



**CITY OF RICHMOND**

**REPORT TO COMMITTEE**

**TO:** General Purposes Committee

**DATE:** June 18, 2003

**FROM:** J. Richard McKenna  
City Clerk

**FILE:** 8060-20-7538

**RE:** Consolidation of the Business Regulation Bylaw and Amendments

**STAFF RECOMMENDATION**

That the following bylaws each be introduced and given first, second and third readings:

1. Business Regulation Bylaw No. 7538; and
2. Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 7539.

J. Richard McKenna  
City Clerk

Att.

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## STAFF REPORT

### ORIGIN

Attached is a new Business Regulation Bylaw (No. 7538) which consolidates the current Business Regulation Bylaw adopted in November 2000, together with the fifteen amendments to the bylaw which have been made since then, including the very recent amendments regarding the sale of reptiles. In addition this new bylaw repeals a number of very old, redundant bylaws dealing with business regulation in the city, which somewhat surprisingly, and perhaps unknown to many, are 'still on the books'. Finally, the new bylaw eliminates a number of now redundant references to the Medical Health Officer which council authorized staff to address on April 28 as part of finalizing an agreement for bylaw enforcement with Richmond Health Services. The details of these changes are described below.

### ANALYSIS

Aside from being a good bylaw management practice, Council policy directs staff to bring forward bylaw consolidations whenever 3 or more amendments have been made to the original 'parent' bylaw. As stated above, the existing Business Regulation Bylaw has been amended fifteen times over the past two and a half years and is in much need of this legal consolidation process. When, as is the case here, a large number of changes are made through additions or deletions to a bylaw, often the logic and numbering system of the sections in the bylaw become very awkward and difficult to follow, and it becomes necessary to undertake a complete correction of the numbering system before further amendments are made. This is especially important for those bylaws which are under close scrutiny by the legal counsel of business operators regulated by the bylaw.

Of somewhat more interest, however, are the following bylaws, listed in chronological order, some of which are quite old and no longer acted upon, which we are taking the opportunity to repeal as part of this consolidation.

1. Milk and Cream Products Delivery Regulation Bylaw No. 1118 (adopted May 1949). This bylaw restricts the vehicular delivery of milk and cream products to between the hours of 6.00 am and 6.00 pm. Although council still has the authority to impose such regulations under the current *Local Government Act*, there are no businesses licenced by the city to deliver such products.
2. Meat and Fish Sale Bylaw No. 1218 (adopted July 1952). This 10 page bylaw, enacted over half a century ago, regulated every aspect of meat and fish sales in excruciating detail. Obviously such regulations were considered necessary at the municipal level in the 1950's, especially given the state of refrigeration which existed at that time. The bylaw contains a number of interesting provisions including "the duty of every operator (of a fish or meat store) to watch his employees for skin conditions such as boils, pimples, abscesses, and infected wounds...." I am advised by the Chief Public Health Inspector of Richmond Health Services that provincial statutes now regulate and control all matters to do with the sale of meat and fish. Thus the bylaw can and should be repealed.

3. Automobile Service Station Closing Hour Extension Bylaw No. 1912 (adopted July 1962). This 40 year old bylaw was enacted under a section of the then *Municipal Act* which was itself repealed 4 years ago. The *Act* of the day gave local governments the authority to enact a bylaw to allow what we would now call gas stations and automobile repair shops to remain open beyond 6.00 pm each day and to open for business on statutory holidays. Given that this section of the statute is gone, the bylaw has no force and effect and can be repealed.
4. Discotheque Regulation Bylaw No. 2120 (adopted March 1965). Adopted to impose a 10.00 pm closing time on weekdays (midnight on weekends) and to impose an age restriction of 14 on both "boys and girls", this bylaw is redundant because there are no premises licensed as "discotheques" in the city. Also, the bylaw is very vague and uncertain by today's standards in a number of areas.
5. Shop Closing Exemption Bylaw No. 2194 (adopted November 1965). This bylaw was enacted to exempt 50 different categories of shop (basically every category in the city at the time) from the statutory requirement which existed in the mid 1960's, to close at 6.00pm each day and on statutory holidays. Again these sections of the *Act* were repealed in 1999 and thus any remaining bylaws enacted under them are void and can be repealed.

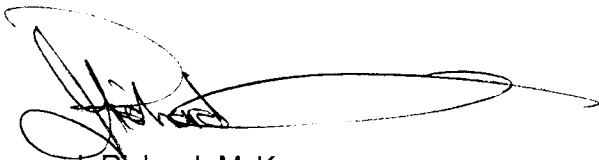
Notwithstanding the above background, if it was council's wish to retain any or these regulatory provisions for which authority still exists, the above bylaws would likely be deficient anyway, and staff should be directed to bring forward bylaw amendments which would contain language and terminology consistent with current provincial statutes as well as with the body of other bylaws which the city has enacted.

#### FINANCIAL IMPACT

None.

#### CONCLUSION

Legally re-adopting the consolidated version of a bylaw which has been subject to multiple amendments makes the bylaw much easier for staff to administer and as well as easier for the public to understand. This in turn greatly reduces the possibility of error with regard to the exact status of current regulations in a particular area. This new bylaw requires a consequential change to one of the schedules in the Municipal Ticket Information Authorization Bylaw, to make the section references consistent between the two. Hence a corresponding amendment to that bylaw is presented.



J. Richard McKenna  
City Clerk

JRM:fja



# ***BUSINESS REGULATION***

**BYLAW NO. 7538**

EFFECTIVE DATE – xxxx

**CITY OF RICHMOND**  
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## CITY OF RICHMOND

# BUSINESS REGULATION BYLAW NO. 7538

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** or the **Police Chief**, the **licence** for that **business**;
- (b) must permit reasonable inspection access to the **Licence Inspector**, the **Building Inspector**, the **Medical Health Officer**, **Animal Control Officer** or the **Police Chief**, for any residence, place, premises, building or vehicle for 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 the **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: ADULT ENTERTAINMENT ESTABLISHMENT REGULATION

### 2.1 General Provisions

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



## 2.2 Operator Obligations

2.2.1 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**:
  - (i) perform simultaneously for all interested customers present, and not just for a particular person or persons among them; and
  - (ii) 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 when passing through or in those areas of an **adult entertainment establishment** occupied by customers; and when entering and leaving a **designated performance area**;
- (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** and customers do not pass objects between them as part of or during the performance by the **entertainer**; and
- (h) 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 THREE: ANIMAL GROOMING SERVICE REGULATION

### 3.1 Operator Obligations – General

3.1.1 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**.

### 3.2 Operator Obligations – Buildings

3.2.1 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;

- (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 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 is installed with a mechanical apparatus to provide at least one complete change of air per hour;
- (b) has a ceiling height of not less than 8 feet measured perpendicularly from the floor;
- (c) has floors which:
  - (i) are constructed of an easily cleaned impervious material which is impervious; and
  - (ii) have an area of not less than 10 square feet for each animal in care;

- (d) has interior walls and ceilings:
  - (i) constructed of a smooth impervious material, and
  - (ii) constructed of or containing at least 3 inches of insulation or its equivalent, for the purpose of soundproofing;
- (e) 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;
- (f) is adequately heated;
- (g) 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;
- (h) has a suitable **whelping area**;
- (i) has all external openings equipped with insect screens;
- (j) is kept free of all animal waste, which the **operator** must dispose of in an appropriate manner; and
- (k) 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.

## 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.

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 centre** 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.

### 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;

(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* as evidenced by a criminal records check.

## 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 Dog Kennels and Cat Kennels

#### 11.1.1 Parcel Requirements and Restrictions

- 11.1.1.1 A **commercial dog kennel** or **cat kennel** may only be located on a **parcel** which is at least two (2) hectares (4.94 acres) in size and has a frontage of at least 60 metres (197 feet).
- 11.1.1.2 The **operator** of a **commercial dog kennel** or **cat kennel** must ensure that such kennel is not located:

- (a) on a **parcel** 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; and
- (b) within 50 feet of any single-family dwelling located on the same **parcel**, nor within 80 feet of any other dwelling.

11.1.1.3 Every **operator** of a **commercial dog kennel** or **cat kennel** must ensure that the **parcel** on which such kennel is located has:

- (a) 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 any 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;
- (b) has a fence placed around the portion of the **parcel** on which the kennel is located, 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 from the building and its **outdoor runs**; and
  - (iii) is kept in good repair.

#### 11.1.2 Operator Obligations – Building Standards

11.1.2.1 Every **operator** of a **commercial dog kennel** or **cat kennel** must ensure that the building or part of a building used for kennel purposes:

- (a) has a clean air space of not less than 80 cubic feet, and is installed with a mechanical apparatus to provide at least one complete change of air per hour;
- (b) has a ceiling height of not less than 8 feet measured perpendicularly from the floor;
- (c) has floors which:
  - (i) are constructed of an easily cleaned impervious material;

- (ii) have a 2 inch fall to a drainage gutter, connected to a sanitary sewer or septic tank; and
  - (iii) have an area of not less of than 10 square feet for each animal kept or kennelled;
- (d) has interior walls and ceilings:
- (i) constructed of a smooth impervious material to a height of 4 feet above the floor, and
  - (ii) constructed of or containing at least 3 inches of insulation or its equivalent, for the purpose of soundproofing;
- (e) 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;
- (f) is adequately heated;
- (g) has an adequate number of animal pens or cages, each of which:
- (i) is impervious to a height of 4 feet above the floor;
  - (ii) contains suitable bedding on which animals may sleep or rest;
  - (iii) facilitates the provision of an adequate supply of fresh water for each **dog** and **cat**;
  - (iv) is of a design, finish and size which does not restrict the movement of the animals unnecessarily,
  - (v) permits easy cleaning;
  - (vi) is kept in good repair at all times; and
  - (vii) has a doorway which may be of a dutch-door type, connecting the animal pen or cage to a secured hallway of at least 4 feet in width, and
- that there is at least one isolation pen or cage for each 20 animals;
- (h) has a suitable **whelping area**;
- (i) is at all times, together with all animal pens and cages:
  - (ii) kept in a clean and sanitary condition, and free from **vermin** and rodents; and
  - (iii) regularly disinfected and free of offensive and disagreeable odours to the satisfaction of the **Medical Health Officer**;
- (i) has all external openings, other than those used as egress or ingress to an **outdoor run**, equipped with insect screens;

- (j) is kept free of all animal waste, which the **operator** must dispose of in a manner approved by the **Medical Health Officer**;
- (k) 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.

### 11.1.3 Operator Obligations – Maintaining of Animal Register

11.1.3.1 Every **operator** of a **commercial dog kennel** 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.

### 11.1.4 Operator Obligations –Animal Care

11.1.4.1 Every **operator** of a **commercial dog kennel** 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.

11.1.4.2 Every **operator** of a **commercial dog kennel** or **cat kennel** who has a **dog** or **cat** in 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.

11.1.4.3 Where an **operator** has received notice from the **Medical Health Officer** in accordance with subsection 11.1.4.2 that a **dog** or **cat**:

- (a) is diseased, the **operator** must not permit such **dog** or **cat** to 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**.

#### 11.1.5 Operator Obligations – Pet Food Sales

11.1.5.1 The **operator** of a **commercial dog kennel** 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.

## 11.2 Dog Daycare Facilities

### 11.2.1 Parcel Requirements and Restrictions

11.2.1.1 A **dog** daycare facility may only be located on a **parcel** which is at least one (1) hectare (2.5 acres) in size and has a frontage of at least 38 metres (125 feet).

11.2.1.2 The provisions of subsection 11.1.1.2 regarding buildings or structures other than a single-family dwelling, and the provisions of subsection 11.1.1.3 regarding the provision of an **outdoor run** and fencing, apply to the operator of a **dog** daycare facility.

### 11.2.2 Operator Obligations – Hours of Operation and Maximum Number of Animals

11.2.2.1 The **operator** of a **dog** daycare facility:

- (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.

11.2.3 Operator Obligations – Building Standards

11.2.3.1 The provisions of subsection 11.1.2.1 regarding building standards apply to the **operator** of a **dog** daycare facility.

11.2.4 Operator Obligations – Maintaining of Animal Register

11.2.4.1 The provisions of subsection 11.1.3 regarding the maintaining of an animal register apply to the **operator** of a **dog** daycare facility.

11.2.5 Operator Obligations – Animal Care

11.2.5.1 The provisions of subsection 11.1.4 regarding animal care apply to the **operator** of a **dog** daycare facility.

11.2.6 Operator Obligations – Pet Food Sales

11.2.6.1 The provisions of subsection 11.1.5 regarding the sale of pet food apply to the **operator** of a **dog** daycare facility.

### 11.3 Hobby Dog Kennels

11.3.1 Parcel Requirements and Restrictions

11.3.1.1 A **hobby dog kennel** may only be located on a **parcel** which is at least 4,050 square metres (1 acre) in size and has a frontage of at least 18 metres (60 feet).

11.3.2 Operator Obligations – Maximum Number of Animals

11.3.2.1 The **operator** of a **hobby dog kennel** may keep or own two, but not more than five **dogs** at any time but must not accept any **dog** for the purpose of boarding, grooming, harbouring, training or keeping for any purpose.

11.3.3 Operator Obligations – Buildings

11.3.3.1 The provisions of subsection 11.1.2 regarding building standards, with the exception of clause (c)(ii); (d)(i) and (g)(i) and (vii), apply to the **operator** of a **hobby dog kennel**.

11.3.4 Operator Obligations – Animal Care

11.3.4.1 The provisions of subsection 11.1.4 regarding animal care apply to the **operator** of a **hobby dog kennel**.

## PART TWELVE: PET STORE REGULATION

### 12.1 Duties of Pet Store Operator - General

12.1.1 Every **pet store operator** must ensure that:

- (a) all persons who attend to the care of **animals** have the skill, knowledge, ability, training and supplies necessary for the humane care of such **animals**;
- (b) no **animals** are handled by members of the public except under the supervision of a **pet store** employee; and
- (c) all **animals** are provided with sufficient water, food, shelter, warmth, lighting, cleaning, sanitation, exercise, grooming, veterinary care, and any other care required to maintain the health, safety and well-being of such **animals**.

### 12.2 Duties of Pet Store Operator - Cages

12.2.1 Every **pet store operator** must ensure that cages or other places where **animals** are kept are:

- (a) maintained in good repair;
- (b) kept in a clean and sanitary condition;
- (c) regularly disinfected and free of offensive and disagreeable odours;
- (d) kept free of all **animal** waste, which the **pet store operator** must dispose of in an appropriate manner; and
- (e) well-ventilated.

12.2.2 Every cage in which an **animal** is kept must:

- (a) be proportionate in size to the size and species of **animal** and allow room for the **animal** to stand to its full height, turn around with ease, and perform any other normal postural or behavioural movement; and
- (b) be equipped with appropriate containers for food and water.

12.2.3 In addition to the requirements of subsection 12.2.2, every cage in which a **cat** or **kitten** is kept must:

- (a) have a floor with an impermeable surface or other such flooring as is approved by the **Animal Control Officer**;
- (b) be constructed to support the weight of the **cat** or **kitten** without bending; and

- (c) have a litter pan made from non-absorbent material or a disposable pan containing sufficient litter.

12.2.4 In addition to the requirements of subsection 12.2.2 and 12.2.3, every cage in which more than one **cat** or **kitten** is kept must provide an elevated platform, surface or surfaces, of adequate size to hold the occupants.

12.2.5 In addition to the requirements of subsection 12.2.2, every cage in which a **dog** or **puppy** is kept must:

- (a) have a floor with an impermeable surface or other such flooring as is approved by the **Animal Control Officer**; and
- (b) be constructed:
  - (i) to support the weight of the **dog** or **puppy** without bending; and
  - (ii) so that it can be easily cleaned and sanitized.

12.2.6 Every cage in which birds are kept must:

- (a) be constructed of materials which are impervious to moisture and easy to clean and disinfect; or
- (b) have a removable, impermeable bottom; and
- (c) be of sufficient size to enable each bird to fully extend its wings in all directions.

12.2.7 In addition to the requirements of subsection 12.2.6, every cage in which finches or canaries are kept must:

- (a) contain two perches, mounted so as to encourage flight between each perch; and
- (b) have adequate space for the birds to sit comfortably when all birds are perched at the same time.

### 12.3 Duties of Pet Store Operator - Segregation of Ill or Injured Animals

12.3.1 Every **pet store operator** must provide an area for the segregation of **animals** which are injured, ill, or in need of special care, treatment or attention, from other **animals** in the **pet store**.

12.3.2 In addition to the provisions of subsection 12.3.1, every **pet store operator** who has an **animal** 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 **animal** is kept isolated from healthy **animals**, until it has been determined by the **Medical Health Officer** that such **animal** is free from the disease in question.

12.3.3 Where an **operator** has received notice from the **Medical Health Officer** in accordance with subsection 12.3.2, that an **animal**:

- (a) is diseased, the **pet store operator** must not permit such **animal** to come into contact with, or be in danger of transmitting the disease to other **animals**; or
- (b) is suffering from an incurable disease, the **pet store operator** must make arrangements to have it immediately destroyed in a manner approved by the **Medical Health Officer**.

## 12.4 Duties of Pet Store Operator - Veterinary Care

12.4.1 Every **pet store operator** must:

- (a) post in a conspicuous place, and make accessible to all employees of the **pet store**, the name and telephone number of a veterinarian who may be contacted to provide all necessary services; and
- (b) ensure:
  - (i) that any **animal** which is ill or injured is promptly examined and treated by a veterinarian; and
  - (ii) that any necessary euthanasia and disposal of an **animal** is performed by, or under the supervision of, a veterinarian.

## 12.5 Duties of Pet Store Operator – Pet Store Register

12.5.1 Every **pet store operator** must:

- (a) keep and maintain a legible **pet store** register in the **pet store**, containing a record of all transactions in which **animals** have been acquired or disposed of by the **pet store**; and
- (b) produce the **pet store** register for inspection at the request of a **licence inspector** and provide copies of any entries required by the **licence inspector**.

12.5.2 Each transaction recorded in the **pet store** register must be retained for at least 12 months from the date of the transaction.

12.5.3 The **pet store** register required under subsection 12.5.1(a) must contain the following information in respect of each **animal** acquired by the **pet store operator**:

- (a) the name of the person or company from whom the **animal** was acquired;

- (b) the date of purchase or acquisition;
- (c) a description of the sex and colouring of the **animal** purchased or acquired and, where applicable, the tattoo or microchip number or other identifying markings;
- (d) the date the **animal** was sold or otherwise disposed of by the **pet store operator**; and
- (e) where an **animal** has been disposed of other than by sale, the method of and reason for such disposition.

## 12.6 Duties of Pet Store Operator - Information Provided to Purchasers

12.6.1 Every **pet store operator** must, at the time an **animal** is sold, provide the purchaser with a written record of sale containing the following information:

- (a) a description of the **animal**;
- (b) the date of sale;
- (c) the name and address of the **pet store**;
- (d) a description of the **animal**, including its sex, age, colour and markings;
- (e) a description of any tattoo;
- (f) the breed or cross breed, if applicable; and
- (g) a record of all vaccinations.

12.6.2 For all **dogs, cats, puppies, or kittens** sold, a **pet store operator** must, in addition to the information required under subsection 12.6.1, provide the purchaser with a certificate, dated and signed by a veterinarian:

- (a) verifying the health of the **dog, puppy, cat or kitten**; and
- (b) indicating proof of inoculation and de-worming.

12.6.3 Every **pet store operator** must, at the time an **animal** is sold, provide the purchaser with written instructions on the proper care and feeding of the **animal**, including:

- (a) appropriate diet, including any special dietary needs;
- (b) proper handling techniques;
- (c) basic living environment and type of enclosure, if applicable, including appropriate temperature, lighting, humidity control, or other requirements specific to the **animal**;
- (d) exercise needs, if any; and

- (e) any other care requirements to maintain the health and well-being of the **animal**.

12.6.4 For all **reptiles** sold, a **pet store operator** must, in addition to the information required under subsections 12.6.1 and 12.6.3, provide the purchaser with written information regarding the risks of contracting salmonella and measures to prevent such contraction.

## 12.7 Duties of Pet Store Operator - Reptiles

12.7.1 Every **pet store operator** must:

- (a) place a notice on the outside of each enclosure holding a **reptile** clearly setting out the following information:
  - (i) the type of species, identified by both common name and scientific (Latin) name, contained in the enclosure;
  - (ii) the approximate length the **reptile** will reach on maturity, measured from snout to tail; and
  - (iii) the maximum natural life-span of the **reptile**;and
- (b) post signs in any area where **reptiles** are displayed with information regarding the risks of contracting salmonella and measures to prevent such contraction.

## 12.8 Pet Store Operator - Prohibitions

12.8.1 A **pet store operator** must not:

- (a) confine incompatible species of **animals** in the same cage;
- (b) separate any **animal** from its mother prior to it being weaned, except for birds which have been separated for the purpose of hand feeding; or
- (c) sell, offer to sell, or display to the public:
  - (i) any **prohibited animal**;
  - (ii) any **reptile** which is not **captive bred**;
  - (iii) any **animal** whose colour has been altered or enhanced with dye, whether applied externally or by ingestion;
  - (iv) any **animal** which suffers from or exhibits signs of an infectious disease, a nutritional deficiency, parasitism, fractures or congenital deformities.

## PART THIRTEEN: REGISTERED MASSAGE THERAPY CLINIC REGULATION

### 13.1 Operator Obligations

13.1.1 Every **Registered Massage Therapy Clinic operator** must:

- (a) permit such business to be open only between the hours of 8:00 a.m. and 9:30 p.m. each day; and
- (b) ensure that every person giving treatments to patients in a **Registered Massage Therapy Clinic** is registered and in good standing with the Association of Physiotherapists and Massage Practitioners of British Columbia.

## PART FOURTEEN: THERAPEUTIC TOUCH CLINIC REGULATION

### 14.1 Operator Obligations

14.1.1 Every **Therapeutic Touch Clinic 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 **Therapeutic Touch Clinic**;
- (b) permit such business to be open only between the hours of 8:00 a.m. and 9:30 p.m. each day; and
- (c) provide the **Licence Inspector** with the name, age, birthdate, current address and picture identification of every **person** proposed to be employed or engaged in such **business**, together with such additional information which the **Licence Inspector** may require.

## PART FIFTEEN: PARKING ENFORCEMENT BUSINESS USING AUTOMOBILE IMMOBILIZING DEVICES REGULATION

### 15.1 Operator Obligations

15.1.1 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.

## 15.2 Operator Prohibitions

15.2.1 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 SIXTEEN: MOBILE VENDOR REGULATION

### 16.1 Mobile Vendor Prohibitions

16.1.1 A **mobile vendor** must not carry on business:

- (a) on or adjacent to any school ground, except with written authorization from the **Superintendent of Schools**; or
- (b) directly outside or in the normal flow of traffic to any premises which offer the same or similar items for sale as the mobile vendor.

16.1.2 Except as permitted in section 16.2, a **mobile vendor** must be continually moving and may stop only for so long as actively engaged in making a sale.

16.1.3 A **mobile vendor** must not block or partially block any sidewalk or **highway** and must not in any way impede or interfere with the ordinary flow of pedestrian or vehicle traffic.

## 16.2 Mobile Vendor on Private Property

16.2.1 A **mobile vendor** may carry on **business** on private property if:

- (a) the **mobile vendor** has the written consent of the property owner or occupier, which must be produced at the request of the **Licence Inspector**;
- (b) the activity is permitted under the Zoning and Development Bylaw and any other applicable bylaws; and
- (c) the provisions of subsections 16.1.1 and 16.1.3 are complied with.

## 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 **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; 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 the display or sale of **farm produce**, for a period of two weeks or longer.

## 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 or **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) 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



- (d) 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 licensee, 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**; 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 Milk and Cream Products Delivery Regulation Bylaw No. 1118 (adopted May, 1949), is repealed.
- 24.2 Meat and Fish Sale Bylaw No. 1218 (adopted July, 1952), and Amendment Bylaw No. 1411 (adopted June, 1956), are repealed.
- 24.3 Automobile Service Station Closing Hour Extension Bylaw No. 1912 (adopted July, 1962), is repealed.
- 24.4 Discotheque Regulation Bylaw No. 2120 (adopted March, 1965), is repealed.
- 24.5 Shop Closing Exemption Bylaw No. 2194 (adopted November, 1965), is repealed.
- 24.6 Business Regulation Bylaw No. 7148 and the following amendment bylaws are repealed:

<u>BYLAW NO.</u>	<u>ADOPTED ON</u>
Bylaw No. 7172	November 28, 2000
Bylaw No. 7188	December 11, 2000
Bylaw No. 7167	July 23, 2001
Bylaw No. 7284	October 22, 2001
Bylaw No. 7290	November 26, 2001
Bylaw No. 7298	December 10, 2001
Bylaw No. 7316	January 28, 2002
Bylaw No. 7330	March 25 <sup>th</sup> , 2002
Bylaw No. 7334	April 8 <sup>th</sup> , 2002
Bylaw No. 7390	July 8 <sup>th</sup> , 2002
Bylaw No. 7397	July 29 <sup>th</sup> , 2002
Bylaw No. 7223	October 15 <sup>th</sup> , 2002
Bylaw No. 7426	October 15 <sup>th</sup> , 2002
Bylaw No. 7557	January 13 <sup>th</sup> , 2003
Bylaw No. 7504	June 9, 2003

## PART TWENTY-FIVE: INTERPRETATION

25.1 In this bylaw, unless the context requires otherwise:

<b>ADULT ENTERTAINMENT</b>	means any nude or partially nude exhibition or performance.
<b>ADULT ENTERTAINMENT ESTABLISHMENT</b>	means a business which provides <b>adult entertainment</b> for its customers.
<b>AMUSEMENT CENTRE</b>	means any room, building, store or other area open to the public, containing one or more <b>amusement machines</b> .
<b>AMUSEMENT MACHINE</b>	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 <b>gambling</b> .
<b>ANIMAL</b>	means any non-human mammal, <b>reptile</b> , amphibian or bird.
<b>ANIMAL CONTROL OFFICER</b>	means: (a) a <b>Licence Inspector</b> ; or (b) a person employed by the <b>Contractor</b> to undertake animal control services.
<b>ANIMAL HOSPITAL</b>	means a building structure or premises in which animals receive medical or surgical treatment, and are hospitalized or maintained.
<b>ANIMAL SHELTER</b>	means any facility designated by <b>Council</b> as an animal pound, as provided for in the <i>Local Government Act</i> .
<b>AUTOMOBILE IMMOBILIZING DEVICE</b>	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.
<b>BILLIARDS</b>	includes billiards, snooker, pool, bagatelle and other similar games.
<b>BILLIARD/POOL HALL</b>	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 <b>City</b> facilities or non-profit service clubs.

<b>BODY-PAINTING STUDIO</b>	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.
<b>BODY-RUB</b>	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 <i>Local Government Act</i> , or <b>therapeutic touch therapy</b> .
<b>BODY-RUB STUDIO</b>	includes any premises or part of such premises where a <b>body-rub</b> is performed, offered or solicited.
<b>BUILDING INSPECTOR</b>	means the person appointed as the Manager, Building Approvals Department, or those positions or persons appointed by <b>Council</b> to act under this bylaw in the place of the Manager.
<b>BUSINESS</b>	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: <ul style="list-style-type: none"> <li>(a) in, or from, premises within the <b>City</b>; or</li> <li>(b) within the <b>City</b> from premises located elsewhere.</li> </ul>
<b>BUSINESS LICENCE BYLAW</b>	means the current Business Licence Bylaw of the <b>City</b> .
<b>CAPTIVE BRED</b>	means bred in captivity such that both parents were in human care at the time of mating.
<b>CAT</b>	means a member of the feline species which is six (6) or more months of age.
<b>CAT KENNEL</b>	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.
<b>CITY</b>	means the City of Richmond.

**COMMERCIAL  
DOG KENNEL**

means a building, structure, compound, group of pens or cages or property in which or where three (3) or more **dogs** are, or are intended to be, trained, cared for, boarded, or kept for any purpose in exchange for a fee, and without limiting the foregoing, includes a building or part of a building in which five (5) or more **dogs** are kept for breeding purposes.

**CONTRACTOR**

means the person, firm or society with whom the **City** has entered into an agreement for (i) the operation of an **animal shelter**; (ii) the provision of animal control services; (iii) the provision and supplying of **Animal Control Officers**; (iv) the licencing of **dogs**; and (v) the issuing of tickets under the provisions of the Municipal Ticket Information Authorization Bylaw.

**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 six (6) or more months of age.

**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.

**HIGHWAY**

means a street, road, lane and any other way open to public use, but does not include a private right-of-way on private property.

**HOBBY DOG KENNEL**

means a building, structure, compound, group of pens or cages or property in which or where up to five (5) **dogs** are kept for breeding, showing or other hobby purposes.

**KITTEN**

means a member of the feline species which is less than six (6) months of age.

**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 **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.

**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.

<b>MOBILE VENDOR</b>	means every person who sells, offers or attempts to sell, takes orders for, or solicits orders for goods (including food or beverages), services, or investments, or any other thing, at a place other than his permanent place of <b>business</b> , or from a vehicle, whether personally or by his agent.
<b>OPERATOR</b>	means any person who, as a proprietor, lessee, manager, employee or otherwise, carries on the operating of a <b>business</b> on behalf of a <b>licencee</b> , and includes any person managing or supervising such <b>business</b> .
<b>OUTDOOR RUN</b>	means an area used for exercising or airing <b>dogs</b> or <b>cats</b> .
<b>PARCEL</b>	means a lot, block, or other area in which land is held or into which land is legally subdivided.
<b>PERISHABLE FOOD</b>	means any food or ingredient capable of supporting the growth of pathogenic micro-organisms or production of toxins.
<b>PET STORE</b>	means a retail store where <b>animals</b> are offered for sale or sold to the public, but excludes an <b>animal shelter</b> .
<b>PUPPY</b>	means a member of the canine species which is less than six (6) months of age.
<b>POLICE CHIEF</b>	means the Officer in Charge of the Richmond Detachment of the Royal Canadian Mounted Police, or his designate.
<b>PROHIBITED ANIMAL</b>	means the <b>animals</b> specified in Schedule B, which is attached and forms part of this bylaw.
<b>PURCHASE</b>	includes buy, barter, deal in, receive in exchange, receive in part payment or receive on consignment.
<b>REGISTERED MASSAGE THERAPY CLINIC</b>	means a building, structure or premises in which clients receive treatments only from persons who are registered by the Association of Physiotherapists and Massage Practitioners of British Columbia.
<b>RENTAL AGENCY</b>	means a <b>business</b> for the purpose of renting homes, commercial or industrial or other real estate, but does not include the holder of a <b>licence</b> for a real estate agency.



**REPTILE**

means any **animal** belonging to the class of **animals** known as reptilia, including but not limited to snakes, lizards, crocodiles, turtles and tortoises.

**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.

**SUPERINTENDENT OF  
OF SCHOOLS**

means the person appointed by the Board of School District No. 38 (Richmond) to the position of Superintendent of Schools, and includes the person designated as an alternate.

**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 CLINICS**

means a building, structure or premises in which clients receive **Therapeutic Touch Treatments**

**THERAPEUTIC TOUCH THERAPY**

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

**TOXIC**

means capable of causing a seriously harmful or fatal reaction in a human adult or child by means of a bite, sting, scratch or physical contact.

**VENOMOUS**

means possessing venom which is seriously harmful or fatal to a human adult or child.

**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. 7538**".

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

\_\_\_\_\_  
MAYOR

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

**SCHEDULE A to BYLAW 7538****AMUSEMENT CENTRES**

	<b>Civic Address</b>	<b>Civic Number</b>	<b>Original Bylaw Reference</b>
1.	Alderbridge Way	7951 - #140	7147
2.	Alderbridge Way	7988	7557
3.	Alexandra Road	8531 - #128	7284
4.	Alexandra Road	8571 - #118	7284
5.	Alexandra Road	8580 - #1085	7068
6.	Alexandra Road	8611 - #160	7290
7.	Cambie Road	8181	5972
8.	Capstan Way	8300 - #1028	7334
9.	Capstan Way	8300 - #1036	7290
10.	Capstan Way	8328 - #116	7284
11.	Capstan Way	8388	6775
12.	Capstan Way	8388- #1463	7284
13.	Entertainment Boulevard	14200	6810
14.	Entertainment Boulevard	14211	6856
15.	Garden City Road	4651 - #1110	7284
16.	Garden City Road	4731 - #140	6829
17.	Garden City Road	4751 - #105	6855
18.	Garden City Road	4751 - #125	7284
19.	Hazelbridge Way	4151	5972
20.	Hazelbridge Way	4231 - #115	7290
21.	Hazelbridge Way	4231 - #165	7038
22.	Lansdowne Road	8160	6866
23.	Lansdowne Road	8280 - #7	7390
24.	Leslie Road	8080 - #130	7397
25.	Minoru Boulevard	5960 - #100	7068
26.	No. 3 Road	3311 - #110	6775
27.	No. 3 Road	3700	6044
28.	No. 3 Road	4351 - #120	6833
29.	No. 3 Road	4380 (Formerly 4440)	5780

**SCHEDULE A to BYLAW 7538****AMUSEMENT CENTRES**

	<b>Civic Address</b>	<b>Civic Number</b>	<b>Original Bylaw Reference</b>
30.	No. 3 Road	4391	7284
31.	No. 3 Road	4411 - #101	7316
32.	No. 3 Road	4580 - #2060	7284
33.	No. 3 Road	5300 (Lansdowne Mall)	4540
34.	No. 3 Road	6360 - #8	6868
35.	No. 3 Road/ Minoru Blvd.	6551 ) 6060 ) (Richmond Centre Mall)	4540
36.	No. 5 Road	10800	6278
37.	Sexsmith Road	3779	6663
38.	Sexsmith Road	3779 - #2167	7284
39.	Sexsmith Road	3779 - #2182	7290
40.	Viceroy Place	2100	7172
41.	Westminster Highway	8260	6199
42.	Westminster Highway	8291	7290

## SCHEDULE B to BYLAW NO. 7538

Page 1 of 2

## PROHIBITED ANIMALS\*:

1. All **animals** whose importation, possession or sale is prohibited because they are designated as protected or endangered pursuant to an international, federal, or provincial law, regulation or agreement.
2. All **venomous** or **toxic animals** (which includes **reptiles** and arachnids), regardless of whether the venom glands have been removed.
3. The following **reptiles**:
  - (a) All snakes that reach a length of two (2) metres or more on maturity and the following snakes:
    - (i) Amethyst python (*morelia amethystina*);
    - (ii) Burmese python (*python molarus bivittatus*);
    - (iii) Reticulated python (*python reticulatus*);
    - (iv) African rock python (*python sebae sebae*);
    - (v) Indian rock python (*python molurus*);
    - (vi) Green anaconda (*eunectes murinus*);
    - (vii) Yellow anaconda (*eunectes notaeus*)
  - (b) All lizards that reach a length of one (1) metre or more (measured from snout to tail) on maturity and the following lizards:
    - (i) African Nile monitor (*varanus niloticus*);
    - (ii) Asian water monitor (*varanus salvator*);
    - (iii) Papuan monitor (*varanus salvadorii*);
    - (iv) Common green iguana (*iguana iguana*);
    - (v) Tuatara (*spheodontitida*);
  - (c) All crocodylians (such as alligators, crocodiles, caimans, and gharial);
  - (d) All aquatic turtles; and
  - (e) All tiger salamanders and axolotyls (Mexican salamanders or 'walking fish').
4. All arachnids falling under the conventional classification of "Old World";
5. All bullfrogs;
6. All scorpions except the *Pandinus* species;
7. All millipedes, centipedes, mantids, stickbugs, and Madagascar hissing cockroaches.

## SCHEDULE B to BYLAW NO. 7538

Page 2 of 2

8. The following species:
- Artiodactyla, (such as cattle, goats, sheep, pigs)
  - Canidae (such as wolves, jackals, foxes and hybrids thereof), except the domestic **dog**
  - Chiroptera (bats, including flying foxes)
  - Edentates (such as anteaters, sloths and armadillos)
  - Elephantidae (elephants)
  - Erinacidae (except the African pigmy hedgehog)
  - Felidae, except the domestic **cat**
  - Hyaenidae (hyenas)
  - Lagomorpha (such as hares and pikas), except rabbits
  - Marsupials (such as kangaroos, opossums, and wallabies), except sugar gliders derived from self-sustaining captive populations
  - Mustelidae (such as mink, skunks, otters, badgers and weasels), except the domestic ferret
  - Pinnipeds (such as seals, fur seals and walruses)
  - Perissodactylous ungulates (such as horses, donkeys, and mules)
  - Primates (such as gorillas, chimpanzees, lemurs and monkeys)
  - Procyonidae (such as raccoons, coatimundi and cacomistles)
  - Raptors, diurnal and nocturnal (such as eagles, hawks and owls)
  - Ratites (such as ostriches, rheas and cassowaries)
  - Rodentia (such as porcupines and prairie dogs), except rodents which do not exceed 1,500 grams and are derived from self-sustaining captive populations
  - Ursidae (bears)
  - Viverridae (such as mongoose, civets, and genets)
- \*The animals listed in brackets are examples only and do not limit the generality of the listed class of species.

CITY OF RICHMOND

**MUNICIPAL TICKET INFORMATION AUTHORIZATION  
BYLAW NO. 7321, AMENDMENT BYLAW NO. 7539**

The Council of the City of Richmond enacts as follows:

1. Bylaw No. 7321 is amended by deleting Schedule B 3 and by substituting the following:

**SCHEDULE B 3**

**BUSINESS REGULATION BYLAW NO. 7538**

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine
Failure to produce a licence	1.1.1(a)	\$100
Failure to display a licence	1.1.1(c)(i)	\$ 50
Operating an amusement centre outside the permitted hours	5.2.3	\$100
Operating more than 4 amusement machines when not permitted	5.3.1(f)	\$100
Operating a billiard/pool hall outside the permitted hours	6.1.1 6.1.2	\$100
Permitting an unaccompanied person under the age of 16 to be present in a billiard/pool hall	6.2.1(a)	\$100
Failure to provide written notice of change in personnel employed/engaged by body-painting/body-rub studio	7.1.1(a)	\$100
Operating a body painting/body rub studio outside permitted hours	7.1.1(b)	\$100
Failure to maintain room free of any locking device	7.2.1(a)	\$100
Failure to provide window	7.2.1(c)	\$100
Failure to keep window unobstructed	7.2.1(c)(ii)	\$100
Employing an under-aged employee in the premises	7.3.1(a)	\$100

**SCHEDULE B3 (continued)**

Permitting an under-aged person in the premises	7.3.1(b)	\$100
Permitting the wearing of outer garments not covering the body between the neck and the top of the knee	7.3.1(c)	\$100
Failure to provide written notice of change in personnel employed/engaged by escort service	8.1.1(a)	\$100
Mobile vendor carrying on business on or adjacent to a school ground	16.1.1(a)	\$100
Mobile vendor carrying on business directly outside or in flow of traffic to premises which offer same or similar items	16.1.1(b)	\$100
Mobile vendor stopping while not actively engaged in making a sale	16.1.2	\$100
Mobile vendor blocking or partially blocking sidewalk/highway	16.1.3	\$100
Mobile vendor impeding or interfering with ordinary flow of pedestrian/vehicle traffic	16.1.3	\$100
Mobile vendor plying trade on private property	16.2.1(a),(b)	\$100
Displaying or selling farm produce which is grown or raised outside the City	18.2.1(a)	\$100
Displaying or selling farm produce which is grown or raised outside the Province of British Columbia	18.3.1	\$100
Selling of firewood which is not ancillary to the sale of farm produce	18.4.3	\$100
Failure to maintain a second-hand dealer/pawnbrokers' register as required	19.1.1(a)	\$100
Failure to produce a second-hand dealer/pawnbrokers' register	19.1.1(b)	\$100

2. This bylaw is cited as "**Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 7539**".



FIRST READING

SECOND READING

THIRD READING

APPROVED BY THE CHIEF JUDGE OF THE  
PROVINCE OF BRITISH COLUMBIA

ADOPTED

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

\_\_\_\_\_  
MAYOR

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