

BY-LAW NO. 1330

BEING A BY-LAW to provide for the licensing and regulation of the use of Pin Ball Machines and Music Boxes or other such devices operated by the insertion of a coin, within the Municipality of the City of North Bay.

WHEREAS the Municipality of the City of North Bay deems it advisable to pass a By-Law regulating, licensing and providing a tariff for the possession of Pin Ball Machines and Music Boxes or other such devices operated by the insertion of a coin and used for gain within the said Municipality, whether the owners of such are resident or non-resident therein.

THEREFORE THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. It shall not be lawful for any person to possess or own or be in custody of any pin Ball Machines and Music Boxes or other such devices and operated by the insertion of a coin and used for gain without having first obtained a license therefore, All such licenses to run from the first day of January and expire on the last day of December.
2. Every person who owns or keeps for gain pin Ball machines and Music Boxes or other such devices whether the same are used or not shall pay a fee of Ten DOLLARS (\$10.00) for each Music Box and EIGHTY DOLLARS (\$80.00) for each such pin ball or other like Machine up to a limit of Fifty Machines to any one person, but no license shall be issued for any such machine which yields to the player thereof money.
3. "PERSON" in this By-Law includes anybody corporate or politic, partnership or the heirs or executors, administrators or other legal representative of the person to whom the context can apply according to law.
4. ALL LICENSES given under this Bu-Law unless they are expressed to be for a shorter period or unless the same becomes sooner forfeited or revoked, shall be for the year current at the date thereon and shall expire on the 31st, day of December, next, following the date of same.
5. (a) Not more than two such Machines as aforesaid shall be located in any one place, store, or any public building, public resort or house of entertainment.  
(b) No license for any such machine shall be issued until the proposed location for such machine has been given.  
(c) If at any time the location of any such machine for which a license has been issued shall be deemed to be objectionable the licensee shall be notified and shall forthwith remove such machine from such location, and shall not be entitled to a refund of all or any part of the license fee paid for such license, and no person under the age of twenty-one years shall be permitted to play or use such machine nor shall any such machine be permitted in close proximity to any School, and no person shall be permitted to play, use or operate such Machine on any Sunday.  
(d) No such machine shall be used or operated in such manner as to contravene the Criminal Code of Canada, and upon any conviction for so doing, the license for any machine with reference to which a conviction has been registered, may be forthwith cancelled, and there shall be no rebate of any license fees paid therefore.  
(e) All applications for licenses under this By-Law shall be submitted to City Council for approval.
6. ALL provisions in any By-Law at variance with this By-Law be and the same are hereby repealed.

7. ANY PERSON offending against the provision of this By-Law shall, upon conviction thereof before any Justice of the Peace or Police Magistrate forfeit and pay at the discretion of the Convicting Magistrate a Penalty not exceeding (Exclusive of costs), the sum of Fifty Dollars for each offence, and in default of payment of the said penalty and costs forthwith, the said penalty and costs, or costs only, may be levied by distress and sale of the goods and chattells of the offender; and in case of there being no distress found, out of which such penalty and costs or costs only, can be levied, the convicting Magistrate may commit the offender to the common gaol of the district of Nipissing, with or without hard labour for any period not exceeding six months, unless the said penalty and costs or costs only including the costs of the said distress and of the committal and conveyance of the offender to the said gaol, are sooner paid.

8. THIS BY-LAW shall come into force and take effect on and after the passing thereof.

READ A FIRST TIME IN OPEN COUNCIL THIS 15th, day of APRIL, 1940.

READ A SECOND TIME IN OPEN COUNCIL THIS 15th, Day of April 1940.

RULES OF ORDER WERE SUSPENDED AND BY-LAW READ A THIRD TIME SHORT AND PASSED AS AMENDED THIS 15th, day of April, 1940.

..... *A. Beattie* .....

M A Y O R

..... *H. Pilley* .....

C L E R K