



CITY OF RICHMOND

REPORT TO COUNCIL

TO: Richmond City Council
FROM: Jim Bruce
General Manager, Finance and Corporate Services
RE: **Suspension of Business Licence
for Orientique/Shiatsu**

DATE: May 9, 2001
FILE: 8060-20-7048

STAFF RECOMMENDATION

That Council suspend the business licence of Orientique/Shiatsu for the period May 16, 2001 through June 14, 2001 both dates inclusive.

A handwritten signature in black ink, appearing to read 'Jim Bruce'.

Jim Bruce
General Manager, Finance and Corporate Services

STAFF REPORT

ORIGIN

The City has been making a concerted effort to monitor many of the adult entertainment businesses in the City in an effort to control late night activities which the RCMP believe are problem areas for them to police as well as to improve customer and employee safety.

Many of these efforts are being realized through zoning restrictions and hours of operation. There are however several of these businesses that continue to operate outside the parameters established in our business use and regulations bylaws. This report details one such business.

ANALYSIS

City staff and the RCMP continue to make unscheduled visits to many of the City's adult business establishments. Several of these businesses continue to operate outside the established rules and regulations.

The new regulations have now been in place for roughly a year and our efforts to get compliance from a few of the businesses has not been successful. Orientique/Shiatsu is one of these businesses.

The business, has had six infractions and was subject to a business licence suspension hearing in May, 2001.

It is my belief that as much as the company advocates that it will undertake compliance, the reality of the situation is that it is not happening.

As the Chief Licence Inspector for the City, I believe some action must be taken on this matter and consequently, I am recommending a licence suspension to this business.

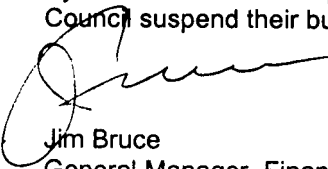
As this will be a first suspension I believe a 30 day suspension is warranted.

FINANCIAL IMPACT

There is no financial impact to the City.

CONCLUSION

That the City has been tolerant in attempting to get compliance to the Business Licence and Regulation Bylaws and as Orientique/Shiatsu has not co-operated and has continued to commit violations, that Council suspend their business licence from May 16, 2001 through June 14, 2001 both dates inclusive.


Jim Bruce
General Manager, Finance and Corporate Services

JWB:tlm
Att. 1



City of Richmond

6911 No. 3 Road, Richmond, BC V6Y 2C1
Telephone (604) 276-4000
www.city.richmond.bc.ca

May 9, 2001
File: 8060-20-7048

Finance & Corporate Services
Fax: (604) 276-4162
Admin. 276-4219 Accounts Receivable 276-4277
Payroll 276-4137 Purchasing 276-4097
Tax 276-4145

Mr. Yiu Lam Tony Ko
536987 BC Ltd.
doing business as
Orientique/Shiatsu
Unit 200 – 8271 Alexandra Road
Richmond BC V6X 1A7

Dear Mr. Ko:

**Re: Orientique/Shiatsu
Business Licence Review Hearing**

This correspondence will serve as official follow-up to your business licence review hearing held before me at Richmond City Hall at 10:00 a.m. on May 4, 2001 in meeting room 2.103.

I have now had the opportunity to review all the facts as presented by Mr. Duarte, the City's representative who presented both his findings and those of the RCMP as gathered at on-site visits. I have also taken into consideration all the comments put forward by your representative Mrs. Lin. The findings clearly indicate that your business was operating in contravention to the City of Richmond Business Licence and Regulations bylaws.

You have now had 6 ticketable bylaw offences and have been given warnings about a continuing problem of contravening the bylaws. Although this warning did not result in a suspension hearing, you were given warning that further contraventions could result in suspension hearings. These contraventions continued and I therefore had no alternative but to hold a suspension hearing.

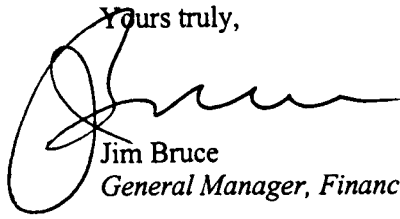
The facts presented indicate that a licence suspension is warranted. I will therefore be recommending to Richmond City Council that your business licence be suspended from May 16, 2001 through June 14, 2001 both dates inclusive, which is a total of 30 days.

This recommendation will be dealt with by Richmond City Council at their meeting of May 14, 2001. This meeting will commence at 7:00 p.m. sharp and you have the right to appear before Council to debate the recommendation and to present your case as to why the recommendation should not be supported. Should you wish to attend the meeting to present your case, please contact Mr. Richard McKenna, the City Clerk, and he will ensure you are added to the Council agenda as a delegation.

RICHMOND
Island City, by Nature

Should you have any questions regarding this recommendation, or the process relating to the Council meeting, please feel free to call me directly at 276-4095.

Yours truly,

A handwritten signature in black ink, appearing to read "Jim Bruce". The signature is fluid and cursive, with a large loop at the beginning.

Jim Bruce
General Manager, Finance and Corporate Services

JWB:tlm

pc: J. Hikida
V. Duarte
R. McKenna
A. Spevak - RCMP



CITY OF RICHMOND

LICENCE SUSPENSION HEARING ORIENTIQUE/SHIATSU MINUTES

HELD May 4, 2001
Room 2.103
RICHMOND CITY HALL

In Attendance:

Mr. T. Ko (TK)
Mrs. Lin (ML)
Mr. V. Duarte (VD)
Mr. J. Bruce (JB)

1. JB - explained the process including the steps if this goes to Council.
2. ML - wanted to know if Council meant a lawyer. We answered no and explained
3. VD - made his presentation.
 - Business has had 8 tickets of which 6 have been issued to the new owner.
 - Three tickets were issued on January 16, 2001.
 - Mr. Ko has had several warnings and has had the bylaw rules and regulations explained several times. He has also been told that if more infractions continue VD would have no option but to report this to the Chief Business Licence Inspector.
 - RCMP and VD undertook a site inspection at 16:50 p.m. on April 12, 2001.
 - There was a person in the staff room who advised she was not an employee but just there for a job interview. When asked more questions she admitted she had been there for 2 hours and then admitted she would work if a customer arrived.
 - Mr. Ko was interviewed and he said the girl was only there for a job interview. After further questioning, Mr. Ko said she was working and apologized for not telling the truth.
 - An MTI was issued for not registering an employee.

- This was not the first time Mr. Ko had advised the people on the premises were there for job interviews and then changed his story.
4. JB – asked ML to make a presentation.
 5. ML – doesn't spend much time at the business. He has come in several times but has had very few problems.
 - He did call VD in January to say he understood the rules and regulations.
 - He wanted to explain what had happened on April 12/2001.
 - The lady VD interviewed had very bad English and she was there to see if she liked the place of business so she could work.
 6. JB – followed up on this and asked about the business.
 - Mr. Ko advised that he is not there very often and the ladies take care of the business
 - He is looking for a manager, but not found one yet
 - Business is very slow
 - He has up to 6 employees
 - They get about 6 – 7 customers per day
 - A 40 minute session costs \$30
 - They do not perform any extra services
 - Mr. Ko admits he understands
 7. ML - says TK understands this is a serious matter and from now on he will follow the rules. He won't let it happen again and hopes he can have another chance. He has told VD that if any employee gets a ticket she must pay it herself.
 8. JB – re-advised the business owner of the process from here on in and they said they understood.

JB:tlm



City of Richmond

6911 No.3 Road, Richmond, BC V6Y 2C1
Telephone (604) 276-4000
www.city.richmond.bc.ca

April 20, 2001
File: 8275-20

Finance & Corporate Services
Fax: (604) 276-4162
Admin. 276-4219 Accounts Receivable 276-4277
Payroll 276-4137 Purchasing 276-4097
Tax 276-4145

Mr. Yiu Lam Tony Ko
536987 BC Ltd., doing business as
Orientique/Shiatsu
Unit #200-8271 Westminster Hwy.
Richmond, BC V6X 1A7

Dear Sir:

Re: Business Licence Contravention and Licence Review Hearing

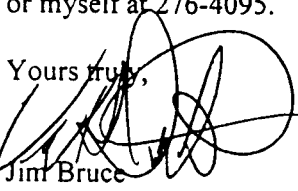
It has been brought to my attention that a recent site inspection was conducted and your business has again been cited for contravention of the City of Richmond Business Regulation Bylaw No. 7148.

This last contravention, shows the total number of Municipal Tickets issued to your business, is 8 and the contravention's have been specific to the operating standards as set in the bylaw.

You are hereby requested to appear at a Business licence review hearing to discuss these matters, which may result in the suspension or cancellation of your Business Licence. The hearing has been set for 10:00 a.m. on Friday, May 4th in room T.2.103 at the Richmond City Hall located at 6911 No. 3 Road.

Should you have any questions regarding this matter please feel free to call either Mr. Duarte at 276-4389 or myself at 276-4095.

Yours truly,

for 
Jim Bruce
Chief Licence Inspector

JWB:vmd

pc: V. Duarte