



**City of Richmond**

**Report to Committee**

**To:** General Purposes Committee  
**From:** W. Glenn McLaughlin  
 Chief Licence Inspector & Risk Manager  
**Re:** **Business Regulation Bylaw No 7538**  
**Amendment Bylaw No. 8546**

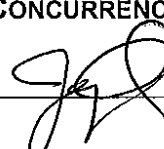

**Date:** October 01, 2009  
**File:** 12-8275-06/2009-Vol 01

**Staff Recommendation**

That Business Regulation Bylaw No. 7538, Amendment Bylaw No. 8546 which amends Schedule A of the Business Regulation Bylaw No 7538, to include 4351 No. 3 Rd – Unit 110 among the sites which permit an amusement centre to operate with more than 4 amusement machines, be introduced and given first, second and third readings.



W. Glenn McLaughlin  
 Chief Licence Inspector & Risk Manager

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<b>ROUTED TO:</b>		<b>CONCURRENCE</b>		<b>CONCURRENCE OF GENERAL MANAGER</b>	
Law.....		Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	 for A. NAZARETH	
R.C.M.P.....		Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>		
<b>REVIEWED BY TAG</b>		YES	NO	<b>REVIEWED BY CAO</b>	
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## Staff Report

### Origin

A & D Enterprises Ltd., doing business as Top 147 Billiards, has submitted an Business Licence application to *operate an amusement centre* from their existing licensed Billiard/Pool Hall location at Unit # 110-4351 No. 3 Road. This licence would be in addition to their existing Billiard/Pool Hall Business Licence.

Under the Community Charter Division 9 – Business Regulation, Section 59 (1):

A Council may by bylaw do one or more of the following:

- e. prohibit the *operation of places of amusement* to which the public has access, including halls and other buildings where public events are held.

In addition under the Charter, Licensing and standards authority Section 15(1)

A Council may, in regulating under this act or the Local Government Act, provide for a system of licenses, permits, or approvals including by doing one or more of the following:

- a. prohibit any activity or thing *until a licence, permit or approval has been granted*;

The City regulates Amusement Centres through Business Regulation Bylaw 7538 which in addition to defining Amusement Centre operator obligations and prohibitions, details under Schedule A to the Bylaw the physical locations where Amusement Centres that contain more than 4 amusement machines may be located.

The proposed site will contain **12 coin operated machines** and the location of the machines is not currently listed in Schedule A of the Bylaw.

Business Regulation Bylaw No. 7538, Part Five, Amusement Centre Regulation, requires all businesses intending to operate an amusement centre with more than four amusement machines, be approved by City Council and added to Schedule A of the Bylaw.

The approval process provides City Council with input from Richmond RCMP and the public thru the bylaw adoption process.

### Findings Of Fact

There are currently 14 amusement centres operating in the City of Richmond with three amusement centres operating within approximately 50 meters of the proposed location.

- 1) Netaholics Café, licensed at 4411 No. 3 Rd – Unit #101, is currently licensed to operate 100 machines. This business commenced operating on August 1, 2001.

- 2) Space Rush Arcade, licensed at 4351 No. 3 Road – Unit #120. This business is operating 201 machines from a unit on the same property as the applicant's proposed location. This business commenced on March 09 1998.
- 3) DNA Internet Café, licensed at 4351 No. 3 Road – Unit #175. This business started operations July 09, 2009 operating 88 machines from a unit on the same property as the applicant's proposed location.

### **Analysis**

The proposed property is currently zoned Comprehensive Development District (CD/51) which permits, among other uses, commercial entertainment. Amusement centres fall within the scope of commercial entertainment.

The City of Richmond had received two complaints regarding Top 147 Billiards operating outside permitted hours. A follow up site inspection conducted at this location by the Joint Inspection Team (JIT) on the morning hours of Sunday, September 27, 2009 at 2:12 am found this business operating contrary to the regulation requiring its' closure at 2:00 am.

This business was also found to contain 11 amusement machines during the inspection for which a license as an amusement centre is required

As a result of the inspection, this business received a warning for operating a business without a licence (Amusement Centre). In addition, they received two \$100.00 Municipal Ticket Information (MTI) for operating a billiard/pool hall outside permitted hours and for operating an amusement centre outside permitted hours.

To bring the establishment into regulations, A & D Enterprises Ltd. has applied for an Amusement Centre Business Licence.

Under Section 60 (1) of the Community Charter Business licence authority;

An application for a business licence may be refused in any specific case, but

- a. the application must not be unreasonably refused, and
- b. on request, the person or body making the decision must give written reasons for the refusal.

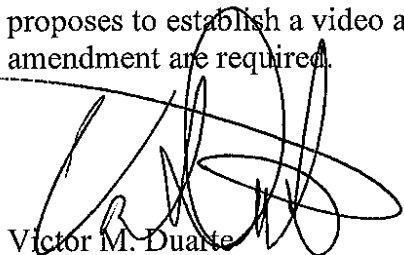
Richmond RCMP have been advised of this application and have no Community Safety issues with this application that would warrant it to be denied.

### **Financial Impact**

None

**Conclusion**

Amusement centres are regulated under the City Business Regulation Bylaw. The applicant proposes to establish a video arcade amusement centre for which Council approval and a bylaw amendment are required.



Victor M. Duarte  
Licence Inspector  
(604-276-4389)

VMD:vmd



**Business Regulation Bylaw No. 7538, Amendment Bylaw No. 8546**

The Council of the City of Richmond enacts as follows:

1. That Business Regulation Bylaw No. 7538 is amended by adding to Schedule A in alphabetical order:  
  
     No. 3 Road           4351- # 110;  
  
     and the existing addresses be renumbered accordingly.
2. This Bylaw is cited as **“Business Regulation Bylaw No. 7538, Amendment Bylaw No. 8546”**.

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

\_\_\_\_\_  
CORPORATE OFFICER