

**TO:** CHIEF ADMINISTRATIVE OFFICER**DATE:** 2022 April 25**FROM:** GENERAL MANAGER COMMUNITY  
SAFETY**SUBJECT:** REPEAL OF REDUNDANT BYLAWS**PURPOSE:** To recommend that Council repeal certain redundant bylaws.**RECOMMENDATION:**

1. **THAT** Council request the City Solicitor bring forward bylaws to repeal:
  - (a) *Burnaby Commercial Vehicle Licensing Bylaw 1962 (Bylaw No. 4418);*
  - (b) *Burnaby Discotheque Regulation Bylaw 1966 (Bylaw No. 5047);*
  - (c) *Burnaby Health Bylaw 1926 (Bylaw No. 509);*
  - (d) *Burnaby Pool Room Regulation Bylaw 1975 (Bylaw No. 6616); and*
  - (e) *Burnaby Slot Machine Parlour Regulation Bylaw 1998 (Bylaw No. 10707).*

**REPORT****1.0 INTRODUCTION**

As part of the City's *Moving Forward* initiative, staff are reviewing City bylaws to identify areas for improvement and to promote effectiveness and efficiency. During this process, the Licence Office undertook a review of many older bylaws that were established to regulate businesses and/or private properties. Resulting from review, several bylaws were identified as being no longer useful and/or out of date. These bylaws include: *Burnaby Commercial Vehicle Licensing Bylaw 1962 (Bylaw No. 4418)*, *Burnaby Discotheque Regulation Bylaw 1966 (Bylaw No. 5047)*, *Burnaby Health Bylaw 1926 (Bylaw No. 509)*, *Burnaby Pool Room Regulation Bylaw 1975 (Bylaw No. 6616)*, and *Burnaby Slot Machine Parlour Regulation Bylaw 1998 (Bylaw No. 10707)*. It is recommended that these bylaws,

and any subsequent amending bylaws, be repealed for the reasons described in this report.

## **2.0 POLICY CONTEXT**

Updating and modernizing existing City bylaws aligns with policy objectives contained in the City's *Moving Forward* initiative, Burnaby Community Safety Plan (2020) and the Corporate Strategic Plan (2017).

## **3.0 BYLAWS TO BE REPEALED**

### ***Burnaby Commercial Vehicle Licensing Bylaw 1962 (see Attachment #1)***

Following a 2019 review conduct by the program administrator, the Union of BC Municipalities (UBCM), it was determined that the provincial wide program had ceased fulfilling the original intent. The UBCM ended the program on 2019 December 31, and as a result, the bylaw is redundant and no longer enforced.

### ***Burnaby Discotheque Regulation Bylaw 1966 (see Attachment #2)***

This bylaw was enacted at a time when discotheque businesses were common. Presently, these business types are no longer found in operation in the City, making the regulations contained in the bylaw unnecessary.

### ***Burnaby Health Bylaw 1926 (see Attachment #3)***

Many of the regulations contained in the Burnaby Health Bylaw 1926 were enacted almost a century ago, and no longer reflect modern practices. Also since this bylaw was put in place, the Province has assumed greater responsibility for establishing and regulating in regards to public health standards. In light of these changes, the bylaw no longer serves the intended purpose.

### ***Burnaby Pool Room Regulation Bylaw 1975 (see Attachment #4)***

The only regulatory requirement contained in the Pool Room Bylaw prohibits an operator from leaving "a pool room in charge of a person under the age of eighteen years". Although there are still businesses that offer pool playing as part of their business operations, there are no remaining stand alone "pool room" type businesses in operation in the City.

### ***Burnaby Slot Machine Parlour Regulation Bylaw 1998 (see Attachment #5)***

The Burnaby Slot Machine Bylaw contains a single regulation requiring the placement or operation of a slot machine parlour comply with zoning regulations. This regulation is a duplication of requirements already found in the *Burnaby Zoning Bylaw 1965*.

To: Chief Administrative Officer  
From: General Manager Community Safety  
Re: Repeal of Outdated Bylaws  
2022 April 25 ..... Page 3

In addition, since 1998 the British Columbia Lottery Corporation has held provincial responsibility for the conduct and management of table games and slot machines in the Province.

#### 4.0 RECOMMENDATION

Staff recommend that Council authorize the City Solicitor to bring forward bylaws to repeal the following bylaws that are outdated and/or no longer necessary: (a) Burnaby Commercial Vehicle Licensing Bylaw 1962 (Bylaw No. 4418); (b) Burnaby Discotheque Regulation Bylaw 1966 (Bylaw No. 5047); (c) Burnaby Health Bylaw 1926 (Bylaw No. 509); (d) Burnaby Pool Room Regulation Bylaw 1975 (Bylaw No. 6616); and (e) Burnaby Slot Machine Parlour Regulation Bylaw 1998 (Bylaw No. 10707).



Dave Critchley  
GENERAL MANAGER COMMUNITY SAFETY

DC:dl

Attachments: 1) *Burnaby Commercial Vehicle Licensing Bylaw 1962*  
2) *Burnaby Discotheque Regulation Bylaw 1966*  
3) *Burnaby Health Bylaw 1926*  
4) *Burnaby Pool Room Regulation Bylaw 1975*  
5) *Burnaby Slot Machine Parlour Regulation Bylaw 1998*

cc: Deputy CAO  
General Manager Corporate Services  
General Manager Planning and Development  
City Clerk  
City Solicitor  
Chief Licence Inspector

THE CORPORATION OF THE DISTRICT OF BURNABY

**BYLAW NO. 4418**

**A BYLAW to provide for the licensing of or  
exemption from licensing of commercial vehicles  
(Consolidated for convenience with Bylaws Nos. 4629,  
6786, 8171 and 8933)**

\*\*\*\*\*

The Council of The Corporation of the District of Burnaby, in Burnaby, in open meeting assembled, ENACTS as follows:

1. In this bylaw, unless the context otherwise requires:

"Act" means the Municipal Act, being Chapter 290 of the Revised Statutes of British Columbia 1979, as amended;

"Gross Vehicle Weight" means the weight at which a vehicle is licensed under the Department of Commercial Transport Act or the Motor Vehicle Act, as the case may be;

"License Inspector" means the person from time to time duly appointed as License Inspector for the municipality and also any person lawfully acting in that capacity;

"licence plate" means a decal for the current year;

"Owner" means, when used in reference to a vehicle, the person or persons duly registered from time to time under the Motor Vehicle Act or the Department of Commercial Transport Act as the owner or owners of the vehicle;.

"Registration Card" means the motor vehicle license for the motor vehicle issued pursuant to the Motor Vehicle Act or the Department of Commercial Transport Act.

2. The Corporation of the District of Burnaby is hereby declared to be a participating municipality with respect to the licensing of commercial vehicles, and the provisions of Division (2) of Part 11 of the Act apply to the municipality.
3. Repealed.

4. Except as may be otherwise provided by the Act, the owner of every vehicle shall, before it is used or operated on any highway in the municipality, cause the vehicle to be licensed or registered with the License Inspector and a licence plate obtained pursuant to the Act and this Bylaw.
5. The application for a license and license plate shall be in the form "A" shown as Schedule "A" hereto attached and forming part of this bylaw and shall be signed by the owner or his duly authorized agent, provided that in the case of partnerships or multiple owners anyone of such owners or partners may apply and such owner or partner applying shall be deemed to be duly authorized agent of all the owners or of the partnership.
6. Where the applicant for a license is an agent or co-owner, the owner or owners shall be deemed to have authorized all statements set forth in the application and shall be deemed to have made such statements on his own or their behalf and as his own or their statements.
7.
  - (1) The application form, together with the registration card for the vehicle, shall be delivered to the License Inspector and, in the case where a fee is applicable, shall be accompanied by the fee prescribed in the Act.
  - (2) Where the applicant for the licenses is one and same person, as many applications of the same kind as may conveniently be made on any one of the forms prescribed may be combined in one such form without the necessity for the completion of separate application forms for each vehicle for which a license and license plate is sought.
  - (3) Notwithstanding subsections (1) and (2) but not inconsistent with the Act or this bylaw, the License Inspector is hereby authorized to modify any of the forms prescribed, or any of the administrative procedures prescribed, deemed necessary by him when dealing with any owner applying for licenses and plates for more than one vehicle.
8. All fees collected by the License Inspector under this bylaw and in accordance with the Act shall be paid forthwith to the Treasurer of the municipality who shall deal with the said fees in the manner provided by the Act.
9. Upon receipt of the application for a license and upon being satisfied that the prescribed fee has been paid, the License Inspector shall cause to be issued and delivered a numbered license-plate and shall endorse on the registration card the number of such license plate, the date of issuance thereof, and the fee paid.
10. The license plate shall at all times be affixed to the front windshield or on a side window adjacent to the front windshield and shall be kept unobstructed and in a legible condition.

11. (1) Where a person ceases to be the owner of a vehicle licensed and authorized to carry a license plate, the registration thereof and the license plate therefor, are deemed to be cancelled and the new owner may make application to the License Inspector for the transfer of the license plate in accordance with the provisions of the Act.
- (2) The owner of a vehicle licensed and authorized to carry a license plate may apply to the License Inspector in accordance with the provisions of the Act for the transfer of the said license plate to another vehicle owned by him.
- (3) Notwithstanding subsection (1), the purchase of a vehicle by a dealer in vehicles for resale shall not require the license plate to be cancelled or transferred until the dealer sells the vehicle to a person other than another such dealer for resale.
12. Repealed
13. Repealed
14. Every person who violates any of the provisions of this bylaw is guilty of an offence punishable upon summary conviction and shall be liable on conviction to a fine not exceeding five hundred dollars (\$500.00).
15. This bylaw shall come into force and effect on the first day of January, A.D. 1976.
16. This bylaw may be cited as the "Burnaby Commercial Vehicle Licensing Bylaw 1962".

Read a second time this 13th day of November, 1962.

Read a third time this 13th day of November, 1962.

Reconsidered and adopted this 19th day of November, 1962.

"A.H. EMMOTT"  
REEVE

(Signed) "J.H. SHAW"  
CLERK

SCHEDULE "A"  
(BYLAW 8933)

<u>M.V.</u>	<u>Gross</u>	<u>Municipal Plate/</u>		
<u>Registration No.</u>	<u>Vehicle Weight</u>	<u>Fee</u>	<u>Decal No.</u>	
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

I (We) hereby make application for licences for \_\_\_\_\_ vehicles in accordance with

the particulars listed above, for the licence year 19\_\_\_\_ for which is tendered the fee of \$ \_\_\_\_\_.

Full \_\_\_\_\_ Name \_\_\_\_\_ of \_\_\_\_\_ Registered  
Owner \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_ Signed \_\_\_\_\_  
(Owner/Agent)

The above mentioned person has paid the sum indicated by the cash register in respect of municipal vehicle licence(s) as indicated and is entitled to operate such vehicle(s) on any highway in the Municipality of Burnaby.

This licence is not valid unless dated and receipted by the Corporation of Burnaby cash register and is issued subject to all Bylaws of the Municipality and all other laws and Bylaws to come into force hereafter in the municipality.

APPENDIX "B" Repealed  
BYLAW 8171

APPENDIX "C" Repealed.  
BYLAW 6786

THE CORPORATION OF THE DISTRICT OF BURNABY

**BYLAW NO. 5047**

**A BYLAW to regulate the operation of Discotheques  
(Consolidated for convenience with Bylaw No. 7130)**

\*\*\*\*\*

The Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This Bylaw may be cited as "BURNABY DISCOTHEQUE REGULATION BYLAW 1966".
2. In this Bylaw:

"Discotheque" shall mean a place for dancing open only, unless otherwise provided in this Bylaw, to persons who are 15, 16, 17, 18 years of age;

"Statutory holiday" shall not include Sunday.
3.
  - (a) No person shall own or operate a Discotheque without a valid and subsisting license for the carrying on of such business.
  - (b) The Chief License Inspector shall issue a license for a Discotheque when he is satisfied that the applicant has complied with the requirements of all the bylaws of the municipality regulating building, zoning, health, sanitation and business, and of any statute affecting the operation of the said business, and without limiting the generality of the foregoing and Chief License Inspector shall not issue a license unless
    - (i) the premises are situated in a commercial zone as defined in the Municipal Zoning Bylaw; and
    - (ii) off-street parking is provided in accordance with the requirements of the Municipal Zoning Bylaw.
4. The owner or operator of a Discotheque
  - (a) shall not admit to the premises any person not of the proper age fixed by this bylaw for admission thereto;
  - (b) shall not have any alcoholic beverages upon the premises;

- (c) shall not permit any person to have alcoholic beverages in his possession on the premises;
- (d) shall not permit the drinking of alcoholic beverages on the premises;
- (e) shall not permit drunkenness or disorderly conduct on the premises;
- (f) shall not permit any drunk or disorderly person to enter or remain on the premises;
- (g) shall not permit any person who leaves the Discotheque to re-enter the Discotheque on the same day.

5. (1) The owner or operator of a Discotheque

- (a) may have the Discotheque open for business only during the hours hereinafter specified:
  - (i) From 6:00 o'clock in the afternoon to 10:00 o'clock in the afternoon on Mondays, Tuesdays, Wednesdays and Thursdays;
  - (ii) From 4:00 o'clock in the afternoon to 12:00 o'clock in the afternoon on Fridays;
  - (iii) From 1:00 o'clock in the afternoon to 12:00 o'clock in the afternoon on Saturdays;
  - (iv) From 4:00 o'clock in the afternoon to 12:00 o'clock in the afternoon on any statutory holiday when the next day is not a day when public schools are in session.
  - (v) From 4:00 o'clock in the afternoon to 12:00 o'clock in the afternoon on any day preceding a statutory holiday.
- (b) shall not open the Discotheque for business on Sundays or permit dancing or other entertainment therein on that day.

(2) Notwithstanding anything in this bylaw contained the owner or the operator of a Discotheque may open the Discotheque to persons who are 13 or 14 years of age provided that

- (a) a special permit is obtained from the Chief License Inspector of the municipality;

(b) no persons who are not of the ages specified in this subsection are permitted to be within the Discotheque at the same time as those persons who are of the ages specified in this subsection;

(c) the Discotheque is not open for such purpose during school hours or after the hour of 9:00 o'clock in the afternoon or on Sundays.

6. The owner or operator of a Discotheque shall when the Discotheque is open for business

(a) provide adequate adult supervision and for the purpose of this section adult shall mean over the age of thirty years; and

(b) ensure that the interior and exterior of the Discotheque is fully illuminated.

7. No person shall be or remain on the premises of a Discotheque at any time when his presence there is for any reason prohibited by this bylaw.

8. The provisions of this bylaw respecting age shall not apply to persons employed by the owner or operator of the Discotheque provided that no person under the age of sixteen years may be employed in any Discotheque.

9. Any person who violates any of the provisions of this bylaw shall be guilty of an offence punishable upon summary conviction.

Read a first time this 5th day of December, 1966.

Read a second time this 5th day of December, 1966.

Read a third time this 19th day of December, 1966.

Reconsidered and adopted this 9th day of January, 1967.

(Signed) A.H. EMMOTT  
REEVE  
"SEAL"

(Signed) J.H. SHAW  
CLERK

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 509

A BY-LAW for the preservation of Public Health.

WHEREAS it is advisable to make provision for the preservation of public health, including the sanitary condition of the Municipality of Burnaby.

THEREFORE the Municipal Council of the Corporation of the District of Burnaby hereby ENACTS as follows:-

Interpretation

1. In this By-law, unless the context otherwise requires:-

Whenever the word "herein" is used in any section of this By-law it is to be understood as relating to the whole By-law and not to that section only unless the context otherwise requires;

The word "street" except where otherwise provided shall mean and include, streets, lanes, boulevards, ways, drives, places, and sidewalks within the Municipality;

The word "person" shall include any corporation, or party, and the heirs, executors, administrators, or other legal representatives of such person to whom the context can apply according to law;

The word "owner" shall be held and construed to mean and include the owner or his tenant, duly authorized agent or any other person having any right or interest in a property other than a person who holds an interest in such property as security only and who is not in possession thereof;

The word "Municipality" means the Municipality of Burnaby;

The word "Corporation" means the Corporation of the District of Burnaby;

The word "animal" shall mean any sheep or goat, except a mountain sheep or mountain goat, and any cow;

The word "fowl" shall mean any turkey, goose, duck, barn-door fowl, or other poultry;

The expression "fur-bearing animal" shall mean and include

any fox, beaver, marten, mink, musk-rat, otter, raccoon, skunk, or rabbit;

The word "kennel" shall mean any place where five or more dogs are kept;

The word "cattery" shall mean any place where five or more cats are kept for commercial purposes;

The expression "game animal" shall mean any mountain sheep or mountain goat; any of the deer family whether known as moose, caribou, deer, or wapiti; or any bear;

The expression "game bird" shall mean a "game bird" within the meaning of the Game Act in force for the time being in the Province of British Columbia;

Words importing the singular number or the masculine gender only shall include more persons, parties, or things of the same kind than one, and females as well as males and the converse;

2. No person within the Municipality shall suffer or permit the accumulation upon, or escape from, any premises of which he is owner, or occupier, or deposit or permit the deposit upon any land of which he is the owner or occupier or which is under his control of anything that would endanger or that would be likely to endanger the public health.

3. No person within the Municipality shall deposit or suffer or permit to be deposited in or upon, or into any street, square, lane, by-way, wharf, dock, slough, lake, pond, bank, harbor, river, stream, or water, any manure or other refuse, or vegetable, or animal matter or filth of any kind, or any dead animal.

4. No person within the Municipality shall suffer or permit to be upon any land or premises within the Municipality of which such person is owner or occupier, or which such person has under his control, any stagnant water, tin cans, waste paper, rags, dead birds, fowls or animals, remnants of food or other rubbish or garbage of any kind whatsoever.

5. No person shall within the Municipality offer for sale as food any diseased animal or any meat, fish, fruit, vegetables, milk,

or any other article of food, drink or drugs which, by reason of disease, adulteration or impurity or any other cause, shall be unfit for use.

6. Every owner and every occupier of a house within the Municipality shall at all times provide for the occupants of the same a sufficient supply of pure and wholesome drinking water.

7. In case the water supply as aforesaid is drawn from a well the owner of the dwelling house of which the occupants draw their water supply in whole or in part from such well, shall cause the well to be cleaned out on or before the 15th. days of March and October in each year. In case the Health Inspector for the Corporation certifies that any such well as aforesaid should be filled up, the owner of the premises, the occupants of which draw their water supply in whole or in part from such well, shall forthwith fill up the same.

8. Every well which is not in use shall be forthwith filled up by the owner of the premises in which such well is situated upon demand by the Corporation or its Health Inspector or agent.

9. No person shall within the Municipality bathe, wash, or cleanse any wool, cloth, leather skins, or animals, or put or cause to be placed any dead animal, or part of the carcass of any dead animal, or any decayed or filthy animal or vegetable matter, in or near any stream or the tributary of any stream or well from which water is drawn, taken or used for domestic purposes; or shall cause, permit, or suffer any sewage, washings, or other offensive matter from any sink, privy-closet, cesspool, factory, trades establishment slaughter-house, wash house, tannery, or other place over which he shall have control, to flow or percolate thereinto, or into any drain or pipe communicating therewith; or cause any other thing to be done whereby the water supply of any community or household is in anywise tainted or fouled, or rendered unfit for drinking or domestic purposes.

10. Every owner of any house within the Municipality shall

forthwith connect his house with the water mains of the public supply furnished by the Corporation whenever such water mains, or any of them, extend to or pass by or within thirty three feet of his property.

11. Every owner of "real property" as defined by Section two (2) of the Municipal Act, fronting or abutting on a street or on land in or under which a branch main or common sewer is laid shall connect any building on such real property with such branch, main or common sewer, and in the event of such owner failing to connect any such building with a sewer as aforesaid within such time as may be specified in writing by the Engineer of the Corporation, he shall be guilty of an infraction of this By-law and the work of connecting any such building with a sewer may be done by the Corporation at the expense of the owner of such building or real property, and such owner shall be liable to the Corporation for the costs and expenses connected with the carrying out of such work, and the total amount of such costs and expenses shall be a debt recoverable from such owner by action brought by the Corporation in any Court of competent jurisdiction.

#### Dwelling Houses

12. No person shall let or occupy, or suffer to be occupied as a dwelling or lodging any room which:-

(a) Does not contain at all times at least 384 cubic feet of air space for each person occupying the same; or

(b) Has not a window made to open in the manner approved by the Building Inspector or other officer of the Corporation duly authorized for that purpose; or

(c) Has not appurtenant to it the use of a water closet or earth closet, constructed according to this By-law and the By-laws of the Corporation for the time being in force regarding plumbing.

Provided that every room in which a person passing the night or is found between midnight and 5 o'clock in the forenoon, shall be deemed to be occupied as a dwelling or

lodging within the meaning of this section.

13. No person shall build any house in or upon any site, the soil of which has been made up of any refuse, unless such soil shall have been removed from such site and the site disinfected, or unless the said soil shall have been covered with a layer of charcoal, covered by a layer of concrete at least six inches thick, and of such additional thickness as may be requisite under the circumstances, to prevent the escape of gases into such proposed house. The word "site" in this section to mean the portion of ground to be covered by the house so to be built.

14. No person within the Municipality shall establish, construct or use a privy-closet unless the same be an earth closet approved by the Plumber, Inspector of the Corporation, consisting of a water-tight receptacle placed above the surface of the ground and so arranged that it may be emptied or removed through a hinged door or lid and no out door privy-closet shall be located within twenty (20) feet of any dwelling house. Every occupier of any premises where any earth closet is used shall throw or cause to be thrown upon the contents thereof daily or after each use of same, sufficient dry earth or coal ashes to absorb all the fluid parts of the deposit, and shall empty and ultimately dispose of the contents of such earth closet once each month or more frequently if and when so directed by the Health Inspector or other officer of the Corporation appointed for the purpose. The ultimate disposal of said contents shall be as follows: They shall forthwith upon removal from the closet be further mixed with earth and may be deposited on the surface of any land intended for cultivation, in which case they shall be forthwith spaded or ploughed under, so as to be entirely covered with earth to a depth of three (3) inches; in all other cases the said contents so mixed with earth shall be deposited at a dumping ground and shall be further mixed with earth and placed in trenches not deeper than thirty (30) inches and be entirely covered with earth to a depth of three (3) inches.

15. The contents of any privy-closet shall not be removed until they shall have been deodorized by mixing with them a sufficient quantity of dry earth or coal ashes to absorb all moisture, and at all times thereafter until the ultimate disposal thereof as aforesaid, the contents so deodorized shall be kept covered with a layer of fresh earth of sufficient depth to prevent any odor from escaping therefrom.

Disposal of liquid waste

16. Every householder within the Municipality shall dispose of all chamber slops, waste waters, from kitchens, sink, laundry, bath, or wash bowls, or other liquid waste, by one of the following methods of application to land, subject to the approval of the Medical Health Officer of the Corporation:

First: By draining into a public system of sewerage; or

Second: By leading or draining the same into a water-tight cess-tank made of galvanized iron, or cement concrete, or brick set in cement, branching from which is a system of sub-soil irrigation drains laid between ten (10) and fourteen (14) inches below the surface of the soil, and so arranged that the sewage may be discharged intermittently or alternately through different portions of the system; or

Third: By throwing the same upon, or irrigating, or submerging with the same, different plots of land in alternation, or in an intermittent manner. Where the land used for this purpose is non-porous or damp, deep absorption drains shall be laid not less than three (3) feet below the surface of the ground, or such other artificial preparation of the land shall be made, and such attention shall be given to removing, spading in, or covering with earth, any non-absorbable matters as in the opinion of the said Medical Health Officer may be necessary.

17. If, on the householder's premises, sufficient or suitable land for the purpose of irrigation is not available, such householder shall, at his own expense, remove any one or all of the liquid waste hereinbefore mentioned, whether by carting away daily or by drainage, to such place as in the opinion of the said Medical

Health Officer they may be safely deposited; or if the said Medical Health Officer shall so require, the householder shall cause the said liquid waste to be passed through an approved filtration tank or bed before being discharged into any drain or stream or upon any land.

18. No solid refuse or waste matter of any kind shall be deposited in any stream so as to obstruct its flow, or put into any stream or lake, so as to pollute its waters, and no solid or liquid sewage matter or any poisonous, noxious, or polluting liquid of any kind proceeding from any source, shall be passed into any stream or lake unless the same shall have been sanctioned by the said Medical Health Officer and the best means shall have first been adopted to purify the same.

19. No person shall throw, draw off, or allow to run into or upon any public ground, street or open drain, the contents, or any part thereof, of any vault, water-closet, privy, cess-pool or sink, or any filthy matter of any kind.

Keeping of fur-bearing and other animals

20. Every person who keeps animals, or fur-bearing animals, or game-animals, or who maintains or conducts a hospital for the care, maintenance, and treatment of animals within the Municipality shall file at the office of the Health Inspector of the Corporation a description of his premises and animals.

21. It shall be unlawful for any person to keep within the Municipality any animal, fur-bearing animal, or game animal, or any dog kennel, or cattery, for the breeding of dogs or cats for sale unless he shall have first made application to, and shall have received a permit so do to from the Health Inspector of the Corporation.

22. The Health Inspector of the Corporation, shall on the receipt of such application, and within seven (7) days after such receipt, inspect the premises in which the applicant proposes to keep the animal mentioned in such application, and if upon inspection, he shall find that the provisions of this and other By-laws of the Corporation have been complied with, he shall issue a permit; other-

wise he shall refuse to grant such permit.

23. It shall be unlawful for any person to keep any animal, fur-bearing animal or game-animal within the Municipality unless the owner thereof shall have received a certificate from a duly qualified veterinary surgeon that such animal, fur-bearing animal or game-animal is not affected with tuberculosis.

24. Any person keeping any animal, fur-bearing animal or game animal shall, on demand by the Health Inspector of the Corporation produce the certificate mentioned in the preceding section for inspection, and any person refusing to produce such certificate for inspection shall be guilty of an infraction of this By-law.

25. It shall be unlawful for any person to keep any animal, fur-bearing animal or game animal in the Municipality unless the premises upon which such person proposes to keep such animal contains a clear, open and unobstructed ground area of not less than six thousand (6000) sq. ft. or its equivalent for every such animal, save and except rabbits and muskrats, and any in excess shall be figured on the above basis. No person shall keep or permit to be kept, any such animal in any building used for human habitation, or in or beneath any building connected with any building used for habitation.

26. Every keeper of animals shall provide a stable to accommodate such animals as he may keep, and before erecting such stable he shall deposit with the Clerk of the Corporation a plan upon which shall be endorsed the certificate of the Health Inspector, that the provisions of this and other By-laws of the Corporation have been complied with; and any person keeping any animals in a stable in the Municipality, the dimensions and specifications whereof fail to comply with the provisions of this By-law shall be guilty of an infraction of this By-law and be liable to the penalties thereof.

27. No person shall within the Municipality keep any fowls or game birds except in houses and enclosures so constructed as to prevent any fowl or game birds escaping therefrom, and every such house and enclosure shall be regularly cleaned and disinfected and kept free from any offensive or disagreeable odor.

28. No fowl or game birds shall be kept in or beneath any

house or place where any person shall sleep or eat, or in or beneath any building or place attached to or connected with any such house or place.

Stables

29. Every stable where any animal is kept within the Municipality shall comply with the following requirements and shall have;

(a) A clear cubic air space of not less than five hundred (500) feet for each animal stabled therein.

(b) The floor area of such stable shall be at least sixty two and one-half ( $62\frac{1}{2}$ ) square feet, or shall be in proportion of not less than twelve and one-half ( $12\frac{1}{2}$ ) per cent. of the total air space.

(c) The height of the ceiling shall, in the inside of such stable, be not less than eight (8) feet, measured perpendicularly from the floor to the ceiling.

(d) The floor of the stable shall be constructed of cement four (4) inches thick, or some other impervious material, so that the floor shall be watertight at all times; and having a fall of two (2%) per cent. for the whole floor so that all liquid matter shall drain to a gulley trap situated on the outside of the stable, and having the lowest part of such floor not less than six (6) inches above the lowest level of ground adjoining the stable. Planking may be used for the stall, provided it is laid on top of the cement in such a manner that it can be taken up for cleaning or repairing.

(e) Each stable shall be ventilated either by a shaft ventilator the area of which shall be One hundred and forty-four (144) square inches (continued through the entire length of the shaft and carried to a point at least two (2) feet above the highest point of the roof of the stable) for each animal; unless such ventilation shall be provided for by openings in the walls near the ceiling, such openings shall be of not less than one hundred and forty four (144) square inches for each animal.

(f) Each stable shall be lighted by a window admitting unobstructed natural daylight, the glass area of which shall equal

one-tenth of the total floor area.

(g) Where possible, Corporation water shall be laid to the stable, and provided with a bib tap, so that the stable may be periodically cleaned by flushing.

(h) Every stable shall be kept at all times in good repair.

(i) Every stable shall be limewashed during the first week of March and August of each year and oftener whenever notified so to do by the Health Inspector.

(j) All stable yards and premises shall be kept clean and sanitary at all times.

(k) All manure created in connection with the keeping of animals or fowls within the Municipality shall be ultimately disposed of in such manner as may be approved by the Health Inspector of the Corporation

The liquid waste in connection with every stable, pen or building, where any animal or animals is or are kept within the Municipality shall be disposed of and dealt with in one of the methods of application to land prescribed in Section 16 of this By-law.

30. No person shall keep or have within the Municipality any animal, fur-bearing animal or game animal, affected with infectious or contagious disease except in an Animal Hospital approved of by the Health Inspector of the Corporation or under conditions of isolation and quarantine approved by the Health Inspector.

31. The said Health Inspector may at any time and from time to time inspect any animal, fur-bearing or game animal, stable or premises within the Municipality for the purpose of ascertaining that the By-laws of the Corporation are being duly carried out.

32. Any person who obstructs or impedes any official or authorized agent of the Corporation, in carrying out his duties under this By-law shall be guilty of an infraction of this By-law.

33. Every keeper of any animal, fur-bearing animal or game animal within the Municipality shall be subject at all times to the "Contagious Diseases Animals Act" under which they shall be required to immediately report all cases of sickness occurring amongst any of such animals in his keeping.

34. Every keeper of any animal referred to herein, within the Municipality shall immediately notify the Health Inspector of the Corporation by notice personally served or by notice given by telephone or telegram, of any infectious diseases occurring within his family of smallpox, diphtheria, scarlet fever, measles, whooping-cough, mumps, or any other contagious or infectious disease.

35. Any act or duty to be performed under this By-law by the Health Inspector of the Corporation may be performed by an Inspector or other official authorized by the Medical Health Officer to perform such act, acts or duty.

#### UNSATURATED PREMISES

36. The Health Inspector of the Corporation shall have the power and he is hereby authorized to enter into or upon any building or premises within the Municipality and examine the plumbing, ventilation or drains, and in case the said Health Inspector shall be of the opinion that any such building or premises is or are in an unsaturated condition by reason of the state of such plumbing, ventilation or drains, he may notify the owner of such building or premises, or his agent or any person to whom the rents for the time being of such building or premises are paid on behalf of such owner, to put the said building or premises in a sanitary condition, and any such person so notified shall forthwith put the said premises in a sanitary condition to the satisfaction of the said Health Inspector.

37. The said Health Inspector shall have the power, and is hereby authorized to affix to any building or premises, which, in his opinion is or are unfit for use or occupation by reason of plumbing arrangements that are defective or insufficient to keep the said premises in a sanitary condition, a placard or notice

that the said building or premises is or are unfit for use or occupation, and no person shall pull down or remove such placard or notice, and no person shall, while such placard or notice remains upon said building or premises, occupy or use the same as a place of residence or business or for storage or other purposes.

38. Any person guilty of an infraction of this By-law shall, upon conviction before a stipendiary magistrate or any Justice of the Peace convicting, pay a penalty not exceeding the sum of One Hundred (\$100.00) Dollars, with or without costs, and in default of payment thereof, forthwith it shall be lawful for the stipendiary magistrate or Justice of Justices of the Peace, or any two or more of them acting together therein, then under the hand and seal of one of them, to levy the said penalty with costs or penalty or costs only, by distress and sale of goods and chattels of the offender; and in case of there being no sufficient distress found out of which the penalty can be levied, it shall be lawful for the stipendiary magistrate, or Justice of the Peace convicting, or any of them, to commit the offender to the common jail at Okalla in the Municipality for a period not exceeding Thirty (30) days, unless the said penalty and costs, or penalty or costs, is sooner paid, and all fees payable by any person under any section of this By-law shall be a debt due by such person to the Municipality and shall be recoverable by the Municipality in an action brought in any court of competent jurisdiction.

39. This By-law may be cited as "BURNABY HEALTH  
BY-LAW 1926."

DONE AND PASSED in Open Council this Fifteenth  
(15th) day of March, 1926.

RECONSIDERED and FINALLY PASSED this Nineteenth  
(19th) day of April, 1926.



*Arthur G. Moore*  
CLERK

*Arthur G. Moore*  
CLERK

I Arthur G Moore, Clerk to the Municipal  
Council of the Corporation of the District  
of Burnaby hereby certify the foregoing to  
be a true copy of a By-law passed by the  
Municipal Council on the Nineteenth (19th)  
day of April, 1926.

*Arthur G. Moore*  
Clerk.

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 6616

A BY-LAW to regulate the carrying-on of a certain business within the Municipality, to wit, the operation of public pool rooms.

The Council of The Corporation of the District of Burnaby  
ENACTS as follows:

1. This By-law may be cited as "BURNABY POOL ROOM REGULATION BY-LAW 1975".
2. In this By-law, unless the context otherwise requires:  
"Operator" shall include the licensee or the person in charge of a pool room;  
"Pool Room" shall mean a public place where equipment for playing pool, billiards, snooker or any similar game is kept or provided for the purpose of gain or profit.
3. No operator shall leave a pool room in charge of a person under the age of eighteen years.
4. Every person who violates any of the provisions of this by-law, shall be guilty of an offence and liable on summary conviction to a fine of not more than \$500.00 and in default of payment to imprisonment not exceeding six months, or to both.

Read a first time this 27th day of January, 1975.

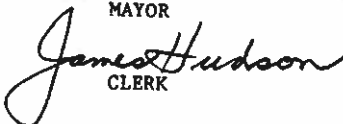
Read a second time this 27th day of January, 1975.

Read a third time this 24th day of March, 1975.

Reconsidered and adopted this 1st day of April,  
1975.



MAYOR

  
CLERK

CITY OF BURNABY

BYLAW NO. 10707

A BYLAW to regulate slot machine parlours

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY SLOT MACHINE PARLOUR REGULATION BYLAW 1998.**
2. In this Bylaw
  - (a) "slot machine" means a slot machine as defined in the Criminal Code of Canada on January 1, 1998;
  - (b) "slot machine parlour" means any place or establishment, including a gaming house, in or upon which there is installed, maintained or operated any slot machine.
3. No person shall establish or operate a slot machine parlour in Burnaby except upon lands or premises where slot machines are specifically permitted as part of the approved use pursuant to Burnaby Zoning Bylaw 1965.
4. Every person who contravenes any provision of this Bylaw is guilty of an

offence and, on summary conviction, is liable to a fine of not more than Two Thousand (\$2,000) Dollars.

READ a first time this 9<sup>th</sup> day of MARCH 1998

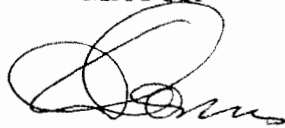
READ a second time this 9<sup>th</sup> day of MARCH 1998

READ a third time this 9<sup>th</sup> day of MARCH 1998

RECONSIDERED AND ADOPTED this 6<sup>th</sup> day of APRIL 1998



MAYOR



CLERK