



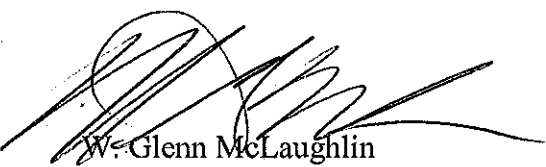
City of Richmond

Report to Council

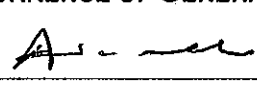
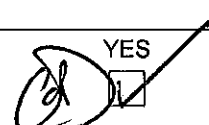
To: Richmond City Council
From: W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
Date: April 12, 2011
File: 12-8275-06/2011-Vol
01
Re: **BUSINESS LICENCE SUSPENSION - HEAVENCAFE INTERNET CAFE LTD. dba
DNA INTERNET CAFE**

Staff Recommendation

That the Business Licence of the Heavencafe Internet Café Ltd. doing business as DNA Internet Cafe, operating from premises located at Unit #175 - 4351 No. 3 Road, Richmond BC, be suspended for a period of 10 consecutive days on dates determined by Council.


W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
(604-276-4136)

Att. 3

FOR ORIGINATING DEPARTMENT 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"/> N <input type="checkbox"/>	NO <input type="checkbox"/>	REVIEWED BY CAO  YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Staff Report

Origin

This report deals with the activities and bylaw infractions of the Heavencafe Internet Café Ltd. doing business as DNA Internet Cafe, operating from premises located at Unit #175 - 4351 No. 3 Road, Richmond BC.

DNA Internet Café (DNA) is licensed as an Amusement Centre business category and must adhere to all applicable bylaws including Part Five of the Business Regulation Bylaw No. 7538, Amusement Centre Regulations. (Appendix 1).

Findings Of Fact

On January 23, 2009, DNA applied for a Business Licence and commenced business in March 2010. Following premises related inspections and reviews a Business Licence was approved in July 2009.

On January 16, 2010 at 2:53 a.m., DNA was found to be operating their business past the Amusement Centre Regulations 2:00 a.m. closing and was issued a Municipal Ticket Infraction (MTI) #21964 for violating Section 5.2.3 of the Business Regulation Bylaw #7538. Payment of this MTI is recorded as paid on February 4, 2010.

On November 27, 2010 at 2:39 a.m. DNA was found to be operating their business past the Amusement Centre Regulations 2:00 a.m. closing and was issued MTI BL 05790 for violating Section 5.2.3 of the Business Regulation Bylaw #7538. Payment of this MTI is recorded as paid on February 14, 2011.

On February 20, 2011 at 2:34 a.m., DNA was found to be operating their business past the Amusement Centre Regulations 2:00 a.m. closing and was issued a MTI BL 05742 for violating Section 5.2.3 of the Business Regulation Bylaw #7538. Payment of this MTI is recorded as paid on February 25, 2011.

On March 17, 2011, the Chief Licence Inspector sent a letter to the registered owner, including the attached Licence Review Meeting Information (Appendix 2), requiring their attendance to address the repeated bylaw infractions.

On April 5, 2011, the Business Licence Review was held at which time the licensee accepted responsibility for the infractions and provided a "Proposed Closing Plan" in response to the infractions. (Appendix 3)


DNA's business operations provided them an unfair competitive advantage over business operators within the same business classification. Given the repeated nature of the infractions, it is the recommendation of the Chief Licence Inspector that the Business Licence of the Heavencafe Internet Café Ltd. doing business as DNA Internet Cafe, operating from premises located at Unit #175 - 4351 No. 3 Road, Richmond BC, be suspended for 10 days following Council's consideration of this report.

Financial Impact

There is no financial impact to the City associated to this report.

Conclusion

City staff and RCMP enforce City bylaws to ensure community safety and conformance to operating standards and regulations set by City Council. DNA's continued violations of those regulations warrant Business Licence discipline.



W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
(604-276-4136)

WGM:wgm

CITY OF RICHMOND

BUSINESS REGULATION BYLAW NO. 7538

PART FIVE: AMUSEMENT CENTRES REGULATION

5.1 General Application

- 5.1.1 The provisions of this Part do not apply to an establishment licensed under the *Liquor Control and Licensing Act*.

5.2 Operator Obligations

- 5.2.1 Every **amusement centre operator** must:

- (a) be at least 19 years of age, and only employ persons who are at least 19 years of age;
- (b) keep the premises well lit and clean; and
- (c) post in a conspicuous place, near the **amusement machines**, a summary of the rules of conduct for customers, including those rules contained in this bylaw.

- 5.2.2 Clause (a) of subsection 5.2.1 does not apply to a person working in **business** premises containing both **amusement machines** and any other unrelated **business**, provided the person's duties do not include supervising the operation of the **amusement machines** or providing services to users of such machines.

- 5.2.3 An **amusement centre operator** may only permit an **amusement centre** to be open for business during the following hours:

Monday, 8:00 a.m. to 1:00 a.m. Tuesday
Tuesday, 8:00 a.m. to 1:00 a.m. Wednesday
Wednesday, 8:00 a.m. to 1:00 a.m. Thursday
Thursday, 8:00 a.m. to 1:00 a.m. Friday
Friday, 8:00 a.m. to 2:00 a.m. Saturday
Saturday, 8:00 a.m. to 2:00 a.m. Sunday
Sunday, 8:00 a.m. to 1:00 a.m. Monday.

5.3 Operator Prohibitions

- 5.3.1 An **amusement centre operator** must not:

- (a) allow any intoxicated person to enter or remain on the premises in an **amusement centre**;
- (b) allow any consumption of alcoholic beverages, **gambling**, fighting, drunkenness, profane swearing, or indecent, obscene, blasphemous or grossly insulting language, or other immorality or indecency in an **amusement centre**;
- (c) permit any person under the age of 15, unless such person is accompanied by his or her parent, to use, play or otherwise operate an **amusement machine** or loiter near an **amusement machine**, between the hours of 9:30 a.m. and 3:00 p.m., Mondays to Fridays inclusive, or after 9:00 p.m. on Sundays to Thursdays inclusive, unless such day is a weekday and a school holiday;
- (d) permit any person wishing to play an **amusement machine**, about whose age there is reasonable doubt, to play an **amusement machine**, unless adequate proof of age is provided to the **amusement centre operator**;
- (e) permit the use of an **amusement machine** for the purpose of **gambling** unless the premises is licensed as a casino by the appropriate Provincial Authority; or
- (a) keep, maintain, permit or operate more than 4 **amusement machines** at any time on any **business** premises, except at those **business** premises listed on Schedule A, which is attached and forms a part of this bylaw.

5.4 Exemption for Pre-existing Business

- 5.4.1 Notwithstanding the provisions of clause (f) of subsection 5.3.1, Richmond Karting, located at 6631 Sidaway Road, which existed prior to the effective date of this bylaw, may continue to keep, maintain, permit or operate more than 4 **amusement machines**, provided all other provisions of this Part with regard to **amusement centres**, are complied with.



City of Richmond

6911 No. 3 Road
Richmond, BC V6Y 2C1
www.richmond.ca

March 17, 2011

File: 12-8275-20-AMANDA #/2011-Vol 01

Business and Financial Services Department
Business Licences
Telephone: 604-276-4328
Fax: 604-276-4157

Heavencafe Internet Cafe Ltd.
dba DNA Internet Cafe
4351 No 3 Road
Richmond BC V6X 3A3

Attention: Ling Pan

Dear Sir:

Re: Business Licence Review Meeting

City of Richmond records indicate you are the principal of the noted establishment and under the Business Licence Bylaw are personally issued a Business Licence to operate this business.

Inspections of your business premises on January 15, 2010, November 26, 2010 and February 19, 2011 found your business was in contravention of the prohibitions set out in a Richmond Bylaw as noted on the attached report.

These repeated violations since the opening of your business in March 2009 are a serious concern to the City. You are requested to appear at a Business Licence Review meeting to discuss these matters which may result in a suspension or cancellation of your Business Licence from Richmond City Council. You are also requested to provide a written response to the infractions noted in the inspection report.

The meeting has been set for 10:00 a.m., April 5, 2011, in room M.1.003 at Richmond City Hall located at 6911 No. 3 Road. Questions on this matter should be directed to the undersigned at 604-276-4136

Yours truly



W. Glenn McLaughlin

Chief Licence Inspector & Risk Manager

Att. 1

pc: Victor M. Duarte, Business Licence Inspector

CNCL-8
(Special)

Richmond

Licence Review Meeting

INFORMATION:

Business: Heavencafe Internet Cafe Ltd. dba:

DNA Internet Cafe.

Address: 4351 No 3 Road – Unit # 175, Richmond, BC V6X 3A3

Ref. File #: 09455740

Meeting Date: April 05, 2011

Time: 10:00 a.m.

Location: Room M.1.003, Richmond City Hall, 6911 No. 3 Road, Richmond, BC

History:

Heavencafe Internet Cafe Ltd., doing business as, **DNA Internet Cafe** (hereinafter referred to as **DNA Internet Cafe**), operates at Unit # 175-4351 No 3 Road, in the City of Richmond. **DNA Internet Cafe** has operated at this location since July of 2009. **DNA Internet Cafe** operates under the category of Vending Machine Use (VM) business, sub-category of Amusement Centre, and as such, must adhere to the Amusement Centres Regulation, Part Five, of the Business Regulation Bylaw No 7538. As an amusement centre, **DNA Internet Cafe** is routinely inspected by various regulatory enforcement groups such as Richmond RCMP Police and City of Richmond Inspectors, to ensure compliance of various regulations.

DNA Internet Cafe has been Incorporated since 2008 with Wang Ying Dong listed as sole Director. - **Attachment 1**

Current Information:

The City of Richmond continues to enforce bylaws with emphasis on businesses operating within the guidelines of all applicable bylaws, statues and regulations and permissive conduct within the business complex. These ongoing efforts are in order to promote customer and community safety and to prevent any business from gaining an operational advantage over another business in the same business category. Various government agencies continue to work together with the City of Richmond to ensure these initiatives are maintained.

An amusement centre operator may only permit an amusement centre to be open for business during the hours of 8:00 a.m. to 1:00 a.m. Sunday to Thursday and 8:00 a.m. to 2:00 a.m. on Friday and Saturday. **Excerpt of Part Five: Amusement Centres Regulation – Attachment 2**

On December 18, 2009, City of Richmond's Licence Inspector, Victor DUARTE, (hereinafter referred to as DUARTE) received a complaint from a business in the same licence category claiming his competitor, **DNA Internet Cafe** was violating the operating hours regulation and therefore had an unfair advantage.

On January 15, 2010 through to the morning of January 16, 2010, DUARTE was conducting routine joint inspections with Richmond RCMP Members and Liquor Control and Licensing Branch (LCLB) Liquor Inspector. DUARTE flagged **DNA Internet Cafe** for inspection, to investigate allegation that business was violating operating hours. At or about 02:53 a.m., 53 minutes past permitted operating hours, **DNA Internet Cafe** was found by DUARTE to be operating in violation of section 5.2.3 of the Business Regulation Bylaw No. 7538. When the inspection team entered this premises, DUARTE observed 20 patrons and 3 staff still inside premises. DUARTE issued Municipal Ticket Information (MTI) M 21964 for operating an amusement outside permitted hours, which carries a fine of \$100.00. DUARTE spoke with owner Ying Dong (Chris) WANG (hereinafter referred to as WANG) and warned WANG if he continues to operate outside permitted hours, his business licence could be suspended or cancelled by Richmond City Council. Copy of (MTI) BL 21964 – **Attachment 3**

On October 24, 2010 and again on October 31, 2010, DUARTE receives further complaints from a frustrated competitor, who states that **DNA Internet Cafe** has been operating outside the permitted hours for past 6 months effecting competitors business.

On November 26, 2010 through to the morning hours of November 27, 2010, DUARTE was conducting routine joint inspections with Richmond RCMP Members and LCLB Inspector. Inspection team attended **DNA Internet Cafe** at or about 2:39 a.m., 39 minutes past permitted operating hours. The open sign was turned off and the lights were dimmed to portray the business look like it was not operating. However, the front door was open and once inspection team entered premises, DUARTE observed 16 patrons playing on the computers still and co-owner, Ling PAN was sitting behind the counter at reception area. PAN indicated she could not understand English and contacted her son, WANG, who spoke with DUARTE over the telephone. WANG indicated that he was close by his business and would attend location.

WANG attended and DUARTE recognized WANG as individual who DUARTE spoke with on January 16, 2010. DUARTE informed WANG this was the second time his business has been found operating outside permitted hours. WANG could not produce a business licence and was issued (MTI) BL 05790 as a warning. WANG was issued (MTI) BL 05789, for operating an amusement centre outside permitted hours, which carries a fine of \$100.00. DUARTE warned WANG a third time could mean a suspension hearing where his licence could be suspended or cancelled. Copy of (MTI) BL 05789 – **Attachment 4**

Copy of (MTI) BL 05790 – **Attachment 5**

On February 05, 2011, DUARTE received information from complainant that **DNA Internet Cafe** is still opening late. Complainant states that customers stay behind and play in the private room so they cannot be seen from people passing by outside.

On the evening of February 19, 2011 through to the morning hours of February 20, 2011, DUARTE was conducting routine joint inspections with Richmond RCMP Members at or about 2:18 hours on the morning of February 20, 2011. Inspection Team drove by **DNA Internet Cafe** on the way to another inspection. DUARTE observed lights on in unit, staff washing floor with a mop and bucket and front door was wide open.

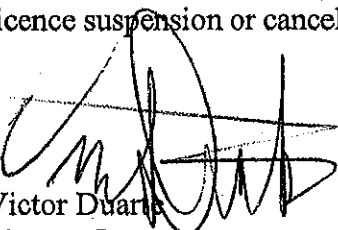
Inspection team returned to location at or about 02:34 hours. DUARTE observed 3 occupants exit back room inside **DNA Internet Cafe** and exited front door as team approached. One individual stated he was just about to lock the door as team approached. Three Individuals stepped outside front door and started smoking. Team entered premises just as owner WANG, was exiting back room. WANG noticed inspection team inside premises and then quickly turned to close door behind him. DUARTE could see individuals inside room prior to door closing and DUARTE informed WANG not to bother closing door. DUARTE approached door opened it and observed 5 individuals playing computer games inside the private room.

DUARTE issued **DNA Internet Cafe**, (MTI) BL 05742 for operating an amusement centre outside permitted hours, which carries a fine of \$100.00. Copy of (MTI) BL 05742 –

Attachment 6

By continuing to operate outside permitted hours, **DNA Internet Cafe** creates an operational advantage over competitors that close at the required times. This business has had three infractions and has received multiple warnings, that continuing these violations could result in a licence suspension or cancellation. These warnings have had no effect on the conduct of this business.

A licensee, operator, or any other person who violates or who causes or allows any provisions of the Business Licence Bylaw, Business Regulation Bylaw, or fails to comply with the provisions of any other bylaw or statute, is deemed to have committed an infraction of the Business Licence Bylaw No 7360 or the Business Regulation Bylaw No 7538 and could result in the suspension or cancellation of the business licence. In careful consideration of the severity and noted infraction of the Business Regulation Bylaw and the Business Licence Bylaw, it is the undersigned's belief that a licence suspension or cancellation is warranted.



Victor Duarte
Licence Inspector
City of Richmond



BC Registry
Services

Mailing Address:
PO BOX 9431 Stn Prov Govt.
Victoria BC V8W 9V3
www.corporateonline.gov.bc.ca

Location:
2nd Floor - 940 Blanshard St.
Victoria BC
250 356-8626

BC Company Summary

For
HEAVENCAFE INTERNET CAFE LTD.

Date and Time of Search: February 25, 2011 03:57 PM Pacific Time
Currency Date: February 03, 2011

ACTIVE

Incorporation Number: BC0825312
Name of Company: HEAVENCAFE INTERNET CAFE LTD.
Recognition Date and Time: Incorporated on May 16, 2008 03:23 PM Pacific Time In Liquidation: No
Last Annual Report Filed: May 16, 2010 Receiver: No

REGISTERED OFFICE INFORMATION

Mailing Address:
SUITE 202 - 2232 WEST 41ST AVENUE
VANCOUVER BC V6M 1Z8
CANADA

Delivery Address:
SUITE 202 - 2232 WEST 41ST AVENUE
VANCOUVER BC V6M 1Z8
CANADA

RECORDS OFFICE INFORMATION

Mailing Address:
SUITE 202 - 2232 WEST 41ST AVENUE
VANCOUVER BC V6M 1Z8
CANADA

Delivery Address:
SUITE 202 - 2232 WEST 41ST AVENUE
VANCOUVER BC V6M 1Z8
CANADA

DIRECTOR INFORMATION

Last Name, First Name, Middle Name:
WANG, YING DONG

Mailing Address:
3520 TOLMIE AVENUE
RICHMOND BC V7C 5P8
CANADA

Delivery Address:
3520 TOLMIE AVENUE
RICHMOND BC V7C 5P8
CANADA

OFFICER INFORMATION AS AT May 16, 2010

CNCL-12
(Special)

Last Name, First Name, Middle Name:

WANG, YING DONG

Office(s) Held: (President, Secretary)

Mailing Address:

3520 TOLMIE AVENUE
RICHMOND BC V7C 5P8
CANADA

Delivery Address:

3520 TOLMIE AVENUE
RICHMOND BC V7C 5P8
CANADA

CNCL-13

(Special)

PART FIVE: AMUSEMENT CENTRES REGULATION

5.1 General Application

- 5.1.1 The provisions of this Part do not apply to an establishment licensed under the *Liquor Control and Licensing Act*.

5.2 Operator Obligations

- 5.2.1 Every **amusement centre operator** must:

- (a) be at least 19 years of age, and only employ persons who are at least 19 years of age;
- (b) keep the premises well lit and clean; and
- (c) post in a conspicuous place, near the **amusement machines**, a summary of the rules of conduct for customers, including those rules contained in this bylaw.

- 5.2.2 Clause (a) of subsection 5.2.1 does not apply to a person working in **business** premises containing both **amusement machines** and any other unrelated **business**, provided the person's duties do not include supervising the operation of the **amusement machines** or providing services to users of such machines.

- 5.2.3 An **amusement centre operator** may only permit an **amusement centre** to be open for business during the following hours:

Monday, 8:00 a.m. to 1:00 a.m. Tuesday
Tuesday, 8:00 a.m. to 1:00 a.m. Wednesday
Wednesday, 8:00 a.m. to 1:00 a.m. Thursday
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Friday, 8:00 a.m. to 2:00 a.m. Saturday
Saturday, 8:00 a.m. to 2:00 a.m. Sunday
Sunday, 8:00 a.m. to 1:00 a.m. Monday.

5.3 Operator Prohibitions

- 5.3.1 An **amusement centre operator** must not:

- (a) allow any intoxicated person to enter or remain on the premises in an **amusement centre**;
- (b) allow any consumption of alcoholic beverages, **gambling**, fighting, drunkenness, profane swearing, or indecent, obscene, blasphemous or grossly insulting language, or other immorality or indecency in an **amusement centre**;
- (c) permit any person under the age of 15, unless such person is accompanied by his or her parent, to use, play or otherwise operate an **amusement machine** or loiter near an **amusement machine**, between the hours of 9:30 a.m. and 3:00 p.m., Mondays to Fridays inclusive, or after 9:00 p.m. on Sundays to Thursdays inclusive, unless such day is a weekday and a school holiday;

- (d) permit any person wishing to play an **amusement machine**, about whose age there is reasonable doubt, to play an **amusement machine**, unless adequate proof of age is provided to the **amusement centre operator**;
- (e) permit the use of an **amusement machine** for the purpose of **gambling** unless the premises is licensed as a casino by the appropriate Provincial Authority; or
- (a) keep, maintain, permit or operate more than 4 **amusement machines** at any time on any **business** premises, except at those **business** premises listed on Schedule A, which is attached and forms a part of this bylaw.

5.4 Exemption for Pre-existing Business

- 5.4.1 Notwithstanding the provisions of clause (f) of subsection 5.3.1, Richmond Karting, located at 6631 Sidaway Road, which existed prior to the effective date of this bylaw, may continue to keep, maintain, permit or operate more than 4 **amusement machines**, provided all other provisions of this Part with regard to **amusement centres**, are complied with.

City of
Richmond

Community Charter

Ref # 09455740 M 21964

MUNICIPAL TICKET INFORMATION

ISSUED TO: YING DONG (CHRIS) WANG 3102

SURNAME OR CORPORATE NAME DNA INTERNET CAFE		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONTINUED) HEAVEN CAFE INTERNET CAFE LTD		GENDER M/F F	YY MM DD 01 01 96
ADDRESS 4351 NO 3 RD UNIT 175			
CITY RICHMOND	PROVINCE BC	POSTAL CODE V6X 3A7	

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED

ON OR ABOUT 10 01 96 DATE OF OFFENCE (24hr Clock) 02:53 AT THE TIME OF

AT OR NEAR 4351 NO 3 RD - UNIT 175 STREET ADDRESS CITY OF RICHMOND, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW

BUSINESS REGULATION BYLAW NO 7538

DESCRIPTION OF OFFENCE	SECTION	FINE AMOUNT
operating an amusement machine outside the permitted hours	5.23	\$ 100

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO GIVE NOTICE OF DISPUTE:

Richmond Provincial Court
7577 Elmhurst Way
Richmond, B.C. V6X 2Z8

OR DELIVER, HAVE DELIVERED, OR MAIL A NOTICE OF DISPUTE TO THE ABOVE ADDRESS AS DESCRIBED ON THE REVERSE.
THE FINE AMOUNT MAY BE PAID AT THE ABOVE ADDRESS IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

DISPOSITION:	FOR COURT USE	DATE YY MM DD
<input type="checkbox"/> NOT DISPUTED	<input type="checkbox"/> TRIAL	
<input type="checkbox"/> CONVICTED AND FINE SET BY BYLAW IMPOSED	<input type="checkbox"/> CONVICTED	
<input type="checkbox"/> QUASHED	<input type="checkbox"/> DISMISSED	

SIGNATURE OF JUDGE/JUSTICE

BYLAW ENFORCEMENT OFFICER'S NAME OR NUMBER

DATE OF SERVICE

YY MM DD
10 01 96

AREAS OF THIS TICKET OUTLINED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED

BYLAW ENFORCEMENT OFFICER'S SIGNATURE

IF THE FINE IS NOT PAID OR THE ALLEGATION CONTAINED IN THIS TICKET IS NOT DISPUTED (SEE REVERSE) WITHIN 14 DAYS, THIS TICKET WILL BE TREATED AS NOT DISPUTED, YOU MAY BE CONVICTED IN YOUR ABSENCE AND WITHOUT A HEARING AND, UPON CONVICTION, THE FINE AMOUNT WILL BE IMPOSED FOR THE OFFENCE CHARGED.

COURT COPY

CNCL-16
(Special)

MUNICIPAL TICKET INFORMATION

ISSUED TO:

Ref # 09455740 BL 05789
PAN LING-DWELL-DL8061168

TRANS CODE 3102

SURNAME OR CORPORATE NAME HEAVEN CAPE INTERACT		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONT'D) CAPE LTD.		GENDER M F	BIRTHDATE YY MM DD
ADDRESS 4351 NO3 RD - UNIT #175			
CITY RICHMOND		PROVINCE BC	POSTAL CODE V6X3A7

The by-law enforcement officer says that he or she has reasonable and probable grounds to believe, and does believe, that the above named

on or about **10/11/27** at the time of **0239**
at or near **4351 NO3RD - #175**, City of Richmond,
STREET ADDRESS Province of British Columbia

Attachment 4

Did commit the offence indicated, under the following by-law:

BUSINESS REGULATION BYLAW 7538

By-law Name

DESCRIPTION OF OFFENCE	USE FOR ONE OFFENCE ONLY	SECTION	FINE AMOUNT
OPERATING AN AMUSEMENT CENTRE OUTSIDE THE ADMITTED HOURS		6.12	\$100.00
If you wish to dispute the allegation contained in this ticket, you may appear at the following location to give notice of dispute: City of Richmond 6911 No. 3 Road Richmond, B.C. V6Y 2C1 or deliver, have delivered, or mail a Notice of Dispute to the above address as described on the reverse. The fine amount may be paid in accordance with the prescribed instructions (see reverse).			
For Court Use If Ticket Disputed		DATE YY MM DD	
AT HEARING <input type="checkbox"/> CONVICTED <input type="checkbox"/> DISMISSED			
SIGNATURE OF JUSTICE			
BY-LAW ENFORCEMENT OFFICER NAME OR NUMBER Victor Duroch		DATE OF SERVICE 10/11/27	
BY-LAW ENFORCEMENT OFFICER SIGNATURE			
AREAS OF THIS TICKET SHADED IN GREY ARE NOT PART OF THE OFFENCE CHARGED			

If the fine is not paid or the allegation contained in this ticket is not disputed (see reverse) within 14 days from the date of service of this ticket, you will be deemed to have pleaded guilty to the offence charged and the fine amount will be immediately payable.

SURNAME OR CORPORATE NAME HEAVEN CAFE INTERNET		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONT'D) CAFE LTD		GENDER M F	BIRTHDATE YY MM DD
ADDRESS 4351 NO 3RD - UNIT #175			
CITY RICHMOND		PROVINCE BC	POSTAL CODE V6X 3A7

The by-law enforcement officer says that he or she has reasonable and probable grounds to believe, and does believe, that the above named

on or about

DATE OF OFFENCE		
YY	MM	DD
10	11	27

at the time of

24 HR CLOCK	
HH	MM
02	39

Attachment 5

at or near

4351 NO 3RD - UNIT #175, City of Richmond,
STREET ADDRESS Province of British Columbia

Did commit the offence indicated, under the following by-law:

BUSINESS LICENCE REGULATION BYLAW 7630

By-law Name

DESCRIPTION OF OFFENCE	USE FOR ONE OFFENCE ONLY	SECTION	FINE AMOUNT
OPERATING A BUSINESS WITHOUT A LICENCE		4.1.1	\$100.00
<p>If you wish to dispute the allegation contained in this ticket, you may appear at the following location to give notice of dispute:</p> <p style="text-align: center;">City of Richmond 6911 No. 3 Road Richmond, B.C. V6Y 2C1</p> <p>or deliver, have delivered, or mail a Notice of Dispute to the above address as described on the reverse. The fine amount may be paid in accordance with the prescribed instructions (see reverse).</p>			
<p>For Court Use If Ticket Disputed</p> <p>AT HEARING <input type="checkbox"/> CONVICTED <input type="checkbox"/> DISMISSED</p>			<p>DATE YY MM DD</p>
SIGNATURE OF JUSTICE			
<p>BY-LAW ENFORCEMENT OFFICER NAME OR NUMBER VICTOR DUARTE</p>			<p>DATE OF SERVICE YY MM DD</p>
<p>BY-LAW ENFORCEMENT OFFICER SIGNATURE <i>[Signature]</i></p>			
<p>AREAS OF THIS TICKET SHADEN IN GREY ARE NOT PART OF THE OFFENCE CHARGED</p>			

If the fine is not paid or the allegation contained in this ticket is not disputed (see reverse) within 14 days from the date of service of this ticket, you will be deemed to have pleaded guilty to the offence charged and the fine amount will be immediately payable.

To City of Richmond:

We sincerely appologize for not following the regulation to close on time. We realized this have cased problems to the City of Richmond business and police department. It is also unfair to other same business in Richmond. The owner of DNA cafe did not insist to kick out remaining customers when they beg to finish their game. We now understand that no matter what, we have to close on time by the regulation. We have been closing on time since the last inspection, it caused us to lose some customers but we have been following the regulation. We do not want to cause any problems to the city or any other businesses, but the owner did not understand that rules are rules, she let customers stay and broke the regulation. We have made a daily closing plan (see second page) and upgraded our system to lock up all the computers before our closing time. This will make sure no one can use any computers after business hour. This is the first business we started in Richmond, and it's all new to us. We did not have much experience about doing business in Canada and we made mistakes. We have consulted our lawyer about everything we have to do, and we are doing it right now. We made mistakes, and we will take the consequences. Please consider other options than force us to close the business, we won't be able to recover from that. Our employees will have no income and have a hard time, and the rent and internet costs are too high to pay without any income. We promise that same mistakes won't happen again. Please give us one more chance.

DNA INTERNET CAFE DAILY CLOSING PLAN

**hours: Sunda to Thursday 9am-1am
Friday and Saturday 9am-2am**

- a) 30min before closing, remind all customers time of closing and make sure they know about it**
- b) 15min before closing, ask customers to leave and come back another day. start the check out.**
- c) 5min before closing, computers will be force closed and all customers have to leave their seats.**
- d) closed, check washrooms and lock up doors and turn off all outside signs and lights.**
- e) clean up and set alarms then leave.**