



CITY OF RICHMOND

REPORT TO COUNCIL

TO: Richmond City Council

DATE: August 23, 2000

FROM: J. Richard McKenna
City Clerk

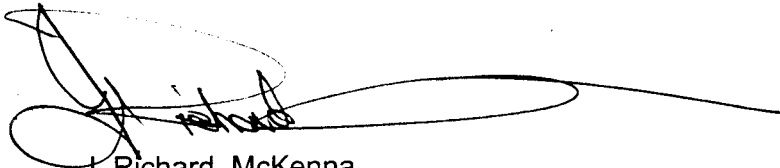
FILE: 8060-20-7133

RE: EXEMPTION FROM SMOKING CONTROL REGULATIONS – VETERANS ORGANIZATIONS

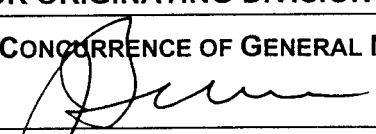
STAFF RECOMMENDATION

That, subject to an affirmative vote of their respective voting memberships, and confirmation in writing from their respective presidents, staff bring forward an amendment to the Smoking Control and Regulation section of the Public Health Protection Bylaw to permit smoking within a designated room in:

- a) The Royal Canadian Legion Branch No. 5 at 7831 Westminster Highway; and
- b) The Army, Navy and Air Force Veterans in Canada – Steveston Unit #284 at 11900 No. 1 Road.



J. Richard McKenna
City Clerk

FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER


STAFF REPORTORIGIN

At the Community Services Committee meeting on July 25, 2000, as a result of a presentation by Chief Public Health Inspector Kelvin Higo on the issue of granting smoking regulation exemptions to veterans organizations, staff were directed to:

“Consult with the Veterans Association and membership of the veterans clubs of Richmond to determine each clubs’ wishes, and that written documentation, which will include how their conclusions were arrived at and the constitution of their membership, be provided prior to the August 28, 2000 Council meeting.”

Mainly because no Annual General Meetings of the association’s are held during July and August, it has not been possible to determine their wishes by August 28th. Also, it may be necessary to clarify the Committee’s direction with regard to entitlement to vote by the memberships of the associations as they have expressed differing intentions on how such votes would be conducted. My findings to date are as follows:

ANALYSIS

There are three veterans associations in Richmond.

1. Royal Canadian Legion Branch No. 5 at 7831 Westminster Highway – I met with Bill Costain (President) and Bob Jones (Bar Manager) on August 3, 2000 to advise them of the situation. This Branch of the Legion has 1,285 voting members, 608 of whom are ordinary members; 406 of whom are associate members; and 168 of whom are affiliate voting members. The remaining 103 members are affiliate non-voting members. A full description of these categories of membership is contained in the attached extract which was printed off the internet from their web site.

Their request for an exemption from the provisions of the Smoking Control section of the Public Health Protection Bylaw is for what is known as the “Old Minoru Lounge”, which is a room of some 700 square feet on the north side of the building. It is their intention to install a smoke extraction unit which will remove 3,600 cubic feet of air per minute from this room, which can accommodate up to 60 persons. I understand that legion representatives have had discussions with the WCB, that such a unit will meet the WCB requirements for designated smoking rooms which are anticipated to become effective towards the end of this year. However, I have no information on whether or not other WCB technical requirements, such as negative pressure within the room, can be met and therefore whether or not what is proposed by the legion will be “WCB compliant”.

Mr. Costain and Mr. Jones appeared well informed about the City’s smoking restrictions and about the pending WCB regulations, and they expressed the wish to have this matter settled once and for all by their membership. To accommodate the Committee’s direction they have agreed to hold a vote of the membership on this exemption issue at their next general meeting, which is scheduled for Thursday, September 21, 2000. As with other items of business on that agenda, all voting members present would be entitled to express their wishes on whether or not they wish to see a specific bylaw exemption for the “Old Minoru Lounge”, with the remainder of the building remaining smoke free.

Presently the entire building is smoke free in accordance with the City bylaw, and deferring a decision until late September is not an inconvenience because those wishing to do so can smoke outside at this time of year. The vote would be taken by a show of hands at the AGM, with an actual count only being conducted if the vote was close. Typically, only 200 to 250 members attend an AGM, but this issue being on the agenda may generate a higher number.

2. Army, Navy and Air Force Veterans in Canada – Steveston Unit #284 at 11900 No. 1 Road - I met with Kay Thibault (President) on August 15, 2000 and can report as follows. The ANAF on No. 1 Road has a total membership of approximately 825, about 350 of whom are active members and would therefore, in accordance with their constitution, be entitled to vote. This figure of 350 includes about 25 affiliate members and 25 life members all of whom are voted in by the executive of the organization. In addition, the ANAF has approximately 475 associate (non-voting) members.

The ANAF bylaw exemption request is for a lounge of approximately 1700 square feet at the north west corner of the building. This lounge has been installed with two ceiling mounted "smoke eaters". Ms. Thibault advised me that nothing further was proposed regarding smoke extraction and she was unable to confirm if these devices would meet WCB requirements regarding cubic feet per minute extraction rates. At the present time the entire building is non-smoking, however, smoking is allowed on an outdoor patio which is covered with an awning.

Ms. Thibault advised me that it was her wish to have all 825 ANAF members be eligible to vote on this issue, including the 475 non-voting associate members. For this reason she proposes to put this question before the entire membership using a ballot box system. This "election", which would involve the placement of a ballot box in a prominent location in the premises, would be monitored by bartending staff over a two week period. A membership card would be required to obtain a ballot, and more ballots would be photocopied as required.

Ms. Thibault advised me that it was not her intention to obtain the wishes of the membership at their September Annual General meeting as the 475 associate (non-voting) members would, under their current constitution, be excluded from voting.

3. Royal Canadian Legion – Richmond Branch No. 209 at 11131 Bridgeport Road.

I met with a member of the executive of the organization on August 16, 2000 and explained the situation fully. I was advised that a meeting of some sort was being held that evening to discuss the issue and I specifically requested that I needed to know their intentions regarding whether or not they wished to seek an exemption before proceeding any further. As of this date I have not received any communication from the organization, and I did not pursue the issue further as felt that it was not my place to appear to be promoting an exemption from a bylaw of this nature. If information is received from the organization before or at the Council meeting, that they wish to pursue an exemption, and Council agrees and is satisfied with the vote eligibility issue, the staff recommendation could be amended to include this organization.

FINANCIAL IMPACT

None on the City.

CONCLUSION

From what I understand of the discussion at the Committee meeting there was concern on the part of Committee about eligibility to vote on the exemption issue being restricted to voting members of the organizations. If it is intended to be voting members only, then the proposal by the No. 5 Legion is satisfactory. However, the ANAF feel that all members, included the 475 associate non-voting members, should be entitled to vote. Obviously, regardless of how this entitlement to vote issue is resolved, if an exemption was granted for a particular room, all members (both voting and non-voting) would have access to such a room for smoking. Representatives of all the veterans organizations intend to be present on August 28 to clarify the voting eligibility and any other issues which Council may have.

A handwritten signature in black ink, appearing to read 'J. Richard McKenna', with a long horizontal flourish extending to the right.

J. Richard McKenna

JRM:dm

[Back](#)[Home](#)[français](#)

Who Can Join?

Canadian and German Branches

You may be eligible for membership in a Canadian or German branch of The Royal Canadian Legion if you are a **Canadian citizen or Commonwealth subject** and are of federal voting age.

All applications for membership are subject to the General By-Laws of The Royal Canadian Legion and approval by the local branch to which the application is made.

There are four membership categories, each with different qualifications. The criteria for each category are as follows:

- **Ordinary Membership** - You may be eligible for Ordinary membership if you have served or are serving in:
 - The Canadian Armed Forces or Her Majesty's Armed Forces (regular force or reserve force with class "C" service); or
 - the Armed Forces or underground forces of any of Her Majesty's allies in a war or police action in which Canada was involved; or
 - the Merchant Navy or non-military services in an actual theatre of war in which Canada was involved; or
 - Her Majesty's reserve force including Cadet Instructors on the Cadet Cadre. Must have at least one year (12 months) service; or
 - The Royal Canadian Mounted Police or The Royal Newfoundland Constabulary for not less than one year; or
 - the Armed Forces of a country while that country was a member of NATO or NORAD; or
 - the United States Forces; or
 - the Vietnam War with the Armed Forces of the United States, Australia, the Republic of Korea or South Vietnam, and were a Canadian citizen or Commonwealth subject at the time of service.

- **Associate Membership** - If you do not qualify for Ordinary membership you may be eligible for Associate membership if you:

- are the child, stepchild, grandchild, sibling, niece/nephew, widow/er, parent or spouse of someone who is or was eligible for Ordinary membership; or
- are the child of an Associate member; or
- have served in The Royal Canadian Sea, Army or Air Cadets for not less than 3 years; or
- have been a cadet civilian instructor for not less than 3 years; or
- have served as an officer in the Navy League of Canada for not less than 2 years; or
- have served on a city, municipal or provincial police force for not less than 1 year; or
- have served in the Polish Armed Forces after WW II;
- are the spouse, parent or sibling of an associate member who qualified subject to the above criteria.

● **Affiliate Non-Voting Membership** - If you do not qualify for Ordinary or Associate membership but support the aims and objects of The Royal Canadian Legion you may apply for Affiliate Non-Voting membership.

● **Affiliate Voting Membership** - An Affiliate Non-Voting member may apply for Affiliate Voting membership after two years (24 months) of continuous membership.

For further information, please contact your nearest Legion Branch.

A.N.A.F. #284 Steveston

11900 No. 1 Road
Steveston

Phone: 277-5444

Fax: 277-5446



Army. Navy. Air Force.

Unit #284 Steveston

You can get involved with our Colour Guard or you can volunteer for one of the many things we do around the Unit.

Membership consists of Active members and Affiliate members. Associate members are members who do not have voting privileges or military service.

We get actively involved in our Steveston Salmon Festival and other community events

November 11th is a very special day for our Unit and holds many fond memories of past Comrades.

You do not have to be ex-military to be a member. All that we require is that you fill out an application and pay the \$28.00 membership fee.

You can accompany a member if you only wish to find out what its all about. You can shoot pool or we have crib nights every Wednesday and darts every Monday & Thursday.

Our Meat Draw is the best in town every Friday and Saturday, as well as our dance following the Meat Draw. The Ladies Auxiliary also has a Meat Draw every Sunday.

We have many other things that help pass the time such as Keno and Pull Tabs and if you get hungry, we have the best and most reasonably priced food in Steveston, and the best Fish & Chips.