



## Special Council Meeting

### Monday, June 7, 2010

Time: 4:00 p.m.

Place: Anderson Room  
Richmond City Hall

Present: Mayor Malcolm D. Brodie  
Councillor Linda Barnes  
Councillor Derek Dang  
Councillor Evelina Halsey-Brandt  
Councillor Greg Halsey-Brandt  
Councillor Sue Halsey-Brandt  
Councillor Ken Johnston  
Councillor Bill McNulty  
Councillor Harold Steves

Director, City Clerk's Office – David Weber

Call to Order: Mayor Brodie called the meeting to order at 4:00 p.m.

RES NO. ITEM

### BUSINESS & FINANCIAL SERVICES DEPARTMENT

- BUSINESS LICENCE SUSPENSION HANMA (CANADA) INVESTMENTS LTD., DBA: BLUE SEA SPA**  
(File Ref. No.: 12-8275-06) (REDMS No. 2849287)

Glenn McLaughlin, Chief Licence Inspector & Risk Manager, advised that the staff report was delayed as the licensee's oversees business arrangements were accommodated. Also, he mentioned that there has been an additional smoking Municipal Ticket Information (MTI) issued to the business, which is being appealed.



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Mr. McLaughlin provided information regarding Council's authority to impose additional business licence penalties should the current proposed staff recommendation be endorsed. Also, he stated that staff wish to implement the proposed suspension promptly from June 11, 2010 to July 10, 2010 inclusive.

Mr. McLaughlin advised that (i) the licensee's business licence was suspended in 2004 for conducting business outside regular business hours; and (ii) typically, business licence discipline commences with monetary penalties, suspensions ranging in the extent of time, and when appropriate, cancellations.

Wallace Wong, legal counsel for the licensee, acknowledged his client's numerous offences and commented that the violations were related to the lack of lighting, proper attire, and smoking within the establishment.

Mr. Wong was of the opinion that the proposed 30 day suspension was sufficient discipline. He did not believe that it would be fair to his client to revisit the matter and propose a higher penalty at this time. Also, Mr. Wong stated that his client would prefer the suspension to take place from June 10, 2010 to July 11, 2010.

In response to comments by Council, Mr. Wallace advised that his client is responsible for the violations as they occur in his establishment, however, noted that some of the violations are due to the employees' actions.

Council commented that the licensee has not provided Council with a business plan or letter of assurance that details how the licensee intends to maintain his business in compliance of all City bylaws. In response to this comment, Mr. Wong stated that his client can provide such a document and advised that due to his client's tenuous record and type of establishment, Bylaw Officers and the RCMP closely monitor the business.

Mr. McLaughlin advised that the proposed suspension dates were so that an additional weekend would be included in the suspension period.

SP10/7-1

It was moved and seconded

***That the business licence of Hanma (Canada) Investments Ltd., doing business as Blue Sea Spa, operating from premises located at Unit # 100-3311 No. 3 Road, Richmond, B.C., for a period of 30 days commencing June 11, 2010 to July 10, 2010 inclusive, be suspended.***



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The question on Resolution SP10/7-1 was not called as discussion ensued regarding the possibility of a more severe penalty in light of the licensee's violation record.

As a result of the discussion, the following **referral** was introduced:

SP10/7-2

It was moved and seconded

*That the business licence suspension of Hanma (Canada) Investments Ltd., doing business as Blue Sea Spa, operating from premises located at Unit # 100-3311 No. 3 Road, Richmond, B.C., be referred to staff for reconsideration of the penalty.*

**CARRIED**

**ADJOURNMENT**

SP10/7-3

It was moved and seconded

*That the meeting adjourn (4:38 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the Special Meeting of the Council of the City of Richmond held on Monday, June 7, 2010.

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Mayor (Malcolm D. Brodie)

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Corporate Officer (David Weber)