

Schedule No. 1 to By-law No. 2005-0067

Class of Licence:	ADULT ENTERTAINMENT ESTABLISHMENT
Type of Licence:	Adult Entertainment Owner Operator Entertainer
Purpose:	Public Health, Safety and Nuisance Control due to such an establishment being a place open to the public and the potential for the transmission of infectious disease through unprotected physical contact and nuisance control respecting signage, advertising, and lighting.

PERMITTED IN DEFINED AREA ONLY

15.1 An Adult Entertainment Establishment shall be located in a zone that specifically permits such use in accordance with the Town's Official Plan and the applicable Zoning By-law.

LIMITED NUMBER

15.2 There shall be a maximum number of two (2) licences granted to Adult Entertainment Establishments in the Town.

INSPECTIONS

15.3 The issuing of a Licence shall be subject to:

- 15.3.1 a fire safety inspection of the Premises by the Town;
- 15.3.2 an inspection of the Premises by the Building Department;
- 15.3.3 an inspection of the Premises by the Halton Region Health Department; and
- 15.3.4 an inspection of the Premises by the Halton Regional Police Services.

ADDITIONAL REQUIREMENTS

15.4 No Licence shall be issued to the Adult Entertainment Owner Operator unless the applicant or Licensee:

- 15.4.1 appears in Person;
- 15.4.2 produces two (2) pieces of identification, one (1) of which contains a photograph to the satisfaction of the Issuer of Licences;
- 15.4.3 submits a detailed floor plan, drawn to scale, of the Adult Entertainment Establishment with details of the designated entertainment area and the location of any stage, doors, walls, seating areas, offices, kitchen, washroom facilities, bar area, dressing rooms, closets, storage areas, exits, and partitions that is approved by the Town;

- 15.4.4 in the case of an Adult Entertainment Establishment located in a multi-purpose building with common access for the general public, the detailed floor plan submitted for approval pursuant to clause 15.4.3 must provide for a separate entrance for the Adult Entertainment Establishment.
- 15.4.5 submits a copy of a Police Clearance Certificate issued by the Halton Regional Police Service or by the Police Service for the jurisdiction in which the applicant or licensee resides, obtained within 30 days of application.
- 15.4.6 submits a Site Plan of the Premises indicating the part of the Premises to be utilized by the Adult Entertainment Establishment;
- 15.4.7 provides a description of the type of Services and Entertainment to be offered and advertised and the prices for such Services and Entertainment;
- 15.4.8 provides the identity and address of every Person having any interest, direct or indirect, any trust arrangement, or any financial or contractual or other arrangement with respect to the ownership or operation of any business licensed under this by-law;
- 15.4.9 provides the identity and address of every Person having any beneficial interest, direct or indirect, in the business, and every Person having a right to receive income, revenue or benefits of any kind arising out of the operation of such business, or any Person who in fact receives such income, revenue, or benefit;
- 15.4.10 provides a copy of the lease demonstrating the applicant's right to possess or occupy the Premises, if any, and a copy of any other document constituting or affecting the legal relationship between the applicant or Licensee and the registered property owner, if the applicant or Licensee is not the registered property owner; and
- 15.4.11 has the property Owner sign the initial application form, thereby authorizing an Officer, at any time, to enter upon the Premises named in the application to carry out inspections.

ADULT ENTERTAINMENT OWNER OPERATOR IN ATTENDANCE AT ALL TIMES

- 15.5 No Adult Entertainment Owner Operator shall permit any Person other than a licensed Adult Entertainment Owner Operator to operate an Adult Entertainment Establishment.
- 15.6 No Person shall open an Adult Entertainment Establishment for business, or allow an Adult Entertainment Establishment to remain open for business, or provide any Services or Entertainment unless a licensed Adult Entertainment Owner Operator is in attendance on the Premises during all hours of business.

HOURS OF OPERATION

- 15.7 No Person shall operate or permit to be operated an Adult Entertainment Establishment except between 11:00 a.m. on any one day and 1:00 a.m. on the following day.
- 15.8 No Person shall operate or permit to be operated an Adult Entertainment Establishment on Christmas Day, Good Friday and Easter Sunday.

DOORS TO BE KEPT UNLOCKED

15.9 No Person shall permit the doors or other principal means of access into the Adult Entertainment Establishment to be kept locked during the hours of operation.

NO ENTRY OR SERVICES TO PERSONS UNDER AGE 18

15.10 No Person carrying on or engaged in an Adult Entertainment Establishment shall permit any Person under the age of eighteen (18) years to enter or remain in the Adult Entertainment Establishment or any part of it.

15.11 No Person shall provide Services or Entertainment in an Adult Entertainment Establishment to a Person under the age of eighteen (18) years.

PHYSICAL CONTACT PROHIBITED

15.12 No Person shall permit, allow or cause any Entertainer while providing Services or Entertainment, to touch, or be touched by, or have physical contact with any other Person in any manner whatsoever involving any Specified Body Areas or Specified Sexual Activities.

15.13 No Entertainer shall, while providing Services or Entertainment, touch or allow, permit or cause herself or himself to be touched or have physical contact with any other Person in any manner whatsoever involving any Specified Body Areas or Specified Sexual Activities.

OBSTRUCTED VIEW OF ENTERTAINMENT AREA PROHIBITED

15.14 No Person shall permit Services or Entertainment to be provided in any area of the Premises other than the designated entertainment area shown on the approved floor plan.

15.15 All Services or Entertainment provided by an Entertainer shall be provided within view of staff and other patrons of the Adult Entertainment Establishment, without obstruction by any Person or any thing including, but not limited to, doors, walls, curtains, or any other enclosure, opaque glass, fog, or inadequate lighting.

15.16 No Person shall permit, allow, offer, or cause to be permitted Services or Entertainment in any cubicle, private room, or other area partitioned off from any room(s) where Services or Entertainment are generally provided to patrons.

15.17 The interior of an Adult Entertainment Establishment must not be visible from the exterior.

PHOTOGRAPHIC/RECORDING EQUIPMENT PROHIBITED FROM USE

15.18 No Person shall use, or permit to be used any camera or other photographic or recording device in, upon or at an Adult Entertainment Establishment for any use other than for security purposes. This prohibition does not apply to an Officer in the exercise of his duties under this by-law.

HEALTH NOTICES TO BE POSTED

15.19 Every Adult Entertainment Owner Operator shall post or cause to be posted notices in the washrooms, employee dressing rooms, and at public entrance areas to advise patrons and employees that physical contact is prohibited and that sexually transmitted infections can be transmitted through unprotected physical contact.

EMPLOYEE LIST REQUIRED

- 15.20 Every Adult Entertainment Owner Operator shall provide a list to the Issuer of Licences upon application or request setting out the names of every attendant, Entertainer, and employee of the Adult Entertainment Establishment and shall keep such list continually updated on an on-going basis.
- 15.21 Every Adult Entertainment Owner Operator shall notify the Issuer of Licences within twenty-four (24) hours of any change to the Persons on the employee list.

ENTERTAINER'S LICENCE

- 15.22 No Adult Entertainment Owner Operator shall allow any Entertainer to provide Services or Entertainment in an Adult Entertainment Establishment without first confirming that the Person is licensed and has a valid Entertainer's licence issued by the Town.
- 15.23 An Entertainer shall:
 - 15.23.1 provide proof of age by producing at least two pieces of Identification, of which one contains, a photo to the satisfaction of the Issuer of Licences;
 - 15.23.2 submit two (2) passport-sized photographs to the satisfaction of the Issuer of Licences and agree to have a photo taken by the Town upon request.
 - 15.23.3 submit a copy of a Security Clearance Request issued by the Halton Regional Police Service or the Police Service for the jurisdiction in which the Entertainer resides, obtained within thirty (30) days of application;
 - 15.23.4 submit a Medical Certificate stating that the Entertainer is free of any communicable disease and in good health;
 - 15.23.5 return his or her Entertainer's licence upon expiry; and
 - 15.23.6 report the loss of such licence within twenty-four (24) hours of the occurrence to the Issuer of Licences.

SIGNAGE AND ADVERTISING

- 15.24 Every licensee of an Adult Entertainment Establishment shall:
 - 15.24.1 exhibit a sign bearing the words "Licensed Adult Entertainment Parlour" or "Licensed Body Rub Parlour" over the street door or in the lower front window of the Premises visible on the exterior of the Premises;
 - 15.24.2 not erect a projecting sign, inflatable advertising device, portable and trailer signs, or sandwich board sign or electronic sign related to such business;
 - 15.24.3 not include pictorial or symbolic representation of Specified Body Areas, and or Specified Sexual Activities on exterior signs and advertising;
 - 15.24.4 not erect any sign on the interior of the Premises visible from the exterior of the Premises, except for the sign prescribed by

subsection 15.24.1;

15.24.5 not advertise by means of any poster, flyer, handbill or other printed material other than in the interior of the Premises, a newspaper, or telephone directory; and

15.24.6 not advertise by loudspeaker or other means of oral or audible communication from the Premises.