



# Corporate Report

NO: R089

COUNCIL DATE: APRIL 30, 2007

---

## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **April 25, 2007**  
FROM: **Acting General Manager, Planning and Development** FILE: **4320-50**  
**City Solicitor**  
SUBJECT: **Good Neighbour Agreement Policy**

---

## RECOMMENDATION

It is recommended that Council:

1. Receive this report as information;
2. Approve amendments to Business License By-law, 1999, No. 13680 (the "Business License By-law"), as documented in Appendix "A" of this report, requiring that the applicant sign a Good Neighbour Agreement as a condition precedent to receiving a new business license or amending an existing business license for:
  - A liquor-primary establishment; and
  - A food primary establishment that offers patron participation entertainment, or liquor service past midnight, or operates a separate lounge area where food service is optional;
3. Direct staff to encourage existing liquor license establishments to sign a Good Neighbour Agreement at the time of renewal of their business license;
4. Approve the proposed City Policy (Appendix "B") entitled "Good Neighbour Agreement Policy" (under Section M, Permits and Licenses Department in the City's Policy Manual), which includes the Good Neighbour Agreement Template;
5. Instruct the City Clerk to introduce the necessary by-law amendments for the required readings; and

6. Instruct the City Clerk to provide the necessary notification, as required by Section 59(2) of the *Community Charter*, S.B.C. 2003, c. 26, as amended (the "*Community Charter*").

## **INTENT**

The purpose of this report is to respond to Council's resolution that the City adopt a Good Neighbour Agreement Policy for new or changing liquor establishments to help address public concerns related to liquor licensed establishments.

## **BACKGROUND**

At the November 20, 2006 Regular Council Meeting, the following Notice of Motion was introduced:

*"WHEREAS the City of Surrey is increasingly receiving requests for new licensed liquor establishments or for changes in service or expanded hours for existing pubs and liquor establishments in the City;*

*AND WHEREAS the City wishes to promote Surrey as a vibrant, safe and attractive community for the enjoyment of everyone, including residents, visitors and businesses;*

*AND WHEREAS it should be incumbent on new or changing liquor establishments to respect the rights of others in the manner their business operates within our City and ensuring the least possible impact on the surrounding community, relative to noise and disorder, loitering, criminal activity, and other behaviour issues;*

*NOW THEREFORE, be it resolved that the City of Surrey adopt a Good Neighbour Agreement policy relative to the civic responsibility of all liquor license establishments, placing a moral and direct accountability onus on those establishments through a signed agreement that demonstrates to the citizens of Surrey the desire to be a responsible corporate citizen. The signed agreement would be voluntary, but failure to comply with the terms would require the owners of establishments to attend a "show cause" hearing before Council".*

At the Regular Council Meeting on December 4, 2006, Council resolved that:

*"The City of Surrey adopt a Good Neighbour Agreement policy relative to the civic responsibility of all liquor license establishments, placing a moral and direct accountability onus on those establishments through a signed agreement that demonstrates to citizens of Surrey the desire to be a responsible corporate citizen. The signed agreement would be voluntary but failure to comply with the terms would require the owners of establishments to attend a "show cause" hearing before Council".*

Staff from the Planning and Development Department, By-laws & Licensing Services and Legal Services, as well as the RCMP and Fire Services, have met in order to examine

the issues and provide recommendations for the implementation of a Good Neighbour Agreement Policy.

## **DISCUSSION**

There are three types of provincial liquor licenses:

Food-Primary Licenses:	where the primary focus is serving food
Liquor Primary Licenses:	where the establishment is primarily in the hospitality, entertainment, or beverage service business
Winery Licenses:	where the licensee manufactures and stores wine, and provides samples of product in a designated sampling area

Liquor-primary licensed businesses, where the primary focus is beverage service and provision of entertainment and hospitality service can generate noise, disorder and other behavioural issues either directly through their operations (e.g., music) or indirectly through the coming and going of patrons (e.g., shouting, altercations) and late night activity. Substantial and recurrent noise, inappropriate patron behaviour outside the premises, litter and graffiti may also create a community nuisance.

Although food-primary liquor licensed operations are primarily focused on serving food, the addition of patron participation entertainment, liquor service past midnight, or the operation of a separate lounge with optional food services can also contribute to the potential for increased noise and nuisance.

Factors such as building design, hours of operation, type of entertainment offered, the location of parking areas and the state of patrons can all contribute to the community impact of liquor-licensed establishments on adjacent land uses.

### **Existing City Policies**

The City currently has a number of policies and regulations designed to address potential negative impacts of licensed establishments and potential conflict between these establishments and nearby land uses. These include:

- Locational criteria to deal with land use adjacencies and access (see Appendix "C");
- Criteria for hours of operation for liquor-primary establishments in Surrey, as follows:
  - Sunday through Thursday – 11:00 a.m. to no later than 1:00 a.m.; and
  - Friday and Saturday – 11:00 a.m. to no later than 2:00 a.m.;
  - However, where special circumstances exist, operating hours may be further restricted;

- Section 53(4) of the Business License By-law addresses hours of operation for outdoor patios associated with liquor-primary establishments located within 100 metres of a residential area, as follows;
  - 53.(4) Where an outdoor patio of a licensed establishment is located within 100 metres of a residential area, the permitted hours of operation of the outdoor patio are between 11:00 a.m. to 10:00 p.m. every day of the week.
- A detailed application process for liquor-primary applications and liquor license amendments where the Liquor Control and Licensing Branch ("LCLB") requires public notification and public input. The application process addresses the following criteria:
  - The location of the establishment;
  - The proximity of the establishment to other social or recreational facilities and public buildings;
  - The person capacity and hours of liquor service;
  - The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location;
  - Traffic, noise, parking and zoning;
  - Population, population density and population trends;
  - Relevant socio-economic information; and
  - The impact on the community.

While planning considerations, such as design and neighbourhood compatibility help mitigate negative impacts, problems can still arise once the establishment is in operation. Planning requirements can address physical design elements, but cannot place the onus on the licensee to take direct responsibility for patron actions.

### **Role of a Good Neighbour Agreement**

Good Neighbour Agreements have been used extensively throughout the United Kingdom and the United States to prevent harmful or disruptive behaviour and to promote positive behaviour in the community. Locally, cities such as Victoria, Vancouver, Kelowna, Delta, New Westminster and Whistler have implemented Good Neighbour Agreements for liquor-licensed establishments. These agreements set out reasonable behaviour and responsibilities by which the parties to the agreement agree to abide. They also outline how complaints will be dealt with, including legal action.

The use of a Good Neighbour Agreement could supplement the City's existing policies by specifying responsibilities and conditions by which the licensee must abide. The Agreement could be used as a tool to help minimize impact on the surrounding community, relative to noise and disorder, loitering, criminal activity and other behaviour issues, by securing the licensee's commitment to responsible business practices. Failure to abide by the terms of the Agreement could constitute grounds for Council to consider suspending or revoking the business license or imposing appropriate new conditions on the licensee.

While the City would continue to pursue specific enforcement actions prescribed by by-law or by LCLB regulations, the Good Neighbour Agreement would complement the use of Council's authority to suspend or revoke a business licence as a means to directly deal with problem licensees. For example, if a licensee demonstrates a serious and ongoing disregard for the Good Neighbour Agreement, City by-laws and/or LCLB regulations, then Council could impose a suspension or revocation of the licensee's business license.

### **Provisions of the Community Charter**

Section 8(6) of the *Community Charter* provides enabling legislation to regulate businesses and impose requirements on them. Section 15 (1) of the *Community Charter* allows Council to prohibit any activity or thing until a license, permit or approval has been granted, and to establish terms and conditions that must be met for obtaining, holding or renewing a license, permit or approval. Council may suspend or cancel the license for failure to comply with the terms and conditions.

Council has a wide discretion to cancel a business license based on poor management, giving rise to concerns for public safety, the enjoyment of use of neighbouring properties and a high demand for police services, related to the business. Alternatively, Council may impose special conditions on the operation of the business to eliminate adverse neighbourhood impacts.

Under this provision, Council may require a liquor establishment licensee to sign a Good Neighbour Agreement as a requirement for obtaining a business license. The Agreement would outline responsibilities and terms that the licensee would need to abide by as a condition of business license issuance or renewal and the City would have the ability to suspend or cancel the license if the licensee fails to comply with specified terms and conditions. These provisions would need to be embodied in the City's Business License By-law.

### **Nature of Complaints Related to Liquor Establishments**

According to City By-law Enforcement Officials, the majority of complaints pertaining to liquor establishments are related to noise. Generally, complaints relate to noisy patrons, vehicles leaving the parking lot, and patrons gathering in the parking lot after hours and causing noise problems for the immediate neighbourhood.

Establishments with outdoor patios used to also generate complaints; however, since the Business License By-law has been amended to require patios to close down by 10:00 p.m., the noise complaints related to patios are significantly reduced.

### **Current Complaint Resolution Process**

In the majority of cases, to lodge a complaint, a complainant calls the RCMP at the time of the nuisance behaviour. The caller is advised to also follow up with the City's By-law Enforcement & Licensing Services in the morning. Upon receiving the complaint, By-law Enforcement & Licensing Services opens a file and the By-law Officer follows up with the owners of the liquor establishment.

By-law Officers report that, when responding to these kinds of complaints, most of the pub owners are co-operative. However, in some cases owners have felt that their responsibility ends when the patrons depart their establishment and that they have no control about what goes on in their parking lot.

After working with the licensee, most situations are resolved. However By-law Enforcement & Licensing Services indicates that the current process only deals with the issues "after the fact". A Good Neighbour Agreement would allow for a more pro-active approach, by allowing the licensee a more formal and defined role in the prevention of, as well as the response to, negative issues.

### **Draft Good Neighbour Agreement Policy for Liquor Establishments**

The proposed Good Neighbour Agreement Policy (Appendix "B"), has been modelled after Good Neighbour Agreements that are currently in place in Kelowna, Ottawa, Whistler and Vancouver.

The themes covered in the agreement are also regulated under either provincial regulations in the *Liquor Control and Licensing Act* (the "Act") or the City's Community Improvement and Unsightly Property By-Law, 1997, No. 13150 and Noise Control By-law, 1982, No. 7044. The Good Neighbour Agreement basically operationalizes the various regulations together under one policy.

Under regulations of the *Act*, the licensee is required to take reasonable measures to prevent potential negative impacts arising from the operation of their establishment. In addition, the City has several by-laws that are also aimed at the same. The chart below shows a comparison:

Liquor Control Licensing Act Regulations Potential Contravention Areas	City of Surrey By-laws
<ul style="list-style-type: none"><li>• Disorderly conduct</li><li>• Intoxicated patrons</li><li>• Responsibility for disturbance of persons in the vicinity</li><li>• Gambling</li><li>• Criminal activity</li><li>• Weapons</li><li>• Overcrowding</li><li>• Minors</li><li>• Liquor service- cheap drinks</li><li>• Discouraging drinking and driving</li></ul>	<ul style="list-style-type: none"><li>• Zoning</li><li>• Noise control</li><li>• Unsightly premises</li><li>• Garbage</li><li>• Graffiti</li></ul>

The goals of the Good Neighbour Agreement would combine the above-noted items under one agreement that demonstrates the licensee's desire to be a responsible business. The proposed Good Neighbour Agreement addresses the following issues related to licensed establishments:

- Noise emissions;
- Orderly dispersal of patrons at closing time;
- Uncivil behaviour;
- Criminal activity (i.e., selling drugs, stolen goods and prostitution);
- Weapons, controlled substances;
- Overcrowding
- Minors;
- "Cheap drinks";
- Employee identification;
- Garbage;
- Graffiti removal; and
- Discouraging drinking and driving.

### **Implementation of Proposed Approach**

To implement the requirement for a Good Neighbour Agreement, it is recommended that the issuance of a business license for the following categories of establishments be contingent upon the licensee signing a Good Neighbour Agreement, as documented in the proposed City Policy, attached as Appendix "B".

The implementation of a Good Neighbour Agreement, through the process of business license issuance, will require a text amendment to the Business License By-law, as documented in Appendix "A". As part of this process, notification of an amendment to the Business License By-law is required, pursuant to Section 59(2) of the *Community Charter*.

Although Council directed that the signed agreement be voluntary in nature, to establish fair and equitable requirements for all liquor licensees identified in the categories below, it is recommended that the signing of the Good Neighbour Agreement be a requirement for new licensees and amendments to existing licenses.

### ***New Liquor Licenses***

#### ***Liquor-Primary***

It is recommended that staff require all liquor-primary applicants to sign a Good Neighbour Agreement, prior to the issuance of a business license. Liquor-primary licenses are issued for those establishments that are primarily in the hospitality, entertainment or beverage-service business. This category may include establishments that are commonly known as bars, lounges, pubs, cabarets, as well as convention centres, stadiums, concert halls and recreation centres. Private clubs are a sub-category within the liquor-primary class of license.

#### ***Food-Primary***

In the case of food-primary, it is recommended that the City require a Good Neighbour Agreement for cases where liquor licensees request to operate a separate lounge, or the extension of liquor service hours past midnight, or allowing patron participation entertainment.

Food-primary establishments, with a capacity of 50 or more seats, can apply to the LCLB for an endorsement to operate a separate lounge area in which ordering food is optional. The maximum size of the lounge can be 40 seats or 20% of the interior licensed floor area. Food primary liquor-licensed businesses can also request patron participation entertainment, which could mean offering karaoke or having a dance floor. Finally, food-primary licensees can also request to be open past midnight. These kinds of food-primary operations may have the tendency to generate more noise as compared to a standard food-primary licensed operation.

### *Winery*

At this time, it is not recommended that the signing of a Good Neighbour Agreement be required for winery licenses. Generally speaking, wineries are located on large agricultural properties that are isolated from residential uses. To date, the City's By-laws & Licensing Services has not received a complaint in this area. In the future, if complaints arise, the requirement to sign a Good Neighbour Agreement could be revisited.

### *Liquor License Amendments*

There are five types of liquor license amendments:

- Addition of a patio to a liquor-primary license or a winery lounge endorsement;
- Addition of patron participation entertainment to a food-primary license;
- Extension of hours of liquor service past midnight for a food-primary license;
- Extension of hours of a liquor-primary license or winery license endorsement; and
- Increase in person capacity of a liquor-primary license or winery license endorsement.

It is recommended that all liquor license amendments, except for the winery license amendments, require the signing of a Good Neighbour Agreement. Generally, the above-noted liquor license amendments, such as increasing capacity and/or hours, or patron participation, increase noise and nuisance potential.

### *Existing Liquor Establishments*

According to the City's By-laws & Licensing Services, at this time, Surrey has 63 existing liquor-primary licensees and 236 food-primary licensees that either operate a separate lounge, or offer liquor service past midnight, or have patron participation entertainment. It is recommended that at the time of business license renewal, these existing liquor licensed establishments be strongly encouraged to sign a Good Neighbour Agreement.

The opportunity for the signing of a Good Neighbour Agreement can be implemented as a condition of Council's endorsement of each new liquor application or liquor license amendment application. However, in order to provide a fair and consistent policy for all liquor establishments, it is recommended that the signing of a Good Neighbour Agreement also be strongly encouraged, on a voluntary basis, for existing liquor establishments in the City.



## CONCLUSION

The use of Good Neighbour Agreements would help support responsible liquor licensee behaviour as well as take action against those operations that have a negative impact on the surrounding community. The proposed Good Neighbour Agreement reinforces the Province's LCLB regulations and City by-laws.

Based on this report it is recommended that Council:

- Approve text amendments, as documented in Appendix "A" of this report, to the Business License By-law, that all liquor-primary and food-primary establishments that offer patron participation entertainment, or liquor service past midnight, or operate a separate lounge area where food service is optional, be subject to signing of a Good Neighbour Agreement as a condition of receiving a new business license or amending an existing business license;
- Direct staff to encourage existing liquor license establishments to sign a Good Neighbour Agreement at the time of renewal of their business license;
- Approve the proposed City Policy (Appendix "B") entitled "Good Neighbour Agreement Policy" (under Section M, Permits and Licenses Department in the City's Policy Manual), which includes the Good Neighbour Agreement Template;
- Instruct the City Clerk to introduce the necessary by-law amendments for the required readings; and
- Instruct the City Clerk to provide the necessary notification, as required by Section 59(2) of the *Community Charter*.

How Yin Leung  
Acting General Manager  
Planning and Development

Craig MacFarlane  
City Solicitor

PH:saw

### Attachments:

Appendix "A" - Proposed Amendment to Business License By-law, 1999, No. 13680

Appendix "B" - Proposed Good Neighbour Agreement Policy

Appendix "C" - Locational Criteria

**Proposed Amendment to Business License By-law, 1999, No. 13680**

The following amendment is proposed to Business License By-law, 1999, No. 13680, as amended:

1. Under Licensed Establishments, Section 53, insert the following new Sub-section (5):
  - (5) Every proprietor of a Licensed Premise (Liquor Primary) and of a Licensed Premise (Food Primary) that offers patron participation entertainment, or liquor service past midnight, or operates a separate lounge area where food service is optional, must enter into a good neighbour agreement with the City, the RCMP and Surrey Fire Services as a condition of receiving a new business license or amending an existing business license.



# CITY POLICY

No.

**REFERENCE:****APPROVED BY:**

CITY COUNCIL

**DATE:****HISTORY:**


---

## **TITLE: GOOD NEIGHBOUR AGREEMENT POLICY**

Every proprietor of a Licensed Premise (Liquor Primary) and of a Licensed Premise (Food Primary) that offers patron participation entertainment, or liquor service past midnight, or operates a separate lounge area where food service is optional, must enter into a Good Neighbour Agreement (Appendix I) with the City, the RCMP and Surrey Fire Services as a condition of receiving a new business license or amending an existing business license.

### **Background**

The City of Surrey is increasingly receiving requests for new licensed liquor establishments or for changes in service or expanded hours for existing pubs and liquor establishments in the City. These kinds of establishments can generate noise, disorder and other behavioural issues, either through their operation (e.g., music) or indirectly through the coming and going of patrons and late night activity.

In order to promote Surrey as a vibrant, safe and attractive community for the enjoyment of everyone, including residents, visitors and businesses, the City requires that proprietors of liquor establishments sign a Good Neighbour Agreement (attached as Appendix I) to allow proprietors a more formal and defined role in the prevention of, as well as response to negative issues that may arise from the operation of their business.

There are three types of provincial liquor licenses: food primary, liquor primary and winery licenses. Due to the nature of their operation, liquor-primary licensed businesses can generate noise, disorder and other behavioural issues. Although food-primary liquor licensed operations are primarily focused on serving food, the addition of patron participation entertainment, liquor service past midnight, or the operation of a separate lounge with optional food service can also contribute to the potential for increased noise and nuisance. Wineries are generally located on large agricultural properties that are isolated from residential uses. As a result, the City's By-laws & Licensing Services has not received a complaint in this area.



**CITY OF SURREY  
GOOD NEIGHBOUR AGREEMENT**

WHEREAS the City of Surrey (the "City"), the RCMP Surrey Detachment (the "RCMP"), Surrey Fire Services (the "Fire Department") and the owner (the "Owner") of \_\_\_\_\_ located at \_\_\_\_\_ (the "Licensed Establishment"), (collectively the "Parties"), recognize that all liquor licensed establishments have a civic responsibility, beyond the requirements of the *Liquor Control and Licensing Act*, to control the conduct of their patrons;

WHEREAS the Owner wishes to demonstrate to the citizens of Surrey its desire to be a responsible corporate citizen; and

WHEREAS the Parties wish to promote Surrey as a vibrant, safe and attractive community for the enjoyment of everyone, including residents, visitors, businesses and their workers.

NOW THEREFORE the Owner agrees with the City and the RCMP to enter into this Good Neighbour Agreement, the terms and conditions of which follow:

**1. Noise and Disorder**

- (a) The Owner undertakes to ensure that noise emissions from the Licensed Establishment do not disturb surrounding residential developments and neighbourhoods, and do not violate Surrey Noise Control Bylaw, 1982, No. 7044;
- (b) The Owner shall assign staff to monitor the activity of patrons in areas outside of the Licensed Establishment to promote the orderly dispersal of patrons, and to discourage patrons from engaging in behaviour that may disturb the peace, quiet and enjoyment of the neighbourhood;
- (c) The Owner undertakes to ensure disturbances are prevented. Owner must take reasonable measures to make sure the Licensed Establishment is not operating contrary to the public interest and does not disturb people near the establishment. Examples of reasonable measures include installing adequate lighting outside the Licensed Establishment and in the parking lot, supervising parking areas, adding sound proofing, making structural changes to allow indoor line-up areas, and posting signs at the exit doors asking the patrons not to disturb the neighbours;

- (d) In those instances where patrons are lining up on the public sidewalks the Owner shall ensure that the patrons are lined up in an orderly fashion allowing for the free flow of pedestrians along the sidewalk, not blocking laneways or driveways and not spilling onto the roadway; and
- (e) In cases where the presence of employees does not facilitate an orderly dispersal of patrons, the Owner shall contact the RCMP to request assistance in dealing with any persons or crowds.

2. **Criminal Activity**

- (a) The Owner shall not tolerate any criminal activity within the Licensed Establishment; and
- (b) The Owner shall make every reasonable effort to scrutinize patrons as they enter the building to ensure that no items of contraband, including weapons and controlled substances, are brought onto the premises.

3. **Minors**

- (a) The Owner shall not allow any person under the age of 19 years of age into the Licensed Establishment [~~delete clause if food primary licensee~~];
- (b) The Owner shall not serve alcohol to any person under the age of 19 years of age; and
- (c) The Owner shall check two pieces of identification when verifying that a customer is at least 19 years of age, one piece of which must be picture identification and may be a driver's licence, a government identification card or a passport.

4. **Sale and Consumption of Alcohol**

- (a) While it is recognized that there may be occasional price reductions or promotions for specific alcoholic beverages, the Owner shall offer no deep discounts (i.e., "cheap drinks") or across-the-board discounts;
- (b) When offering price reductions and promotions, the Owner shall be particularly mindful of its legal and moral obligation to refuse service to persons who may, based on appearance or amount of alcohol consumed, be intoxicated; and
- (c) The Owner shall not allow patrons to carry or consume open beverages in areas that are not licensed for such purposes, including areas outside of the Licensed Establishment.

5. **Hours of Operation and Liquor Service**

- (a) The Owner shall not allow the service of alcohol to extend beyond \_\_\_\_\_ **[insert time liquor license specifies]** and the service of liquor must at all times be done in accordance with the terms and conditions of the Liquor Control and Licensing Branch;
- (b) The Owner shall be permitted an extra 30 minutes to clear the Licensed Establishment at the time of closing in order to facilitate the orderly dispersal of patrons. **[delete clause if food primary licensee];**
- (c) The Owner shall not allow patrons to enter the Licensed Establishment after liquor service ceases under any circumstances **[delete clause if food primary licensee].**

6. **On-Duty Employees**

- (a) The Owner shall ensure that each on-duty employee of the Licensed Establishment is clearly identified; and
- (b) The Owner shall ensure that the on-duty manager of the Licensed Establishment maintains a list showing the full identification of each on-duty employee, and shall make the list available to the Officer In Charge of the RCMP on request.

7. **Cleanliness**

- (a) The Owner shall assign staff to inspect the outside of the Licensed Establishment to ensure that there is no litter, garbage, broken glass or other foreign objects; and
- (b) The Owner shall undertake to remove, as soon as is practical, any graffiti from the building's exterior.

8. **Safety**

- (a) The Owner shall ensure the occupant load sign is visibly posted near the entrance to ensure overcrowding does not take place.

9. **Other Agencies and Programs**

- (a) The Owner agrees to work with the City and its departments, including the RCMP and Fire Department, to resolve any concerns that arise with respect to the operation of the Licensed Establishment;

- (b) The Owner agrees to attend a formal meeting, as and when required by the City, with the City and the RCMP to discuss issues and concerns;
- (c) The Owner shall demonstrate complete support for the RCMP and its members;
- (d) When incidents occur which require RCMP involvement, the Owner shall ensure that all personnel of the Licensed Establishment cooperate fully with RCMP members and do not impede or obstruct members in performing their duties;
- (e) If the Licensed Establishment is located within a Business Improvement Area, the Owner shall participate in any Business Improvement Area Watch Program, if such a program is created;
- (f) The Owner shall support programs which aim to eliminate occurrences of drinking and driving;
- (g) The Owner shall make a free telephone available to patrons for the purpose of contacting a taxi or arranging other transportation from the Licensed Establishment; and
- (h) The Owner shall provide non-alcoholic beverages at prices which are below those set for alcoholic beverages.

10. **Amendment and Transferability**

- (a) Any proposed changes to the terms of this Good Neighbour Agreement shall be discussed and resolved among the Parties; and
- (b) The Owner shall make the continuation of this Good Neighbour Agreement a condition of any sale, lease or transfer of all or part of the Licensed Establishment.

11. **Enforcement**

- (a) Any failure on the part of the Owner to comply with the terms outlined herein may be brought to the attention of City Council and Council may suspend or cancel the Owner's business license for the Licensed Establishment or impose additional terms and conditions; and
- (b) Nothing contained or implied in this Good Neighbour Agreement shall prejudice or affect the City's rights and authorities in the exercise of its functions pursuant to the *Community Charter* and *Local Government Act*, as amended, and the rights and powers of the City and the RCMP under provincial and federal statutes and regulations, and City bylaws.

Executed the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ in Surrey, British Columbia,

**Owner** )

)

\_\_\_\_\_) )

Signature )

)

\_\_\_\_\_) )

Name (*please print*) )

)

\_\_\_\_\_) )

Signature )

)

\_\_\_\_\_) )

Name (*please print*) )

*(If more than one Owner, each Owner must sign)*

**City of Surrey** )

)

\_\_\_\_\_) )

Mayor Dianne L. Watts )

**Surrey RCMP** )

)

\_\_\_\_\_) )

Signature )

)

\_\_\_\_\_) )

Name (*please print*) )

)

\_\_\_\_\_) )

Rank (*please print*) )

**Surrey Fire Service** )

)

\_\_\_\_\_) )

Signature )

)

\_\_\_\_\_) )

Name (*please print*) )

)

\_\_\_\_\_) )

Rank (*please print*) )



## **Locational Criteria For Liquor-Primary Establishments (Neighbourhood Pub)**

### **1. Neighbourhood public houses should:**

- (a) Be close to, but not surrounded by a residential area. The higher the residential density of the development the better the opportunity to develop a locally supported community facility. Densities of one house to the acre or less are in general not adequate for this purpose. Small established rural communities would be an exception to this. It is desirable to locate a pub in the centre of a neighbourhood yet not surrounded entirely by houses. Where possible, a central location is preferred, if the pub can be located adjacent to other adult community facilities;
- (b) Adjacent to or in local commercial nodes. Neighbourhood commercial areas designated for convenience and local shopping needs form an excellent node for community facilities. Local stores, grocery stores, service stations and so on are areas where traffic and noise are presently generated and often these uses continue throughout evening hours. Therefore, it makes sense to locate another local community facility in or adjacent to such area;
- (c) Not be on a provincial highway. Because of highway speeds, the lack of parking and other restrictions, no pub should be located on a major highway. Accessibility is enhanced by locating on through collector roads adjacent to major arterials. Easy access is obtained without disturbing local residential roads; and
- (d) Not be close to children's facilities. No pub should be located within 400 metres of a school, a children's park or playground. Some concern has been expressed by members of the community that exposing children to neighbourhood pub use is not a desirable influence.

### **2. Neighbourhood public houses can be:**

- (a) Adjacent or in industrial areas. Industrial areas which are adjacent to urban residential areas form good locations for neighbourhood pubs. In this way there is a supporting residential community for evening use and also a facility for use by the industrial work force. Additional noise and traffic generated by pub use can be easily absorbed in an industrial area;
- (b) Adjacent to agricultural areas. On the fringes of some urban residential areas there are areas of agricultural use. In certain areas such locations could provide a supporting residential population for a neighbourhood pub. Traffic and noise problems would be reduced in these fringe areas if some of the traffic could be dissipated through the agricultural areas;
- (c) At minor intersections. Neighbourhood pubs can be located at minor intersection for easy traffic dispersal. Location in the middle of a block containing non-residential land use is also recommended.

(Council Resolution No. X-369, December 3, 1979)