



May 25, 2020

MEMO TO : Park Board Commissioners

FROM : Malcolm Bromley  
General Manager, Vancouver Board of Parks and Recreation

SUBJECT : **Alcohol Consumption at Parks & Beaches Update - Board Briefing Memo**

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Dear Commissioners,

The purpose of this memo is to provide an update on the work currently underway by staff in response to direction provided in the Board motion titled [Alcohol Consumption at Vancouver Parks & Beaches](#) that was approved in December 2018, as well as to clarify some jurisdictional questions raised regarding a few related Council Members' motions that are on the [Council agenda](#) for May 26, 2020.

The 2018 Board motion directed staff to “conduct a feasibility study for a pilot project that would allow the public to consume their own alcoholic beverages on select parks and beaches”. Additionally, staff were to identify potential sites for the pilot, and report back with feedback from the 2019 Concession Strategy alcohol pilot, along with any potential legal, logistical, societal, enforcement, and financial considerations. In order to address the complexities and possible opportunities that could be presented, a staff working group was convened with representation from Business Development, Commercial Operations, Park Operations, Recreation Services, Planning, Policy & Environment, & the GM's Office.

As part of the initial process, staff investigated the Park Board's legal authority to designate areas for the public consumption of alcohol. During this review, a jurisdictional gap in the Provincial legislation was identified that requires resolution in order to proceed with the proposed pilot.

The possession and consumption of alcohol is governed by the BC [Liquor Control and Licensing Act](#). Section 73 allows for a municipality or regional district to pass a bylaw designating a public place within its jurisdiction where liquor may be consumed, and Section 197 of the [Liquor Control and Licensing Regulation](#) outlines the bylaw requirements related to signage, boundaries, and hours. Based on the current language in the Act, Vancouver City Council does not have the legal authority to pass a bylaw for any public places that fall within the Park Board's jurisdiction. However, due to the Park Board's unique governing role, as it is neither a municipality nor a regional district it also does not have the authority to pass a bylaw per the Act. While a recent email from the BC Attorney General confirmed that the intent of the Act was for the Park Board to have this bylaw making ability, City of Vancouver Legal has advised that any bylaw passed could be challenged unless the language in the Act is expanded to explicitly reference the Park Board. As such, in collaboration with Legal and the City's Intergovernmental Relations Office, a request has been submitted for the Province to amend the Act accordingly.

In anticipation of a positive outcome, the staff working group is continuing to focus on developing plans for the feasibility study, which includes identifying sites for the pilot. Data



collected during the pilot will help inform the subsequent report back to the Board. Once the Park Board's authority under the Act is clarified, the next steps will involve staff preparing a bylaw for the Board's consideration in order to proceed with the Alcohol Consumption at Parks & Beaches pilot. Subject to the required approvals and bylaw enactment, staff would plan to launch this pilot in 2020.

Regards,

A handwritten signature in black ink that reads "Malcolm Bromley". The signature is written in a cursive, flowing style.

Malcolm Bromley  
General Manager - Vancouver Board of Parks and Recreation

/lt/clc

Copy to: PB Senior Leadership Team  
PB Planning, Policy & Environment  
PB Communications  
City Clerk's Office