

ITEM 1
MANAGER'S REPORT NO. 13
COUNCIL MEETING 90/02/19

RE: DELEGATIONS FROM LUMBERMEN'S SOCIAL CLUB WHICH APPEARED ON THE
AGENDA FOR THE FEBRUARY 05TH MEETING OF COUNCIL (ITEM 2)
LUMBERMEN'S SOCIAL CLUB

ACTING MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Finance be adopted.

* * * * *

TO: MUNICIPAL MANAGER 1990 February 14
FROM: DIRECTOR FINANCE File: L34
SUBJECT: LUMBERMAN'S SOCIAL CLUB

PURPOSE: To respond to a request by the Lumberman's Social Club
for approval to operate on a 24 hour a day basis.

=====
RECOMMENDATION

1. That a copy of this report be sent to Darlene Toupozis,
Manager of the Lumberman's Social Club, 4561 Kingsway,
Burnaby, B.C. V5H 2B3

SUMMARY

Mr. Brian Higgins of the Lumberman's Social Club appeared as a delegation to Council on 1990 February 05 and requested that the Club Regulation Bylaw be changed to permit social clubs to operate on a 24 hour a day basis.

This report provides information on the Lumberman's Social Club, details the position of the B.C. Public Gaming Branch on the hours of operation for social clubs and presents the comments from the R.C.M.P. and the Planning & Building Inspection Department on Mr. Higgins' request. We conclude that the hours of operation contained in our Club Regulation Bylaw should be maintained.

REPORT

Mr. Brian Higgins of the Lumberman's Social Club appeared as a delegation to Council on 1990 February 05. He requested that Club Regulation Bylaw No. 3065 be amended to permit social clubs to operate on a 24 hour a day basis. This bylaw specifies that social clubs must be closed between 2 o'clock and 7 o'clock in the forenoon of each day of the week and on Saturday no later than 12 o'clock midnight.

As an alternative proposal, Mr. Higgins stated that they could operate if they are permitted to close their doors between 2:00 a.m. and 7:00 a.m., while allowing individuals already on the premises to continue playing cards. With the alternative proposal, there would be no right of re-entry once the individual leaves the premises.

The Lumberman's Social Club is a society that was incorporated in 1935. They are primarily a "members only" gambling club that receives \$1.50 from each individual playing cards. These card games do not entail the members playing against the house. Instead, members play against each other. This gambling is in compliance with their gaming licence which was granted by the Public Gaming Branch of the Provincial Ministry of the Solicitor General.

ITEM	1
MANAGER'S REPORT NO.	13
COUNCIL MEETING	90/02/19

Prior to making application for a business licence on 1988 June 30, the Lumberman's Social Club operated in Vancouver. It is their position that they moved to Burnaby on the assumption that they could operate on a 24 hour a day basis. The Lumberman's Social Club was given a copy of our Club Regulation Bylaw, which included the regulations pertaining to hours of operation, when they applied for a business licence.

102

PROVINCIAL POSITION

In July of 1989 the Public Gaming Branch enacted hours of operation (similar to those in our Club Bylaw) for all clubs within Greater Vancouver.

The B.C. Public Gaming Branch now informs us that the Gaming Commission has temporarily rescinded their regulations pertaining to hours of operation while they carry out a review. This action was taken as a result of an appeal from several clubs operating in municipalities where hours of operation are not controlled by local bylaw.

Local authorities that control hours of operation are Vancouver, Burnaby and Richmond. We contacted Vancouver and Richmond and they do not intend to amend their bylaws. In the Greater Vancouver area, there are six clubs operating in Vancouver, one in Burnaby, one in the District of North Vancouver, one in Coquitlam, one in Surrey and one in Langley.

The Public Gaming Branch is continuing to monitor all clubs operating in the Greater Vancouver area and hopes to make a decision on whether to permanently rescind or impose hours of operation by 1990 June.

BURNABY R.C.M.P. AND PLANNING & BUILDING INSPECTION DEPARTMENT COMMENTS

The R.C.M.P. advises that an amendment of the Club Regulation Bylaw would not be in the best interests of the municipality. Their experience indicates that gambling clubs draw clientele from outside the local jurisdiction, and that some of this clientele have criminal backgrounds. They maintain that any gambling club requires close surveillance in order to prevent or minimize the possibility of illegal activities.

The Planning & Building Inspection Department advises that the amendments would be contrary to the municipal position recently taken on casinos. In addition, they believe that the operation of a 24 hour gambling facility is counter to a positive social environment in the Metrotown area.

LICENCE OFFICE CONCERNS

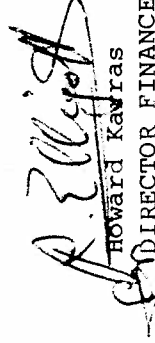
We believe that concern must also be expressed over the possible proliferation of clubs in Burnaby if we allow them to operate on a 24 hour a day basis. More clubs from Vancouver may relocate to Burnaby, as the City of Vancouver advises that they do not intend to amend their bylaw pertaining to hours of operation for social clubs.

In addition, since the Public Gaming Commission is reviewing social club regulations and may implement their own hours of operation, it would be appropriate to consider their findings prior to considering amendments to our bylaw.

CONCLUSION

Based on the analysis in this report, the hours of operation contained in the Club Regulation Bylaw should be maintained.

It is recommended that a copy of this report be sent to Darlene Toupozis, Manager of the Lumberman's Social Club, 4561 Kingsway, Burnaby, B.C. V5H 2B3


Howard Kavras
DIRECTOR FINANCE

TJ:gw
cc: Director Planning & Building Inspection
O. i/c, R.C.M.P.