

CITY OF SURREY

BY-LAW NO. 12632

A by-law to amend the provisions of "Surrey Zoning By-law, 1993, No. 12000", as amended to prohibit Video Lottery Gaming.

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WHEREAS:

- A. Section 963(1) of the Municipal Act, R.S.B.C. 1979, c.290, as amended (the "Municipal Act") permits Council, by by-law, to regulate the use of land, buildings and structures within zones;
- B. Council adopted the "Surrey Zoning By-law, 1993, No. 12000" (the "Zoning By-law") pursuant to its authority under Section 963 of the Municipal Act;
- C. Section 963(4) of the Municipal Act provides that the power to regulate granted pursuant to subsection (1) referred to in Recital A includes the power to prohibit any use or uses in a zone;
- D. Council wishes to prohibit the use of zones established pursuant to the Zoning By-law for purposes of video lottery gaming, as defined in this By-law;

NOW, THEREFORE, the Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. "Surrey Zoning By-law, 1993, No. 12000", as amended, is hereby further amended as follows:

(1) **Part 1 - Definitions** is amended by adding the new definition of "**Video Lottery Gaming**" after the definition of "**Vehicle**" and before the definition of "**Warehouse Uses**" as follows:

" **Video Lottery Gaming** means any activity or game of chance for money or other valuable consideration carried out or played on or through a computer, electronic or other video device or machine, but excluding the following:

- (a) the purchase and sale of lottery tickets pursuant to a government approved lottery scheme administered by the Public Gaming Branch and the British Columbia Lottery Corporation;
- (b) pari-mutuel systems and machines that are duly licensed under regulations pursuant to Section

204 of the **Criminal Code** and under the **Horse Racing Act**, S.B.C. 1993, c. 51; or

(c) "pull-tab" machines that are owned and administered by the British Columbia Lottery Corporation."

(2) **Part 4 - General Provisions, Section C. Uses Prohibited in All Zones**, is amended by inserting new Sub-section 1. (i) after Sub-section 1. (h) and before Sub-section 2. as follows:

"(i) Video Lottery Gaming"

2. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 1995, No. 12632."

READ A FIRST AND SECOND TIME on the 5th day of June, 1995.

PUBLIC HEARING HELD thereon on the 24th day of July, 1995.

READ A THIRD TIME on the 31st day of July, 1995.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 31st day of July, 1995.

"R. J. BOSE" MAYOR

"D. B. KENNY" CLERK