



Hamilton

**REPORT 12-003  
HAMILTON LICENSING TRIBUNAL**

9:30 a.m.

Thursday, April 12, 2012

Room 264, 2<sup>nd</sup> Floor

Hamilton City Hall

71 Main Street West, Hamilton

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- Present:** Councillors T. Whitehead (Chair), C. Collins (Vice Chair), and S. Duvall
- Absent with  
Regrets:** Councillor R. Pasuta – Vacation  
Councillor B. Clark – Personal
- Also Present:** Vince Ormond, Manager, Licensing & Permits, Municipal Law Enforcement  
Justyna Hidalgo, Solicitor, Legal Services  
Karen Kelly, Solicitor, Legal Services  
Stephanie Paparella, Legislative Coordinator, Office of the City Clerk
- Other Attendees:** Nicholas T. Macos, Black Sutherland LLP, Legal Counsel (Item 4.1)  
Peter Gassner, Appellant (Item 4.1)

**THE HAMILTON LICENSING TRIBUNAL PRESENTS REPORT 12-003 AND  
RESPECTFULLY RECOMMENDS:**

- 1. APPEAL HEARING: Nicholas T. Macos, Black, Sutherland LLP, on behalf of Peter Gassner, respecting the Refusal of an Application for a City of Hamilton Adult Film Theatre Establishment Licence, for 501857 New Brunswick Limited operating as Show World, located at 61 King Street East, Hamilton, Ontario (Item 4.1)**

That the Application for a City of Hamilton Adult Film Theatre Establishment Licence, for 501857 New Brunswick Limited operating as Show World, located at 61 King Street East, Hamilton, Ontario, be accepted and a licence be issued, contingent upon the following conditions; and, providing that the applicant

satisfies all necessary requirements, as set out in the Licensing By-law 07-170, as amended:

- (i) That the Licensee only exhibit adult films in rooms that comply with the By-law, ensuring that every room where adult films are exhibited contains seating for not less than 50 individuals and has direct access to a lobby; and,
- (ii) That the Licensee notify the Issuer of Licences, in writing, which exhibit areas are being used for exhibition and are compliant with the Licensing By-law regulations;
- (iii) That the Licensee prominently displays signs that are easily read, in the lobbies and theatre entrances that say:
  - Sexual Activity is Prohibited; and,
  - Sexually Transmitted Infections Can Be Passed on through Unprotected Sexual Contact;
- (iv) That the Licensee shall post Smoke Free Ontario signs to the satisfaction of Municipal By-law Enforcement; and,
- (v) That the Licensee shall ensure that the establishment's staff are alert and assist with inspections.

**FOR THE INFORMATION OF COUNCIL:**

**(a) CHANGES TO THE AGENDA (Item 1)**

There were no changes to the agenda.

The April 12, 2012 agenda for the Hamilton Licensing Tribunal was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)****(i) February 23, 2012 (Item 3.1)**

The Minutes of the February 23, 2012 meeting of the Hamilton Licensing Tribunal were approved, as presented.

**(d) APPEAL HEARING: Nicholas T. Macos, Black, Sutherland LLP, on behalf of Peter Gassner, respecting the Refusal of an Application for a City of Hamilton Adult Film Theatre Establishment Licence, for 501857 New Brunswick Limited operating as Show World, located at 61 King Street East, Hamilton, Ontario (Item 4.1)**

On December 21, 2011, the Director of Municipal Law Enforcement sent correspondence to Mr. Peter Gassner advising that, in accordance with the City of Hamilton Licensing By-Law 07-170, as amended, the renewal application for a City of Hamilton Adult Film Theatre Establishment Licence, for 501857 New Brunswick Limited, operating as Show World, located at 61 King Street East, Hamilton, Ontario was refused and a licence would not be issued, based on the following grounds:

- (i) In accordance with Section 12(1)(c) of the City of Hamilton Licensing By-Law 07-170, as amended, the business would put public safety at risk; and,
- (ii) In accordance with Section 12(1)(d) of the City of Hamilton Licensing By-Law 07-170, as amended, the business will not be carried on in compliance with the law, or the conduct of the person, or in the case of a corporation, the conduct of its officers, directors, employees or agents affords reasonable grounds for belief that the person will not carry on or engage in this business in accordance with the law or with honesty or integrity.

Namely:

1. On May 26, 2010, Hamilton City Council refused to accept an application for Adult Entertainment Establishment – Adult Video “B” Licence, submitted by Karrum Amusements Ltd., and Mr. Peter Gassner, for a period of six months:
  - The Licence Holder permitted the viewing of adult videos on a television screen on the licensed premises contrary to Sub-sections 26(1), 26(2) and 26(3) of the General Provisions of the City of Hamilton Licensing Code By-law 07-170; Sub-Section

25(e) of Schedule 1 of the By-law; and, Sections 13, 38(1)(c) and 38(2) of the Film Classification Act, S.O. 2005, c.17;

- The Licence Holder permitted the exhibition of adult videos in twenty-nine (29) private video display booths without holding a licence for the exhibition, contrary to Sub-Sections 26(1), 26(2) and 26(3) of the General Provisions of the City of Hamilton Licensing Code By-law 07-170; Sub-Section 25(e) of Schedule 1 of the By-law; and, Sections 13, 38(1)(c) and 38(2) of the Film Classification Act, S.O. 2005, c.17;
2. On May 26, 2010, Hamilton City Council directed that, subsequent to the six month waiting period, no application would be accepted and no licence would be issued until the applicant had provided evidence, before the Hamilton Licensing Tribunal, indicating complete compliance with the Hamilton Licensing By-law 07-170, as amended, and any applicable provincial laws;
  3. The facility does not meet the requirements of the Licensing By-law 07-170, Adult Film Theatre, Schedule 1 (as amended May 25, 2011), namely;
    - ensure that every room where adult films are exhibited contains seating for not less than 50 individuals and has direct access to a lobby; and,
    - ensure that the door to a room under subsection 29(h) is not equipped with a locking device of any kind, or with anything else which could delay anyone from obtaining access to the room;
  4. There are violations of the Smoke Free Ontario Act; and,
  5. Hamilton Police Service has concerns about the operation of the facility.

On January 16, 2012, a Notice of Hearing was sent to Mr. Macos advising of him of a hearing, for his client, which was set for February 23, 2012.

On January 23, 2012, Mr. Macos corresponded with the Legislative Coordinator to request an adjournment of the January 23, 2012 hearing date, as he had a conflict with his schedule on that date. The adjournment request was subsequently approved by the Tribunal and a second Notice of Hearing was sent to Mr. Macos, on February 27, 2012, advising of the new hearing date of April 12, 2012.

On February 9, 2012, Mr. Ormond sent correspondence to Mr. Macos outlining additional grounds for the refusal of Mr. Gassner's application for an Adult Theatre Licence:

- (i) Section 12(1)(c) of the City of Hamilton Licensing By-Law 07-170, as amended, the business would put public safety at risk;
- (ii) Section 12(1)(d) of the City of Hamilton Licensing By-Law 07-170, as amended, the business will not be carried on in compliance with the law, or the conduct of the person, or in the case of a corporation, the conduct of its officers, directors, employees or agents affords reasonable grounds for belief that the person will not carry on or engage in this business in accordance with the law or with honesty or integrity; and,
- (iii) Section 12(2) of the City of Hamilton Licensing By-Law 07-170, as amended, the Issuer of Licenses shall refuse to issue a licence for a business where a response received from a Department indicates that there is non-compliance with this By-Law or other applicable law, or that there will be such non-compliance if the business is allowed to operate.

Namely:

June 12, 2010	Hamilton Police Service General Occurrence Report, 10001837 Property Check, Business Unattended, Rear Door Left Open.
July 2, 2010	Hamilton Police Service General Occurrence Reports, 10237896 and 10239550, Possession of Cocaine and Indecent Act.
July 5, 2010	Hamilton Police Service General Occurrence Report, 10239792 Indecent Act, Provincial Offence Notice issued Trespass to Property Act.
July 20, 2010	Hamilton Police Service Street Check Report, SC10001484, individual charged under Trespass to Property Act and Prohibited Act.
July 21, 2010	Hamilton Police Service General Occurrence Report, 10253542 Indecent Act. Provincial Offence Notice issued.
July 23, 2010	Hamilton Police Service General Occurrence Report, 10255031 Indecent Act. Appearance Notice issued.

July 28 - 30, 2010	Public Health Services, Tobacco Control Inspection – 6 Provincial Offence Notices issued under <u>Smoke Free Ontario Act</u> .  Karrum Amusements Ltd. (3): <ul style="list-style-type: none"><li>• PON#0997384A Failure of proprietor to give notice that smoking prohibited;</li><li>• PON#0997386A Failure to post no smoking signs where smoking is prohibited; and,</li><li>• PON#0997387A Failure of proprietor to ensure compliance with Section 9(6)(a).</li></ul> Mr. Peter Gassner (3): <ul style="list-style-type: none"><li>• PON#0997390A Failure of proprietor to give notice that smoking prohibited;</li><li>• PON#0997391A Failure to post no smoking signs where smoking is prohibited; and,</li><li>• PON#0997389A Failure of proprietor to ensure compliance with Section 9(6)(a).</li></ul>
July 30, 2010	Hamilton Police Service Street Check Report, SC10001542, individual observed committing Indecent Act.
August 24, 2010	Hamilton Police Service General Occurrence Report, 10281336 Indecent Act. Provincial Offence Notice issued.
August 24, 2010	Hamilton Police Service General Occurrence Report, 10001838 Property Check, attendant on duty intoxicated and unconscious.
September 1, 2010	Hamilton Police Service Street Check Report, SC10002019, Indecent Act.

September 8, 2010

Public Health Services, Tobacco Control, 4 Charges laid under Smoke Free Ontario Act.

Karrum Amusements Ltd. (2):

- Part III Summons, Failure of proprietor to give notice that smoking prohibited; and,
- Part III Summons, Failure of proprietor to ensure compliance with Section 9(6)(a).

Mr. Peter Gassner (2):

- Part III Summons, Failure of proprietor to give notice that smoking prohibited; and,
- Part III Summons, Failure of proprietor to ensure compliance with Section 9(6)(a).

October 5, 2010

Hamilton Police Service Street Check Report, SC10002339, prohibited activity. Provincial Offence Notice issued.

Public Health Services, Tobacco Control, 4 Charges laid under Smoke Free Ontario Act.

Karrum Amusements Ltd. (2):

- Part III Summons, Failure of proprietor to give notice that smoking prohibited.
- Part III Summons, Failure of proprietor to ensure compliance with Section 9(6)(a)

Mr. Peter Gassner (2):

- Part III Summons, Failure of proprietor to give notice that smoking prohibited.
- Part III Summons, Failure of proprietor to ensure compliance with Section 9(6)(a)

October 19, 2010	Hamilton Police Service General Occurrence Report, 10326738 Indecent Act. Provincial Offence Notice issued.
November 11, 2010	Hamilton Police Service General Occurrence Report, 10344710 Trespass to Property Act, individual causing a disturbance. Provincial Offence Notice issued.
December 20, 2010	Hamilton Police Service General Occurrence Report, 10374512 Possession of Cannabis Marihuana. Provincial Offence Notice issued for smoking in public place.
March 14, 2011	Hamilton Police Service General Occurrence Report, 11556268 Assault – With a Weapon/Cause Bodily Harm.
April 10, 2011	Hamilton Police Service General Occurrence Report, 11580082 Possession of Cocaine.
May 4, 2011	Hamilton Police Service Street Check Report, SC11201273, Indecent Act.
May 31, 2011	Hamilton Police Service General Occurrence Report, 11623140 Robbery – Knife.
July 1, 2011	Hamilton Police Service General Occurrence Report, 11652795 Excise Act, individual with contraband cigarettes.
July 16, 2011	Hamilton Police Service Street Check Report, SC11201873, individual trespassing.
July 18, 2011	Hamilton Police Service Street Check Report, SC11201929, Indecent Act.
July 23, 2011	Hamilton Police Service Street Check Report, SC11201927, Indecent Act.
August 5, 2011	Hamilton Police Service Street Check Report, SC11202050, individual loitering in basement.
August 5, 2011	Hamilton Police Service General Occurrence Report, 11682937 – Assist – Person to Hospital (Patient).



August 7, 2011	Hamilton Police Service Street Check Report, SC11202032, individual trespassing.
August 21, 2011	Hamilton Police Service Street Check Report, SC11202183, individual trespassing. Provincial Offence Notice issued.
August 29, 2011	Hamilton Police Service General Occurrence Report, 11704584 Possession of Cannabis Marihuana – 30 grams or less.
October 31, 2011	Hamilton Police Service General Occurrence Report, 11759434 Assist – Unwanted Person.
December 5, 2011	Hamilton Police Service General Occurrence Report, 11787352 Trespass to Property Act. Provincial Offence Notice issued.
January 10, 2012	Public Health Services, Health Protection inspection revealed: <ul style="list-style-type: none"><li>• sewage odour on third floor;</li><li>• human fecal matter on floor in movie theatre;</li><li>• human fecal matter on movie screen;</li><li>• human fecal matter outside rear exit of theatre;</li><li>• used condom on floor;</li><li>• hot air dryers in two washrooms in disrepair;</li><li>• semen on floor in movie theatre in basement; and,</li><li>• dirty stains on walls, floors and seats throughout all movie theatres.</li></ul>
January 11, 2012	Public Health Services, Health Protection inspection revealed: <ul style="list-style-type: none"><li>• human fecal matter on movie screen;</li><li>• condom behind movie screen;</li><li>• sewage odour on third floor;</li><li>• poor lighting in individual theatres;</li><li>• dirty stains on movie theatre seats; and,</li><li>• hot air dryers in two washrooms in disrepair.</li></ul>

Mr. Ormond provided his Opening Statement. Mr. Ormond's comments included, but were not limited to, the following:

- Mr. Ormond advised that both parties had signed off on an Agreed Statement of Facts, and would like to put the Statement before the Tribunal for consideration.

Mr. Macos, provided his Opening Statement. Mr. Macos' comments included, but were not limited to, the following:

- Mr. Nicholas Macos introduced himself and his client, Mr. Peter Gassner.
- The business has operated for over 25 years, providing employment and taxes, in a difficult area of town and without much controversy.
- Over the last while there has been considerable police patrols; about 5 times per day.
- You will always find little things that are wrong with any business that is under such scrutiny.
- Not to undermine or dismiss the issues, my client is working to find a proper way to operate in the City of Hamilton.
- When you have such extreme and obvious scrutiny, it tends to filter out the good clientele and not filter out those we prefer to filter out.
- The business is in a bit of a tired state. However, proposals were made about a year and a half ago to renovate the building, including the most dramatic requirement of a 50 seat theatre.
- Mr. Gassner is willing to make the necessary investment and improve the appearance of the business in the downtown core, but is hesitant to make an investment of that size if the licence is in question.
- We have reviewed the City's concerns, and if the business is able to be put in area where it can be more attractive, and attract a better clientele, which is wanted not only by the City and police, but also by the operator, Mr. Gassner would be willing to do so.
- We are hoping that the Tribunal will accept the Agreed Statement of Facts. Then my client will close the business for a substantial amount of time to renovate and update the premises. The business has been in operation for more than 25 years and is in need of renovations.

- My client would like to see the rehabilitation of the downtown core as well and is hoping that you will accept the Statement in order that we can move on in a commercial manner.

Mr. Ormond entered as Exhibit 1, the following Agreed Statement of Facts, and provided an overview of same:

### **AGREED STATEMENT OF FACTS**

#### **Application for City of Hamilton Adult Film Theatre Establishment Licence 501857 New Brunswick Limited O/A Show World 61 King Street East, Hamilton, Ontario File No. 11 281941**

#### **Establishment History and Current Application:**

1. The Adult Film Theatre, located at 61 King Street East, Hamilton, Ontario has been operating as Show World since 1985.
2. 501857 New Brunswick Limited O/A Show World holds a valid Class B Exhibitor licence issued by the Province under the Film Classification Act, 2005, which authorizes the licensee to exhibit or offer to exhibit adult sex films at the premises specified in the licence. O. Reg. 452/05, s. 11 (3).
3. On May 25, 2011, City of Hamilton Council passed By-law 11-142 that added Adult Film Theatre Establishments as a category of a business that is required to obtain a business licence under Schedule 1 of the Licensing By-law 07-170. Existing theatres, including the Show World theatre, located at 61 King St. East, Hamilton, Ontario were provided 90 days to apply for the Adult Film Theatre Establishment Licence and are required, among other matters, to ensure that each adult theatre has a minimum of 50 seats.
4. On October 18, 2010, 501857 the ownership of New Brunswick Limited transferred to Peter Gassner.
5. Peter Gassner is the sole Officer, Director and Shareholder of 501857 New Brunswick Limited.
6. On August 23, 2011, 501857 New Brunswick Limited O/A Show World applied for an Adult Film Theatre Establishment Licence.
7. On December 22, 2011, the licence for the Adult Film Theatre Establishment Licence was refused for the following reasons:

- (a) In accordance with Section 12(1)(b) of the City of Hamilton Licensing By-law 07-170, as amended, where requirements of the By-law are not met;
  - (b) In accordance with Section 12(1)(c) of the City of Hamilton Licensing By-law 07-170, as amended, the business would put public safety at risk;
  - (c) In accordance with Section 12(1)(d) of the City of Hamilton Licensing By-law 07-170, as amended, the business will not be carried on in compliance with the law, or the conduct of the person, or in the case of a corporation, the conduct of its officers, directors, employees or agents affords reasonable grounds for belief that the person will not carry on or engage in this business in accordance with the law or with honesty or integrity; and,
  - (d) In accordance with Section 12(2) of the City of Hamilton Licensing By-law 07-170, as amended, responses from a Department under Section 11, indicate that there is non-compliance with this By-law or other law.
8. On or about January 23, 2012, 501857 New Brunswick Limited O/A Show World appealed the decision of the Issuer of Licences to refuse to issue the Adult Film Theatre Establishment Licence.

**Establishment History:**

- 9. Show World operated by 501857 New Brunswick Limited previously held a Food Shop Licence, an Adult Entertainment Establishment – Adult Video "B" Licence and a Cigarette/Tobacco Sales Licence.
- 10. On May 26, 2010, Hamilton City Council approved Hamilton Licensing Tribunal Report 10-003 and rendered a decision refusing to accept an application for an Adult Entertainment Establishment – Adult Video "B" Licence, submitted by 501857 New Brunswick Limited, for a period of six months.
- 11. On May 26, 2010, Hamilton City Council directed that, subsequent to the six month waiting period, no application for an Adult Entertainment Establishment – Adult Video "B" Licence be accepted and no licence be issued until the applicant had provided evidence, before the Hamilton Licensing Tribunal, indicating complete compliance with the Hamilton Licensing By-law 07-170, as amended, and any applicable provincial laws.

12. On or about October 25, 2010, 501857 New Brunswick Limited advised the Issuer of Licences that it was withdrawing its application for the Adult Entertainment Establishment – Adult Video "B" Licence.

**Establishment Current Status:**

13. Since July 2010, Show World has been operating 6 theatre screens with a total of 88 seats, under the Class B Exhibitor Licence issued under the Film Classification Act, 2005. The Class B Exhibitor Licence permits 18 screens and 135 seats. None of the theatres currently has a minimum of 50 seats required by Schedule 1 of Licensing By-law 07-170.
14. Between July 2010 and September 2010, there have been 6 occasions when the Hamilton Police Service have attended the Show World premises and have reported a patron masturbating in the theatre.
15. Between October 2010 and April 2012, there have been 4 occasions when the Hamilton Police Service have attended the Show World premises and have reported a patron masturbating in the theatre.
16. On or about July of 2010, 501857 New Brunswick Limited o/a Show World pled guilty to a Smoke Free Ontario Act violation for not having sufficient signage indicating that smoking is prohibited in the facility. Additional signage to the satisfaction of by-law enforcement was quickly posted.
17. Hamilton Police Services, as part of core area patrols (ACTION Team), enter the facility regularly.

**JOINT SUBMISSIONS RESPECTING DISPOSITION**

18. That the facts, as outlined in the Agreed Statement of Facts, establish that in accordance with Section 12(1)(b) of the City of Hamilton Licensing By-Law 07-170, the requirements of the By-law are not being met as not all exhibition areas meet the required minimum seating requirements of the By-law. The applicant has indicated that he is prepared to invest in bringing the theatres into compliance with the minimum seating requirements as a condition of a licence.
19. That the facts, as outlined in the Agreed Statement of Facts, establish that In accordance with Section 12(1)(c) of the City of Hamilton Licensing By-law 07-170, as amended, the business would put public safety at risk; by having sexual activity occurring in the establishment. The applicant agrees that such activity is to be discouraged and prohibited.

20. That the facts, as outlined in the Agreed Statement of Facts, establish that in accordance with Section 12(1)(d) of the Licensing By-law 07-170, the business operating as Show World by 501857 New Brunswick Limited did not carry on in compliance with the law or with honesty or integrity by not having the required Smoke Free Ontario signs posted on the premises. The applicant agrees that smoking should be clearly discouraged and prohibited.
21. That the application for an Adult Film Theatre Establishment Licence, submitted by 501857 New Brunswick Limited o/a Show World, located at 61 King St East, Hamilton, Ontario, be approved and the licence be issued subject to the following conditions:
  - (a) That the Licensee only exhibit adult films in rooms that comply with the theatre 50 seat minimum and have direct access to a lobby;
  - (b) That the Licensee notify the Issuer of Licences, in writing, which exhibit areas are being used for exhibition and are compliant with the Licensing By-law regulations;
  - (c) That the Licensee prominently displays signs, that are easily read, in the lobbies and theatre entrances that say:
    - Sexual Activity is Prohibited; and,
    - Sexually Transmitted Infections Can Be Passed On Through Unprotected Sexual Contact;
  - (d) The Licensee shall post Smoke Free Ontario signs to the satisfaction of by-law enforcement; and,
  - (e) The Licensee shall ensure that staff are alert and assist with inspections.

The Hamilton Licensing Tribunal recessed for 10 minutes to allow time for the Tribunal to review the Agreed Statement of Facts, and reconvened at 10:10 a.m.

The Tribunal suggested that Mr. Gassner consider having an attendant make frequent visits into the theatre to discourage sexual activity among the patrons.

Mr. Ormond commented regarding the Tribunal's suggestion. Mr. Ormond's comments included, but were not limited to, the following:

- This would be similar to the maintenance checks / logs that are completed in restaurant washrooms. However, it is up to the business as to how they determine they wish to operate the business. The business should be in

compliance with the law. For instance, with regard to ensuring that patrons are not masturbating or smoking – letting the business determine the best way to manage the business, but if Municipal Law Enforcement finds these issues ongoing or finds new issues, and the business is in non-compliance with the law, the City (MLE) would address those matters, at that time.

Mr. Macos commented regarding the Tribunal's suggestion. Mr. Macos' comments included, but were not limited to, the following:

- That the business has been in operation since 1985 and for the past 25 years there have not been any issues. If the business is upgraded/renovated it will attract a better clientele and these matters should resolve themselves
- My client wants the business to act in a lawful manner and wants to see its patrons behave in a lawful manner while at the establishment.
- Only recently has there been a category for this type of business in the Hamilton Licensing By-law.
- Due to pressure and the deterioration/down grade of the business, these issues are now arising.
- We are respectfully requesting that the licence be granted and if there are still issues, once the business is renovated and re-opened, then perhaps we can come before the Tribunal to present these issues.
- This is a legal business and it is my client's intent is to comply with the Licensing By-law. However, we are looking for flexibility, in the interim period, until the business is renovated and operating.

Mr. Ormond provided further comments, which included, but were not limited to, the following:

- Our records go back to the previous Tribunal hearing. The pornography industry has changed with the internet and cable, and the business' clientele may have changed over the years.
- The establishment would now be licensed and the Licensee will now know what the requirements of the By-law are, and would be accountable for the incidents that occur at that establishment.

- The Police ACTION Team frequents many businesses in the downtown core on a regular basis.

Mr. Macos' final comments included, but were not limited to, the following:

- My client is prepared to close down the business, apply for a building permit to upgrade the premises, which would include the addition of a 50 seat theatre in order to comply with the By-law. The establishment would be closed throughout the renovations.
- The Operator would like to see the business updated and attract a better level of clientele.
- My client has also shown civic mindedness with his involvement in the renovation of the premises several doors down. That restoration won an award; however, it has since been taken over by a jeans store and the façade has been recovered by advertising. Mr. Gassner would be willing to join the BIA and other groups; becoming more involved with the community.

The Hamilton Licensing Tribunal moved into Closed Session, at 10:27 a.m., to deliberate upon the submissions of the parties, respecting the Refusal of an Application for a City of Hamilton Adult Film Theatre Establishment Licence, for 501857 New Brunswick Limited operating as Show World, located at 61 King Street East, Hamilton, Ontario.

Members of the Public were invited to return to hear any further deliberations upon the Tribunal reconvening in Open Session.

The Tribunal reconvened in Open Session at 10:34 a.m.

Having heard the submissions of the parties, the Tribunal provided their recommendations, which are shown as Item 1 of the Hamilton Licensing Tribunal Report 12-003.

**(e) Closed Session Minutes – February 23, 2012 (Item 5.1)**

The Closed Session Minutes of the February 23, 2012 meeting of the Hamilton Licensing Tribunal were approved, as presented.



**(f) ADJOURNMENT (Item 6)**

There being no further business, the Hamilton Licensing Tribunal adjourned at 10:36 a.m.

Respectfully submitted,

Councillor T. Whitehead, Chair  
Hamilton Licensing Tribunal

Stephanie Paparella  
Legislative Coordinator  
Hamilton Licensing Tribunal  
April 12, 2012