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## Bylaw official draws the line on butt ban

**Says violators could see licences taken away**

By [SHAWN LOGAN](#), CALGARY SUN

Bars that defy the city's new smoking bylaw could face massive fines or see their business licences revoked, officials said after learning some establishments are flouting the new legislation.

With some bar owners suggesting they should be due a similar exemption to bingos and casinos if VLTs comprise a major part of their business, not all establishments went smoke-free when the bylaw came into force on New Year's Day.

As of noon today, eight complaints had been filed against four city establishments that continued to allow smoking beyond the Jan. 1 deadline.

Bingos and casinos can still allow smoking until Jan. 1, 2008.

Alvin Murray, the city's bylaw operations manager, said despite what some proprietors think, the smoking ban clearly sets out the definition of gaming facilities under the city's land use bylaw and there are no grey areas to exploit.

And those that willfully defy the ban could face heavy fines and the possibility of having their business licence revoked.

"Obviously there's a couple (of establishments) that aren't in compliance and that's a very risky business," Murray said.

"It they're not defined as a licensed gaming establishment under the land use bylaw, they're out of luck."

He said while the bylaw is generally going to be enforced on a complaint basis, those that refuse to comply may get a visit from city bylaw officers who could then bring the matter to the courts or force an appeal hearing for the facility's business licence.

Murray added one establishment that saw a complaint filed, Austin's Restaurant at 11625 Elbow Dr. S.W., appears to be a licensed gaming facility under the bylaw but the other facilities, including Filo's Restaurant and the Bull & Finch Pub, are likely in contravention of the legislation.

The owner of Austin's could not be reached today and Filo's owner Chris Daskas, who previously said he plans to oppose the bylaw, didn't return calls.

Ald. Diane Colley-Urquhart, who spearheaded the city's push to fast-track the bylaw by a year, said she isn't worried about a handful of disobedient owners because they will have to fall in line or face some serious consequences.

“Business owners will have to weigh their level of risk and that’s their prerogative,” she said.

“I’m not overly concerned — I think the marketplace will sort itself out and level the playing field.”

An establishment could seek a zoning change but would have to meet all the requirements under the land use bylaw and have the city approve the rezoning.