

THE CORPORATION OF THE TOWNSHIP OF TEMAGAMI

BY-LAW # 86-167

Being a by-law to regulate and licence places of amusement.

WHEREAS the Municipal Act, R.S.O. 1980, Chapter 302, Section 232(6) authorizes municipalities to pass by-laws to control places of amusement;

AND WHEREAS the Council of the Corporation of the Township of Temagami desires in the interest of all its citizens to regulate and licence places of amusement;

NOW THEREFORE the Council of the Corporation of the Township of Temagami enacts as follows :

1. In this by-law the following terms are defined as follows:

AMUSEMENT PLACE means a building or an area of a building which the public has access to which is equipped with machines or devices that may be used for playing games solely for the entertainment or amusement of the players.

CORPORATION means the Corporation of the Township of Temagami.

CHIEF BUILDING OFFICIAL means the building inspector of the Corporation of the Township of Temagami.

BY-LAW OFFICER means by-law enforcement officer of the Corporation of the Township of Temagami.

LICENCE means a licence issued under this by-law.

MEDICAL OFFICER OF HEALTH means the Medical Officer of Health for the District of Temiskaming.

PATRON AREA means that part of the area of any floor or space to which patrons of the business have usual access, excluding such areas as corridor, stairwells, washrooms, offices and storage areas.

2. No person shall within the limits of The Corporation carry on the business of an amusement place until they have procured a licence so to do .

3. No licence shall be issued to an owner or operator wishing to have an amusement place until the Corporation has been furnished with satisfactory proof as follows:

(a) The Medical Officer of Health approves in writing that the premises are suitable for the purpose and that sanitary conditions are met.

(b) The Chief Building Inspector files his report that the premises meet the property standards of the Corporation and has received a proposed floor plan illustrating the general layout of equipment and patron areas .

4. In any building where an amusement place is the primary usage, no more than five machines or devices will be permitted subject to the following:

- (a) For each machine or device, there shall be provided 3.35 square metres of space.
- (b) The patron area used for the purpose of the amusement place be limited to one-third of the total area of the premises.
- (c) Amusement places shall be restricted in their location to those areas described in the Corporation zoning by-laws as "Highway Commercial".

5. Where an amusement place is operated as an accessory use, such licence, when issued, shall restrict to three (3) the number of machines or devices, subject to the same conditions as for primary use.

6. Every licensee shall ensure that the amusement place is kept under the supervision of a person who is eighteen (18) years of age or over.

7. Every licence shall ensure that:

- (a) Orderly conduct is maintained in the amusement place, and,
- (b) The operation of the amusement place shall be conducted in a manner which is not in any way adverse to the public interest.

8. Hours of Operation

Amusement places may maintain hours between 10:00 a.m. and 10:00 p.m. - Monday thru Thursday, and between 10:00 a.m. and 11:00 p.m. - Friday and Saturday, except that persons under sixteen (16) years of age shall be prohibited access from 10:00 a.m. thru 4:00 p.m. during the school term, declared school holidays excluded. On Sunday, hours of operation may be maintained from 1:30 p.m. to 10:00 p.m.

9. Fees for licences shall be rated at twenty-five dollars (25.00) per machine or device per calendar year.

10. No licence shall be granted to cover a machine that does not have a C.S.A. approval or local hydro authority approval.

11. Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.00 exclusive of costs.

12. When a person has been convicted of an offence under this by-law either:

- (a) The Provincial Court (Criminal Division) of the District of Temiskaming, or
- (b) Any Court of competent jurisdiction thereafter; May in addition to any other penalty imposed on the person convicted, issue an order prohibiting the doing of any act or thing by the person convicted directed towards the continuation or repetition of the offence and the order may direct the closing of the premises, if such action is required to prohibit the continuation or repetition of the offence.

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13. Any person convicted of an offence under this by-law,
Council may revoke the licence of operation for all or any of
the machines.

READ a FIRST AND SECOND TIME this 12th day of June, 1986.

READ a THIRD TIME and FINALLY PASSED this 12th day of June, 1986.


REEVE


CLERK-TREASURER

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