CITY OF HAMILTON

MOTION

COUNCIL DATE: June 15, 2011

MOVED BY COUNCILLOR .................................................................

SECONDED BY ..................................................................................

That Item 3 of the Hamilton Licensing Tribunal Report 11-004 be amended by deleting sub-sections (e) and (f) and renumbering the balance of the sub-sections accordingly, to read as follows:

3. APPEAL HEARING: Respecting the Renewal Application for an Eating Establishment Restaurant Licence for 2004431 Ontario Limited, operating as West End Restaurant and Sports Bar, located at 151 Emerson Street, Hamilton, Ontario (Mr. Simon Ruzzier) (Item 4.3)

That the renewal application for an Eating Establishment Restaurant Licence for 2004431 Ontario Limited, operating as West End Restaurant and Sports Bar, submitted by Simon Ruzzier, be accepted and a licence be issued provided that Mr. Ruzzier satisfies all necessary requirements, as set out in the Licensing By-law 07-170, as amended, contingent upon the following condition(s):

(a) That 2004431 Ontario Limited, operating as West End Restaurant and Sports Bar, immediately implement a patron count system to ensure capacities are not exceeded;

(b) That 2004431 Ontario Limited, operating as West End Restaurant and Sports Bar, use licensed security personnel on Friday’s from 8:00pm until Saturday’s at 3:00 a.m. and Saturday evenings from 8:00 p.m. until Sunday’s at 3:00 a.m.;

(To be completed by the Clerk)

MOTION APPROVED ☐ ON A RECORDED VOTE ☐ (Yeas: _____ Nays: _____) (see Recorded Vote Sheet)

MOTION DEFEATED ☐ ON A RECORDED VOTE ☐ (Yeas: _____ Nays: _____) (see Recorded Vote Sheet)
(c) That 2004431 Ontario Limited, operating as West End Restaurant and Sports Bar, use licensed security personnel during the full week of September for McMaster Frosh/Welcome Week and Homecoming events, Super Bowl, Grey Cup, St Patrick’s Day and Pub Crawls as well as during all other events that the establishment hosts;

(d) That, best efforts must be made by the Owner/Operator of 2004431 Ontario Limited, operating as West End Restaurant and Sports Bar, to notify the Issuer of Licences of any events or activities occurring at West End Restaurant and Sports Bar, located at 151 Emerson Street, Hamilton, Ontario;

(e) That the patio for 2004431 Ontario Limited, operating as West End Restaurant and Sports Bar, located at 151 Emerson Street, Hamilton, Ontario, be closed at 10:00 p.m.

(f) That Mr. Ruzzier request of the Alcohol & Gaming Commission of Ontario that the Liquor Licence for 2004431 Ontario Limited, operating as West End Restaurant and Sports Bar, located at 151 Emerson Street, Hamilton, Ontario, be amended to indicate the patio closing time of 10:00 p.m.

(e) That the Owner/Operator of 2004431 Ontario Limited, operating as West End Restaurant and Sports Bar, immediately install the glass partitions onto the south side of the patio to assist in the mitigation of the noise issues;

(f) That staff be directed to increase random inspections of West End Restaurant and Sports Bar, located at 151 Emerson Street, Hamilton, Ontario for a one year period; and,

(g) That, after one (1) year, the Licensee may come forward to request modifications to the conditions; however, those conditions will continue and remain in place until such time as the Licensee requests modifications to those conditions and those modifications have been approved.