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## Notice of Proposed Disciplinary Action

**To:** Aly Kat Dining Room and Lounge  
Ellen Fickler Inc.  
10 Beech Street, Lockeport, Nova Scotia  
Eating and Establishment Liquor License No. 006051, Lounge License  
No. 006052

**From:** John R. MacDonald, Executive Director, Alcohol, Gaming, Fuel and Tobacco  
Service Nova Scotia

**Date:** October 20, 2016

**Subject:** Notice of Disciplinary Action Against – Aly Kat Dining Room and Lounge  
10 Beech Street, Lockeport, Nova Scotia

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### Current Situation

This office is in receipt of Infraction Report No. 4266 issued by Compliance Officer MacLellan on September 6, 2015 with respect to the August 30, 2015 alleged violation, which occurred at Aly Kat Dining Room and Lounge, 10 Beech Street, Lockeport, Nova Scotia, License Nos. 006051 and 006052.

An investigation of the alleged violation has concluded and it has been determined that disciplinary action is warranted regarding the following violation:

*NS Liquor Licensing Regulations: s. 45 which states:*

***“When accompanied minor may be in tavern, lounge, beverage room or cabaret***

**45** *Except as prohibited in Section 47, a person who is under 19 years old may enter and be in a premises for which a tavern license, beverage room license, lounge license or cabaret license is in effect until 9:00 p.m. if all of the following conditions are met:*

- (a) the person is accompanied at all times by a parent, legal guardian or spouse who is 19 years old or older;*
- (b) full meal service is provided in the licensed premises;*
- (c) the person enters the licensed premises for the purpose of eating a meal.”*

This office is in receipt of Infraction Report Nos. 4269 and 4270 issued by Compliance Officer MacLellan on November 18, 2015 with respect to the October 25, 2015 alleged violation, which occurred at Aly Kat Dining Room and Lounge, 10 Beech Street, Lockeport, Nova Scotia, License Nos. 006051 and 006052.

An investigation of the alleged violations has concluded and it has been determined that disciplinary action is warranted regarding the following violations:

*NS Liquor Licensing Regulations: s. 61(2) and 64(2) which state:*

***“Persons not permitted in, or to be served in, licensed premises***

**61 (2)** *A licensee must not permit a person who is drunk to be in their licensed premises.*

***Activities not permitted in licensed premises***

**64 (2)** *A licensee must not permit any activity in or about their licensed premises that may interfere with the quiet enjoyment of neighbouring properties.”*

This office is in receipt of Infraction Report Nos. 4279 and 4280 issued by Compliance Officer MacLellan on June 23, 2016 with respect to the April 24, 2016 alleged violations, which occurred at Aly Kat Dining Room and Lounge, 10 Beech Street, Lockport, Nova Scotia, License Nos. 006051 and 006052.

An investigation of the alleged violations has concluded and it has been determined that disciplinary action is warranted regarding the following violations:

*NS Liquor Licensing Regulations: s. 45 and 64(2) which state:*

***“When accompanied minor may be in tavern, lounge, beverage room or cabaret***

**45** *Except as prohibited in Section 47, a person who is under 19 years old may enter and be in a premises for which a tavern license, beverage room license, lounge license or cabaret license is in effect until 9:00 p.m. if all of the following conditions are met:*

- (a) the person is accompanied at all times by a parent, legal guardian or spouse who is 19 years old or older;*
- (b) full meal service is provided in the licensed premises;*
- (c) the person enters the licensed premises for the purpose of eating a meal.*

***Activities not permitted in licensed premises***

**64 (2)** *A licensee must not permit any activity in or about their licensed premises that may interfere with the quiet enjoyment of neighbouring properties.”*

The following penalty will be issued:

***Eating and Establishment Liquor License No. 006051 and Lounge Liquor License No. 006052 be suspended for a period of two (2) days, to be served on a Friday and Saturday within 30 days should the licenses be issued.***

The office of the Executive Director, Alcohol and Gaming Division, Service Nova Scotia, has considered the matter and issued a Notice of Disciplinary Action on October 20, 2016, pursuant to section 47B of the *Nova Scotia Liquor Control Act*.



Service Nova Scotia

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### Notice of Action

The office of the Executive Director, Alcohol, Fuel and Tobacco, Service Nova Scotia has concluded that a two (2) day suspension of Aly Kat Dining Room and Lounge, 10 Beech Street, Lockeport, Nova Scotia: Eating and Establishment Liquor License No. 006051 and Lounge License No. 006052 shall be served on a Friday and Saturday within 30 days should the licenses be issued.

In accordance with sections 83(1) and (2) of the *Nova Scotia Liquor Licensing Regulations* a Suspension Notice will be posted at the premises stating that the Liquor Licenses and Video Lottery Registration Certificate have been suspended. This suspension does not prevent the business from providing the sale of food or other non-liquor related services.

A handwritten signature in blue ink, appearing to read "John R. MacDonald", written over a horizontal line.

John R. MacDonald  
Executive Director, Alcohol, Gaming, Fuel and Tobacco  
Service Nova Scotia