

REPRINTED BILL

**BILL**

No. 6 of 1919.

An Act to regulate Billiard Rooms and Bowling Alleys.

(Assented to , 1919.)

**H**IS Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Billiard Room Act.*"
2. In this Act, unless the context otherwise requires—
  1. "Billiard room" shall mean and include any room or rooms in any building, house, shed, tent or other place in which a billiard table, pool table or bowling alley is set up for hire or gain, and it shall extend to and include any annex, addition, or extension thereto of which the proprietor of a billiard room is the owner, lessee, tenant, or occupant, or over which he has control;
  2. "Billiard" means and includes "billiard, pool, bagatelle or any other similar game";
  3. "Proprietor" means and includes any person and any association of persons whether incorporated or not, or any member thereof, who or which as owner, lessee, tenant or otherwise carries on the business of a billiard room.
3. Such persons only as are licensed therefor under the provisions of this Act may carry on the business of a billiard room proprietor.
4. Application for a license under this Act shall be made to the Attorney General in accordance with such regulations as may be passed under this Act, and the Attorney General may in his discretion grant or refuse the same, and may likewise in his discretion cancel or suspend any license so granted.
5. The license year for the purposes of this Act shall be from the first day of July, inclusive, in each calendar year to and including the thirtieth day of June following, and all licenses whensoever issued in the course of a license year shall have expired on the first day of July next following their issue.

**6.** Every license issued under this Act shall state the name of the licensee, the number of tables or alleys which may be kept, and the particular location in any city, town, village or other locality of the premises upon which such business is so authorized.

**7.** Any license granted under this Act may, subject to the approval of the Attorney General and in accordance with such regulations as may be passed in that respect under this Act, be assigned by the licensee to any other person for the balance of the current license year, and such other person shall thereupon become a licensee.

**8.** Any licensee may with the permission of the Attorney General, transfer the business in respect of which he is licensed to premises other than those mentioned in the said license, and either in the same or in any other city, town, village, or other locality.

**9.** Every application for a license, or for the assignment thereof, or for permission to transfer a licensed business to other premises, shall be accompanied by payment of the proper fee according to the tariff hereinafter referred to.

**10.** The tariff of fees payable on any such application shall be such as is set out in the schedule to this Act:

Provided that if a license is applied for at any time after the first day of January in any license year only one-half the fee as set out in the said tariff shall be payable.

**11.** In every billiard room the license or licenses issued in respect thereof shall at all times while the business thereby licensed is carried on, be exposed in some conspicuous place:

Provided, however, that it shall not be an offence against this section to remove such license for the purpose of forwarding the same to the Attorney General for alteration or otherwise under the provisions of this Act or any regulation passed hereunder, or for the purpose of producing the same in court, or to carry on business during the time the said license is so removed as aforesaid.

**12.** No person under the age of eighteen years shall be employed in or about a billiard room for any purpose connected with the business thereof.

**13.** No person under the age of eighteen years shall unless accompanied by his parent or guardian be allowed to play any billiard or bowling game in any billiard room governed by the provisions of this Act, nor to frequent,

remain, or loiter therein, and it shall be the duty of the person in charge of such billiard room or bowling alley to request any such person found therein unaccompanied by his parent or guardian, to leave the premises forthwith, and if such person refuses to do so reasonable force may be used for the purpose of evicting him from the said premises.

**14.** Every billiard room shall be closed and remain closed from and after the hour of half past eleven o'clock on every Saturday night until the hour of eight o'clock on the Monday morning following, and on the other nights of the week from and after the hour of twelve o'clock at night until the hour of seven o'clock of the following morning, and during such prohibited hours no games of any kind shall be played therein:

Provided that the council of any city, town, village or rural municipality may pass by-laws providing for the closing therein of billiard rooms at an earlier hour than 11.30 o'clock and 12 o'clock as respectively mentioned in this section.

**15.** No drunken person shall enter or remain in any billiard room, and no swearing, blasphemous or obscene language shall be uttered or spoken therein.

**16.** No person shall carry on or play any gambling or game of chance of any kind in any billiard room, and no person in charge of any such billiard room shall allow any such gambling or game of chance to be carried on therein.

**17.** No slot machine, punch-board or other gambling device shall be kept or operated in any billiard room.

**18.** The proprietor of any billiard room shall be responsible for the proper carrying out of the provisions of this Act, and the conviction of any servant or employee for any violation thereof shall be no bar to proceedings against such proprietor for the same offence, nor shall the conviction of the proprietor be a bar to proceedings against any servant or employee for any such offence committed by such servant or employee.

**19.** For every violation of section 13 of this Act the proprietor shall be liable on summary conviction to the following penalties:

1. For a first offence, to a fine of not more than \$50.00 and costs;
2. For a second or subsequent offence, to a fine of not more than \$100.00 and costs.

**20.** Any person who violates any of the provisions of this Act for which punishment is not herein expressly imposed or any regulation passed hereunder, shall be liable on summary conviction to a penalty of not more than \$50.00 and costs.

**21.** The provisions of part XV of *The Criminal Code* shall be applicable to all prosecutions under this Act, or under any such regulation.

**22.** A moiety of every penalty recovered under this Act shall belong to the municipality in which the offence is committed and the other moiety shall be paid to the Attorney General for the use of the province.

(2) If the offence is not committed in any municipality such penalty shall be paid to the Attorney General for the use of the province.

**23.** Except as otherwise provided herein any by-law passed or regulation made by the council of any city, town, village or municipality relating to any of the matters dealt with in this Act shall be subject to the provisions hereof and of any regulations passed hereunder.

**24.** The Lieutenant Governor in Council may, from time to time, make regulations respecting the inspection of billiard rooms, the appointment of inspectors, applications for licenses or permits under this Act, the revocation or suspension of any license, and generally such regulations consistent with this Act and the laws in force in the province as may be deemed fit for the proper carrying out of the provisions of this Act.

**25.** Nothing in this Act shall be deemed to affect the power of any city, town, village or municipal district to license pool rooms or billiard rooms if and as authorized so to do by any Act or Ordinance:

Provided, however, that no license shall be issued by any such city, town, village or municipal district in respect of any business required to be licensed under this Act unless a license under this Act has first been obtained in respect thereof:

Provided further, that notwithstanding anything contained in any by-law of any such city, town, village or municipal district, but without otherwise affecting the validity of such by-law, the fees payable for any license issued thereunder shall be in addition to but shall not be more than the fees payable for a license under this Act.

26. *The Pool Room Act*, being chapter 24 of the Statutes of 1911-12, is hereby repealed, but all licenses issued thereunder and in force at the date of the passing hereof shall continue in force until the first day of July, A.D. 1919 and be deemed in every respect to be licenses issued under this Act, and no further or other fee shall be required to be paid therefor than such as has been paid or is payable under the said *Pool Room Act*.

27. The provisions of this Act shall not apply to any club incorporated by special Act of the Legislature, any Young Men's Christian Association, nor to any club or association of persons organized under the auspices of the Great War Veterans Association, nor to any other institution or association which in the opinion of the Attorney General is not conducted for gain.

#### SCHEDULE.

##### FEES PAYABLE ON APPLICATION UNDER THIS ACT.

On application for license:

In the cities of Edmonton, Calgary, Lethbridge and Medicine Hat:

For first billiard table . . . . .	\$40.00
For second billiard table on same premises . . . . .	20.00
For each additional billiard table on same premises . . . . .	10.00
For first bowling alley . . . . .	20.00
For second bowling alley on same premises . . . . .	10.00
For each additional bowling alley on same premises . . . . .	5.00

In places other than Edmonton, Calgary, Lethbridge and Medicine Hat:

For first billiard table . . . . .	\$15.00
For second billiard table . . . . .	10.00
For each additional billiard table . . . . .	5.00
For first bowling alley . . . . .	10.00
For second bowling alley . . . . .	5.00
For each additional bowling alley . . . . .	3.00
On application for assignment of license . . . . .	15.00
On application for transfer to other premises . . . . .	10.00

No. 6.

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SECOND SESSION  
FOURTH LEGISLATURE  
9 GEORGE V  
1919

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. J. R. BOYLE.

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EDMOTON:  
J. W. JEFFERY, KING'S PRINTER  
A. D. 1919