

CITY OF SURREY

BY-LAW NO. 12633

A by-law to amend the provisions of "Business License By-law, 1976, No. 4747", as amended to regulate Video Lottery Gaming.

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WHEREAS:

- A. Section 526 of the Municipal Act, R.S.B.C. 1979, c.290, as amended (the "Municipal Act") permits Council, by by-law, to regulate the carrying on of business in the City, to the extent not inconsistent with the intent of the Municipal Act or any other Act, for the purpose of protecting the public or preventing or minimizing nuisances and misleading business practices;
- B. Section 527(b) of the Municipal Act, without restricting Section 526 in any way, authorizes Council, by by-law, to prohibit for all or parts of the City, the operation of places of amusement;
- C. Council, after due consideration, has determined that it is necessary for the protection of the public and in order to prevent or minimize a nuisance from developing within the City, to prohibit video lottery gaming (as defined in this By-law);

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

- 1. "Business License By-law, 1976, No. 4747", as amended, is hereby further amended as follows:
  - (1) Section 2. is amended in the first paragraph of the definition of "Vending Machine", by inserting between the words "kind whatsoever" and the "period", the following words:
 

"but specifically excluding any electronic or video device or machine used for the purposes of video lottery gaming as defined in this By-law"
  - (2) Section 2. is amended by inserting the new definition of "Video Lottery Gaming" after the definition "Vending Machine" and before Section 3. 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;

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

(3) New Section 4.A. is inserted after Section 4.(b) and before Section 5.A. as follows:

"4.A. No person shall in the course of that person's business or otherwise carry out or permit to be carried out any video lottery gaming except as otherwise expressly permitted by this By-law or by any other by-law of the City as may be in existence at any time, or from time to time."

2. This By-law shall be cited for all purposes as "Business License By-law, 1976, No. 4747, Amendment By-law, 1995, No. 12633."

PASSED THREE READINGS on the 5th day of June, 1995.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 19th day of June, 1995.

"R. J. BOSE" MAYOR

"D. B. KENNY" CLERK