



# City of Richmond

## Report to Council

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**To:** Richmond City Council  
**From:** Todd Gross  
Director, Parks Services  
**Date:** June 30, 2023  
**File:** 11-7200-20-01/2023-  
Vol 01  
**Re:** Liquor Consumption in Parks Pilot Program Bylaw No. 10483

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### Staff Recommendation

1. That Liquor Consumption in Parks Pilot Program Bylaw No. 10483 be introduced and given first, second and third reading;
2. That Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10482, be introduced and given first, second and third reading;
3. That Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 10481, be introduced and given first, second and third reading; and
4. That staff report back to Council upon completion of the pilot program to provide a status update regarding the implementation of the Liquor Consumption in Parks Pilot Program.

Todd Gross  
Director, Parks Services  
(604-247-4942)  
Att. 3

REPORT CONCURRENCE		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Law	<input checked="" type="checkbox"/>	
Community Safety Administration	<input checked="" type="checkbox"/>	
RCMP	<input checked="" type="checkbox"/>	
<b>SENIOR STAFF REPORT REVIEW</b>	<b>INITIALS:</b>	<b>APPROVED BY CAO</b>

## Staff Report

### Origin

City Council has the authority to regulate activities within their communities under the Community Charter. Under these powers, City Council may impose requirements and prohibitions by bylaw relating to municipal services and public places.

The staff report titled “Pilot Project for the Consumption of Alcohol in Public Parks” was presented to Council on June 26, 2023, and the following recommendation received Council endorsement:

*That a Bylaw be drafted to permit the implementation of a Pilot Project for the consumption of liquor in designated areas in a limited number of City of Richmond parks as detailed in the report "Pilot Project for the Consumption of Alcohol in Public Parks," dated May 25, 2023, from the Directors of Parks Services and Community Bylaws with locations in the park as modified by the memo from the Manager of Parks Programs dated June 23, 2023, and with Minoru Park and McLean Neighbourhood Park removed from the Pilot Project for the Consumption of Alcohol in Public Parks.*

This report responds to the above referral and summarizes key provisions of the proposed Liquor Consumption in Parks Pilot Program Bylaw No. 10483.

This report supports Council’s Strategic Plan 2022-2026 Focus Area #1 Proactive in Stakeholder and Civic Engagement:

*Proactive stakeholder and civic engagement to foster understanding and involvement and advance Richmond’s interests.*

*1.4 Leverage a variety of approaches to make civic engagement and participation easy and accessible.*

This report supports Council’s Strategic Plan 2022-2026 Focus Area #6 A Vibrant, Resilient and Active Community:

*Vibrant, resilient and active communities supported by a wide variety of opportunities to get involved, build relationships and access resources.*

*6.2 Enhance the City’s network of parks, trails and open spaces.*

### Analysis

The proposed Liquor Consumption in Parks Pilot Program Bylaw No. 10483 (Bylaw) is consistent with the management of all other City-owned property and is specifically designed to permit the Liquor Consumption in Parks Pilot Program (the “Pilot Program”) to proceed in three City parks. It will also enable staff to address illegal drinking outside the boundaries of the Pilot Program’s designated permitted liquor consumption zones, as well as in parks that are not included in the Pilot Program. The Bylaw will be enforced by staff through a spectrum of actions

including proactive educational awareness and fines. For the purposes of this report, all alcoholic beverages are referred to as liquor (unless otherwise noted).

### Provincial Regulatory Background

The Liquor Cannabis Regulation Branch (LCRB) is the agency tasked with regulating alcohol consumption, sales and licensing of liquor primary and food establishments in British Columbia. In June 2021, the Province amended the *Liquor Control and Licensing Act* enabling municipalities to designate public places and parks where alcohol consumption can be permitted. The *Liquor Control and Licensing Act*, Section 73, and the *Liquor Control and Licensing Regulations*, Section 197, allow municipalities to designate, by bylaw, a portion of a park where liquor can be consumed. The proposed Bylaw will allow the City to proceed with the Pilot Program.

### Liquor Consumption in Parks Pilot Program Bylaw No. 10483

The proposed Bylaw identifies three park sites as part of the Pilot Program:

1. Garry Point Park;
2. Aberdeen Neighbourhood Park; and
3. King George Park/Cambie Community Park.

The proposed Bylaw features include:

- The basis on which the Pilot Program will be managed, implemented and regulated;
- Designation of the three permitted parks and specific zones within each park where liquor may be consumed (Liquor Permitted Consumption Zones) and the permitted hours and days of the week when liquor may be consumed; and
- Sign specifications to be posted on site, which will include maps of the Liquor Permitted Consumption Zones, Bylaw and Pilot Program information and resident feedback opportunities.

### Amendments to Related Bylaws

The proposed Liquor Consumption in Parks Pilot Program Bylaw No. 10483 establishes the regulatory framework for the administration of the Pilot Program. Amendments are also required to two existing bylaws to support enforcement of the Pilot Program:

1. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122; and
2. Municipal Ticket Information Authorization Bylaw No. 7321.

The Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10482 provides Bylaw Enforcement Officers with the authority to issue tickets of up to \$500 while providing a person found to be in non-compliance with an adjudication process to appeal a ticket or settle disputes. Staff are proposing an amendment and additional ticketing measures be added to the Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122. The

proposed ticketing measures are a response to the enforcement measures introduced within the proposed Pilot Program Bylaw. The additional measures will expand the enforcement tools available to staff for the safe operation of the Pilot Program.

The Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 10481 provides staff with the authority to issue tickets of \$950 for the consumption of liquor outside of the boundaries of the Liquor Permitted Consumption Zones. Although staff will rely on education and voluntary compliance as a first step, this fine will provide staff with an additional enforcement measure for egregious circumstances if necessary.

### Site Signage

The Bylaw outlines the requirement to erect a minimum of four signs at each Liquor Permitted Consumption Zone. The information provided on signage will include:

- A map depicting the location of the Liquor Permitted Consumption Zones within the host park site and the location of a 10 metre buffer around spray parks, children's play areas and active recreation amenities where liquor consumption is not permitted;
- General information about the Pilot Program including the permitted hours when liquor may be consumed (between 11:00 a.m. and 9:00 p.m., seven days a week);
- A link, via QR code, to the Pilot Program's web page on the City's web site;
- Bylaw department contact information to report any concern regarding the Pilot Program; and
- Dedicated Pilot Program email address, phone number and link to the Let's Talk Richmond survey to provide residents a variety of means to provide 'real time' feedback about the Pilot Program to City staff, as well as to make service requests.

### Impact of the Proposed Bylaw

Enforcement of the Bylaw will be shared by both Richmond RCMP and the City's Bylaw Department. Police play the sole role in the enforcement of *Criminal Code* offences associated with liquor.

Amendments to the Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122 and the Municipal Ticket Information Authorization Bylaw No. 7321 allows both RCMP and Bylaw Enforcement Officers to issue tickets for the consumption of liquor outside the Liquor Permitted Consumption Zones. Richmond RCMP will continue to enforce more serious incidents regarding public intoxication and impaired driving through the *Criminal Code*, as well as the consumption of liquor by minors under the *Liquor Control and Licensing Act*. Over the course of the Pilot Program, staff will monitor the number of calls for both City Bylaw and Richmond RCMP services.

### **Financial Impact**

There is no financial impact as a result of the adoption of the Bylaw.

### **Conclusion**

The proposed Liquor Consumption in Parks Pilot Program Bylaw No. 10483 provides regulations to permit and the means to implement the Pilot Program to proceed this summer through to September 30, 2023. Three parks sites have been identified where specific Liquor Permitted Consumption Zones have been designated. Amendments to the Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122 and the Municipal Ticket Information Authorization Bylaw No. 7321 will also assist staff in the management and enforcement of regulations associated with the Pilot Program including imposing fines. Signage in the three park sites will provide information on where in the park liquor consumption is permitted, additional information about the Pilot Program and the means by which park users can contact City staff to report any concerns or potential bylaw incidents. Staff will monitor the impact of the Bylaw, as well as collect “real time” anecdotal feedback and requests for City services as part of the overall assessment of the Pilot Program for a staff report to be submitted back to Council in Q1, 2024.



Alexander Kurnicki  
Manager, Parks Programs  
(604-276-4099)

- Att. 1: Liquor Consumption in Parks Pilot Program Bylaw No. 10483  
2: Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10482  
3: Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 10481



**LIQUOR CONSUMPTION IN PARKS PILOT PROGRAM  
BYLAW NO. 10483**

**WHEREAS** municipalities may designate, by Bylaw, a public space or a portion of it where liquor can be consumed;

**NOW THEREFORE**, the Council of the City of Richmond, in an open meeting assembled, enacts as follows:

**PART ONE: DESIGNATION OF LIQUOR PERMITTED CONSUMPTION ZONES  
AND HOURS**

- 1.1 The Public Places or parts thereof listed in Schedule A to this Bylaw and further identified by signage posted in accordance with this Bylaw are hereby designated as Liquor Permitted Consumption Zones where Liquor may be consumed.
- 1.2 The hours that Liquor may be consumed in any of the Liquor Permitted Consumption Zones are from 11:00 a.m. to 9:00 p.m., seven days a week.
- 1.3 Liquor may not be consumed in parts of Public Places that are outside of the boundaries of the Liquor Permitted Consumption Zones identified by signage posted in accordance with this Bylaw.

**PART TWO: SIGN SPECIFICATIONS**

- 2.1 The City will post signs setting out the boundaries of each Permitted Space and the hours during which Liquor may be consumed in the Permitted Space.
- 2.2 Signs posted in Liquor Permitted Consumption Zones designating where Liquor may be consumed must:
  - (a) Be at least 18 inches by 30 inches in size;
  - (b) Have at least four signs to designate the boundaries of the Liquor Permitted Consumption Zone;
  - (c) State the hours that Liquor may be consumed; and
  - (d) Be posted on posts or affixed to other items along pathways near the approximate boundary of the Liquor Permitted Consumption Zone.

**PART THREE: INTERPRETATION**

3.1 In this Bylaw, unless the context requires otherwise:

<b>APPLICABLE LAW</b>	means any and all laws, ordinances, constitutions, regulations, statutes, treaties, rules, codes, licenses, certificates, franchises, permits, principles of common law, requirements and orders adopted, enacted, implemented, promulgated, issued, entered or deemed applicable by or under the authority of any Governmental Body having jurisdiction over a specified person or any of such person's properties or assets.
<b>CITY</b>	means the City of Richmond.
<b>CITY PROPERTY</b>	means a parcel, lot, block, strata lot, public park or other area of land that is located in the City of Richmond and which is either owned or occupied by the City, or in which the City has vested interest pursuant to a statute.
<b>GOVERNMENTAL BODY</b>	means any national, multi-national, federal, provincial, state, municipal, local or other government, and any agency, authority, instrumentality, regulatory body, court, central bank or other entity exercising executive, legislative, judicial, taxing, regulatory or administrative powers or functions of or pertaining to government.
<b>LIQUOR CONTROL AND LICENSING ACT</b>	means the Liquor Control and Licensing Act, SBC 2015, Chapter 19, as amended.
<b>LIQUOR CONTROL AND LICENSING REGULATIONS</b>	means the Liquor Control and Licensing Regulation, B.C. Reg. 241/2016, as amended.
<b>LIQUOR PERMITTED CONSUMPTION ZONE</b>	means a Public Place or part of a Public Place that is City Property and has been designated by Council by this Bylaw as a place where Liquor may be consumed, but does not include a building, structure, vehicle or other installation within the Public Place unless that has been specifically designated by Council in this Bylaw as identified Schedule A.
<b>PUBLIC PLACE</b>	includes a place, building or vehicle to which the public is invited or has or is allowed access.
<b>SIGN</b>	has the meaning ascribed to it in Sign Regulation Bylaw No. 9700.

**PART FOUR: SEVERABILITY AND CITATION**

- 4.1 If any section, section, paragraph, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Bylaw.
- 4.2 This Bylaw is cited as “Liquor Consumption in Parks Pilot Program Bylaw No. 10483”.

**PART FIVE: OFFENCES AND PENALTIES**

- 5.1 Any person who:
- a) violates or contravenes any provision of this Bylaw, or who causes or allows any provision of this Bylaw to be violated or contravened;
  - b) fails to comply with any of the provisions of this Bylaw;
  - c) neglects or refrains from doing anything required under the provisions of this Bylaw; or
  - d) obstructs, or seeks or attempts to prevent or obstruct a person who is involved in the execution of duties under this Bylaw,

commits an offence and upon conviction shall be liable to a fine of not more than Fifty Thousand Dollars (\$50,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

- 5.2 A violation of any of the provisions identified in this Bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended or replaced from time to time.
- 5.3 A violation of any of the provisions identified in this Bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60*, as they may be amended or replaced from time to time.

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**PART SIX: BYLAW TERM**

6.1 The term of this Bylaw runs until September 30, 2023 and has no legal force and effect after such date.

FIRST READING

SECOND READING

THIRD READING

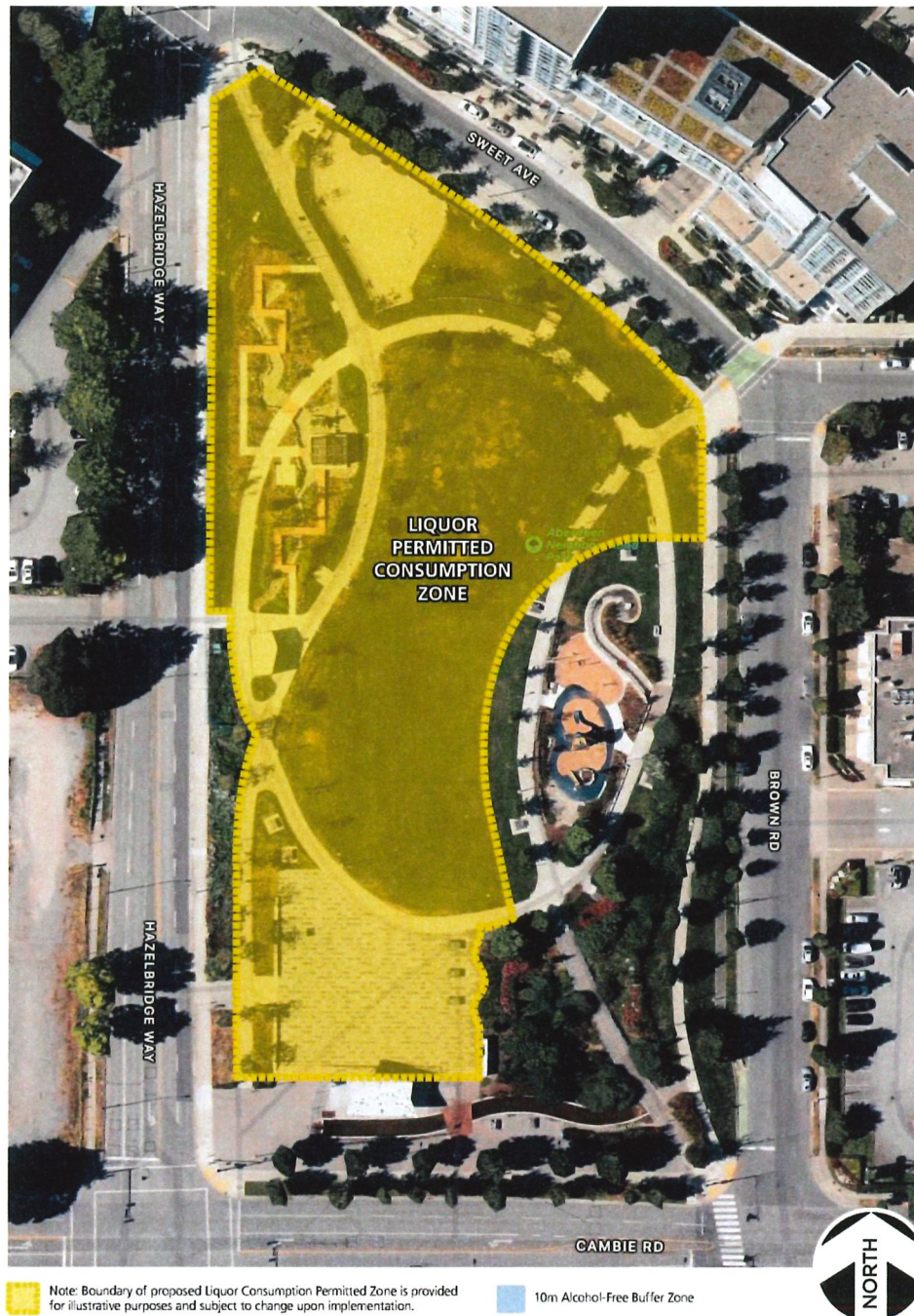
ADOPTED

_____	CITY OF RICHMOND
_____	APPROVED for content by originating dept.
_____	
_____	APPROVED for legality by Solicitor

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

**SCHEDULE A TO BYLAW 10483**  
**LIQUOR PERMITTED CONSUMPTION ZONES**



Aberdeen Neighbourhood Park






King George Community Park





 Note: Boundary of proposed Liquor Consumption Permitted Zone is provided for illustrative purposes and subject to change upon implementation.



Garry Point Park



**Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122,  
Amendment Bylaw No. 10482**

The Council of the City of Richmond enacts as follows:

1. **Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122**, as amended, is further amended at Part One – Application by adding the following in proper alphabetical order:  
  
“Liquor Consumption in Parks Pilot Program Bylaw 10483”.
2. **Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122**, as amended, is further amended by adding to the end of the table in Schedule A of Bylaw No. 8122 the content of the table in Schedule A attached to and forming part of this bylaw.
3. This Bylaw is cited as “**Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10482**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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CITY OF  
RICHMOND

APPROVED  
for content by  
originating  
Division

APPROVED  
for legality  
by Solicitor

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

**SCHEDULE A to BYLAW NO. 8122, AMENDMENT BYLAW NO. 10482**

**Designated Bylaw Contraventions and Corresponding Penalties**

<b>A1 Bylaw</b>	<b>A2 Description of Contravention</b>	<b>A3 Section</b>	<b>A4 Compliance Agreement Available</b>	<b>A5 Penalty</b>	<b>A6 Early Payment Option</b>	<b>A7 Late Payment Amount</b>	<b>A8 Compliance Agreement Discount</b>
Liquor Consumption in Parks Pilot Program Bylaw 10483	Period of Time from Receipt (inclusive)		n/a	29 to 60 days	1 to 28 days	61 days or more	n/a
	Consumption of Liquor outside of the boundaries of the Liquor Permitted Consumption Zones.	1.3	No	\$ 250.00	\$ 250.00	\$500.00	n/a



**Municipal Ticket Information Authorization Bylaw No. 7321,  
Amendment Bylaw No. 10481**

The Council of the City of Richmond enacts as follows:

1. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended in Schedule A by adding in the proper alphabetical order:  
  
“Liquor Consumption in Parks Pilot Program Bylaw No. 10483”.
2. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended by adding the following Schedule B 19:

**SCHEDULE B 19**

**LIQUOR CONSUMPTION IN PARKS PILOT PROGRAM BYLAW NO. 10483**

Offence	Section	Fine
Consumption of Liquor outside of the boundaries of the Liquor Permitted Consumption Zones.	1.3	\$950.00

*[The remainder of this page is intentionally left blank]*

3. This Bylaw is cited as “**Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 10481**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

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MAYOR

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CORPORATE OFFICER