

GENERAL PURPOSES COMMITTEE

Date: Tuesday, July 4th, 2000

Place: W.H. Anderson Room
Richmond City Hall

Present: Mayor Greg Halsey-Brandt, Chair
Councillor Malcolm Brodie
Councillor Kiichi Kumagai
Councillor Ken Johnston
Councillor Bill McNulty
Councillor Harold Steves

Absent: Councillor Linda Barnes
Councillor Derek Dang
Councillor Lyn Greenhill

Call to Order: The Chair called the meeting to order at 4:05 p.m.

Councillor McNulty asked that a matter regarding the “Britannia Heritage Shipyard” be added to the agenda as an additional item, and this was agreed to by the Chair.

MINUTES

1. It was MOVED and SECONDED
That the minutes of the meeting of the General Purposes Committee held on Monday, June 19th, 2000, be adopted as circulated.

CARRIED

INTRODUCTION OF NEW EMPLOYEES

The Director, Human Resources, Mike Kirk, introduced Mike Pellant, Manager, Human Resources.

The Manager, Engineering Planning, Paul Lee, introduced the new Project Engineer, Siu Tse.

FINANCE & CORPORATE SERVICES DIVISION

2. **AMENDMENTS TO BYLAWS RELATING TO MASSAGE THERAPISTS AND RELATED BUSINESSES**

(Report: June 14/00, File No.: 8060-20-7135/7136) (REDMS No. 159179, 151423, 151916)

City Solicitor Paul Kendrick reviewed his report and the proposed amendments in detail with Committee members. In response to questions, he made the following comments:

- enforcement of the regulations would be easier if only two categories were created, however staff did not want to punish those businesses which offered alternative medicinal therapies
- some unregistered massage therapists wished to have later operating hours than those being proposed, however the decision was made that if these therapists were performing medical services, they should be restricted to the same hours of operation within which registered massage therapists were required to function
- discussions were held with representatives of the Association of Physiotherapists and Massage Practitioners of BC who indicated that the proposed 9:30 p.m. closing time would be satisfactory

Mr. Tony Kwan, of Pryke Lambert Leathley Russell, solicitors for the Palm Spring Executive Club, Radisson Hotel and Suites, explained that his clients were concerned that they were being included in a bylaw, the regulations of which they felt should not apply to their business. (A copy of the correspondence provided by Mr. Kwan is attached as Schedule A and forms part of these minutes.) He stated that the services offered by his client would be equivalent to those offered at a spa. Mr. Kwan further explained that only 1,200 sq. metres of the total floor space of the club (the 11th and 12th floors of the Radisson Hotel), was dedicated to massage rooms, and that within these rooms, facials and other types of therapy procedures were performed.

Mr. Kwan referred to the staff report, and expressed his disagreement with the statement in the report that the proposed closing hours should be suitable for both registered and unregistered Massage Therapists. He then provided information on the differences between the two classifications, stating that registered therapists provided specific medical treatment, while unregistered massage therapists offered elective services to clients.

Mr. Kwan also expressed concern about the vagueness of the definitions, and he asked that the bylaw be reworded to exempt his client and other similar therapists from the proposed regulations.

Discussion then ensued among Committee members and the delegation on the proposed bylaw, during which Mr. Kwan provided the following information:

- it would be difficult for his client to separate the 'massage' portion of the operation from the remainder of the business, as a means of allowing the remainder to stay open beyond 9:30 p.m.

- the relaxation activities provided by his client's business offered a number of different therapies to patrons
- a reduction in hours would limit his client's business, as a majority of their clients came for therapy in the evening hours after having dinner
- his client offered more than just 'body rubs' to their patrons.

Following the conclusion of the discussion with Mr. Kwan, discussion then ensued among Committee members and Mr. Kendrick on (a) the amount of fines for bylaw infractions against registered and unregistered massage therapists; (b) the current hours of operation for registered and unregistered massage therapists and whether these therapists should be permitted to have the same hours of operation as body-painting/body-rub studio operators; and (c) how, if at all, the Palm Spring Executive Club would be able to maintain longer operating hours.

It was moved and seconded

That Bylaw 7135, which amends the Business Regulation Bylaw 6902 regarding Body-Rub Parlours, be introduced and given first, second and third readings.

The question on the motion was not called, as the following **amendment** was introduced:

It was moved and seconded

That :

- (a) ***subsection 8A.1.1, as shown in clause 3 of Bylaw 7135, be amended by deleting the words "between the hours of 8:00 a.m. and 9:30 p.m. each day", and by substituting the following, "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."***

- (b) ***subsection 9.1.1(b), as shown in clause 4 of Bylaw 7135, be amended by deleting the words "between the hours of 8:00 a.m. and 9:30 p.m. each day", and by substituting the following, "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."***

CARRIED

The question on the main motion, as amended, was then called, and it was **CARRIED**.

It was moved and seconded

That Bylaw 7149, which amends the Municipal Ticket Information Authorization Bylaw to add the ability to issue tickets for offences to the Massage Parlour and Body-Rub Parlour Regulations, be introduced and given first, second and third readings.

CARRIED

At the request of the Chair, the following new employees were introduced to the Committee:

Kimberley Fung, a Clerk-Typist 2A; and Don Pearson, the Manager, Operational Support, both with the RCMP.

3. **SUPPLEMENTARY REPORT ON PROPOSED BYLAW 7141 TO DEAL WITH RAVES AND A REQUIREMENT FOR BONDING**

(Report: June 27/00, File No.: 8060-20-7141) (REDMS No. 162054, 154580)

Mr. Kendrick reviewed the report, during which he noted that the Manager, Policy & Research, Lauren Melville would be undertaking a complete review of the rave situation and reporting to Council in the future on this matter.

Discussion ensued among Committee members and Mr. Kendrick on the issue of requiring bonding to ensure that the event holder or building owner assumed responsibility for the cost of any damages resulting from a rave event. Mr. Kendrick, while stressing that such a requirement might not be legal, indicated that he was concerned that by having a pool of funds available, the City would become a stakeholder in the event, and that any damages or injuries which might result would have to be dealt with by the City, rather than the owner of the property.

Reference was made to a statement in the staff report that the provision of proof of liability insurance, if such a requirement was approved, would not be implemented until the 2001 licence year. Questions were raised as to why this requirement could not be implemented in 2000, and advice was given that because the business licences had already been issued for 2000, proof of insurance would be required from the applicant for each rave event. Staff were of the opinion that it would be easier to implement this requirement for the next business year. The opinion was also expressed that the City, if proof of insurance was required, could be liable if damages or injuries resulted. Discussion continued on this matter, during which the opinion was voiced that a mechanism should be in place which would allow the City to recover costs from the promoter of a rave event, so that Richmond taxpayers would not be responsible for these costs.

Also addressed were: (a) the definition given for a 'rave' event; (b) the 'non-rave' events taking place on Mitchell Island and at a warehouse on Horseshoe Way; and (c) the complaints received with regard to recent rave events held at the Riverside Banquet facility. Information was provided by both Mr. Kendrick and Insp. Peter German, Operations Officer, RCMP, on the events held at these locations, and on the steps which had been taken to deter these events from taking place in the future.

It was moved and seconded

- (1) *That Bylaw 7141, which establishes new regulations for Rave Events, be introduced and given first, second and third readings, without including the requirements for bonding of either the promoters or owners of the facility that acts as a venue for Rave Events.*
- (2) *That staff be instructed to review the licence requirements of those involved in Rave Events to determine whether or not the provision of liability insurance should be a requirement of the obtaining of a business licence.*

The question on the motion was not called, as the following **amendments** were introduced:

It was moved and seconded

That the following be added as Part (3),

- (3) *That staff be requested to review in general terms, those rave-like events which take place earlier in the evening and end by 2:00 a.m.*

CARRIED

It was moved and seconded

That Part (2) be deleted in its entirety, and the following substituted:

- (2) *That staff be instructed to review the licence requirements of those involved in Rave Events to determine whether or not the provisions of insurance and bonding should be a requirement of the obtaining of a business licence and/or a permit for a Rave Event.*

CARRIED

The question on the main motion, as amended, was then called, and it was **CARRIED**.

4. **CONSULTATION PROCESS – DRAFT VANCOUVER INTERNATIONAL AIRPORT (YVR) LAND MANAGEMENT POLICY**

(Report: June 16/00, File No.: 0153-02) (REDMS No. 159396)

The Manager, Land Use, Terry Crowe, reviewed the report with the Committee. A brief discussion ensued, during which in response to questions, Mr. Crowe advised that City staff would only be providing information on different methods of public consultation which had proven to be successful with the City.

It was moved and seconded

That Council:

- (1) *recommend to the Vancouver International Airport Authority (YVRAA) Board that it supplement its current consultations regarding the draft YVR land management policy, (as outlined in the report dated June 16th, 2000, from the Manager, Land Use), and*

- (2) ***advise the YVR that the City declines to comment on the substance of the draft YVR land management policy.***

CARRIED

5. **BRITANNIA HERITAGE SHIPYARD - CONTRACT WITH MAKAM CONSTRUCTION**

(Memo: June 30/00, File No.: 2025-20-003) (REDMS No. 162799)

Councillor McNulty referred to a memorandum which had been provided to all members of Council on the awarding of the contract for life safety renovations of the Britannia Heritage Shipyard. A copy of this memorandum is attached as Schedule B and forms part of these minutes.

Concern was expressed during the discussion about the change in designation of the Britannia property from an "F2" industrial use to an "A2" public assembly use. The opinion was voiced that this change could affect contract prices for future projects at the shipyard. Discussion ensued on this issue, during which information was provided that the City Building Department had indicated that the designation had to be A2 rather than industrial. The Chair commented that the A2 public assembly designation should be re-examined.

During the discussion, clarification was also provided on the amount of the contract price, which was \$473,224 and not \$418,224 as indicated in the memorandum. The estimated savings of \$55,000 on the contractor's estimate for labour costs are the result of current work crews being paid through a Human Resources and Development Canada (HRC) grant.

It was moved and seconded

That a contract for the Structural upgrade and life safety renovations for the Britannia Shipyard Building #18 be awarded to Makam Construction Ltd., for the maximum sum of \$473,224.

CARRIED

ADJOURNMENT

It was MOVED and SECONDED

That the meeting adjourn (5:40 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Tuesday, July 4th, 2000.

Mayor Greg Halsey-Brandt
Chair

Fran J. Ashton
Executive Assistant