



CITY OF RICHMOND

REPORT TO COUNCIL

TO: Richmond City Council
FROM: Jim Bruce
General Manager, Finance and Corporate Services
DATE: May 9, 2001
FILE: 8060-20-7048
**RE: Suspension of Business Licence
for Silver Springs Massage Therapy Centre**

STAFF RECOMMENDATION

That Council suspend the business licence of Silver Springs Massage Therapy Centre for the period May 16, 2001 through July 14, 2001 both dates inclusive.

A handwritten signature in black ink, appearing to read 'Jim Bruce', written over a faint circular stamp or watermark.

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. Silver Springs Massage Therapy Centre is one of these businesses.

This business had a previous 30 day licence suspension authorized by Council in October of 2000.

The business, after reopening, has again had several infractions and was subject to a business licence suspension hearing in March, 2001. As a result of that hearing the Chief Licence Inspector issued a warning letter to the business and did not recommend a licence suspension. The attached letter details that hearing. Subsequent to that hearing the business has again had ticketable offences and tickets were issued.

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 another licence suspension to this business.

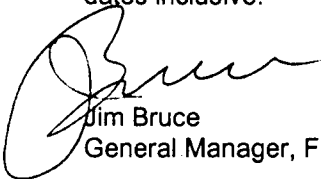
As this will be a second suspension I believe a 60 day suspension is warranted.

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 Silver Springs Massage Therapy Centre has not co-operated and has continued to commit violations, that Council suspend their business licence from May 16, 2001 through July 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. Y. Gao
584363 BC Ltd.
doing business as
Silver Springs Massage Therapy Centre
5333 No. 3 Road
Richmond BC V6X 2C7

Dear Mr. Gao:

**Re: Silver Springs Massage Therapy Centre
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 10:30 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 Mr. Chan. The findings clearly indicate that your business was operating in contravention to the City of Richmond Business Licence and Regulations bylaws.

You have had a previous licence suspension in October of 2000 and were given an official warning in March 2001 about a continuing problem of contravening the bylaws. Although this warning did not result in a suspension, you were given warning that further contraventions could result in further suspension hearings. These contraventions have continued and I therefore have no alternative but to recommend to Richmond City Council that a suspension of your business licence is warranted.

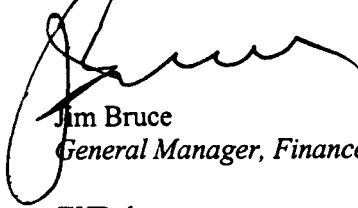
I will therefore be recommending to Richmond City Council that your business licence be suspended from May 16, 2001 through July 14, 2001 both dates inclusive, which is a total of 60 days.

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", with a large, stylized initial "J" that loops around the first part of the name.

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
SILVER SPRINGS MASSAGE THERAPY CLINIC**

MINUTES

**HELD May 4, 2001
Room M.2.103
RICHMOND CITY HALL**

In Attendance:

Mr. Steven Chan (Interpreter) (SC)
Mr. Y. Gao (YG)
Mr. V. Duarte (VD)
Mr. J. Bruce (JB)

1. Meeting Started at 10:30 a.m.

2. JB - explained process of the hearing and outcome options all the way to Council, if it goes that far.

3. VD made presentation.

- April 12, VD and RCMP made site visit at 4:30 p.m.
- 2 employees were with customers
- the lights were out in the room and the doors were jammed shut
- Females were not properly dressed
- 2 MTI's issued
- Had a licence suspension from Oct. 16 to Nov. 12, 2000
- RCMP reported an attendance at 3:00 a.m. on April 15, 2001 and observed activity in premises but refused entry

4. Mr. Chan wanted to respond.

- Mr. Gao bought the business about 1 year ago in April or May of 2000.

- The previous owner left the business licence bylaw and he assumed this was the one that was in affect. Did not know anything about all these new rules
5. JB – Stated some concern about these comments as Mr. Gao had previously received a licence suspension and had attended a suspension hearing just a month or so ago and was completely aware of the rules.
 6. SC – said there was a language barrier and YG did not truly understand.
 7. JB – Find this hard to believe as he had an interpreter at the last meeting and we even attended the site after the suspension hearing to ensure YG understood everything.
 8. SC – Stated that the City had previously agreed to everything in his place of business and now they are changing the rules. Feels this is unfair. YG was never explained the rules.
 9. VD – Stated that he had spent time with YG and an interpreter when he applied for the licence to explain all the rules. He had mad several site visits to the business premises and dropped off all the new rules and regulations.
 10. SC – Advised that the doorstoppers were already there when he bought the business and he didn't know they were there. The problem is not with his business but the girls who work there. They break the rules. All the rules are explained to the girls when they start, but he can't control them if they break the rules.
 11. SC – Says the cops have come 3 times in 10 days and his business is going sour. The government also came once in 10 days. Says the RCMP came on Jan. 15, 16, 19, 24 and again on April 12 and 18.
 12. SC – wants the City to consider the language barrier and to spend more time explaining the process so he can know when there are rule changes.
 13. JB – explained the process from here on and explained that a letter would be delivered detailing what action the City would take.

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. Yan Gao
584363 BC Ltd., doing business as
Silver Spring Massage Therapy Clinic
5333 No. 3 Road
Richmond, BC V6X 2C7

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.

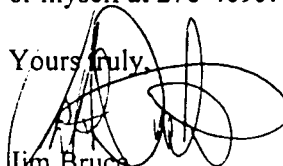
Since your Business Licence Suspension Hearing of March 07,2001, you have received 2 more municipal tickets for contravention's to the bylaw as noted above.

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 10:30 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


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City of Richmond

6911 No. 3 Road, Richmond, BC V6Y 2C1
Telephone (604) 276-4000
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March 13, 2001
File: 8060-20-7048

Finance & Corporate Services
Fax: (604) 276-4162
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Payroll 276-4137 Purchasing 276-4097
Tax 276-4145

Mr. Yan Gao
Silver Springs Massage Therapy Centre
5333 No. 3 Road
Richmond
V6X 2C7

Dear Mr. Gao:

Re: Business Licence Suspension Hearing

Thank you for attending the Business Licence Suspension Hearing on March 7, 2001 at the Richmond City Hall.

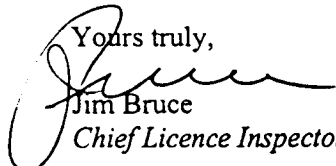
Based on all the evidence that was presented, it is clear that you have again been in contravention of the appropriate City of Richmond Business Licence and Regulations Bylaw. There was, however, evidence presented that would lead me to believe that there was a misunderstanding on the part of the business in relation to the window requirements for the individual massage rooms. City staff have done a site visit and advised the owner of a solution to the problem.

As the infractions were of a minor nature and you were ticketed for the infractions, I am prepared, at this time, to give you some degree of leniency and not recommend that your licence be suspended.

I will, however, advise you that should any future infractions be reported, you will again be faced with another suspension hearing.

Should you have any questions in relation to this matter, or wish to discuss this further, please feel free to call me directly at 276-4095.

Yours truly,


Jim Bruce
Chief Licence Inspector

JWB:naw

pc: V.Duarte


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