

Item	14
Manager's Report No.	29
Council Meeting	04/11/22

TO: CITY MANAGER **DATE:** 2004 November 8

FROM: DIRECTOR FINANCE

SUBJECT: REPEAL OF BYLAWS

PURPOSE: To obtain Council approval to repeal the bylaws detailed in this report.

RECOMMENDATIONS :

1. **THAT** the Burnaby Bicycle Licensing Bylaw 1973 - Bylaw No. 6253 be repealed;
2. **THAT** the Club Regulation Bylaw 1950 - Bylaw No. 3065 be repealed;
3. **THAT** the Dance Hall Regulation Bylaw 1926 - Bylaw No. 527 be repealed;
4. **THAT** the Holiday Shopping Regulation Bylaw 1981 - Bylaw No. 7792 be repealed;
5. **THAT** the Meat and Fish Bylaw 1951 - No. 3141 be repealed;
6. **THAT** the Milk Delivery Regulation Bylaw 1949 - Bylaw No. 2072 be repealed;
7. **THAT** the Restaurant Bylaw 1954 - Bylaw No.3479 be repealed;
8. **THAT** the Shops Closing Bylaw 1980 - Bylaw No. 7478 be repealed.

REPORT

For house keeping purposes, bylaws are at times reviewed to confirm relevance and application in the community and in respect to the delivery of City services. Where bylaws are found to be no longer applicable or redundant, they are presented to Council for approval to remove them from the books. The following bylaws have been reviewed by city staff and the Fraser Health Authority and are recommended for repeal.

Burnaby Bicycle Licensing Bylaw 1973 - Bylaw No. 6253

This bylaw requires all bicycle owners to have an annual bicycle licence at a cost of \$2.00 per licence. After its inception in 1976, the bicycle licence program declined to the point when the last licence was issued in the 1980's. As the bicycle licencing program has not been administered for a number of years, this bylaw is recommended for repeal.

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Club Regulation Bylaw 1950 - Bylaw No. 3065

This bylaw was adopted in 1950 to provide for the regulation and licencing of clubs and club managers. Clubs are defined in the bylaw as “clubs ordinarily so called, and every association, society and corporate body carrying on business or operating as a social or fraternal club within the Municipality of Burnaby ...”. The bylaw requires clubs and their managers to hold a business licence. Other requirements of the bylaw include the need for membership registries, guest registries, no admittance to persons under 21, no admittance to clubs between 2:00am and 7:00am and no gambling contrary to the Criminal Code. As clubs are most commonly non-profit organizations and these organizations are exempt from business licencing, the licencing requirements of the bylaw are not applicable. Location criteria for clubs will continue to be regulated through the Zoning Bylaw.

Dance Hall Regulation Bylaw 1926 - Bylaw No. 527

This bylaw requires that no dancing take place without Council authority and that there be no gaming activity at dances or dance halls. Dance halls are currently regulated with the location criteria in the Zoning Bylaw. The Dance Hall Regulation Bylaw is no longer necessary and is recommended for repeal.

Holiday Shopping Regulation Bylaw 1981 - No. 7792

Earlier this year, the province repealed the Holiday Shopping Regulation Act which prohibited retailers from operating on holidays. This bylaw was enacted to exempt local retailers from the provisions of the Act, thereby permitting holiday shopping. With the repeal of the Act, the bylaw is not required to permit holiday shopping and is recommended for repeal.

Meat and Fish Bylaw 1951 - No. 3141

This bylaw provides for the inspection and regulation of butcher meat and fish in Burnaby. Regulation of these types of businesses now involves the Fraser Health Authority and the Canadian Food Inspection Agency with current legislation and regulation. As a result, the bylaw is redundant and recommended for repeal.

Milk Delivery Regulation Bylaw 1949 - Bylaw No. 2072

This bylaw designates the hours for the delivery of milk and cream in the City as after 6:00am June to September and after 7:00am October to May. These provisions are no longer necessary and repeal of the bylaw is recommended.

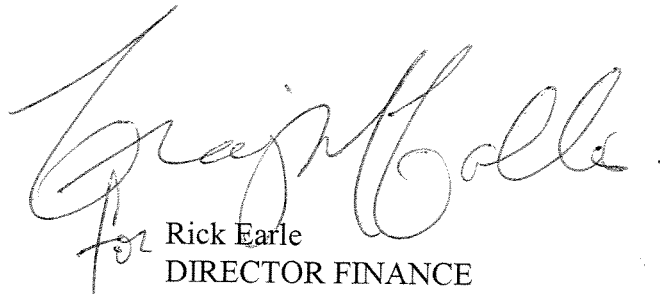
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Restaurant Bylaw 1954 - Bylaw No. 3479

This bylaw provides for the regulation of eating and drinking establishments. The bylaw provisions are either outdated or now the responsibility of the Fraser Health Authority under current legislation. The bylaw is redundant and recommended for repeal.

Shops Closing Bylaw 1980 - Bylaw No. 7478

The Municipal Act had at one time required shops to close by certain hours of the day. With the Shops Closing Bylaw, specified classes of business were exempted from the closing times specified in the Act. As the Municipal Act no longer carries the closing of shops provisions, the bylaw is no longer necessary and recommended for repeal.


for Rick Earle
DIRECTOR FINANCE

CMC:ae

cc: Director Planning and Building
City Solicitor
Medical Health Officer, FHA

