



CITY OF RICHMOND

REPORT TO COUNCIL

TO: Richmond City Council
FROM: Paul Kendrick
City Solicitor
DATE: January 17, 2001
FILE: 8060-20-7202
RE: Suggested Amendments to Late Event (Rave) Bylaw

STAFF RECOMMENDATION

1. That Bylaw No. 7202 be amended by adding the following words after the word "Zoning" in clause (b) of subsection 2.1.2, "not more than 12 weeks, and".
2. That Bylaw No. 7202 be amended by adding the following as subsection 2.4.2:

"2.4.2 Where more than one application for a late night event for the same date is received, such applications will be considered in the order in which they were received."

Paul Kendrick
City Solicitor

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STAFF REPORT

ORIGIN

On January 15th, 2001, the General Purposes Committee recommended some changes to the Late Night Events (Rave) Bylaw that staff presented to committee, all of which have been incorporated into the bylaw on the Council agenda. This report discusses one of those changes in particular, and suggests a further change arising out of discussions at that meeting.

FINDINGS OF FACT

One of the changes that arose out of the General Purposes meeting was to delete the 12 week time limit beyond which a permit to hold a late night event could not be applied for. Staff are of the opinion that this maximum time limit for applications should be retained in the bylaw for the time being.

There are four reasons why this clause is necessary at this time.

1. The time limit prevents an applicant from "block booking", and thus controlling all of the rave events in the City.
2. If the City was to decide to ban rave events at some time in the future, there could be actions for loss of profits from those who have already submitted applications. Thus, the 12 week maximum provision limits the number who may have a claim.
3. Likewise, if Council wishes to make further bylaw amendments, there could be a number of applications in place which will be relying on the existing rules.
4. If Council ever approves another site for rave events, that new site may not be able to accommodate a late night event for some time, if the existing sites have secured dates well into the future.

If, in the future, it appears that the Late Night Event Bylaw regulations are effective, and there is no need for further amendments, then the 12-week maximum time limit can be eliminated as was suggested.

As well at the meeting, it was pointed out that there was no provisions to handle the situation that could arise if applications were received for the same day from two different promoters. We are suggesting that section 2.4.2 be added which clarifies that applications will be considered in the order received by the City.

FINANCIAL IMPACT - Not applicable.

CONCLUSION

If Council wishes to reinstate the 12 week maximum time for applications, recommendation 1 should be adopted. If Council agrees with the concept of dealing with the situation of more than one application for a late night event for the same night in the order received by the City, then recommendation 2 should be adopted.



Paul Kendrick
City Solicitor

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