

Re: Delegation - Ross Auctioneers & Appraisers Ltd.
Request for Exemption from Store Closing Hours

ITEM 20
MANAGER'S REPORT NO. 19
COUNCIL MEETING March 17/75

Appearing at the Council meeting of March 17, 1975 will be Mr. Ron Smallwood, on behalf of Ross Auctioneers & Appraisers Ltd., asking for an exemption of store closing hours for an auction that he would hope to start in Burnaby.

The following is the report of the Chief Licence Inspector, dated March 13, 1975, in this connection.

The only way to permit what Mr. Smallwood is requesting is for us to amend the Shops Closing By-Law, to provide exemption for retail auction rooms. This is not recommended.

RECOMMENDATION:

1. THAT the request to exempt auction rooms from the Shops Closing By-Law be denied.

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TO: MUNICIPAL MANAGER March 13, 1975
FROM: CHIEF LICENCE INSPECTOR
RE: BURNABY SHOPS CLOSING BY-LAW 1958

The firm of Ross Auctioneers and Appraisers Limited, has applied for a business licence to operate an auction room for retail sales of general merchandise at 6462 Kingsway, Burnaby, and requested an exemption from provisions of the Shops Closing By-Law.

Auctioning of merchandise at the retail level is considered to be a method of marketing, therefore, the operator must comply with the provisions of the by-law and be closed for the serving of customers by 6.00 p.m. on Monday, Tuesday, Wednesday and Saturday, and by 9.00 p.m. on Thursday and Friday.

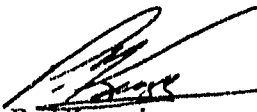
The Municipal Solicitor advises that the only alternative is to amend the by-law to provide exemption for retail auction rooms.

The Burnaby Zoning By-Law permits auction rooms in a C4, service commercial zone. The exemption of auction rooms from the Shops Closing By-Law would enable any other retail business permitted in a C4 zone to declare themselves as auction rooms and be exempt from closing regulations.

A survey of those surrounding areas that govern the operating hours of retail business determined that with the exception of Vancouver City, retail auction rooms must comply with the closing regulations.

RECOMENDATIONS:

That the Burnaby Shops Closing By-Law, 1958, not be amended to exempt auction rooms.


P. Kenzie
Chief Licence Inspector

PK:jf