

Vancouver By-law No. 5, Liquor License By-Law – June 10, 1886

Dealing with the most important things first! One of the earliest items of business of the newly-formed City of Vancouver was establishing the conditions for granting liquor licenses. This by-law was introduced and finalized at the [second meeting of Vancouver City Council](#), on May 12, 1886, and made official on June 10, 1886.

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By-Law No 5

A By-Law to define the Conditions and requirements to obtain hotel, saloon shop or retail and wholesale licenses for the sale within the City of Vancouver of spirituous, fermented and other intoxicating liquors and to regulate places so licensed and fix a fee or duty for the said license.

The Mayor and Council of the City of Vancouver enact as follows:

(1) The Board of Police Commissioners of the City may direct the issue of licenses written or printed or partially written and partially printed of the several kinds or descriptions following that is to say:-

- (a) Hotel licenses;
- (b) Saloon Licenses;
- (c) Shop or Retail licenses
- (d) Wholesale licenses.

(2) Every such license shall authorize the person licensed to sell subject to the provisions of this by-law, all spirituous and malt-liquors and all combinations of liquors and drinks and drinkable liquids which are intoxicating and shall be signed by the Board of Police Commissioners.

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3 An hotel license or Saloon license shall authorize the licensee to sell and dispose of any liquors in quantities not exceeding one quart which may be drunk in the hotel or saloon in which the same is sold.

4 A shop or retail license shall authorize the licensee to sell and dispose of any liquors in quantities any liquors not to be drunk in or upon the premises for which the license is granted by not less than one pint in quantity shall be sold or disposed of at any one time to any one person.

5 A wholesale license shall authorize the licensee to sell and dispose of liquors in his warehouse store shop or place defined in the license in quantities of not less than two gallons in each cask or vessel and

whenever such selling by wholesale is in respect of bottled ale porter beer wine or other fermented or spirituous liquor each such sale shall be in quantities of not less than one dozen reported quart bottles; provided that none of the liquors so sold shall be consumed in or upon the premises or house in respect of which the license is granted.

6 The Board of Police Commissioners shall hold a meeting on the twentieth day of each and every

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month for the consideration of applications for licenses unless such day be a Sunday or public holiday when such meeting shall be held on the next judicial day and such meeting may be adjourned from day to day by resolution to be entered in the minutes of the Board.

7 Every application for a license to sell liquors shall be by petition to be filed with the license inspector not later than the fifteenth day of each month and shall be accompanied with a fee of ten dollars to cover the expenses of inspection and license and another of such application shall be inserted twice in some paper published in the city prior to the application giving full particulars as to names of parties and the premises in respect of which the license is granted required.

8 The Chief of Police of the City shall be temporary license Inspector and shall perform all the duties of that office.

9 The Inspector shall upon receipt of said application inspect the premises of the applicant and report in writing to the Board and such report shall contain:-

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- (a) A description in brief of the house premises and furniture.
- (b) If the application is made by a person who previously held a license in the City a statement as to the manner in which the house has been conducted during the existence of the previous license.
- (c) A statement whether the application is a fit and person to have a license and whether he is of good name fame and report.

10 The report of the Inspector shall be for the information of the Board which shall nevertheless exercise its own discretion on each application.

11 Any person or persons may either in person or by petition oppose the granting of a license to an applicant or to his premises.

12 No license shall be granted to any house in the immediate vicinity of a hospital school or church nor to or for the benefit of any person who is a member of the Board of Police Commissioners or a license Inspector and any license so issued shall be void.

13 No shop license shall be granted to any person to sell liquors in any store shop

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place or premises where any other kind of goods, wares and merchandise are sold excepting tobacco in any form or articles to be used in connection with the Consumption of tobacco.

14 No wholesale license shall be granted to any person who does not carry on the business of selling by wholesale or in unbroken packages.

15. When the Board is satisfied that the Applicant is a fit and proper person to obtain a license it shall direct such license to be issued.

16 Every license issued shall be in force from the date of its issue until and inclusive of the thirtieth day of the month of June following.

17 The following license fee or duty shall be payable for each license respectively:=-

“a” For an hotel, saloon, shop or retail license two hundred dollars each per annum.

“b” For a wholesale license fifty dollars per year, such license fee or duty to be payable in two equal instalments, the first instalment prior to the issue of the license and the remaining instalment on or before the 31st day of the month of December in following; provided that in cases where such license shall issue between the 31st

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day of December in any year and the 30th day of the month of June following only one instalment of such fee or duty shall be payable.

18 Any license upon which any instalment is due and unpaid shall be void if such arrears continue for more than one week from the time when same should be paid

19 No person shall sell intoxicating liquors of any kind without having first obtained a license authorizing him to do so under this By-Law.

20 No person unless he is duly licensed as aforesaid shall by any sign or notice give the public cause to believe that he is so licensed.

21 No person shall keep or have in any house building shop eating-house or house of public entertainment, or in any room or place whatsoever for the purpose of selling bartering or trading therein any intoxicating liquor, unless he be duly licensed for that purpose under the provisions of this By-Law.

22. The preceding section shall not apply to prevent any practising chemist or druggist duly authorized under any act in force in the Province to dispense medicines

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from keeping, having or selling liquors for strictly medicinal purposes but no such sale shall be made in packages of more than six ounces at a time, except under a certificate from a registered medical practitioner. A record of every sale or other disposal of liquors so made with the name of the person to whom sold or disposed of and the name of the medicine man who granted the certificate for same (if any) shall be kept in a book which may be inspected at all reasonable hours by the License Inspector but no liquor sold or disposed shall be Consumed on the premises in which the same are sold.

23 All licenses shall be constantly and conspicuously exposed in the warehouse and shops and in the bar-rooms of hotels and saloons and every licensee who violated the provisions of this section shall incur a penalty of five dollars with costs for every days wilful or negligent omission so to expose them.

24 Every hotel or saloon keeper shall keep a lamp affixed over the door of his licensed premises or within twenty feet thereof, lighted during

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the whole of every night from dark to daylight during the time of holding such license and every person who violates or who fails to comply with any provisions of this section shall, for every such offence, incur a penalty of five dollars besides costs.

25 The Chairman of the Board of Police Commissioners may, by endorsement of the license, exempt any hotel or saloon keeper from compliance with the provision in cases where he thinks the street or particular place where the licensed premises are situated is otherwise sufficiently lighted.

26 Not more than one bar shall be kept in any house or premises licensed under this By-Law.

27 No sale or other disposal of liquors shall take place in any shop or premises licensed to sell intoxicating liquors by retail or wholesale or out of or from the same to any person or persons whomsoever save as hereinafter provided from and after the hour of seven o'clock or Saturday afternoon till six of the clock on Monday forenoon thereafter, nor shall any such sale or disposal

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other disposal of liquors, except as hereinafter provided take place from and after the hour of eleven of the clock on each Saturday afternoon until six of the clock on the following Monday in the forenoon from any premises licensed as an hotel or saloon.

28 Any wholesale or retail shop, hotel or saloon licensee may, notwithstanding anything contained in the preceding section, sell and dispose of intoxicating liquors at prohibited hours in cases where a requisition signed by a licensed medical practitioner or by a clergyman or by a justice of the peace is produced by the vendor or his agent, nor shall any such liquor whether sold or not be allowed to be drunk on the premises during the time when the sale of the same is prohibited; provided always that in hotels or saloons liquors may be sold on Sundays to guest bona fide boarding or residing in such hotels or saloons, but this provision shall not permit the furnishing of liquor at the bar or place where liquor is usually sold in such hotel or saloon.

29 Every person who violates the provisions of either of the two last preceding sections of this By-Law shall for the first offence incur a penalty of not-less than twenty dollars nor more than fifty dollars besides

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besides costs to be uncovered from the person or persons who are the proprietors in occupancy of the licensed premises and who are found by himself herself or themselves or his her or their servants or agents to have violated the provisions of said sections or any of them and for a subsequent offence incur a penalty of not less than fifty dollars nor more than one hundred dollars besides costs and for a third offence incur a penalty of not less than one hundred dollars and be entirely deprived of license, or the same shall be suspended for such a period as to the convicting justice shall seem proper; and in default of payment of any of the penalties by this section imposed, the offender shall be imprisoned with or without hard labor for any period not exceeding six months as to the Convicting Justice shall seem proper.

30 Every hotel, saloon or shop-keeper who receives in payment or as a pledge for any liquors supplied in or from his licensed premises anything except current money or the debtor's own cheque or a bank or bankers shall for each such offence incur a penalty not exceeding twenty dollars besides costs.

31 Any officers, policeman constable or inspector may

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may for the purpose of preventing or detecting the violation of any of the provisions of this By-Law which it is his duty to enforce at any time enter into any and every part of any hotel saloon or other house or place of public entertainment, shop warehouse or other place where in refreshments or liquors are sold, whether under license or not and may search every part thereof and of the premises connected therewith as he thinks necessary for the purpose aforesaid and every person who is therein and who refuses or fails to admit such officer, policeman Constable or inspector demanding to enter in pursuance of this section in the execution of his duty or who obstructs or attempts to obstruct the entry of such officer, policeman Constable or inspector demanding to enter on any such search as aforesaid shall incur a penalty not exceeding fifty dollars.

32 The Mayor or Police Magistrate or other Justice of the Peace having Jurisdiction, may if he is satisfied by information on oath of any officer policeman Constable or inspector that there is reasonable ground for belief that any spirituous or fermented liquor is kept - for sale or disposal contrary to the provisions of this By-Law in any unlicensed house

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house or place within the city, grant a warrant under his hand and seal by virtue whereof the person named in the warrant may at any time or times within ten days from the date thereof enter and if need be by force the place named in the warrant; and every part thereof or of the premises connected therewith and examine the same and search for liquors therein and for such purpose may with such assistance as he deems expedient break open any door lock or fastenings of such premises or any part thereof or of any closet-cupboard box or other article likely to contain such liquor, and in the event of liquors being so found unlawfully kept on the said premises, the occupant thereof shall until the contrary is proved be deemed to have kept such liquors for the purpose of sale contrary to the provisions of this By-Law.

33 Every person who sells or barter intoxicating liquors of any kind without the license therefor by this by-law required shall for the first offence incur a penalty not exceeding fifty dollars nor less than twenty dollars besides costs and for a second offence shall incur a penalty of not less than fifty dollars nor more than one hundred dollars, and for a third offence he

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he shall incur a penalty of not less than one hundred dollars or imprisonment for any period not exceeding six months.

34 Every person licensed under this By-Law who permits drunkenness or any violent quarrelsome riotous or disorderly conduct to take place on his premises or who sells or delivers intoxicating liquor to any drunken person or who permits any drunken person to consume any intoxicating liquors on his premises or who permits persons of notoriously bad character to assemble or meet on his premises or permits any gambling or any unlawful game to be played or carried on on his premises shall incur a penalty not exceeding fifty dollars with costs of prosecution and in the judgment of the Convicting Magistrate have his license suspended for a time or entirely cancelled.

35 Every person who makes or uses or allows to be made or used any internal communication between any licensed premises and any unlicensed premises which are used for public entertainment or resort or as a refreshment room or house shall incur a penalty not exceeding fifty dollars for every day during

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during which such communication remains open.

36 Every hotel or saloon keeper who fails or refuses either personally or through any one acting on his behalf except for some valid reason to supply lodging or accommodation to travellers and every hotel keeper who refuses to supply meals to travellers shall for each offence forfeit and pay a penalty not exceeding twenty dollars.

37 Every hotel or saloon authorized to be licensed under this By-Law shall contain and during the continuance of the license shall continue to contain in addition to what is needed for the use of the family of the hotel or saloon keeper not less than twelve bed rooms together with in every case a suitable complement of bedding and furniture; and every hotel in addition thereto shall show to the satisfaction of the Board to be a well appointed and sufficient eating house with the appliances requisite necessary for daily serving meals to travellers.

38 Any person may be prosecutor or complainant

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complainant under this By-Law but all information or complaints for the prosecution of any offence against any of the provisions thereof shall be laid or made in writing within thirty days after the commission of the offence.

39 Any person who has lawfully obtained a license under the provisions of this By-Law may on application to the Board of Police Commissioners and on payment of a fee of ten dollars thereto transfer said license to any other person or to any other premises to be approved of by said Board.

40 When in consequence of the death of the person holding the license, or in case he being a tenant of the licensed premises is evicted or his lease expired by effluxion of time or he absconds, or by operation of law is deprived of the licensed premises the legal representative of such person or the landlord or other person interested in the premises or the assignee at law may on application to the Board of Police Commissioners notwithstanding the non-production of the license obtain a transfer of such license on such terms as to said Board may seem just and for such transfer a fee of twenty dollars

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dollars shall be paid to said Board.

41 No license shall be granted to any person under twenty one years of age

42 The expression "liquors" or "liquor" when used in this by-law shall mean and include all spirituous and malt-liquors and all combinations of liquors and drinks and drinkable liquids which are intoxicating.

M.A. Mac Lean
Mayor

Thos. F. McGuigan
City Clerk