



BUSINESS REGULATION

BYLAW NO. 7148

EFFECTIVE DATE –

CITY OF RICHMOND
BUSINESS REGULATION BYLAW NO. 7148

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CITY OF RICHMOND
BUSINESS REGULATION BYLAW NO. 7148

The Council of the City of Richmond enacts as follows:

PART ONE: GENERAL REGULATIONS

1.1 Operator Obligations – All Businesses

1.1.1 The **operator** of any **business** regulated under this bylaw:

- (a) must be in possession of, and must produce at the request of the **Licence Inspector** and the **Police Chief**, the **licence** for that **business**, under the **Business Licence Bylaw**;
- (b) must permit reasonable inspection access to the **Licence Inspector**, the **Building Inspector**, the **Medical Health Officer** or the **Police Chief**, for any residence, place, premises, building or vehicle, in respect of which a **licence** has been issued;
- (c) whose premises are located within the **City**:
 - (i) must display the **licence** for such premises, in a conspicuous place;
 - (ii) must not carry on any such **business** at a location other than the premises licenced, or at two or more premises under one licence; and
 - (iii) must ensure that the premises and immediate area are kept clean and free of debris; and
- (d) must not change the location of the premises in which his **business** is carried out without having applied to the **Licence Inspector**, in writing, for the appropriate **licence** amendments, and the requirements of Part 1 and Part 2, as applicable, of the **Business Licence Bylaw** apply to all such location amendment applications.

PART TWO: ANIMAL GROOMING SERVICE REGULATION

2.1 Operator Obligations - General

2.1.1 Every animal grooming service **operator** must ensure that:

- (a) a competent person is in attendance on the premises during all **business** hours;

- (b) no animal is kept or boarded between 9:00 p.m. and 7:00 a.m.;
- (c) the services rendered are limited to washing, grooming, defleaing or ridding the animal of external **vermin** or clipping an animal's nails;
- (d) animals are kept under proper control and restrained from barking, yelping, and howling;
- (e) animals are supplied with fresh drinking water and are kept in cages which are:
 - (i) adequately separated from other animals;
 - (ii) of a design, finish and size which does not unnecessarily restrict the movement of the animals; and
 - (iii) easily cleaned and maintained; and
 - (iv) kept in good repair at all times;
- (f) animals are not permitted to use an **outdoor run**.

2.2 Operator Obligations – Buildings

2.2.1 Every animal grooming service **operator** must ensure that the building used for an animal grooming service:

- (a) is regularly cleaned, disinfected, and kept free of any offensive or disagreeable odour, to the satisfaction of the **Medical Health Officer**;
- (b) has floors, walls and ceilings constructed of an impervious material, which can be easily cleaned;
- (c) has at least one sink or basin, and at least one laundry tub, each with running hot water for washing and cleaning;
- (d) has a complete system of insect screens on all exterior opening doors and windows; and
- (e) is installed with a mechanical apparatus to provide at least one complete change of air per hour.

PART THREE: ADULT ENTERTAINMENT ESTABLISHMENT REGULATION

3.1 General Provisions

3.1.1 The provision of **adult entertainment** by an **adult entertainment establishment** is prohibited except in accordance with the requirements of this bylaw.

3.2 Operator Obligations

3.2.1 Every **adult entertainment establishment operator** must:

- (a) post a sign in a conspicuous place, near each entrance to such establishment; and
- (b) place a menu on each table at which customers are seated in such establishment,

disclosing the following information:

- (i) all prices charged for all food, beverages and other goods and services sold within such establishment; and
 - (ii) all rules of conduct, including mandatory purchases of food, beverages, goods or services, if any, imposed by such establishment on its customers;
- (c) ensure that such **adult entertainment establishment** has at least one, but not more than three, **designated performance areas** for **adult entertainment**, each of which must comprise a stage, the height of which is at least 0.5 metres (19.7 inches) above the immediate floor level, and is located no closer than 1 metre (39.4 inches) from the nearest location at which customers are allowed to view the **adult entertainment**;
 - (d) ensure that **adult entertainment** is only conducted in a **designated performance area**, and not in any other part of an **adult entertainment establishment**;
 - (e) ensure that **entertainers** perform simultaneously for all interested customers present, and not just for a particular person or persons among them;
 - (f) ensure that customers:
 - (i) do not enter into, or be in, a **designated performance area** while an **entertainer** is there; and
 - (ii) do not touch, or be touched by, an **entertainer** and that no food or beverages are shared by an **entertainer** and a customer anywhere in an **adult entertainment establishment** before, during or following that **entertainer's** performance; and
 - (g) ensure that **entertainers** wear non-transparent clothing which fully cover that person's body from at least 18 centimetres (7.08 inches) above the knee to not less than 10 centimetres (3.93 inches) below the neck:
 - (i) when passing through or in those areas of an **adult entertainment establishment** occupied by customers; and
 - (ii) when entering and leaving a **designated performance area**;

- (h) ensure that **entertainers** and customers do not pass objects between them as part of or during the performance by the **entertainer**; and
- (i) comply with the current requirements and guidelines published under the *Liquor Control & Licencing Act* and Regulations for similar premises in which alcohol is served to customers."

PART FOUR: ANIMAL HOSPITAL REGULATION

4.1 Operator Obligations – General

4.1.1 Every **animal hospital operator** must be a registered veterinary surgeon and must maintain professional veterinary service at all times on at least an on-call basis, and in addition, must ensure that:

- (a) a competent person is in attendance on the premises at all times; and
- (b) animals in care are:
 - (i) fed and watered from utensils which are washed daily; and
 - (ii) properly controlled and restrained from barking, yelping and howling.

4.1.2 An **operator** of an **animal hospital** may board animals in connection with the provision of veterinary services provided that the minimum kennel standards established by the BCSPCA are complied with.

4.2 Operator Obligations – Buildings

4.2.1 Every **animal hospital operator** must ensure that the building or part of a building used as an **animal hospital**:

- (a) has a clean air space of not less than 80 cubic feet, and a floor area of not less than 10 square feet for each animal in care;
- (b) has a ceiling height of not less than 8 feet measured perpendicularly from the floor;
- (c) has floors which are constructed of material which is impervious and which can be easily cleaned;
- (d) is installed with a mechanical apparatus to provide at least one complete change of air per hour;
- (e) has interior walls and ceilings constructed of, or containing, at least 3 inches of insulation or its equivalent, for the purpose of soundproofing;

- (f) has an adequate supply of running hot water which is available at all times for the purpose of washing the animals and cleaning the premises;
- (g) is adequately heated;
- (h) has an adequate number of animal pens or cages, each of which:
 - (i) contain suitable bedding on which the animals may sleep or rest;
 - (ii) are of a design, finish and size which do not unnecessarily restrict the movement of the animals;
 - (iii) permit easy cleaning; and
 - (iv) are kept in good repair at all times,

and that each animal pen is fronted by a 4 foot wide hallway and that there is one isolation pen for each 20 animals;

- (i) has a suitable **whelping area**;
- (j) has all external openings equipped with insect screens;
- (k) is kept free of all animal waste, which the **operator** must dispose of in a manner approved by the **Medical Health Officer**; and
- (l) is at all times, together with all animal pens and cages:
 - (i) kept in a clean and sanitary condition, and free from **vermin** and rodents; and
 - (ii) regularly disinfected and free of offensive and disagreeable odours to the satisfaction of the **Medical Health Officer**.

PART FIVE: AMUSEMENT CENTRES REGULATION

5.1 General Application

5.1.1 The provisions of this Part do not apply to an establishment licensed under the *Liquor Control and Licensing Act*.

5.2 Operator Obligations

5.2.1 Every **amusement centre operator** must:

- (a) be at least 19 years of age, and only employ persons who are at least 19 years of age;
- (b) keep the premises well lit and clean; and
- (c) post in a conspicuous place, near the **amusement machines**, a summary of the rules of conduct for customers, including those rules contained in this bylaw. 300

5.2.2 Clause (a) of subsection 5.2.1 does not apply to a person working in **business** premises containing both **amusement machines** and any other unrelated **business**, provided the person's duties do not include supervising the operation of the **amusement machines** or providing services to users of such machines.

5.2.3 An **amusement centre operator** may only permit an **amusement machine** to be played, used or operated during the following hours:

Monday, 8:00 a.m. to 1:00 a.m. Tuesday
Tuesday, 8:00 a.m. to 1:00 a.m. Wednesday
Wednesday, 8:00 a.m. to 1:00 a.m. Thursday
Thursday, 8:00 a.m. to 1:00 a.m. Friday
Friday, 8:00 a.m. to 2:00 a.m. Saturday
Saturday, 8:00 a.m. to 2:00 a.m. Sunday
Sunday, 8:00 a.m. to 1:00 a.m. Monday

5.3 Operator Prohibitions

5.3.1 An **amusement centre operator** must not:

- (a) allow any intoxicated person to enter or remain on the premises in an **amusement centre**;
- (b) allow any consumption of alcoholic beverages, **gambling**, fighting, drunkenness, profane swearing, or indecent, obscene, blasphemous or grossly insulting language, or other immorality or indecency in an **amusement centre**;
- (c) permit any person under the age of 15, unless such person is accompanied by his or her parent, to use, play or otherwise operate an **amusement machine** or loiter near an **amusement machine**, between the hours of 9:30 a.m. and 3:00 p.m., Mondays to Fridays inclusive, or after 9:00 p.m. on Sundays to Thursdays inclusive, unless such day is a weekday and a school holiday;
- (d) permit any person wishing to play an **amusement machine**, about whose age there is reasonable doubt, to play an **amusement machine**, unless adequate proof of age is provided to the **amusement centre operator**;
- (e) permit the use of an **amusement machine** for the purpose of **gambling** unless the premises is licensed as a casino by the appropriate Provincial Authority; or
- (f) keep, maintain, permit or operate more than 4 **amusement machines** at any time on any **business** premises, except at those **business** premises listed on Schedule A, which is attached and forms a part of this bylaw.

5.4 Exemption for Pre-existing Business

- 5.4.1 Notwithstanding the provisions of clause (f) of subsection 5.3.1, Richmond Karting, located at 6631 Sidaway Road, which existed prior to the effective date of this bylaw, may continue to keep, maintain, permit or operate more than 4 **amusement machines**, provided all other provisions of this Part with regard to **amusement centres**, are complied with.

PART SIX: BILLIARD/POOL HALL REGULATION

6.1 Operator Obligations

- 6.1.1 A **billiard/pool hall operator** may only permit a **billiard/pool hall** to be open for **business** during the following hours:

Monday, 8:00 a.m. to midnight
 Tuesday, 8:00 a.m. to midnight
 Wednesday, 8:00 a.m. to midnight
 Thursday, 8:00 a.m. to midnight
 Friday, 8:00 a.m. to 2:00 a.m. Saturday
 Saturday, 8:00 a.m. to 2:00 a.m. Sunday
 Sunday, 8:00 a.m. to midnight,

provided such billiard/pool hall is located in Community Commercial District (C3), in the current Zoning & Development Bylaw of the City.

- 6.1.2 A **billiard/pool hall operator**, whose business is located outside the area specified in subsection 5.1.1, may only permit such **billiard/pool hall** to be open for business during the following hours:

Monday, 8:00 a.m. to 1:00 a.m. Tuesday
 Tuesday, 8:00 a.m. to 1:00 a.m. Wednesday
 Wednesday, 8:00 a.m. to 1:00 a.m. Thursday
 Thursday, 8:00 a.m. to 1:00 a.m. Friday
 Friday, 8:00 a.m. to 2:00 a.m. Saturday
 Saturday, 8:00 a.m. to 2:00 a.m. Sunday
 Sunday, 8:00 a.m. to 1:00 a.m. Monday.

- 6.1.3 A **billiard/pool hall operator** must ensure that there are no customers on the **billiard/pool hall** premises except during the hours specified in subsection 6.1.1 and 6.1.2, whichever is applicable.

6.2 Operator Prohibitions

- 6.2.1 A **billiard/pool hall operator** must not:

- (a) permit a person under the age of 16 to be present in a **billiard/pool hall** for any purpose, unless the person is accompanied by a parent or guardian who must be at least 19 years of age;

- (b) employ a person to work in a **billiard/pool hall** who is under the age of 16;
- (c) permit the playing of cards or **gambling** on the premises;
- (d) permit anyone not actively engaged in playing **billiards** or permitted accessory activities, to remain on the premises; or
- (e) permit the **billiard/pool hall** to be open for **business**, unless either the **operator** or a person designated by the **operator** is on site, to act on his or her behalf.

PART SEVEN: BODY-PAINTING/BODY-RUB STUDIO REGULATION

7.1 Operator Obligations - General

7.1.1 Every **body-painting/body-rub studio operator** must:

- (a) provide the **Licence Inspector** with 24 hours' written notice of any changes in the personnel employed or engaged in such **business**, and the applicable provisions of the **Business Licence Bylaw** apply to any new persons proposed to be employed or engaged by the said **body-painting/body-rub studio**;
- (b) permit such business to be open only during the following hours:
 - Monday, 8:00 a.m. to midnight;
 - Tuesday, 8:00 a.m. to midnight;
 - Wednesday, 8:00 a.m. to midnight;
 - Thursday, 8:00 a.m. to midnight;
 - Friday, 8:00 a.m. to 1:00 a.m. Saturday;
 - Saturday, 8:00 a.m. to 1:00 a.m. Sunday;
 - Sunday, 8:00 a.m. to midnight.

7.2 Operator Obligations - Buildings

7.2.1 Every room used by the **operator** of a **body-painting/body-rub studio** for a **body-rub** or similar service must:

- (a) be free of any locking device;
- (b) be equipped with lighting of at least 550 lux, which must remain illuminated when either:
 - (i) the door into such room is closed; or
 - (ii) such room is occupied;

and
- (c) be equipped with a window, which:

- (i) may be translucent;
- (ii) must remain unobstructed at all times;
- (iii) must be visible from the reception area; and
- (iv) has a minimum area of 1,000 sq. cm. with no side having a dimension less than 25 cm.

7.3 Operator Prohibitions

7.3.1 An operator of a **body-painting/body-rub studio** must not:

- (a) employ any person in the premises unless that person is 19 years of age or over and is licensed as required;
- (b) permit any person to be in the premises at any time unless that person is 19 years of age or over;
- (c) permit any person engaged in providing a **body-rub** or other service to be in such premises unless such person is wearing clean, washable, non-transparent outer garments, covering his or her body between the neck and the top of the knee, the sleeves of which must reach below the elbows; or
- (d)
 - (i) have been; or
 - (ii) employ any person who has been

convicted of an offense under any of Sections 210, 211, 212 or 213 of the *Criminal Code of Canada*.

PART EIGHT: ESCORT SERVICE REGULATION

8.1 Operator Obligations

8.1.1 Every **escort service** operator must:

- (a) provide the **Licence Inspector** with 24 hours' written notice of any changes in the personnel employed or engaged in the said **business**, and the applicable provisions of the **Business Licence Bylaw** apply to any new persons proposed to be employed or engaged by the said **escort service**; and
- (b) maintain for inspection by the **Licence Inspector** or **Police Chief**, a written record of every service provided, giving the name and current address of the person provided with such service, for a period of not less than six months after such service was provided.

8.2 Operator Prohibitions

8.2.1 An **escort service operator** must not:

- (a) employ, offer the services of, or name an escort, to a customer or potential customer, unless such escort is at least 19 years old and is licensed as required; or

- (b) (i) have been; or
- (ii) employ any person who has been

convicted of an offense under any of Sections 210, 211, 212 or 213 of the *Criminal Code of Canada*.”

PART NINE: GAS STATION REGULATION

9.1 Operator Prohibitions

- 9.1.1 A **gas station operator** must not install or operate a customer-operated pump dispensing flammable automotive fuels.

PART TEN: KARAOKE BOX ROOM REGULATION

10.1 Operator Obligations – Buildings

- 10.1.1 Every room used as for a Karaoke-type entertainment area, which is separate from the main restaurant or other use in such premises, must:

- (a) be easily accessible and visible from the main restaurant area; and,
- (b) have at least one half of the wall, including any door, which faces the main restaurant, constructed with clear, non-glare, non-reflected, non-tinted glass.

- 10.1.2 The glass required under clause (b) of sub-section 10.1.1, must remain unobstructed at all times.

PART ELEVEN: KENNEL REGULATION

11.1 Commercial and Hobby Dog Kennels, Dog Daycare Facilities and Cat Kennels

- 11.1.1 Every **operator** of a commercial or hobby **dog kennel**, a dog daycare facility or a **cat kennel** must ensure that the building or part of a building used for any such purposes:

- (a) has a clean air space of not less than 80 cubic feet, and a floor area of not less of than 10 square feet for each animal kept or kennelled;
- (b) has a ceiling height of not less than 8 feet measured perpendicularly from the floor;
- (c) has floors which are constructed of material which is impervious and which can be easily cleaned;
- (d) has interior walls and ceilings constructed of, or containing at least 3 inches of insulation or its equivalent, for the purpose of soundproofing;

- (e) is installed with a mechanical apparatus to provide at least one complete change of air per hour;
- (f) has an adequate supply of running hot water which is available at all times for the purpose of washing the animals and cleaning the premises;
- (g) is adequately heated;
- (h) has an adequate number of animal pens or cages, each of which:
 - (i) contain suitable bedding on which the animals may sleep or rest;
 - (ii) facilitate the provision of an adequate supply of fresh water for each **dog** and **cat**;
 - (iii) are of a design, finish and size which does not restrict the movement of the animals unnecessarily,
 - (iv) permit easy cleaning; and
 - (v) are kept in good repair at all times,

and that each animal pen is fronted by a hallway of at least 4 feet in width, and that there is at least one animal isolation pen for each 20 animals;

- (i) has a suitable **whelping area**;
- (j) is at all times, together with all animal pens and cages:
 - (i) kept in a clean and sanitary condition, and free from **vermin** and rodents; and
 - (ii) regularly disinfected and free of offensive and disagreeable odours to the satisfaction of the **Medical Health Officer**;
- (k) has all external openings, other than those used as egress or ingress to an **outdoor run**, equipped with insect screens;
- (l) is kept free of all animal waste, which the **operator** must dispose of in a manner approved by the **Medical Health Officer**;
- (m) contains the following facilities and accommodation:
 - (i) a separate or combined public waiting room and office;
 - (ii) a food storage and preparation room containing adequate refrigeration equipment and a sink with running hot water;
 - (iii) adequate toilets and washbasins for use by employees;
 - (iv) a grooming room having running hot water for the bathing of animals; and
 - (v) a laundry tub connected to running hot water for the cleaning of animal pens and cages.

11.1.2 In addition, every **operator** of a commercial or hobby **dog kennel**, dog daycare facility or **cat kennel** must ensure that all **dogs** or **cats** in care:

- (a) are fed and watered from utensils which have been washed daily; and
- (b) are properly controlled and restrained from barking, yelping or howling.

11.1.3 In addition, every **operator** of a commercial or hobby **dog kennel**, dog daycare facility or **cat kennel** who has a **dog** or **cat** in his care, which either is, or appears to be, suffering from a disease transmittable to humans or other animals, must:

- (a) immediately notify the **Medical Health Officer**; and
- (b) ensure that such **dog** or **cat** is kept isolated from healthy **dogs** or **cats**, until it has been determined by the **Medical Health Officer** that such **dog** or **cat** is free from the disease in question.

11.1.4 Where an **operator** has received notice from the **Medical Health Officer** in accordance with subsection 11.1.3, that a **dog** or **cat**:

- (a) is diseased, the **operator** must not permit such **dog** or **cat** to be kept in any place where it may come into contact with, or be in danger of transmitting the disease to other **dogs** or **cats**; or
- (b) is suffering from an incurable disease, the **operator** must advise the owner of such **dog** or **cat**, who must make arrangements to have it immediately destroyed in a manner approved by the **Medical Health Officer**.

11.2 Commercial Dog Kennels, Dog Daycare Facilities and Cat Kennels

11.2.1 In addition to the regulations for commercial **dog kennels**, dog daycare facilities, or **cat kennels** contained in section 11.1, every **operator** of a commercial **dog kennel**, dog daycare facility or **cat kennel** must ensure that the building or part of a building used for such purposes:

- (a) is located not less than 50 feet from any dwelling located on the same lot, and not less than 80 feet from any other dwelling;
- (b) has interior and exterior walls constructed of a smooth impervious material to a height of 4 feet above the floor, and has an impervious floor having a 2 inch fall to a drainage gutter, connected to a sanitary sewer or a septic tank; and
- (c) has animal pens or cages of a design which must be impervious to a height of 4 feet above the floor, and which has a doorway connecting the animal pen or cage to a secured hallway which may be of a dutch-door type;

- (d) has an **outdoor run** which:
 - (i) has minimum dimensions of 4 feet in width, 12 feet in length, and 6 feet in height;
 - (ii) is separated from other **outdoor runs** by a concrete wall which is not less than 18 inches high and 4 inches wide; and
 - (iii) is enclosed with a metal mesh fence on the top and on all sides;
 - (e) has a fence placed around the portion of the property used for **kennel** or dog daycare facility purposes, which:
 - (i) is at least 6 feet in height, to prevent visibility from the outside;
 - (ii) is situated not less than 10 feet, nor more than 20 feet from the **kennel** or dog daycare facility, or from the building and its **outdoor runs**; and
 - (iii) is kept in good repair.
- 11.2.2 The **operator** of a commercial **dog kennel**, dog daycare facility or **cat kennel** must not locate such operation on a parcel of land which contains, or has situated on it, any other building or structure other than a single-family dwelling and necessary outbuildings, including staff living quarters which are ancillary to the single-family dwelling.
- 11.2.3 The **operator** of a commercial **dog kennel**, dog daycare facility or **cat kennel** must:
- (a) maintain for inspection at all reasonable times by the **Licence Inspector**, a register of **dogs** and **cats** in care, which provides the following information:
 - (i) the name, address and telephone number of the owner of the **dog** or **cat**;
 - (ii) the name, breed and species of the **dog** or **cat**; and
 - (iii) the **dog** licence tag number of each **dog** in care;
 - (b) prominently display in the public waiting room the rates charged for services rendered.
- 11.2.4 The **operator** of a commercial **dog kennel**, dog daycare facility or **cat kennel** is permitted to sell pet food of all kinds, as well as related animal-care products, provided that any fresh and frozen pet food containing animal tissue which is offered for sale:
- (a) has been **purchased** by the **operator** from an approved Government inspected source;
 - (b) has been prepared, packaged and stored in a location inspected and approved by Government Inspectors;

- (c) is labelled with the name of the **business** in question at the time of sale to the public; and
- (d) is labelled "Not for Human Consumption – Dog Food" at the time of sale to the public.

11.3 Dog Daycare Facilities

11.3.1 In addition to the regulations for dog daycare facilities contained in sections 11.1 to 11.2 inclusive, a dog daycare facility **operator**:

- (a) must not care for more than 20 dogs at any time; and
- (b) may only operate between the hours of 7:00 a.m. and 7:00 p.m., Monday to Friday inclusive.

11.4 Hobby Dog Kennels

11.4.1 The **operator** of a hobby **dog kennel** must not accept any **dog** for the purpose of boarding, grooming, harbouring, training or keeping for any purpose.

11.4.2 The **operator** of a hobby **dog kennel** may keep or own two, but not more than five dogs at any time for the purpose of breeding, or for show, or other hobby purposes.

PART TWELVE: MESSAGE THERAPIST (REGISTERED) REGULATION

12.1 Operator Obligations

12.1.1 Every **Message Therapist (Registered) operator** must permit such business to be open only between the hours of 8:00 a.m. and 9:30 p.m. each day.

PART THIRTEEN: MESSAGE THERAPIST (UNREGISTERED) REGULATION

13.1 Operator Obligations

13.1.1 Every **message therapist (unregistered) operator** must:

- (a) provide the **Licence Inspector** with 24 hours' written notice of any changes in the personnel employed or engaged in such **business**, and the applicable provisions of the **Business Licence Bylaw** apply to any new persons proposed to be employed or engaged by the said **message therapist (unregistered)**; and
- (b) permit such business to be open only between the hours of 8:00 a.m. and 9:30 p.m. each day.

PART FOURTEEN: PARKING ENFORCEMENT BUSINESS USING AUTOMOBILE IMMOBILIZING DEVICES REGULATION

14.1 Operator Obligations

14.1.1 Every **operator** of a parking enforcement **business** using **automobile immobilizing devices** must:

- (a) display in a conspicuous place at all locations where vehicles are, or may be, immobilized, signs made of a reflective material, of a size not less than 35.5 centimetres (14 inches) by 50 centimetres (20 inches), with letters and numbers not less than 5 centimetres (2 inches) in height, containing the following information:
 - (i) the conditions under which the parking of any vehicle will be considered unauthorized; and
 - (ii) the name and the telephone number of the firm responsible for immobilizing vehicles at that location;
- (b) ensure that once a vehicle has been fitted with an **automobile immobilizing device**, that a person having the means and authority to remove the **automobile immobilizing device**, is on the site at all times until the owner or driver of the vehicle has reclaimed the vehicle;
- (c) for enforcement of time limited parking, wait 5 minutes for every 15 minutes of regulated time parking prior to immobilizing a vehicle; and
- (d) maintain, to the satisfaction of the **Licence Inspector**, a written record, which must be available for inspection during normal **business** hours, of all vehicles which have been immobilized, identifying the vehicle and the times when the vehicle was immobilized and released from immobilization.

14.2 Operator Prohibitions

14.2.1 An **operator** of a parking enforcement **business** using **automobile immobilizing devices** must not:

- (a) apply an **automobile immobilizing device** to a vehicle:
 - (i) and in addition, have such vehicle towed from the premises for the same offence;
 - (ii) in a designated fire lane; or
 - (iii) displaying an approved parking placard showing the international symbol for persons with disabilities, and which is lawfully parked in a parking space marked as reserved for the use of such persons; or

- (b) charge more than \$15 for the removal of an **automobile immobilizing device**.

PART FIFTEEN: PEDDLER (FOOD) REGULATION

15.1 Peddler (Food) Obligations

15.1.1 Every **peddler** of food items, when plying his trade and selling or offering for sale to the public, must:

- (a) carry an identification card issued by the **Licence Inspector**, and must produce such card at the request of any customer or the **Licence Inspector**; and
- (b) display on his vehicle a metal plate and decal provided by the **Licence Inspector**.

15.1.2 In the case of loss, damage or destruction of the metal plate or the loss of the decal, or both, the **Licence Inspector** must issue a duplicate plate or decal, as applicable, upon provision of satisfactory proof and payment of a \$10 fee.

15.2 Peddler (Food) Prohibitions

15.2.1 A **peddler** of food items must not:

- (a) stand or locate either directly outside or in the normal flow of traffic to any premises which offer the same or similar items for sale as the **peddler**; or
- (b) ply his trade:
 - (i) from a vehicle which has been stopped for more than ten minutes within 100 metres of any location used by that **peddler** in the preceding two hours; or
 - (ii) in a public park, or school grounds, without the permission of **Council** or the Board of Trustees of School District No. 38 (Richmond), whichever is applicable.

PART SIXTEEN: PEDDLER (NON-FOOD) REGULATION

16.1 Peddler (Non-food) Obligations

16.1.1 Every **peddler** of non-food items, when plying his trade and selling or offering for sale to the public, must:

- (a) carry an identification card issued by the **Licence Inspector**, and must produce such card at the request of any customer or the **Licence Inspector**;
- (b) use a scale or measure for any commodity which is sold or offered for sale by weight or measure; and

- (c) display on his vehicle a metal plate and decal provided by the **Licence Inspector**.

16.1.2 In the case of loss, damage or destruction of the metal plate or the loss of the decal, or both, the **Licence Inspector** must issue a duplicate plate or decal, as applicable, upon provision of satisfactory proof and payment of a \$10 fee.

16.2 Peddler (Non-food) Prohibitions

16.2.1 A **peddler** of non-food items must not:

- (a) stand or locate either directly outside or in the normal flow of traffic to any premises which offer the same or similar items for sale as the **peddler**; or
- (b) ply his trade:
 - (i) from a vehicle which has been stopped for more than ten minutes within 100 metres of any location used by that **peddler** in the preceding two hours; or
 - (ii) in a public park, or school grounds, without the permission of **Council** or the Board of Trustees of School District 38 (Richmond) whichever is applicable; and
- (c) if licenced to ply his trade door-to-door, offer any **perishable food** products for sale.

PART SEVENTEEN: RENTAL AGENCY REGULATION

17.1 Operator Prohibitions

17.1.1 A **rental agency operator** must not directly or indirectly take, accept or receive any deposit, or charge and collect any fee, for any services rendered to a person seeking residential rental accommodation unless and until such person has successfully obtained rental accommodation as a direct result of such services; provided however, that such **rental agency operator** may charge and collect a \$5 registration fee.

PART EIGHTEEN: ROADSIDE STAND REGULATION

18.1 Roadside Stand Regulations - all Classes

18.1.1 The **operator** of any class of **roadside stand** must not:

- (a) sell at retail or display for sale at retail, from or in a building or structure or vehicle, any **farm produce**, without first obtaining a **business** licence to do so; or
- (b) operate any class of **roadside stand** other than the class for which the licence was issued.

18.1.2 Every **roadside stand operator** must:

- (a) ensure that his **roadside stand**:
 - (i) has an interior that is easily maintained at all times in a sanitary condition to the satisfaction of the **Medical Health Officer**; and
 - (ii) does not create a traffic hazard;
- (b) provide sufficient free vehicle parking to ensure that **roadside stand** customers:
 - (i) are able to park their vehicles clear of all highways; and
 - (ii) are not required to reverse their vehicles onto a highway when leaving such **roadside stand**;
- (c) permit the **Licence Inspector** or the **Building Inspector** to enter, at all reasonable times, onto any land and into any buildings, to establish whether the provisions in this bylaw are being obeyed; and
- (d) comply with and ensure that all persons assisting or employed in the operation of such **roadside stand** comply with any provincial regulations governing sanitation and the operation of food premises.

18.2 Roadside Stand Regulations - Class A

18.2.1 Every Class A **roadside stand operator** must:

- (a) only display or sell **farm produce** which is grown or raised in the **City**;
- (b) provide toilet and handwashing facilities within 30 metres (98.425 feet) for the use of those persons assisting or employed in the operation of such **roadside stand**; and
- (c) ensure that such **roadside stand** is moved to the rear of the parcel of land or the group of contiguous parcels of land on which it is located whenever it is not being used for a period of two weeks or longer, for the display or sale of **farm produce**.

18.3 Roadside Stand Regulations - Class B

18.3.1 Every Class B **roadside stand operator** must only display or sell **farm produce** which is grown or raised in the Province of British Columbia.

18.4 Roadside Stand Regulations - Class C

18.4.1 Every Class C **roadside stand operator** must only display and sell:

- (a) **farm produce** which is grown or raised in the Province of British Columbia, and
- (b) imported **farm produce**, provided:
 - (i) such **farm produce** is of a general class or kind not grown in British Columbia; or
 - (ii) at the time of sale or display, no British Columbia grown **farm produce** of such general class or kind is available through established commercial **farm produce** marketing organizations.

18.4.2 Every Class C **roadside stand operator** must place in a visible location, to any person looking at any individual class or kind of **farm produce** displayed in such **roadside stand**, a legible sign, stating in letters not less than 4 centimetres (1.6 inches) in height, the country of origin of each class or kind of such **farm produce**.

18.4.3 A Class C **roadside stand operator** must not sell or display any goods other than **farm produce** and firewood, provided that the sale of firewood is ancillary to the sale of **farm produce**.

PART NINETEEN: SECOND HAND DEALER/PAWNBROKER REGULATION

19.1 Second-Hand Dealer/Pawnbroker Obligations

19.1.1 Every **second-hand dealer/pawnbroker** must:

- (a) keep a record of all **second-hand items purchased**, in a **second-hand dealer/pawnbrokers'** register, and must record in such register, at the time of **purchasing** or otherwise receiving such **second-hand items**, the following:
 - (i) the time and date at which each **second-hand item** was **purchased**;
 - (ii) an account and a description of each **second-hand item purchased**, including a notation of any distinctive marks and names on such item;
 - (iii) the price paid for each **second-hand item**;
 - (iv) the name and address of the person from whom such **second-hand items** were **purchased**; and
 - (v) the make, description and provincial licence plate number of any vehicle used for the delivery of such **second-hand items**;
- (b) produce upon request, during **business** hours, the **second-hand dealer/pawnbrokers'** register for inspection by the **Police Chief** or the **Licence Inspector**, and must upon request, provide the **second-hand dealer/pawnbrokers'** register to such person for inspection elsewhere, or for use as evidence in court or other proceedings;

- (c) keep any books and documentation required under the *Pawnbrokers Act* open for inspection by the **Police Chief** during **business** hours and must upon request, provide such books and documentation to the **Police Chief** for inspection elsewhere, or for use as evidence in court or other proceedings;
- (d) present to the **Police Chief** at his request, any **second-hand items** in the **second-hand dealer/pawnbroker's** possession, for which a request for inspection has been made; and
- (e) place and maintain his name and address on:
 - (i) the front of the premises in which he carries on **business**; and
 - (ii) both sides of any vehicle used in connection with such **business**.

19.1.2 Notwithstanding the provisions of clause (a) of subsection 19.1.1, a **second-hand dealer/pawnbroker** is not required to record in the **second-hand dealer/pawnbrokers'** register the **purchase** of new items which have been obtained from a licenced **business** for the **second-hand dealer/pawnbroker's** own use and not for resale.

19.2 Second-Hand Dealer/Pawnbroker Prohibitions

19.2.1 A **second-hand dealer/pawnbroker** must not:

- (a) **purchase a second-hand item** from a person under the age of 18; or
- (b) alter, repair, dispose of, or in any way part with a **second-hand item purchased** by him, or allow a **second-hand item** to be removed from his premises, or otherwise dispose of such item until after the expiration of 72 hours from the time of **purchase**, exclusive of Sundays and statutory holidays.

19.2.2 During the 72 hour period stipulated in clause (b) of subsection 19.2.1, such **second-hand items** must be segregated and kept apart from all other items on the **second-hand dealer/pawnbroker's** premises and must be available for inspection by the **Police Chief**, during **business** hours.

19.2.3 Notwithstanding the provisions of subsection 19.2.2:

- (a) the **Police Chief** may require a **second-hand dealer/pawnbroker** to retain a **second-hand item** in his possession for longer than 72 hours from the time of **purchase**, and in such circumstances, none of the **second-hand items**, nor any part of them, can be disposed of or removed from the premises of the **second-hand dealer/pawnbroker** without the written consent of the **Police Chief**; and

- (b) a **second-hand dealer/pawnbroker** may, upon **purchasing a second-hand item**, notify the **Police Chief** in writing of the **second-hand dealer/pawnbroker's** desire to resell or otherwise dispose of such item before the expiration of the 72 hour period, whereupon after giving written notification, the **second-hand dealer/pawnbroker** must hold the article for 24 hours excluding Sundays and statutory holidays, and he may dispose of such item if after that time he has received a written release from the **Police Chief**.

19.2.4 Where **second-hand items** have been **purchased** by a **second-hand dealer/pawnbroker** from another **second-hand dealer/pawnbroker** who has had such items in his possession for a period of time longer than required under clause (b) of subsection 19.2.1, the **Police Chief** may authorize the purchaser in writing to dispose of such items without holding them for that period.

PART TWENTY: TATTOO PARLOUR REGULATION

20.1 Operator Prohibitions

20.1.1 A **tattoo parlour operator** must not permit any person under the age of 18 to be tattooed, unless with the written consent of the person's parent or guardian.

PART TWENTY-ONE: TELEPHONE SALES OFFICE REGULATION

21.1 Operator Obligations

21.1.1 Every **telephone sales office operator** must advise the **Licence Inspector**, in writing, not later than 24 hours after any change has been made to any of the information which must be provided to the **Licence Inspector** to obtain a **telephone sales office licence**, as stipulated in the **Business Licence Bylaw**.

PART TWENTY-TWO: VIOLATIONS AND PENALTIES

22.1 Any **licencee, operator**, or any other person who:

- (a) violates or who causes or allows any of the provisions of this bylaw to be violated; or
- (b) fails to comply with any of the provisions of this, or any other bylaw or applicable statute; or
- (c) neglects or refrains from doing anything required under the provisions of this bylaw or the **Business Licence Bylaw**; or
- (d) fails to maintain the standard of qualification required for the issuing of a licence under the **Business Licence Bylaw**; or
- (e) makes any false or misleading statement,

is deemed to have committed an infraction of, or an offence against, this bylaw or the **Business Licence Bylaw**, whichever is applicable, and is liable on summary conviction, to the penalties provided for in the *Offence Act*, and each day that such violation is caused or allowed to continue constitutes a separate offence and may result in the suspension or cancellation of the **licence**.

PART TWENTY-THREE: ADMINISTRATION AND ENFORCEMENT

23.1 The **Licence Inspector, Building Inspector, Medical Health Officer, or Police Chief** are hereby authorized to enter at any reasonable time, the premises of any **business** regulated under this bylaw, to determine whether the provisions of this bylaw are being, or have been complied with; and it is unlawful for any person to prevent or obstruct the **Licence Inspector, Building Inspector, Medical Health Officer or Police Chief** from the carrying out of any of their duties with respect to the administration and enforcement of this bylaw.

PART TWENTY-FOUR: PREVIOUS BYLAW REPEAL

24.1 Business Regulation Bylaw No. 6902 and the following amendment bylaws are repealed:

<u>BYLAW NO.</u>	<u>ADOPTED ON</u>
No. 7012	May 10 th , 1999
No. 7013	June 14 th , 1999
No. 7038	September 27 th , 1999
No. 7048	January 1 st , 2000
No. 7090	March 13 th , 2000
No. 7068	June 12 th , 2000
No. 7135	July 26 th , 2000
No. 7147	July 26 th , 2000

PART TWENTY-FIVE: INTERPRETATION

25.1 In this bylaw, unless the context requires otherwise:

- ADULT ENTERTAINMENT** means any nude or partially nude exhibition or performance.
- ADULT ENTERTAINMENT ESTABLISHMENT** means a business which provides **adult entertainment** for its customers.
- AMUSEMENT CENTRE** means any room, building, store or other area open to the public, containing one or more **amusement machines**.

AMUSEMENT MACHINE

means a machine on which mechanical, electrical, automatic or computerized games are played for amusement or entertainment, and for which a coin or token must be inserted or a fee charged for use, and includes machines used for the purposes of **gambling**.

ANIMAL HOSPITAL

means a building structure or premises in which animals receive medical or surgical treatment, and are hospitalized or maintained.

AUTOMOBILE IMMOBILIZING DEVICE

includes a wheel-lock-device, a "Denver Boot" or any other device designed to be affixed to the wheels or axle of a vehicle to prevent the movement of that vehicle.

BILLIARDS

includes billiards, snooker, pool, bagatelle and other similar games.

BILLIARD/POOL HALL

means any premises where more than 2 billiard or pool tables are made available to members of the public for a fee, but does not include **City** facilities or non-profit service clubs.

BODY-PAINTING STUDIO

includes any premises or part of such premises where, directly or indirectly, a fee is paid for any application of paint, powder or similar materials to the body of another person.

BODY-RUB

includes the manipulating, touching or stimulating by any means, of a person's body or part of that body, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing such activities other than the *Local Government Act*, or **therapeutic touch therapy**.

BODY-RUB STUDIO

includes any premises or part of such premises where a **body-rub** is performed, offered or solicited.

BUILDING INSPECTOR

means the person appointed as the Manager, Building Approvals Department, or those positions or persons appointed by **Council** to act under this bylaw in the place of the Manager.

BUSINESS

means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal, or other services for the purpose of gain or profit, either:

- (a) in, or from, premises within the **City**; or
 - (b) within the **City** from premises located elsewhere.
- BUSINESS LICENCE BYLAW** means the current Business Licence Bylaw of the **City**.
- CAT** means a member of the feline species which is 4 or more months of age.
- CAT KENNEL** means a building, structure, compound, group of animal pens or cages or property, in which or where 3 or more cats are, or are intended to be, trained, cared for, bred, boarded, or kept for any commercial purpose.
- CITY** means the City of Richmond.
- COUNCIL** means the Council of the **City**.
- DESIGNATED PERFORMANCE AREA** means a stage in an **adult entertainment establishment** on which the **adult entertainment** is provided.
- DOG** means any member of the canine species which is 4 or more months of age.
- DOG KENNEL** means a building, structure, compound, group of pens or cages or property in which or where 3 or more dogs are, or are intended to be, trained, cared for, boarded, or kept for any purpose, and without limiting the foregoing, includes a building or part of a building in which two or more dogs are kept for breeding purposes. For the purpose of this bylaw, a commercial dog kennel is one in which dogs are trained, cared for, boarded, groomed or kept for any purpose, for a fee, or in which more than 5 dogs are kept for breeding and selling purposes.
- ENTERTAINER** means a person who performs **adult entertainment**.
- ESCORT SERVICE** includes any person carrying on the **business** of providing escorts for social occasions.
- FARM** means land within the **City**, whether consisting of one or more separate parcels, classified as farm land by the British Columbia Assessment Authority, and operated as one farming operation principally for the growing or raising of **farm produce**.

FARM PRODUCE

means berries, fruit, vegetables, honey, eggs, fresh cut flowers, live fowl, live poultry, bedding plants, seeds, and trees commonly known as Christmas trees sold only during the Christmas season, bulbs and similar products, live shrubs and trees grown or produced from seeds, seedlings or cuttings on the individual **farm** on which the sale is taking place; but excluding dressed fowl or poultry, butchered meat and preserved foods.

GAMBLING

means any activity or game of chance for money or other valuable consideration carried out or played on or through computer, electronic, video device or machine, but excluding the following:

- (a) the **purchase** and sale of lottery tickets pursuant to a lottery scheme administered by the British Columbia Lottery Corporation; or,
- (b) "pull-tab" machines that are owned and operated by the British Columbia Lottery Corporation.

GAS STATION

means a place of **business** where flammable automotive fuels, oil and automotive accessories are supplied to the travelling public at retail, but excludes self-service stations.

LICENCE

means a **business** licence issued for the current year, by the **Licence Inspector**, under the **Business Licence Bylaw**.

LICENCEE

means a person to whom a **business** licence has been issued under the **Business Licence Bylaw**, for a **business** regulated under this bylaw.

LICENCE INSPECTOR

means the person appointed by **Council** as Licence Inspector for the **City**, and includes Bylaw Enforcement Officers and the Chief Licence Inspector.

**MASSAGE THERAPIST
(REGISTERED)**

means a person registered with the Association of Physiotherapists and Massage Practitioners of British Columbia.

**MASSAGE THERAPIST
(UNREGISTERED)**

means a person providing **therapeutic touch therapy** but excludes a person providing a **body-rub** or a similar service.

MEDICAL HEALTH OFFICER

means the Medical Health Officer appointed under the *Health Act* to act within the limits of the jurisdiction of any local board, or within any health district.

OPERATOR

means any person who, as a proprietor, lessee, manager, employee or otherwise, carries on the operating of a **business** on behalf of a **licencee**, and includes any person managing or supervising such **business**.

OUTDOOR RUN

means an area used for exercising or airing **dogs** or **cats**.

PEDDLER

means every person who sells, attempts to sell, takes orders for, or solicits orders for, goods, services, investments, including food or drink, or any other thing, at a place other than his permanent place of **business**, whether personally or by his agent.

PERISHABLE FOOD

means any food or ingredient capable of supporting the growth of pathogenic micro-organisms or production of toxins.

POLICE CHIEF

means the Officer in Charge of the Richmond Detachment of the Royal Canadian Mounted Police, or his designate.

PURCHASE

includes buy, barter, deal in, receive in exchange, receive in part payment or receive on consignment.

RENTAL AGENCY

means a **business** for the purpose of renting homes, commercial or industrial or other real estate, but does not include the holder of a **licence** for a real estate agency.

ROADSIDE STAND

means a Class A Roadside Stand, or, a Class B Roadside Stand, or, a Class C Roadside Stand.

SECOND-HAND ITEMS

means any goods or chattels **purchased**, sold, procured, or offered for sale, or second-hand items or chattels taken in pawn.

**SECOND-HAND DEALER/
PAWNBROKER**

means a person carrying on the **business** of **purchasing**, selling, procuring or offering **second-hand items** for sale, and without limiting the generality of the foregoing, second-hand dealer/pawnbroker includes:

- (i) auto wreckers who carry on the **business** of **purchasing** automobiles and automobile parts and components for the purpose of reselling those parts or components for reuse, or as junk;
- (ii) junk dealers who carry on the **business** of **purchasing** or selling junk;

- (iii) pawnbrokers who carry on the **business** of receiving goods or chattel in pawn;
- (iv) persons who keep a store, shop, or other place of **business** for the purpose of carrying on a second-hand dealer operation; and
- (v) persons who, while licenced or required to be licenced for any **business** other than the **businesses** referred to in the **Business Licence Bylaw, purchase** or store **second-hand items** either as a principal or as an agent.

TATTOO PARLOUR

means the service of piercing the skin with a needle for the purpose of inserting colour(s) so as to leave a permanent mark(s) or design(s) on the skin.

TELEPHONE SALES OFFICE

means any building, room or place from which residents are contacted by telephone for the purpose of soliciting, selling, taking orders for, or attempting to do so, or making appointments for agents or representatives of any person, firm or corporation to call at the home of such resident for the purpose of demonstrating, selling, taking orders for, or attempting to do so, of any goods, services, magazines, books or any other publication or thing.

THERAPEUTIC TOUCH THERAPY

includes but is not limited to shiatsu, reflexology, biokineisiology, hellework, polarity, reiki, rolfing and trager approach.

VERMIN

includes fleas, lice, worms and other parasitic insects.

WHELPING AREA

means an area where a **cat** or a **dog** gives birth to its young.

PART TWENTY-SIX: SEVERABILITY AND BYLAW CITATION

- 26.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

26.2 This bylaw is cited as "**Business Regulation Bylaw No. 7148**".

FIRST READING

OCT 23 2000

SECOND READING

OCT 23 2000

THIRD READING

OCT 23 2000

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK

**SCHEDULE A to
BYLAW 7148**

AMUSEMENT CENTRES

	Civic Address	Civic Number	Original Bylaw Reference
1.	Alderbridge Way	7951 - #140	7147
2.	Alexandra Road	8580 - #1085	7068
3.	Cambie Road	8181	5972
4.	Capstan Way	8388	6775
5.	Entertainment Boulevard	14200	6810
6.	Entertainment Boulevard	14211	6856
7.	Garden City Road	4731 - #140	6829
8.	Garden City Road	4751 - #105	6855
9.	Hazelbridge Way	4151	5972
10.	Hazelbridge Way	4231 - #165	7038
11.	Lansdowne Road	8160	6866
12.	Minoru Boulevard	5960 - #100	7068
13.	Sexsmith Road	3779	6663
14.	Westminster Highway	8260	6199
15.	No. 3 Road	3311 - #110	6775
16.	No. 3 Road	3700	6044
17.	No. 3 Road	4351 - #120	6833
18.	No. 3 Road	4380 (Formerly 4440)	5780
19.	No. 3 Road	5300 (Lansdowne Mall)	4540
20.	No. 3 Road	6360 - #8	6868
21.	No. 3 Road/ Minoru Blvd.	6551) 6060) (Richmond Centre Mall)	4540
22.	No. 5 Road	10800	6278