

Corporation of the City of Nanaimo. B. C.

Whereas it is expedient to amend the by-law for the observance of the Lord's Day, commonly called Sunday, and for regulating and fixing the time during which houses licensed for the sale of intoxicating liquors shall be closed and kept closed;

Be it therefore enacted by the Mayor and Aldermen of the City of Nanaimo as follows:-

1. That the "Sunday Observance and Regulation of the Sale of Intoxicating Liquors By-law, 1888" is hereby repealed, but such repeal shall not prejudice or affect any proceedings pending or any liabilities incurred in respect of said by-law.
2. No person having a license to sell intoxicating liquors nor any keeper of licensed premises shall sell or allow, permit or suffer any intoxicating liquors to be sold on his premises between the hours of eleven o'clock on Saturday night and one o'clock on the Monday morning following, nor shall he allow any intoxicating liquors purchased before the hour of closing to be consumed on the premises, except in such cases where a requisition signed by a registered medical practitioner is produced by the vendee or his agent, and after three convictions under this by-law of selling or suffering to be sold or used, the license of said premises shall be forfeited and cancelled forthwith.
3. The keeper of any licensed premises shall keep the bar-room, or room in which intoxicating liquor is trafficked in, closed as against all persons, other than members of his family or household, between the hours of eleven o'clock on Saturday night and one o'clock on the Monday morning following, neither shall he permit, allow, or suffer any light to be used in the said room, and the glass in every window in such bar-room or room where intoxicating liquor is vended shall be transparent nor shall there be permitted any curtain or shutter or other device at any window of such room during the time aforesaid. And any keeper of such licensed

licensed premises or any person having a license to sell intoxicating liquors who allows or suffers any person or persons to frequent or to present in such bar-room or room in which intoxicating liquor is trafficked in, or makes use of any device or allows any partition to exist which may preclude the public from obtaining a full view of the bar through the window of the said room during the time aforesaid, shall be guilty of an offence under this by-law. The keeper shall include the person actually contravening the provisions of this by-law, as well as the person licensed or lessee to sell liquors in any licensed premises.

4. Every person, not being the occupant or a member of the family of the licensee or lodger in the house, who buys or obtains any intoxicating liquor during the time prohibited by this by-law for the sale thereof, in any place where the same is or may be sold by wholesale or retail, shall be deemed guilty of an offence under this by-law.

5. Any person, not being a member of the family or household of the licensee or keeper of any licensed premises, found in the bar-room or rooms where intoxicating liquors are usually trafficked in during the prohibited hours aforesaid shall be deemed guilty of an offence under this by-law.

6. Any person or persons convicted of a breach of the provisions of this by-law before the Mayor, Police Magistrate or any other Justice or Justices of the Peace having jurisdiction within the city of Vancouver on the oath or affirmation of any credible witness, shall forfeit and pay at the discretion of the said Mayor, Police Magistrate, Justice or Justices of the Peace convicting, a penalty for the first offence not exceeding Fifty dollars, nor less than Twenty dollars, for the second offence not less than Thirty dollars nor more than One hundred dollars, together with the costs of conviction; and in default of payment forthwith, it shall and

and may be lawful for the Mayor, Police Magistrate, Justice or Justices of the Peace convicting as aforesaid to issue a warrant under his hand and seal, or in case the said Mayor, Police Magistrate, Justice or Justices or any two or more of them are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress and sale of the offender or offenders' goods and chattles, and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Police Magistrate, Justice or Justices convicting as aforesaid to commit the offender or offenders to one of Her Majesty's gaols, with or without hard labor, for any period not exceeding six calendar months, unless the penalty and costs be sooner paid.

7. The provisions of this by-law shall not apply to the furnishing of liquor to bona fide travellers, nor in case of hotel and restaurant keepers supplying liquor to their guests with meals.
8. This By-law may be cited for all purposes as the "Sunday Observance By-law 1895"

Passed by the Municipal Council on the 23rd December 1895
Affirmed by the Municipal Council on the 30th December 1895

L. Gough
City Clerk

E. Quennell
Mayor

