



Service Nova Scotia
Alcohol, Gaming, Fuel & Tobacco
Investigation and Enforcement

Suite 1
1030 Upper Prince St.,
Sydney, NS
B1P 5P6

(902)563-3496
TOLL FREE IN NS
(877)565-0556
(902)563-3430 F

IN THE MATTER OF the Liquor Control Act, R.S.N.S. 1989, c. 260, as amended

-and-

IN THE MATTER OF an alleged violation of Sections 44 (1) (2), 45 (2) and 64(1) of the Liquor Licensing Regulations by Sydney Alehouse Limited carrying on business as Old Triangle Irish Alehouse.

AGREED STATEMENT OF FACTS

- I. Sydney Alehouse Limited is the holder of Eating Establishment Liquor License #005825 and Lounge Liquor License #005826 (hereinafter, the "Licensee").
- II. Sydney Alehouse Limited is a body corporate, incorporated under the laws of the Province of Nova Scotia and carries on business under the business name Old Triangle Irish Alehouse ("The Licensee").
- III. The Old Triangle Irish Alehouse is located at 454 Charlotte Street, Sydney, NS (hereinafter, the "Licensed Premises").
- IV. The Licensee acknowledges that it has violated Sections 44 (1) (2), 45 (2) and 64 (1) of the Liquor Licensing Regulations and accepts responsibility for the violations.
- V. The circumstances of the violations which occurs on May 11, 2024, through May 12, 2024, & June 15, 2024, through June 16, 2024, are as follows:

Regulation 44 (1) (2), 45 (2) and 64 (1)

- a. At or about 01:11 hrs on May 12, 2024, CO Williams requested the identification of a female patron ("Patron 1"). The picture on the driver's licensed handed to CO Williams by Patron 1 did not match the female patron's physical appearance. Following a brief discussion, the female patron admitted to CO Williams that she was 18 years of age and that while on the licensed premises she was given and consumed one "porn star shooter".
- b. At or about 00:50 hrs on May 12, 2024, CO Williams requested the identification of a female patron ("Patron 2"). The picture on the driver's licensed handed to CO Williams by Patron 2 did not match the female patron's physical appearance. Following a brief discussion, the female patron admitted to CO Williams that she was



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18 years of age and that while on the licensed premises she was given and consumed one "vodka and cranberry".

- c. At or about 00:31 hrs on May 12, 2024, CO Williams requested the identification of a female patron ("**Patron 3**"). The driver's license was inspected by CO MacNeil. The picture on the driver's license did not match Patron 3's physical appearance. Patron 3 stated to CO Williams that her ID was not checked by staff at the Old Triangle Irish Alehouse. Following a brief discussion, the female patron admitted to CO MacNeil that she was 18 years of age and that while on the licensed premises she was given and consumed one "rum and coke".
 - d. At or about 01:05 hrs on May 12, 2024, CO Williams requested the identification of a female patron ("**Patron 4**"). The picture on the driver's license handed to CO Williams by Patron 4 did not match the female patron's physical appearance. Following a brief discussion, the female patron admitted to CO Williams that she was 18 years of age.
 - e. At or about 00:15 hrs on June 16, 2024, CO MacNeil requested the identification of a female patron ("**Patron 5**"). The picture on the driver's license handed to CO MacNeil by Patron 5 did not match the female patron's physical appearance. Following a brief discussion, the female patron admitted to CO MacNeil that she was 18 years of age and that while on the licensed premises she was given and consumed one "vodka and cranberry".
 - f. On the night of May 11, 2024, through May 12, 2024, three minors admitted to consuming alcohol that was sold, supplied, or given in the licensed premises.
 - g. On the night of May 11, 2024, through May 12, 2024, three minors entered the licensed premises by presenting false identification to staff of the Old Triangle Irish Alehouse. A fourth minor gained entry without identification being checked by staff of the Old Triangle Irish Alehouse.
 - h. On the night of June 15, 2024, through June 16, 2024, one minor admitted to consuming alcohol that was sold, supplied, or given in the licensed premises. This minor gained entry to the licensed premises by presenting false identification.
- VI. This matter has been brought before the Executive Director of Alcohol, Gaming, Fuel and Tobacco, Service Nova Scotia, for the imposition of a penalty in respect to the Licensee's violations of Sections 44 (1) (2), 45 (2), 64 (1) of the Liquor Licensing Regulations.



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a. The Licensee and Alcohol, Gaming, Fuel, and Tobacco jointly recommend that:

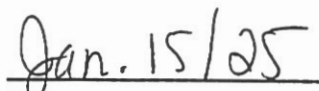
Eating Establishment Liquor License #005825 and Lounge Liquor License #005826 be suspended for a period of four (4) consecutive days to commence within 30 days of the date of execution of this Agreement.

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

- VII. This Agreed Statement of Facts contains the entire agreement between the parties. There are no undertakings or representations expressed or implied, other than those contained in this agreement.
- VIII. The Licensee acknowledges and agrees that the terms of this Agreed Statement of Facts have been read and are fully understood by the Licensee. The Licensee hereby acknowledges and agrees that they have been afforded the opportunity to obtain independent legal advice and confirms by the execution of this Agreed Statement of Facts that they have either done so or waived their right to do so in connection with entering into this agreement. The Licensee acknowledges and agrees that this Agreed Statement of Facts has been signed of their own free will and without any form of duress being exerted upon them by any person.

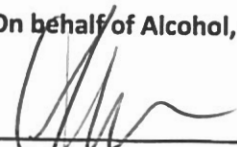
On behalf of the Old Triangle Irish Alehouse:

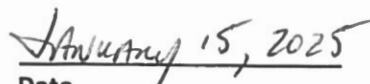

Licensee, Sydney Alehouse Limited


Date

Print Name: Dianne MacPhee

On behalf of Alcohol, Gaming, Fuel and Tobacco:


Andrew MacLean
Director, Investigation & Enforcement


Date



Service Nova Scotia
Alcohol, Gaming, Fuel, & Tobacco
Executive Director

Torrington Place
2nd Floor
780 Windmill Road
PO Box 545
Dartmouth, NS
B2Y 3Y8

902.424.4884 T
TOLL FREE IN NS
1.877.565.0556
902.424.0684 F

Notice of Proposed Disciplinary Action

To: Sydney Alehouse Limited o/a Old Triangle Irish Alehouse
454 Charlotte Street, Sydney, Nova Scotia
Eating Establishment Liquor License #005825 and
Lounge License #005826

From: JP Landry, Executive Director
Alcohol, Gaming, Fuel and Tobacco, SNS

Date: January 16, 2025

Subject: Notice of Disciplinary Action
Sydney Alehouse Limited o/a Old Triangle Irish Alehouse
454 Charlotte Street, Sydney, Nova Scotia

Current Situation

An Agreed Statement of Facts was submitted to this office on January 15, 2025 wherein the licensee acknowledged violation of sections 44 (1) (2), 45 (2) and 64 (1) of the Nova Scotia Liquor Licensing Regulations relating to violations observed on May 11 & 12, 2024 and June 15 & 16, 2024.

Duty to prevent liquor being sold to, served to or consumed by minors

- 44 (1)** A licensee must ensure that a person who is under 19 years old is not sold, supplied or given liquor in their licensed premises.
- (2)** A licensee must ensure that a person who is under 19 years old does not consume liquor in their licensed premises.

When minor may be in lounge, beverage room or class A cabaret

- 45 (2)** Except as prohibited in Section 47, a person who is under 19 years old may enter and be in a licensed premises to which this Section applies until 10:00 p.m. if 1 of the following conditions is met:

- (a) the person is accompanied by a parent, legal guardian or spouse who is 19 years old or older;



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(b) the person is employed by the licensee, at work on premises and under adult supervision.

Activities not permitted in licensed premises

64 (1) A licensee must not permit any activity in or about their licensed premises that is detrimental to the orderly control and operation of the licensed premises.

The licensee has agreed on the following penalty:

Eating Establishment Liquor License No. 005825, Lounge Liquor License No. 005826 be suspended for a period of four (4) consecutive days, to commence on January 17, 2025.

The office of the Executive Director, Alcohol, Gaming, Fuel & Tobacco Division, Service Nova Scotia, has considered the matter and issued a Notice of Disciplinary Action on January 16, 2025, pursuant to section 47B of the *Nova Scotia Liquor Control Act*.

Objection Process

The licensee may object in writing to the above proposed action in accordance with section 81A subsections (3) and (4). To object to a proposed action, the permanent licensee on whom the notice of proposed action was served must file a written notice of objection with the Executive Director prior to January 16, 2025.

A notice of objection may be in any form, but it must be in writing and include all of the following:

- (a) the name, address and phone number of the permanent licensee;
- (b) a copy of the notice of proposed action; and
- (c) the reason the permanent licensee objects to the proposed action.

After considering any objection to a notice of proposed action, the Executive Director must do one of the following:

- (a) take the proposed action;
- (b) rescind the notice of proposed action;
- (c) vary the proposed action, but only if the action taken is permitted by clause 47(1)(b), (c) of the *Liquor Control Act*; or
- (d) refer the matter to the Review Board in accordance with subsection 47B(1)(b) of the Act.



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Notice of Action

The office of the Executive Director, Alcohol, Gaming, Fuel and Tobacco, Service Nova Scotia has concluded that a four (4) day suspension of Old Triangle Irish Alehouse, 454 Charlotte Street, Sydney, Nova Scotia, Eating Establishment Liquor License #005825 and Lounge License #005826, shall be served on, January 17, 2025 to January 20, 2025 inclusive, as was determined in collaboration with the licensee.

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 black ink, appearing to read "J. Hudson".

For/ JP Landry, Executive Director
Alcohol, Gaming, Fuel and Tobacco
Service Nova Scotia