



City of Richmond

Report to Committee

To: Community Safety Committee
From: Shawn Issel
 Manager, Community Safety Policy and Programs
Re: Prohibition of Late Night Events (Raves)

Date: April 19, 2007
File:

Staff Recommendation

That Bylaw 8262, to amend Late Night Event (Raves) Regulation Bylaw No. 7202 be introduced and given first, second and third readings.

Phyllis Carlyle
 General Manager,
 Law & Community Safety

Att. 2

FOR ORIGINATING DEPARTMENT USE ONLY					
ROUTED TO:			CONCURRENCE		
R.C.M.P.....	Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>	
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 rave scene reached a high point in the late 1990’s, necessitating the need to regulate late night rave events in Richmond. Over time the popularity of raves to Richmond residents has diminished to the extent that there no longer exists a need for raves to be regulated in Richmond. Therefore Bylaw 8262 (Attachment 1) to amend the Late Night Event (Raves) Bylaw No. 7202 (Attachment 2) to prohibit raves in Richmond is introduced for 1st, 2nd and 3rd readings.

Analysis

The rave scene began as all night dance parties for youth. They were initially viewed as a ‘safe haven’ for youth to enjoy themselves. The rationale for providing a regulated process for holding raves was in response to the popularity of raves, the growing number of rave parties being held in the City in the late 1990’s, and the escalating potential for unsafe conditions.

The rave bylaw was enacted to ensure patron safety, minimize neighbourhood impacts, help to cover public enforcement costs and provide the City with the necessary authority to deal with events held in unsafe conditions. Under the current bylaw if a promoter wishes to hold a late night rave event in the City, there are only two locations which are approved, 4500 River Road and 14431 Knox Way. Promoters are required to obtain an event permit, which is granted under the following conditions:

- a rental agreement for the proposed location
- a payment of \$5,400 for additional police and safety services
- a security plan, including security staff
- liability insurance in the amount of one million dollars

The rave scene has changed considerably since the rave bylaw came into effect. The table below demonstrates how the popularity of raves has dropped off in recent years:

Year	Number of Raves
2000	12
2001	15
2002	2
2003	3
2004	0
2005	6
2006	5
2007 (to date)	3

The demographics of the participants at raves has changed dramatically. Raves used to be attended by a predominately youth crowd, ranging in age from late teens to early twenties. The public attending raves now represent a wider age range, anywhere from 15 to 50. The prevalence of drugs at raves has increased. Not only is there a greater availability of drugs, such as ecstasy and cannabis, but more hard core drugs are starting to be seen. The number of serious

incidents taking place at raves has increased, and the presence of gang members at raves is starting to occur. This mix of adults and youth combined with the availability of drugs creates an environment where youth are potentially put at risk.

Regulating raves in Richmond was intended to provide a safe environment for Richmond youth to attend all night dance parties. However, the number of Richmond residents attending raves has declined considerably. At a recent rave, a random survey of 100 attendees revealed that only 2 were Richmond residents.

Due to the change in the demographic at raves, as well as an increase in serious incidents the RCMP have increased their presence at rave events. This has raised the cost of policing beyond the \$5,400 permit fee, for example policing for the last two events resulted in a combined total of \$11,000 in additional policing costs.

The purpose of the amendment bylaw is to prohibit late night events such as raves within the City. The bylaw allows for grad events, while precluding late night events put on by a promoter for a commercial purpose. It also contains increased penalties, including a minimum of \$1,000 to a maximum of \$10,000 and the potential for imprisonment of up to six months. The current owners of the two approved locations for holding raves have been consulted about amending the bylaw. They indicated that at the meeting of their Board in May it was decided that any future applications to hold raves in their facilities would be declined, therefore amending the bylaw would not negatively impact them.

At present, there are two municipalities in the lower mainland which regulate raves – Richmond and Vancouver. Notwithstanding this fact, the RCMP have stated that only a handful of illegal raves have been reported throughout the lower mainland. Vancouver has a much larger rave scene, with more venues than Richmond, therefore amending the bylaw will likely not increase the possibility of raves going underground.

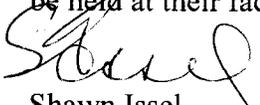
Financial Impact

None at this time.

Conclusion

The environment existing in the late 1990's which brought into effect the Late Night Event (Rave) Bylaw is no longer present. The popularity of raves to Richmond youth has diminished, and has been replaced by an older, non-resident demographic. This demographic combined with an increase in the availability of drugs at raves, represents an unhealthy mix of youth and adults.

The owners of the two approved rave locations have indicated they would no longer allow raves to be held at their facilities, therefore amending the bylaw would have no impact to them.



Shawn Issel
Manager, Community Safety Policy and Programs
(4184)
SI:si



**Late Night Event (Rave) Regulation Bylaw No. 7202, Amendment
Bylaw No. 8262**

The Council of the City of Richmond hereby amends the *Late Night Event (Rave) Regulation Bylaw No. 7202* as follows:

1. Part One is repealed and replaced with the following:

PART ONE – GENERAL PROHIBITION

1.1 Except as provided in this bylaw, no person shall hold a **late night event** in the **City**.

1.2 An event of a non-commercial nature that is held as part of a graduation ceremony of an **educational facility**, as evidenced by a letter signed by an official of the **educational facility** and filed with the **Manager, Zoning**, is not subject to the prohibition in section 1.1.

2. Part Two is repealed in its entirety.
3. Part Three is amended by deleting the definition of “**promoter**” and adding the following definition:

EDUCATIONAL FACILITY means a school, college, university college, university or other educational institution that is defined and regulated under an enactment of the Province of British Columbia.

4. Part Five is amended by repealing sections 5.1 and 5.2 and replacing them with the following:
 - 5.1 Any person who contravenes or violates any provision of this bylaw or who suffers or allows any act or thing to be done in contravention or violation of this bylaw commits an offence; and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.
 - 5.2 Upon being convicted of an offence under this bylaw, a person shall be liable:
 - (a) to pay a fine of not less than \$1,000 and not more than \$10,000;

(b) to imprisonment for a period up to 6 months;

(c) to a fine and imprisonment; and

(d) to pay the City's costs of prosecution.

5.3 In addition to the penalties imposed under section 5.2, a person convicted of an offence under this bylaw may also be liable to pay to the City or to another person compensation for any damage or loss sustained by the City or another person because of the commission of the offence; and in addition to the schedule of costs prescribed under section 132 (2) of the *Offence Act*, to pay to the City the costs incurred by the City in investigating and prosecuting the person.

5. The title of the *Late Night Event (Rave) Regulation Bylaw No. 7202* is repealed and the following is substituted:

Late Night Event (Rave) Prohibition Bylaw 7202

6. This Bylaw is cited as "*Late Night Event (Rave) Regulation Bylaw No. 7202, Amendment Bylaw No. 8262*".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND

**LATE NIGHT EVENT (RAVE) REGULATION
BYLAW NO. 7202**

The Council of the City of Richmond enacts as follows:

PART ONE – GENERAL PROHIBITION

- 1.1 A person must not hold a **late night event** without first obtaining an event permit issued in accordance with the provisions of Part Two.
- 1.2 Notwithstanding the provisions of section 1.1, a **late night event** which is:
- (a) of a non-commercial nature; and
 - (b) held as part of a graduation ceremony of an educational facility as evidenced by a letter signed by a school official, and filed with the **Manager, Zoning**,
- will not be required to meet the requirements of this bylaw.

PART TWO – EVENT PERMITS

2.1 Event Permit Application Procedure

- 2.1.1 A **promoter** wishing to organise or hold a **late night event** must complete an event application provided for that purpose, by the **City**.
- 2.1.2 The event application specified in subsection 2.1.1, must:
- (a) be signed by the **promoter**;
 - (b) be presented to the **Manager, Zoning** not more than 12 weeks, and not less than 6 weeks prior to the event;
 - (c) be accompanied by a non-refundable application fee of \$100; and
 - (d) be accompanied by a copy of the rental agreement with the proposed location for a **late night event**.
- 2.1.3 A **promoter** will be informed by the **Manager, Zoning**, within 14 days of the date of application for the proposed **late night event**, whether or not the permit will be issued.

2.2 Event Permit Requirements

- 2.2.1 The **Manager, Zoning** will only issue a permit for a **late night event** which is held at a location specified in section 2.3, and on an approved date specified in section 2.4, provided:

- (a) the premises continue to meet all relevant fire and health regulations; and remain adequately sound-proofed to ensure that no persons other than those in attendance will be impacted by the event;
- (b) a payment in the amount of \$5,400 is made at the time of application for a **late night event** permit, for additional police and safety services, provided that this payment will be refunded if the **late night event** permit is not issued;
- (c) there is an adequate security plan in place for the **late night event** which includes provisions for:
 - (i) first aid;
 - (ii) entrance control to ensure that alcohol or illicit drugs are not brought in the premises during a **late night event**;
 - (iii) outside inspection and clean up in the vicinity of the premises during and after the event;
 - (iv) line control including ensuring that patrons are not permitted to re-enter the event after they have left; and
 - (v) the employment of a security firm licensed by the Government of British Columbia;
- (d) there is provision for an adequate supply of potable water at a cost to those in attendance; and
- (e) there is on file with the **Manager, Zoning** a certificate indicating that:
 - (i) the **promoter** of the proposed **late night event** has liability insurance in the amount of \$1 Million which names the **City** as an additional insured; and
 - (ii) the location of the proposed **late night event** has liability insurance in the amount of \$5 Million which names the **City** as an additional insured.

2.2.2 A permit for a **late night event** will not be issued to any **promoter**:

- (a) who does not have a valid business licence to hold such **late night event**, nor
- (b) whose application indicates the employment or hiring of any person or company connected with a previous **late night event**, which was operated in contravention of any **City** bylaw or Provincial statutes or regulations.

2.2.3 A permit for a **late night event** will not be issued if:

- (a) the application is incomplete or inaccurate;
- (b) if there are insufficient police or safety services available; or
- (c) the **promoter** has a criminal record which makes the **promoter** unsuitable to promote such an event.

2.3 Late Night Event – Approved Locations

2.3.1 Only the following locations are approved for **late night events**:

- (a) 4500 River Road; and
- (b) 14431 Knox Way.

2.4 Late Night Events – Approved dates

2.4.1 In order to ensure that police and safety services are available, **late night events** are restricted to a maximum of three a month and may be only held on the first three Saturdays of each month provided if there is a statutory holiday during the weekend or on the Friday preceding the weekend or the Monday following, the **late night event** may be held on the next available Saturday of that month.

2.4.2 Where more than one application for a **late night event** for the same date is received, such applications will be considered in the order in which they were received.

PART THREE - INTERPRETATION

3.1 In this Bylaw, unless the context otherwise requires:

CITY	means the City of Richmond.
LATE NIGHT EVENT	means a dance or other entertainment performance, or other event where 50 or more persons are assembled at any time between 2:00 a.m. and 6:00 a.m. and where music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played.
MANAGER, ZONING	means the Manager, Zoning in the Urban Development Division of the City .
PROMOTER	means the person who has the financial responsibility for the late night event including contracting with entertainers, security firm, renting the facility, advertising the late night event and collecting gate receipts.

PART FOUR – PREVIOUS BYLAW REPEAL

4.1. Event Regulation (Raves) Bylaw No. 7141 is repealed.

PART FIVE - VIOLATIONS AND PENALTIES

5.1 Any 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 applicable bylaw or statute; or
- (c) neglects or refrains from doing anything required by this bylaw; or
- (d) makes any false or misleading statement,

is deemed to have committed an infraction of, or an offence against this bylaw, 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.

5.2 An operator, manager or owner of any premises in which a **late night event** is responsible to ensure that such **late night event** is held in compliance with all **City** bylaws and regulations.

PART SIX - SEVERABILITY AND CITATION

6.1 If any part, section, subsection, 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.

6.2 This bylaw is cited as "**Late Night Event (Rave) Regulation Bylaw No. 7202**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

JAN 22 2001

JAN 22 2001

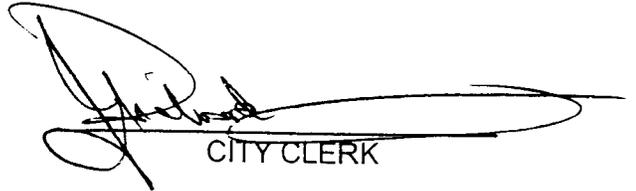
JAN 22 2001

FEB 12 2001

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



 ACTING MAYOR, HAROLD STEVES



 CITY CLERK