



**City of Richmond**

**Report to Council**

---

**To:** Richmond City Council **Date:** March 30, 2006  
**From:** Anne Stevens **File:**  
Chief Licensing Inspector  
**Re:** **Suspension of Business Licence for Net Arena Enterprises Inc**

---

**Staff Recommendation**

That Council suspend the business licence of Net Arena Enterprises Inc doing business as Net Arena, operating from premises located at Unit #130 - 8080 Leslie Road, Richmond B.C. for the period of 21 days commencing April 17, 2006 to May 7, 2006, both dates inclusive.

Anne Stevens  
Chief Licensing Inspector  
(4273)

Att.

<b>FOR ORIGINATING DIVISION USE ONLY</b>		
<b>CONCURRENCE OF GENERAL MANAGER</b>		
<b>REVIEWED BY TAG</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
<b>REVIEWED BY CAO</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

**Staff Report**

**Origin**

The City continues to enforce its Business Licence bylaws and Public Health Protection bylaws with an emphasis on the operating hours and permissive functions within the business complex. These efforts for enforcement are part of our ongoing efforts to promote customer, community and employee safety and to ensure that all businesses are operating in a consistent manner so as to not prevent one business gaining an operational advantage over another business in the same business category.

Various regulatory, protection services, health and federal agencies have worked together to ensure that business activities are operating within the various legislative parameters as established by these various agencies with an emphasis on the operating hours and permissive functions within the business complex.

**Findings Of Fact**

Net Arena has been fined by the City for operating outside of business hours and has permitted smoking within the establishment. Net Arena operates under two business licences categories. One for an Amusement Centre and one for Assembly Use Group, Food Service. All Amusement Centres in Richmond are regulated by Bylaw No. 7538, Part 5. This regulation stipulates the hours amusement centres are permitted to operate.

The table below briefly outlines the infractions:

Date of Infraction	Infraction	Specifics
January 22, 2005	Violation of Business Regulation Bylaw No 7538	Operating outside permitted hours
January 22, 2005	Violation of Public Health Protection Bylaw No. 6989	Operator permitting smoking
September 11, 2005	Violation of Public Health Protection Bylaw No. 6989	Operator permitting smoking
February 24, 2006	Violation of Business Regulation Bylaw No 7538	Operating outside permitted hours
February 24, 2006	Violation of Public Health Protection Bylaw No. 6989	Operator permitting smoking
February 24, 2006	Violation of the Business Licence Bylaw No. 7360	Operating a business without a licence

During the inspection on February 24, 2006, it was noted that the licences for Net Arena were not valid. A municipal ticket was issued for operating without a valid licence. To date the licence fees has been paid in full.

In 2004 Council suspended Net Arena from March 29, 2004 to April 27, 2004 both dates inclusive for the exact same infractions- operating beyond permitted hours and permitting smoking.

A show cause hearing was held on March 15, 2006, with the principal Tom LO in attendance. The Licence Inspector spoke to the infractions as stated above and Mr. Lo had the opportunity to explain his situation and why the infractions occurred.

Mr. Lo explained that he has been out of the City and was apologetic that the individuals managing the establishment were delinquent in enforcing the regulations. Due to their mismanagement he has fired these employees. Mr. Lo also commented on how difficult it is to operate in today's market and that the staff felt if they stayed open it would help maintain the business. Mr. Lo would like to get out of the business and a suspension would only hinder his plan of sale.

Mr. Lo's solution to mitigate infractions would be to place a web cam to monitor from remote sites when he is out of town.


Although Mr. Lo expressed remorse for the mismanagement of the business, staff feel that due to Net Arena being suspended for the exact same infractions in 2004 and the continually disregard for the City's bylaws, that a suspension of three weeks is warranted.

### **Financial Impact**

There is no direct financial impact for the City.

### **Conclusion**

Net Arena has ignored the City's Business Licence Bylaw and Public Health Protection Bylaw and have continued despite the issuance of six Municipal Tickets, and as such, their non compliance warrants a suspension of 21 days that should be enforced from April 17, 2006 through May 7, 2006 both dates inclusive.

  
Anne Stevens  
Chief Licensing Inspector  
(4273)

March 30, 2006

- 4 -

AS2:as2