



CORPORATION OF THE CITY OF SUMMERSIDE

BYLAW NAME: PLACES OF AMUSEMENT

BYLAW #: # CS-16

BE IT ENACTED by the Council of the City of Summerside as follows:

1. Title

1.1. This Bylaw shall be known and cited as the "Places of Amusement Bylaw".

2. Definitions

2.1. In this Bylaw:

- (a) "Chief Administrative Officer" or "CAO" means the administrative head of a municipality or his or her designate as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.
- (b) "City" means the City of Summerside;
- (c) "Council" means the Mayor and other members of the Council of the municipality.
- (d) "License" means a Places of Amusement License.
- (e) "Person" means any person, persons, partnership or company.
- (f) "Pinball Arcade" means any Place of Amusement in which one or more coin, disc or token operated pinball games are located.
- (g) "Place of Amusement" means premises open to the public and operated for gain in which are located entertainment machines, entertainment devices or games for public use [but not including children's rides or children's movies booths], and include:
 - i. premises licensed by the province of Prince Edward Island to serve alcoholic beverages, or
 - ii. the City of Summerside properties on which the Lobster Carnival and midway are held during July of each year.

- (h) "Pool Room" and "Billiard Room" means any Place of Amusement in which one or more pool, billiard, snooker or bumper pool tables are located.
- (i) "Video Game Arcade" means any Place of Amusement in which one or more coin, disc or token operated video games are located.

3. License

- 3.1. No person shall operate a Place of Amusement within the City unless he/she first applies for and becomes the holder of a Places of Amusement License.

4. License Suspension

- 4.1. No person shall operate a Place of Amusement within the City of Summerside if his/her Places of Amusement License has been suspended or revoked.

5. License Conditions

- 5.1. No person shall operate a Place of Amusement except in conformance with the license restrictions and conditions.

6. License Form

- 6.1. A Places of Amusement License shall be in such form as the Chief Administrative Officer shall from time to time designate.

7. Application

- 7.1. An application for a Places of Amusement License shall enclose the license fee and shall be in writing and in such form as shall be attached hereto as Schedule "A", signed by the operator of the premises and shall specify the location of the premises, floor layout, number and type of machines, devices, games or tables, proposed hours of operation and such other information as the Council may require. In considering whether to grant a license, the Council shall consider the suitability of the intended premises, the effect upon neighbouring properties, the size and scope of the intended operation and whether proposed use is compliance with this Bylaw and all other City Bylaws.

8. License Fees

- 8.1. Council may from time to time by simple resolution establish or alter the annual fee for a Places of Amusement License which may vary according to, and conditional upon, the number of machines, devices, games or tables located, or to be located, in the said Place of Amusement.

9. Restrictions and Conditions

9.1. A license to operate a Place of Amusement within the City shall be subject to the following restrictions and conditions:

- (a) The Place of Amusement shall not be open to the public later than 10:00 p.m. on Sundays through Thursdays inclusive, or later than 11:00 p.m. on Fridays and Saturdays;
- (b) The Place of Amusement shall be cleared of all members of the public within fifteen [15] minutes of closing and in any event, not later than 10:15 p.m. on Sundays through Thursdays inclusive, or later than 11:15 p.m. on Fridays and Saturdays;
- (c) The Place of Amusement shall be kept clean and orderly; and
- (d) The Place of Amusement and the machines, devices or games located therein shall be open for inspection by any police officer of the City at all times when the operator or other person having control of the premises is on the premises.

10. Offences

10.1. Any persons who violates any provision of this Bylaw or who fails to perform any act required hereunder or does any prohibited act, shall be guilty of an offence and liable on summary conviction, in addition to an order to pay any applicable license fees, to a fine not exceeding \$1,000. Each day the violation continues shall constitute a separate offence.

- (a) In addition to the penalty set out above, the Provincial Judge may order that the person cease operating the Place of Amusement in violation of this Bylaw; and
- (b) Where the offence is an offence under section 4 or 5 of this Bylaw, the operator named in the License shall be the person in violation of this Bylaw.

11. License Suspension

11.1. Any person convicted of an offence under this Bylaw shall, in addition to any penalty imposed by the Provincial Court, be subject to the following:

- (a) For a first offence, suspension of license for two [2] days;
- (b) For a second offence, suspension of license for one [1] week; and
- (c) For a third offence, revocation of license.

12. Suspended License Renewal

12.1. Where a license is revoked, neither the former License holder nor any person associated with those premises may apply for a license for one [1] year.

13. Repeal of Existing Bylaw

13.1. Bylaw Number SS-06, the Summerside Places of Amusement Bylaw which was adopted on March 15, 1999 is hereby repealed.

14. Effective Date

14.1. The effective date of this Bylaw is November 18th, 2019.

First Reading:

This Bylaw, Bylaw# CS-16, was read a first time at the Council meeting held on the 22nd day of October, 2019.

This Bylaw, Bylaw# CS-16, was approved by a majority of Council members present at the Council meeting held on the 22nd day of October, 2019.

Second Reading:

This Bylaw, Bylaw# CS-16, was read a second time at the Council meeting held on the 18th day of November, 2019.

This Bylaw, Bylaw# CS-16, was approved by a majority of Council members present at the Council meeting held on the 18th day of November, 2019.

Approval and Adoption by Council:

This Bylaw, Bylaw# CS-16, was adopted by a majority of Council members present at the Council meeting held on the 18th day of November, 2019.

This Bylaw is declared to be passed on the 18th day of November, 2019.

Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Bylaw adopted by the Council of the City of Summerside on the 18th day of November, 2019 is certified to be a true copy.

Chief Administrative Officer Signature

Date



CORPORATION OF THE CITY OF SUMMERSIDE

SCHEDULE: SCHEDULE "A"
BYLAW NAME: PLACES OF AMUSEMENT
BYLAW #: # CS-16

[set Application for Places of Amusement License here]