

**THE CORPORATION OF THE TOWN OF DESERONTO
BY-LAW NO. 22-99**

BEING A BY-LAW TO REGULATE AND LICENSE PLACES OF AMUSEMENT IN THE TOWN OF DESERONTO.

WHEREAS Section 236(6) of the Municipal Act, R.S.O. 1990, c. 45, authorizes Councils of Towns to pass By-Laws for regulating and licensing all places of amusement and for prohibiting the location of them, or a particular class of them, on land abutting on any highway or part of a highway to be named in the By-Law, and for revoking any such license.

AND WHEREAS the Council of the Corporation of the Town of Deseronto after requesting public input and holding a public meeting deem it advisable to enact such a By-Law;

AND WHEREAS the Council of the Corporation of the Town of Deseronto is prepared to regulate and license Places of Amusement provided such Places of Amusement meet certain criteria for operation as outlined in this By-Law;

NOW THEREFORE the Council of the Corporation of the Town of Deseronto hereby enacts as follows:

1. (a) For the purposes of this By-Law:
 - (i) "Place of Amusement" shall mean a building, room or area which contains facilities, equipment or machines for the playing of any game of chance or any game of mixed chance and skill (which is not contrary to the Criminal Code of Canada) but excluding pool tables, billiard tables, bingo halls and/or bowling alleys. A building, room or area containing two or less games of chance or games of mixed chance and skill shall not constitute a "Place of Amusement" for purposes of this By-Law.
 - (ii) "Corporation" shall mean the Corporation of the Town of Deseronto.
- (b) Wherever the singular is used in this By-Law it shall include the plural and vice versa.
2. Any person who operates a Place of Amusement on any land within the Town of Deseronto shall be subject to the following criteria:
 - (a) That the hours of operation shall be subject to the hours listed on the license issued by the Corporation; and that each license would be subject to approval of Council;
 - (b) That an adult manager must be in attendance at all times during the normal hours of operation;
 - (c) That the building occupancy capacity be established and posted by the Deseronto Fire Department and that this capacity not be exceeded; and
 - (d) That all requirements of the Building and Fire Code be adhered to before a license for a Place of Amusement will be issued.
 - (e) A license for a Place of Amusement will be for a period of one year and must be re-applied for each year following an initial six month temporary license.

3. Every person who contravenes any provision of this By-Law shall be guilty of an offence and upon conviction shall be liable to a fine of not more than \$2,000.00 exclusive of costs, which shall be recoverable under the provisions of the Provincial Offences Act. Provided that prosecution under the provisions of The Provincial Offences Act shall not be a bar to the Town recovering any arrears in licence fees or to the Town pursuing any other remedies available to it.
4. Each day in which a contravention of this By-Law is continued or permitted to continue shall constitute a separate offence.
5. If any provision or requirement of this By-Law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this By-Law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this By-Law shall be separately valid and enforceable to the fullest extent permitted by law.
6. This By-Law shall come into force and take effect upon the final passing hereof.
7. By-Law No. 7-87 shall be rescinded in its entirety.

Read a first and second time December 13, 1999

Read a third time and finally passed December 13, 1999