



**CITY OF RICHMOND**

**REPORT TO COMMITTEE**

**TO:** General Purposes Committee

**DATE:** May 31, 2000

**FROM:** Paul Kendrick  
City Solicitor

**FILE:** 8060-20-7123

**RE: AMENDMENTS TO THE BUSINESS REGULATION AND TICKETING BYLAW TO  
ADULT ENTERTAINMENT**

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**STAFF RECOMMENDATION**

1. That Bylaw No. 7135 which amends the Business Regulation Bylaw No. 6902 be introduced and be given first, second and third readings.
2. That Bylaw No. 7136 which amends the Municipal Ticket Information Authorization Bylaw No. 7027 be introduced and be given first, second and third readings.

Paul Kendrick  
City Solicitor

Att. 2

<b>FOR ORIGINATING DIVISION USE ONLY</b>	
	<b>CONCURRENCE OF GENERAL MANAGER</b> <hr/>

## STAFF REPORT

### ORIGIN

In December of 1999 Council adopted Bylaw No. 7123 which introduced regulations that were specifically aimed at the regulation and control of Body Rub parlours.

Four of the operators of these businesses applied to the Supreme Court of British Columbia to get an injunction to stop enforcement of the bylaw on the basis that some of the sections went beyond the City's jurisdiction. Recently the Supreme Court ruled that, except for a section which required the keeping of customer's names, the bylaw was valid and enforceable.

### FINDINGS OF FACT

In light of this court ruling, staff and members of the RCMP met to review the situation and to agree on the enforcement techniques. The City had not sent out business licence renewals for Body Rub Parlours as the \$3,000 licence fee depended on the bylaw being up held. These are now being issued.

It was also agreed at the meeting that the section requiring the keeping of customer's names be repealed in light of the court's ruling.

Since the regulation bylaw has withstood the court challenge, we can now add breaches of the new regulations to the Municipal Ticket Information Authorization Bylaw to allow tickets to be written and given to those who breach the new regulations.

Serious or repeat violations will result in the Chief Licence Inspector reviewing the business Licence to determine if suspension or cancellation of the business licence in question should be considered.

At the same time it was decided to reduce the permitted hours of operation of Massage Parlours (unregistered) to require them to be closed at 9:00 p.m.. This change will reduce the temptation of a Body Rub Parlour to try and obtain the much cheaper Massage Parlour (unregistered) Business Licence.

Massage Parlour (unregistered) are those businesses that are not operated by registered masseurs but those who practise touch therapy techniques such as reiki, shiatsu and reflexology, whose business typically would not be impacted by the new opening hour restrictions.

### ANALYSIS

The City and the RCMP are working together to ensure that the new regulations are obeyed. In some cases this might include inspections conducted by the Police, City and Immigration officials. These joint inspections have proved to be very useful in the past.

### FINANCIAL IMPACT

There will some cost involved in enforcement of the new rules, but fine income and the \$3,000 licence fee for Body Rub Parlours should offset the bulk of these costs.

May 31, 2000

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CONCLUSION

Bylaws No. 7135 and No. 7136 on tonight's agenda should be adopted as the next step in allowing the City to keep control of the Body Rub Parlours.

Paul Kendrick  
City Solicitor

PK:pk

**CITY OF RICHMOND**  
**BUSINESS REGULATION BYLAW NO. 6902,**  
**AMENDMENT BYLAW NO. 7135**

The Council of the City of Richmond enacts as follows:

1. Bylaw No. 6902 is amended by deleting clause (c) of sub-section 5A.1.1, (Body-Painting/Body-Rub Studio Regulation).
2. Bylaw No. 6902 is amended by deleting section 9.1 (Massage Therapist [Unregistered] Regulation – Operator Obligations) and by substituting the following:

**9.1 Operator Obligations**

9.1.1 Every **massage 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 **massage 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."

5. This bylaw is cited as "**Business Regulation Bylaw No. 6902, Amendment Bylaw No. 7135**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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

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MAYOR

\_\_\_\_\_  
CITY CLERK

CITY OF RICHMOND

**MUNICIPAL TICKET INFORMATION AUTHORIZATION  
BYLAW NO. 7027, AMENDMENT BYLAW NO. 7136**

The Council of the City of Richmond enacts as follows:

1. Bylaw No. 7027 is amended by deleting Schedule B 2 and by substituting the Schedule denoted as A which is attached and forms a part of this bylaw, as Schedule B 2.
2. This bylaw is cited as **“Municipal Ticket Information Authorization Bylaw No. 7027, Amendment Bylaw No. 7136”**.

FIRST READING

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SECOND READING

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THIRD READING

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APPROVED BY THE CHIEF JUDGE OF THE  
PROVINCE OF BRITISH COLUMBIA

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ADOPTED

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

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MAYOR

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CITY CLERK

## SCHEDULE A

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**BUSINESS REGULATION BYLAW NO. 6902**

Column 1	Column 2	Column 3
<b>Offence</b>	<b>Bylaw Section</b>	<b>Fine</b>
Failure to produce a licence	1.1.1(a)	\$100
Failure to display a licence	1.1.1(c)(i)	\$ 50
Operating amusement machines outside the permitted hours	4.2.3	\$100
Operating more than 4 amusement machines when not permitted	4.3.1(f)	\$100
Failure to provide written notice of change in personnel employed/engaged by body-painting/body-rub studio	5A.1.1(a)	\$100
<b><i>Operating a body painting/body rub studio outside permitted hours</i></b>	<b>5A.1.1(b)</b>	<b>\$100</b>
<b><i>Failure to maintain room free of any locking device</i></b>	<b>5A.2.1(a)</b>	<b>\$100</b>
<b><i>Failure to provide window</i></b>	<b>5A.2.1(c)</b>	<b>\$100</b>
<b><i>Failure to keep window unobstructed</i></b>	<b>5A.2.1(c)(ii)</b>	<b>\$100</b>
<b><i>Permitting an under-aged employee in the premises</i></b>	<b>5A.3.1(a)</b>	<b>\$100</b>
<b><i>Permitting an under-aged person in the premises</i></b>	<b>5A.3.1(b)</b>	<b>\$100</b>
<b><i>Permitting the wearing of outer garments not covering the body between the neck and the top of the knee</i></b>	<b>5A.3.1(c)</b>	<b>\$100</b>
Operating a billiard/pool hall outside the permitted hours	5.1.1 <b>5.1.2</b>	\$100
Permitting an unaccompanied person under the age of 16 to be present in a billiard/pool hall	5.2.1(a)	\$100
Failure to provide written notice of change in personnel employed/engaged by escort service	6.1.1(a)	\$100
Failure to provide written notice of change in personnel employed/engaged by massage therapist (unregistered)	9.1.1(a)	\$100

**SCHEDULE A****Page 2 of 2**

<b><i>Operating massage therapist (unregistered) outside permitted hours</i></b>	<b>9.1.1(b)</b>	<b>\$100</b>
Peddler standing/locating directly outside premises which offers the same or similar items for sale	11.2.1(a) 12.2.1(a)	\$100 \$100
Displaying or selling farm produce which is grown or raised outside the City	14.2.1(a)	\$100
Displaying or selling farm produce which is grown or raised outside the Province of British Columbia	14.3.1	\$100
Selling of firewood which is not ancillary to the sale of farm produce	14.4.3	\$100
Failure to maintain a second-hand dealer/ pawnbrokers' register as required	15.1.1(a)	\$100
Failure to produce a second-hand dealer/ pawnbrokers' register	15.1.1(b)	\$100