 Granville Street	Granville Island Hotel (Dockside Brewing Co.)	1253 Johnston Street	Holiday Inn Vancouver Centre	711 West Broadway	Howard Johnson Plaza Hotel	395 Kingsway	Joey's Global Grill (Kitsilano)	1424 West Broadway	Lola Cabaret	2291 West Broadway	Ming's Dining Complex	147 East Pender Street	Planet Uranus Lounge	315 East Broadway	Polish Veteran's Hall	1134 Kingsway	Portuguese Club of Vancouver	1144 Commercial Drive	Ramada Vancouver Centre	898 West Broadway	Royal Canadian Legion, Branch No. 179	2205 Commercial Drive	Tobys Pub & Grill	2733 Commercial Drive	Waldorf Hotel	1489 East Hastings Street	Waterfront Theatre	1412 Cartwright Street
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Army, Navy & Air Force Veterans in Canada #100	2211 Kingsway																																																									
Army, Navy & Air Force Veterans in Canada #298	3917 Main Street																																																									
Arts Club of Vancouver Theatre Building	1585 Johnston Street																																																									
Arts Club Revue Theatre	1601 Johnston Street																																																									
Astoria Hotel	769 East Hastings Street																																																									
Avanti's Pub	1601 Commercial Drive																																																									
Barcode Nightclub and Lounge	1236 West Broadway																																																									
Biltmore Hotel (2 licenses)	2755 Prince Edward Street																																																									
Bimini Neighbourhood Pub	2010 West 4 th Avenue																																																									
Bridges	1696 Duranleau Street																																																									
British Ex-Servicemen's Association	1143 Kingsway Street																																																									
Cedar Cottage Pub	3728 Clark Drive																																																									
False Creek Yacht Club	1661 Granville Street																																																									
Granville Island Hotel (Dockside Brewing Co.)	1253 Johnston Street																																																									
Holiday Inn Vancouver Centre	711 West Broadway																																																									
Howard Johnson Plaza Hotel	395 Kingsway																																																									
Joey's Global Grill (Kitsilano)	1424 West Broadway																																																									
Lola Cabaret	2291 West Broadway																																																									
Ming's Dining Complex	147 East Pender Street																																																									
Planet Uranus Lounge	315 East Broadway																																																									
Polish Veteran's Hall	1134 Kingsway																																																									
Portuguese Club of Vancouver	1144 Commercial Drive																																																									
Ramada Vancouver Centre	898 West Broadway																																																									
Royal Canadian Legion, Branch No. 179	2205 Commercial Drive																																																									
Tobys Pub & Grill	2733 Commercial Drive																																																									
Waldorf Hotel	1489 East Hastings Street																																																									
Waterfront Theatre	1412 Cartwright Street																																																									
Non-Downtown - Primarily Residential <ul style="list-style-type: none">All remaining areas not noted in the Commercial & Mixed-use areas	MAP 6	Standard Hours: 11 am-1 am Weekends, 11 am-12 am Weekdays Extended Hours: 9 am - 2 am Weekends 9 am - 1 am Weekdays Special Events: 9 am - 2 am Weekends 9 am - 1 am Weekdays																																																								
<table><tr><th>Business Name</th><th>Business Address</th></tr><tr><td>15th Field Artillery Regiment</td><td>2025 West 11th Avenue</td></tr><tr><td>A N Z A Clubrooms</td><td>3 West 8th Avenue</td></tr></table>			Business Name	Business Address	15th Field Artillery Regiment	2025 West 11 th Avenue	A N Z A Clubrooms	3 West 8 th Avenue																																																		
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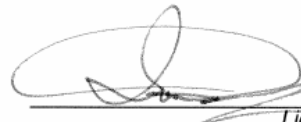
<u>Business Name</u>	<u>Business Address (Map 6 continued)</u>
Al Ritrovo Restaurant	2010 Franklin Street
American Hotel	928 Main Street
Arbutus Club	2001 Nanton Avenue
Army, Navy & Air Force Veterans in Canada #26	5896 Fraser Street
Army, Navy & Air Force Veterans in Canada #68	400 - 3624 Fraser Street(718 E. 20 th Ave)
Brickhouse at Hogan's Alley	730 Main Street
Cambrian Hall	215 East 17 th Avenue
Coast Vancouver Airport Hotel	1041 SW Marine Drive
Cobalt Hotel	917 Main Street
Columbus Centre	8337 Granville Street
Darby D Dawes Neighbourhood Public House	2001 MacDonald Street
Eldorado Motor Hotel	2330 Kingsway
Elephant Walk	1445 East 41 st Avenue
Freemasons Hall	1495 West 8 th Avenue
Hastings Park Racecourse	2901 East Hastings Street
Holiday Inn Express Vancouver	2889 East Hastings Street
Hot Jazz Society	2120 Main Street
Hycroft	1489 McRae Avenue
Italian Centre	3085 Slocan Street
Ivanhoe Hotel	1038 Main Street
Jeremiah's Neighbourhood Pub	3681 West 4 th Avenue
Jericho Garrison Combined Mess	4050 West 4 th Avenue
Jericho Sailing Centre	1300 Discovery Street
Jericho Tennis Club	3837 Point Grey Road
Marine Drive Golf Club	7425 Yew Street
Missions To Seamen	401 East Waterfront Road
Oscar's Pub	3684 East Hastings Street
Pacific National Exhibition	2901 East Hastings Street
Pacific Hotel	700 Main Street
Penny Lane Neighbourhood Pub	5688 Main Street
Plaza 500	500 West 12 th Avenue
Point Grey Golf and Country Club	3350 SW Marine Drive
Polish Community Centre	4015 Fraser Street
Princeton Hotel	1901 Powell Street
Quality Inn Airport	725 SE Marine Drive
Ramada Hotel & Suites (Vancouver)	5757 Battison
Royal Canadian Legion, Branch No. 16	727 East 49 th Avenue
Royal Canadian Legion, Branch No. 30	2177 West 42 nd Avenue
Royal Canadian Legion, Branch No. 142	3679 West Broadway
Royal Canadian Legion, Branch No. 176	1407 Laburnum Street
Royal Canadian Mounted Police "E" Division	657 West 37 th Avenue
Royal Vancouver Yacht Club	3811 Point Grey Road (950 Stanley Park Dr.)
Seaforth Highlanders of Canada	1650 Burrard Street
Shaughnessy Golf and Country Club	4300 SW Marine Drive
Societa Molisana Society	848 Renfrew Street
Stamps Landing Neighbourhood Pub	610 Stamp's Landing
Stanley Theatre	2750 Granville Street
Sunset Grill	2204 York Avenue
United Croats of Canada	3250 Commercial Drive
Vancouver Alpen Club	4875 Victoria Drive
Vancouver Canadians Baseball Club	4601 Ontario Street
Vancouver Curling Club	4460 Dinmont Avenue
Vancouver East Cultural Centre	1895 Venables Street
Vancouver Lawn Tennis and Badminton Club	1630 W 15 th Avenue
Vancouver Masonic Temple Association	1495 West 8 th Avenue
Vancouver Racquets Club	4867 Ontario Street
Village Pub	7725 Champlain Crescent
The WISE Social and Athletic Club	1882 Adanac Street

Downtown Eastside (DEOD)	MAP 7	Standard Hours: 11am-1am Weekends 11am-12 am Weekdays Extended Hours: n/a Special Events: 9 am - 2 am Weekends 9 am - 12 am Weekdays																								
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PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **896**, Approved and Ordered **DEC - 9 2005**



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that section 2 of the Classes of Business Premises Regulation, B.C. Reg. 33/99, is amended by adding the following paragraphs:

- (o) extended hours liquor establishments, including class 1 to 7 extended hours liquor establishments;
- (p) standard hours liquor establishments, including class 1 to 7 standard hours liquor establishments.