



Liquor Plebiscites

Municipalities and band councils have the authority to request a plebiscite if their community wishes to establish, replace, modify, cancel or create a liquor restriction or prohibition. A community or band council may request the Minister to hold a plebiscite by a resolution. The Northwest Territories Liquor Act provides that a plebiscite shall take place by the direct vote of eligible community members.

A community may approve the establishment of a liquor restriction or prohibition system. A community may approve one of the following systems:

Unrestricted System: where the community is subject to the general liquor laws of the Northwest Territories.

A Restricted Quantities System: where the quantity or type of liquor that persons may possess, purchase, transport or bring into the community is limited.

A Committee System: where a locally elected alcohol education committee decides the amount of liquor that a person may possess, purchase, transport or bring into the community.

A Prohibition System: where the consumption, possession, purchase, sale or transport of liquor within the community is strictly prohibited.

The resolution must indicate the nature of the restriction or prohibition. It should also include the proposed community boundaries for the plebiscite, for example municipal boundaries or a specific area surrounding a landmark in the community.

Once a resolution is passed, the community forwards the resolution in writing to the Minister of Finance at the following address or by email:

Hon. Caroline Wawzonek
The Minister of Finance, Government of the NWT
Box 1320, Yellowknife NT, X1A 2L9
Fax: 867-873-0481
or
E-mail: Caroline_Wawzonek@gov.nt.ca

On receiving the resolution, the Minister may order that the plebiscite to be held to determine the wishes of the voters in the community. The community will be notified in writing of the Minister's decision permitting the plebiscite to take place.

If the Minister orders the plebiscite, the Manager, Liquor Enforcement will contact the individual representing the community that submitted the resolution, and the process of a plebiscite shall begin.

The community must choose a Returning Officer to organize the plebiscite. The Returning Officer will be the main contact for the Liquor Enforcement Manager.



The Returning Officer duties are as follows:

- Prepare a list of qualified voters for the plebiscite.
- Appoint a deputy returning officer, if required.
- Determine the dates of the plebiscite.
- Determine if an advance poll will be held.
- Determine the location of polling stations.
- Determine if translation is needed for the ballot.
- Determine if proxy voting will be used.
- Notify the qualified voters of the community of the reason for the plebiscite, the location, date, and time of the ordinary poll and the advance poll (if there is one).
- Take steps to ensure that those who vote at an advance poll do not vote again at the ordinary poll.
- After the close of the advance poll, keep the ballot box in his or her custody and ensure it is not unlocked until the closing of the ordinary poll.
- After the close of the ordinary poll, count the ballots and announce the results of the plebiscite.
- Prepare a report of results of the plebiscite which must be signed by the Returning Officer and two witnesses.
- Place the ballots and the report in a sealed envelope.
- Send results by registered mail addressed to the Minister to the Liquor Enforcement office in Hay River, where the ballots are accepted by the Manager on behalf of the Minister.

The provisions of the *Local Authorities Elections Act* respecting elections apply to a plebiscite with such modifications as the circumstances require except where it is specifically indicated in the plebiscite regulations.

The Returning Officer may waive any provision of the *Local Authorities Elections Act* that cannot be complied with because there is insufficient time for compliance.

On average, it can take six weeks from the time a resolution is received to the time a plebiscite is held.

If 50% plus one of the qualified voters vote for the change, the legislation will be put into place.

If 50% of the qualified voters do not vote for the change, then the current liquor status of the community will remain.

If the community votes for a change, legislation is drafted in order that the results of the plebiscite can become law.

The community chooses the enactment date that they wish this new law to take effect, keeping in mind that notice must be given to the community before the new law can take effect.



Plebiscites and Licensed Premises

The *Liquor Act* stipulates specific criteria regarding plebiscites when there are licensed establishments in a community. For further information on holding plebiscites when there are licensed premises in your community, please contact the Manager, Liquor Enforcement:

Manager, Liquor Enforcement
Suite 204 – 31 Capital Drive, Hay River, NT X0E 0R5
Ph: (867) 874-8719 | Cell: (867) 875-7898
Toll-free: 1-800-351-7770
Fax: (867) 874-8722
E-mail: liquorenforcement@gov.nt.ca