



To: General Purposes Committee

Date: September 7, 2004

From: Anne Stevens
Manager, Customer Services

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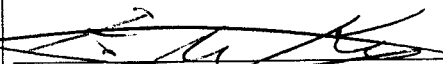
Re: Business Licences – Casinos and Farm-Based Wineries

Staff Recommendation

That Bylaw No. 7808 which amends Business Licence Bylaw No. 7360 by adding new categories and licence fees for casino operations and farm-based wineries, be introduced and given first, second, and third readings.

Anne Stevens
Manager, Customer Services
(4273)

Att.

FOR ORIGINATING DIVISION USE ONLY					
ROUTED TO:	CONCURRENCE		CONCURRENCE OF GENERAL MANAGER		
Law.....	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>			
REVIEWED BY TAG	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	REVIEWED BY CAO	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

Staff Report

Origin

The Business Licence Bylaw No.7360 presently does not clearly define two types of business: casinos and farm-based wineries. This report addresses a category and licensing fees for both types of uses.

Analysis

1. CASINO

The Great Canadian Casino has moved its business from the Bridgeport Road location to the River Road location. When licensed on Bridgeport Road the licence was issued under the "service use" classification and the fee was based on the number of employees, as there was no definition of casino within the bylaw. When the application was received to change the address to River Road, a review of the application submitted and discussions with the applicant revealed that there are a multitude of business uses within the proposed premises, and it became apparent that a distinct casino classification was appropriate.

Staff canvassed neighbouring municipalities that have casinos with both card games and slot machines operating in their jurisdictions with regard to a category for casino and applicable fees charged.

The results of the survey are listed in the table below:

CITY	Definition in Bylaw	2004 Licence Fee
Coquitlam	yes – bylaw amended prior to casino opening.	\$3000 – no additional fee charged for slot machines
New Westminster	no definition for Casino	Boat Casino \$1585:Hotel Casino \$777
Surrey	yes – bylaw amended prior to Casino opening	\$3000 + \$35.00 per slot machine
Richmond	no – no distinct casino classification	\$833.00 (2003) - fee based on number of employees + number of amusement machines –(\$23.00 per machine)
Vancouver	yes	Class 1 - \$245.00 (new licence - no slots) Class 2 - \$8842.00 (new licence – with slots)

As outlined in the above table, most municipalities amended their licencing bylaw to define and establish a licence fee for casinos. With the exception of Surrey, all municipalities established a flat fee and defined casinos to include both card playing and slot machine uses.

In the municipalities canvassed all other business uses within the facility such as restaurants, hotel, retail stores, and lounges are required to be licensed separately from the casino use.

When the new Casino opened it became apparent a business licence category for casino was required. Staff are recommending that the bylaw be amended to include a category for casino use together with a flat licence fee, which would incorporate both the card playing and slot machine uses. Having a category in the bylaw with a flat fee for casinos would:

- clearly define what uses the licence would cover
- eliminate the need for city staff to monitor the number of employees and slot machines to ensure that the correct fee is being assessed, which is the current basis for the casino business licence fee
- eliminate the administrative requirements to update licence information for fee purposes every time a machine is added or taken out, or employee levels increase or decrease
- allow coverage for all vending machines operated by the Casino under the one licence (i.e. cigarette or candy machines)

Staff are recommending a flat fee of \$5000.00, which would cover the casino and slot machine use. All other uses such as restaurants, spas, lounges etc will be charged separately.

FARM BASED WINERY

Council adopted amendments to the Zoning Bylaw, which permits a farm-based winery as an ancillary use in the Agricultural District 1 and defined a farm-based winery in the Zoning Bylaw. Business Licence staff are recommending that a category and licence fee be added to the Business Licence Bylaw No.7360 for this type of business use.

Having a definition and fee in the bylaw would,

- allow staff to identify those roadside stands that have wineries in addition to retail of farm produce
- establish a licence fee for farm-based wineries in line with other liquor establishments

Such businesses would be charged a licence fee based on the floor area used i.e. \$108 for any premises up to 93 sq. metres.

Financial Impact:

No significant financial impact. The proposed amendments will simply ensure that businesses operating as casinos and farm-based wineries are appropriately licensed and will result in slightly higher annual business licences revenues.

Conclusion

The Business Licence Bylaw does not currently deal with casinos or farm-based wineries. Accordingly, staff are recommending that the attached amendments to the bylaw be adopted by Council to create appropriate categories and licence fees for these types of businesses.



Anne Stevens
Manager, Customer Services
(4273)

AS2:jmh



Business Licence Bylaw No. 7360, Amendment Bylaw No. 7808

The Council of the City of Richmond enacts as follows:

1. Section 3.1 of Bylaw No. 7360 is amended by adding “**Casino**” in alphabetical order to the list of subcategories.
2. The “Roadside Stand” subcategory in section 3.6 of Bylaw No. 7360 is amended by adding “and/or a **farm-based winery**”.
3. Section 7.1 of Bylaw No. 7360 is amended by inserting the following definitions in alphabetical order:

CASINO means premises used for the purpose of playing games of chance or mixed chance and skill, including those played on a slot machine, computer, video terminal or other electronic device, on which money may be wagered and for which authority has been given under the *Gaming Control Act*, but does not include bingo halls.

FARM-BASED WINERY means a wine-making establishment within the Agricultural Land Reserve that operates under the conditions specified in the *Agricultural Land Commission Act* and which is licensed under the *Liquor Control and Licensing Act*, including cideries, cider-making and ancillary uses as outlined in the *Agricultural Land Commission Act*.

4. The Adult Orientated Uses category in Schedule A to Bylaw No. 7360 is amended by adding the following as subsection (iv) and re-numbering the remaining subsections accordingly:

(iv)	Casino	\$5,000
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5. This Bylaw is cited as "Business Licence Bylaw No. 7360, Amendment Bylaw No. 7808".

FIRST READING

SECOND READING

THIRD READING

ADOPTED



MAYOR

CITY CLERK