

Plebiscite Checklist

If you plan to open a farm winery, distillery or micro brewery in Nova Scotia and would like to sell your product at the facility location, you will need to ensure the facility is located in a wet area (liquor sales are legal) of Nova Scotia.

If your location is in a dry area (liquor sales are illegal), you will need to conduct a plebiscite. The following are the procedures to follow for a plebiscite.

To view a copy of the Liquor Control Act and NSLC Liquor Regulations, please click on the following links:

<http://www.gov.ns.ca/legislature/legc/statutes/liquorc.htm>

<http://www.gov.ns.ca/just/regulations/regs/lccorp.htm>

Requirement	✓
<p>Is your location “wet” or “dry”?</p> <p>To check to see if your location is in a wet area of Nova Scotia please contact Greg Beaulieu, Corporate Secretary at the NSLC at 450-5803 or greg.beaulieu@mynslc.com.</p>	
<p>If your location is “dry” – there are two ways request a plebiscite (See Section 43(1)(a) & (b) in the Liquor Control Act)</p> <p>1. A copy of a resolution of the council of a municipality; or 2. A petition of at least twenty per cent of the resident electors of a municipality.</p>	
<p>Municipal Motion for Plebiscite</p> <p>A request is made to the Municipality to pass a motion requesting the Chief Electoral Officer of the province conduct a plebiscite. Contact information for Nova Scotia Municipalities can be found at http://www.gov.ns.ca/snsmr/muns/link/</p>	
<p>Wording of Motion</p> <p>The general wording of the motion the Municipality will need to pass is:</p> <p>“Resolved that the Council of (insert your municipality and district name here) requests the Nova Scotia Liquor Corporation to conduct a Plebiscite on the question of a (insert the type of facility you wish to build – example farm winery/distillery) outlet for the sale of liquor in the area as provided for in Section 43 of the Liquor Control Act in order that all residents of the area who are eligible to vote are given an opportunity to participate in the decision-making process.” The resolution must be accompanied by a clear definition of the boundaries of the area the Council wishes the plebiscite to be held in.</p> <p>The municipal solicitor should draft the specific wording of the resolution for council.</p>	

Requirement	✓
<p>Passed Motion</p> <p>If municipal council passes the motion, they provide a copy of the motion to the NSLC and the Chief Electoral Officer to start the actual plebiscite exercise.</p>	
<p>Petition for Plebiscite</p> <p>You can also request a plebiscite by petition of at least twenty per cent of the resident electors in the area to be affected by the decision.</p> <p><i>Note: To qualify as a resident elector, Section 45(2) of the Liquor Control Act requires a person to be 19 years old on the date the plebiscite is held.</i></p>	
<p>Who Votes?</p> <p>Municipal Motion for Plebiscite Based on the plebiscite area defined by the Council, the Chief Electoral Officer will create a list of electors to be covered by the plebiscite vote and if necessary, conduct an enumeration within that area.</p> <p>Petition for Plebiscite Once the Chief Electoral Officer has verified that the signees of the petition are resident electors within the municipality or the “voting area”, he/she will conduct an enumeration within the area, if necessary.</p>	
<p>The Plebiscite</p> <p>The Chief Electoral Officer will provide a minimum of 31 days notice of the plebiscite and designate the date for the vote. If the populace votes in favour, you will be allowed to sell your liquor products at your facility location.</p>	
<p>Costs & NSLC Contacts</p> <p>All costs of the plebiscite are borne by the NSLC. Please contact Carol Andrews at the NSLC if you wish to discuss this process further at 450-5914 or carol.andrews@mynslc.com.</p>	