



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 149-2003

A By-law to amend By-law 1-2002 by
amending Schedule S-26 which regulates
Body Rub Establishments

The Council of The Corporation of the City of Brampton ENACTS as follows:

Schedule S-26 of By-law 1-2002, the Licensing By-law, is hereby amended as follows:

1. By adding to s.1 as definitions:
 - a) "designate" means the person in charge of and responsible for the operation of the body rub parlour in the absence of the owner.
 - b) "services designed to appeal to erotic or sexual appetites or inclinations" include:
 - (i) services of which a principal feature or characteristic is the nudity or partial nudity of any person; and
 - (ii) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or picture, symbol or representation having like meaning or implication is used in any advertisement
 - c) "sexual contact" includes the kissing, fondling, and sucking of breasts or genitals, digital penetration, fellatio, cunnilingus, masturbation, ejaculation or intercourse.
2. Subsection 2(5) is deleted and the following is substituted therefor:

2(5). Every applicant for a Body Rub Attendant licence shall file with the Licence Issuer:

 - (a) a completed application, which shall be personally delivered, accompanied by the appropriate fee;
 - (b) a copy of their photograph taken by the licensing section;
 - (c) a Peel Regional Police Criminal Record Search as approved by the licensing section;
 - (d) a medical certificate as required by the licensing section;

(e) proof of status of Canadian citizenship, immigration status or other valid work authorization.

3. By adding Section 20 as follows:

20. In addition to the provisions of the Sign By-law, no person shall:

- (a) display, or cause to be erected or displayed, a sign or advertising device used for the purpose of promoting a body rub establishment, where such sign or advertising conveys a message through the use of pictures, graphics or any means other than by the use of words; has any animation; has flashing lights; or is designed to revolve on an axis.
- (b) for the purpose of this section, "animation" shall mean any motion of a display or part thereof whether by mechanical action or the flashing on and off of its lights; and
- (c) where there is a conflict between the provisions of this Schedule and the provisions of the Sign By-law, the provisions of this Schedule shall apply.

4. By adding Section 21 as follows:

21. No owner or operator shall permit a Body Rub Parlour to operate other than between the hours of 10:00 a.m. and 10:00 p.m.

5. By adding Section 22 as follows:

22. Every body rub attendant, every customer, and every other person at a body rub parlour shall be clothed in a manner by which such person's pubic area and, in the case of a woman, her breasts, are fully covered by opaque material.

6. By adding Section 23 as follows:

23. No body rub attendant shall allow any person to touch, kiss, or make any physical contact with their breasts, buttocks, genital or pubic areas or have sexual contact with any person.

7. Add the following subsections under Section 5:

5(4) No owner shall permit any person except a person who holds a valid body rub attendants' license to perform any body rub at a body rub parlour.

5(5) No owner or body rub attendant shall offer or allow a service designed to appeal to erotic or sexual appetites or inclinations.

5(6) No owner shall permit the body rub parlour to be open for business unless the owner or operator or his designate is in attendance.

8. By adding Section 19 as follows:

19. A maximum of eight (8) body rub parlour licenses shall be issued for the City of Brampton.

19(1) Despite section 19, any body rub parlour which has a current, valid license on June 2nd, 2003 will be permitted and such license will continue to be renewed, if in compliance with all other applicable law.

