

***TOWN OF MARKHAM***  
***ONTARIO***



**BY-LAW 2002-293**

**A BY-LAW TO PROVIDE FOR THE LICENSING  
AND REGULATION OF  
BOWLING ALLEYS, BILLIARD, BAGATELLE ESTABLISHMENTS**

This By-law is printed under and  
by authority of the Council of  
the Town of Markham

(Consolidated for convenience only  
to December 14, 2007)

**Amended By:**

By-law 2006-316 – November 28, 2006

By-law 2007-282 – December 11, 2007

## **BY-LAW 2002-293**

### To Provide For the Licensing and Regulation Bowling Alleys, Billiards, Bagatelle Establishments

WHEREAS the *Municipal Act, 2001* provides that the Council may by by-law license and regulate Bowling Alleys, Billiards, Bagatelle Establishments and for revoking any such license;

AND WHEREAS the Town of Markham deems it advisable to enact a by-law to provide for the licencing and regulation of bowling alleys, billiards, bagatelle establishments for health and safety reasons;

THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. In this By-law,
  - (a) “Licensing Officer” means the person authorized by Council to act on their behalf, in all matters relating to this by-law;
  - (b) “Billiard or Bagatelle Establishment” means any premises to which the public has access, which is equipped with more than one billiard, pool or bagatelle table offered for use by the public for hire or gain;
  - (c) “Person” shall include an individual, firm, corporation, association or partnership;  
(Amended by By-law No. 2006-316)
2. No person shall carry on, operate or engage in the business of a Bowling Alley, Billiard or Bagatelle Establishment on or in any premise or part thereof in the Town of Markham without obtaining and maintaining a licence pursuant to this by-law.  
(Amended by By-law No. 2006-316)
3. Every application for a license shall be accompanied by:
  - (a) a statement on the form provided by the municipality giving particulars as to the location of the premises together with such other information as may be required to determine the compliance of the use with all applicable by-laws and regulations;
  - (b) the appropriate fee as specified in By-law No. 2002-284.

4. A separate license shall be obtained for each premises and the issue of each license shall be subject to the following:
  - (a) To enforce the provisions of this by-law, the Licensing Officer or other person so authorized may enter any premises at all reasonable times in order to inspect such premises;
  - (b) Prior to the issue of such license, a certificate from the Medical Officer of Health may be required certifying that the premises to be licensed are in a proper sanitary condition and that adequate sanitary facilities are provided for the use of patrons thereto;
  - (c) Each license, when issued, shall be posted in a conspicuous place on the premises so licensed;
  - (d) The licence granted to any person may be revoked where the licensee does not comply with the provisions of this by-law or where such licence has been issued through error or contrary to the provisions of any by-law or regulation.;  
(Amended by By-law No. 2006-316)
  - (e) Licenses issued under the provisions of this by-law, unless otherwise expressed to be granted for a shorter period, shall expire on the 31st day of December in the year in which they are issued.
  - (f) every premises licensed under this by-law shall be kept neat and clean and clear of rubbish. Metal (or other non-combustible) containers with self-closing covers shall be provided and conveniently placed for the deposit of waste and rubbish and the contents of such containers shall be emptied and disposed of immediately at the close of each day's activities.
5. No license issued under the provisions of this by-law shall be transferred.
6. No license shall be issued contrary to the provisions of any applicable zoning by-law.
7. Where any licensee is convicted of an offence under this by-law the license shall be suspended forthwith and shall not be reinstated until the licensing officer certifies in writing that the conditions resulting in the charge and conviction have been remedied and that the premises and its proposed operation comply with this by-law.
8. Any person who contravenes any provision of this by-law is guilty of an offence pursuant to the Provincial Offences Act, and upon conviction is liable to a fine of not more than five thousand dollars (\$5,000) for each offence committed.

9. By-law No. 2001-25, "A by-law to provide for licensing and regulation of bowling alleys, billiard, bagatelle establishments" shall be repealed effective January 1, 2003.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 10TH  
DAY OF DECEMBER, 2002.

"Sheila Birrell"

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TOWN CLERK

"Don Cousens"

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MAYOR