

THE TOWNSHIP OF WHITEWATER REGION

BY-LAW NUMBER 04-01-145

A BY-LAW FOR THE LICENSING, REGULATING AND
GOVERNING OF ADULT ENTERTAINMENT PARLOURS
IN THE TOWNSHIP OF WHITEWATER REGION.

WHEREAS Section 150 of the Municipal Act, 2001, S.O. 2001, c. 25, provides that a local municipality may license, regulate and govern any business wholly or partially carried on within the municipality even if the business is being carried on from a location outside the municipality;

AND WHEREAS the Council for the Township of Whitewater Region deems it advisable, having regard among other matters to the health and safety of those within its jurisdiction and to the potential for public nuisance, to enact a by-law for the licensing, regulating and governing of adult entertainment parlours;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE Township of Whitewater Region ENACTS AS FOLLOWS:

I. DEFINITIONS

1. For purposes of this By-law:
 - (a) "adult entertainment parlour" means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.
 - (b) "adult video" means any video classified by the Ontario Film Review board as "restricted" with the added information piece "adult sex film" shall be deemed to be an adult video, while a video without such classification and information piece shall be deemed not to be an adult video.
 - (c) "adult video store" means any premises or part thereof
 - (i) in which the principal business carried on is the provision of adult videos, or
 - (ii) in which adult videos are provided in the pursuance of a business and in respect to which it is advertised, or notice is given either by signs or other advertising devices on or in the premises, or otherwise, that the premises are an adult video store", an "adult videotape store", an "adult video rental store" or are otherwise described by words of like meaning.
 - (d) "attendant" means any person other than a licensed owner or operator who provides services designed to appeal to erotic or sexual appetites or inclinations to an adult entertainment parlour.
 - (e) "Chief of Police" shall mean the person holding the position of Chief of Police of the Corporation of the Township of Whitewater Region from time to time.
 - (f) "Township " shall mean the Corporation of the Township of Whitewater Region.

- (g) "Council" shall mean the Municipal Council of the Corporation of the Township of Whitewater Region.
- (h) "goods" includes books, magazines, pictures, slides, film, pornographic records, re-recorded magnetic tapes and any other reading, viewing or listening matter.
- (i) "license" means a license issued pursuant to the provisions of this By-law.
- (j) "licensing officer" means a person appointed by the Council to issue licenses for attendants
- (k) "operator" means a person who alone or with others operates, manages, supervises, runs or controls an adult entertainment parlour.
- (l) "owner" means a person who alone or with others has the right to possess or occupy an adult entertainment parlour or actually does possess or occupy an adult entertainment parlour and includes a lessee of an adult entertainment parlour or of premises upon which an adult entertainment parlour is located.
- (m) "Police Officer" shall mean a police officer representing the Corporation of the Township of Whitewater Region.
- (n) "services appealing to or designed to appeal to erotic or sexual appetites or inclinations" includes but are not limited to services of which a principal feature or characteristic is nudity or partial nudity of any person.
- (o) "services" includes activities, facilities, performances, exhibitions, viewings and encounters.
- (p) (i) "to provide", when used in relation to services, includes to furnish, perform, solicit or give such services in pursuance of a trade, calling, business or occupation and "providing", "provided" and "provision" have corresponding meanings.
- (ii) "to provide", when used in relation to goods, includes to sell, offer to sell or display for sale by retail or otherwise, such goods, and "providing", "provided" and "provision" have corresponding meanings.
- (q) "video" includes cinematographic or motion picture film, videotape, video disc and any other medium from which may be produced visual images that may be viewed as moving pictures.
- (r) "video store" means any premises or part thereof in which videos are provided in the pursuance of a business.

II. LICENSES

- 2. (a) Every owner and every operator of an adult entertainment parlour shall submit an application for an annual license authorizing them to carry on their respective trade, calling, business and/or occupation within the Township, in person, to the Municipality, and shall pay to the Treasurer of the Township prior to the submission of the application, a non-refundable license fee of \$1,140.00. The municipal staff shall make a recommendation to Council whether the license should be issued or not.

- (b) Every attendant of an adult entertainment parlour shall submit an application for an annual license authorizing them to carry on their respective trade, calling, business and/or occupation within the Township, in person, to the Licensing Officer, and shall pay to the Treasurer of the Township prior to the submission of the application, a non-refundable license fee of \$150.00.
3. (a) No person shall own an adult entertainment parlour without first being licensed under this By-law and thereafter maintaining a license in good standing.
- (b) No person shall operate an adult entertainment parlour without first being licensed under this By-law and thereafter maintaining a license in good standing.
- (c) No person shall provide the services of an attendant without first being licensed under this By-law and thereafter keeping such license in good standing.
4. A separate owner's license shall be required for each adult entertainment parlour.
5. No owner of an adult entertainment parlour shall permit any person, other than an operator licensed under this By-law, to operate such adult entertainment parlour.
6. No owner or operator shall permit the provision of services upon, in, or at his/her adult entertainment parlour by any person other than an attendant licensed under this By-law.
7. No attendant, or other person, shall provide services in any adult entertainment parlour unless the owner of such adult entertainment parlour and the operator is licensed as owner or operator respectively under this By-law.
8. No operator, not being the owner of an adult entertainment parlour, shall operate the said adult entertainment parlour unless the owner of such adult entertainment parlour is licensed as an owner under this By-law.
9. No operator may operate an adult entertainment parlour unless he/she notifies the Chief of Police of the name of the owner who adult entertainment parlour he/she intends to operate and has endorsed upon his/her license the said owner's name accordingly.

III. APPLICATIONS

10. (a) On every application by an individual person for an owner's, operator's, or attendant's license or for the renewal thereof, the applicant shall attend in person at the office of the Chief of Police and shall complete the prescribed forms and shall furnish to the Chief of Police such information as is set out in Schedule "A".
- (b) Where the applicant is a corporation or a partnership, the person attending at the office of the Chief of Police pursuant to subsection 10(a) shall be an officer or director of the corporation or one of the partners in the partnership.
11. (a) Every person applying for an owner's, operator's or attendant's license, shall submit, with his or her application, two (2) passport size photographs of his or her face, one of which photograph shall be attached to the license and the other shall be filed with the Chief of Police and upon application for renewal of

any license the applicant shall furnish new photographs, if required to do so by the Chief of Police.

- (b) Where the owner or operator is a corporation, the person who, on behalf of the corporation, signs the application for an owner's or operator's license shall comply with the requirements of subsection 11(a).
 - (c) Where the owner or operator is a partnership, the person who signs the application on behalf of the partnership shall comply with the requirements of subsection 11(a).
12. Every person applying for a license must use his/her own legal name in making application and, subject to Section 13, no license shall be issued to any person in any name other than his/her own legal name.
 13. Every owner, operator or attendant intending to use some name or designation other than his/her own may, at the time of issue of the license or at the time at which he/she files with the Chief of Police notice of intention to use such name or designation, have endorsed on the license such name or designation.
 14. Every person applying for an owner's license shall file, with the Chief of Police, documentation satisfactory to the Chief of Police demonstrating the applicant's right to possess or occupy the premises used by him/her as an adult entertainment parlour and, if such person is not the registered owner or owner in fee simple of the property upon which the adult entertainment parlour is located, such person shall file with the Chief of Police at the same time a copy of his/her lease, if any, and any other document constituting the legal relationship between the said applicant and the registered owner or owner in fee simple of the property.
 15. Every owner, operator or attendant who changes his/her permanent residence shall, within two (2) days after such change, attend at the office of the Chief of Police and shall notify the Chief of Police of such change of address and shall produce proof of his/her new address and shall produce his/her owner's, operator's and/or attendant's license for the change to be endorsed thereon.
 16. Making a false or intentionally misleading recital of facts, statement or representation in any application for a license under this By-law shall be deemed an offence under this By-law.
 17. No person shall be licensed under this By-law unless he or she is nineteen (19) years of age or over and a citizen of Canada or a landed immigrant.
 18. No owner's or operator's license shall be granted until the Chief of Police has filed, with the Chief Administrative Officer for presentation to Council, a report on the application.

IV. CORPORATE INFORMATION

19. (a) Every corporation applying for an owner's or operator's licence shall file with the Chief of Police, at the time of its application, a copy of its articles of incorporation or other incorporating document, duly certified by the proper government

official or department, together with a list of all the shareholders of the corporation.

- (b) Where the shares in a corporation applying for an owner's or operator's license are held in whole or in part by another corporation, the corporation so applying shall file, with the Chief of Police, a list of all of its shareholders and if such list discloses that the shares in such other corporation are in turn held in whole or in part by a third corporation then the said applicant shall also file such a list in respect of such third corporation listing its shareholders and so on until the names of all living persons are shown and identified as the shareholders of any and all corporations having an interest, direct or indirect, in the shares of the applicant corporation.
- (c) All information required by subsection 19 (b) of this section shall be filed with the Chief of Police at the same time as the filing of the application for the license.
- (d) Every owner or operator which is a corporation shall, in every year, on or before the time at which it applies for the renewal of its license, file with the Chief of Police a current list of all the shareholders of the corporation.
- (e) Where a corporation is the holder of an owner's or operator's license or licenses, the corporation shall forthwith notify the Chief of Police, in writing, of all transfers of existing shares and of the issue of any existing or new shares of the capital stock of the corporation and of any such transaction involving the shares of any corporation referred to in subsection 19 (b) and the Chief of Police shall make recommendation to Council whether the license or licenses shall be revoked.
- (f) Where, by a transfer of existing shares or by an issue of new or existing shares, the controlling interest in a corporation holding one or more owner's or operator's licenses is determined by the Chief of Police to have changed hands, such license or licenses shall be terminated forthwith and the Chief of Police shall make recommendation to Council to issue a new license upon payment of the prescribed fee.
- (g) Where the shares of a corporate owner or operator are held in whole or in part by another corporation, such owner or operator shall file with the Chief of Police, at the same time as the owner or operator, a current list, as provided in subsection 19 (d) of this section, and if the shares in such other corporation are in turn held in whole or in part by a third corporation then such owner or operator shall likewise file such a listing in respect of such third corporation and so on until the names of all living persons are shown and identified as the shareholders of any and all corporations having an interest, direct or indirect, in the corporate owner or operator.

V. PARTNERSHIPS

- 20. (a) Persons associated in a partnership applying for an owner's or operator's license shall file with its application to the Chief of Police a declaration, in writing, signed by all members of the partnership, which declaration shall state:

- (i) the full name of every partner and the address of his ordinary residence;
 - (ii) the name or names under which they carry on or intend to carry on business;
 - (iii) that the persons therein named are the only members of the partnership; and,
 - (iv) the mailing address for the partnership.
- (b) If any member of a partnership applying for a license is a corporation, such corporation shall, for the purposes of this section, be deemed to be a corporation applying for an owner's or operator's license and if such license is issued to the partnership such corporation shall, for the purposes of the said section, be deemed to be a corporation which holds an owner's or operator's license.
- (c) It shall be the duty of every member of a partnership to advise the Chief of Police immediately, in writing, of any change in the membership of the partnership and of any other change in any of the particulars relating to the partnership or its business which are required to be filed with the Chief of Police and the Chief of Police will recommend to Council whether or not a new license should be issued to the partnership as presently constituted.

VI. SALE OR TRANSFER OF ADULT ENTERTAINMENT PARLOUR

21. (a) No owner's license shall be transferred and if any owner sells, leases or otherwise disposes of his/her adult entertainment parlour or the premises or part thereof upon or in which an adult entertainment parlour is operated, his/her license in respect of such adult entertainment parlour or premises shall, notwithstanding any other provision of this by-law, be terminated. Subject to the provisions of this By-law, the Chief of Police may recommend to Council, the issuance of a new owner's license to the purchaser, lessee or other person obtaining an interest in an adult entertainment parlour or the premises or part thereof upon or in which the adult entertainment parlour has been operated subject also to the following conditions:
- (i) that the new applicant qualify under all of the other provisions of this By-law and that he/she comply with all the requirements of this By-law relating to him/her;
 - (ii) that the new applicant file, with the Chief of Police, an executed copy of the written agreement between the applicant and the vendor containing all of the details of the dealings between the parties in respect of such adult entertainment parlour or premises.
22. Upon the sale, lease or other disposition of an adult entertainment parlour, every operator's license issued in respect of such entertainment parlour shall terminate and the Chief of Police may, subject to the provisions of this By-law, recommend to Council, the issuance of a new operator's license to issue the purchaser, lessee or other person obtaining an interest in such adult entertainment parlour a new operator's license in respect of such adult entertainment parlour.

23. Present and existing owners, operators and/or attendants must be licensed by September 1, 2003 and thereafter on an annual basis.

VII. REGULATIONS

24. (a) No owner or operator shall permit any person under the age of nineteen (19) to enter or remain in any adult entertainment parlour owned or operated by him.
- (b) This section shall not be deemed to prohibit any person from entering or remaining in any premises licensed as an adult entertainment parlour except when services are being provided in such premises.
- (c) No owner or operator may, in respect of an adult entertainment parlour owned or operated by that person, knowingly permit any attendant, while providing services as an attendant, to touch, or be touched by, or have physical contact with any other person in any manner whatsoever involving sexual touching, which shall include rubbing, fondling or manual stimulation of the genitals, the buttocks, or the breasts of the attendant's body or of that person's body, whether or not such body parts are clothed or unclothed.
- (d) No attendant, while providing services as an attendant, may touch, or be touched by, or have physical contact with any other person in any manner whatsoever involving sexual touching, which shall include rubbing, fondling or manual stimulation of the genitals the buttocks, or the breasts of the attendant's body or of that person's body, whether or not such body parts are clothed or unclothed.
- (e) Every owner and every operator shall ensure that signage is posted in conspicuous locations throughout the adult entertainment parlour sufficient to be visible to all attendants and patrons therein, which signage shall indicate the prohibition respecting sexual touching, which shall include rubbing, fondling or manual stimulation of the genitals, the buttocks, or the breasts of the attendant's body or of that person's body, whether or not such body parts are clothed or unclothed.
- (f) The adult entertainment parlour shall be provided with adequate ventilation and with lighting that is adequate to ensure visibility.
- (g) Every owner applying for a license under this By-law shall file with his application, a floor plan of the adult entertainment parlour upon which the owner shall clearly designate the area which shall be used to provide adult entertainment services, the area which shall be used as office space, the storage room and the heating, ventilation and air conditioning systems, if any. In the event that the owner wishes to amend the floor plan, he shall first file with the Chief of Police a copy of the amended floor plan and shall not proceed to make such alterations without first obtaining the approval of the Chief of Police and the Chief Building Official.

VIII. LOCATION

25. (a) No license will be issued or renewed under this By-law unless:

- (i) the adult entertainment parlour is located on land and in a building or structure which is zoned in the appropriate zone under the Township of Whitewater Region Comprehensive Zoning By-law; and,
- (ii) the applicant is licensed under and by all other statutes, regulations and authorities having jurisdiction; and,
- (iii) not closer than four hundred (400) feet measured in a continuous path over the shortest distance from a residence or residential zone.

IX. SIGNAGE

26. No owner or operator of an adult entertainment parlour shall place or permit to be placed any sign or other advertising device within the Township that includes any of the following words:

"nude", "naked", "topless", "bottomless", "sexy", or any other word or any picture, symbol or representation having like meaning or implication.

X. GROUNDS FOR REFUSAL TO LICENSE, RENEW OR REVOKE

27. An applicant whose application meets all the requirements of this By-law is entitled to a license except where:
- (a) the past or present conduct of the applicant affords reasonable grounds for belief that the issuance of a license would be adverse to the public interest.
 - (b) the applicant is carrying on activities that are, or will be if licensed, in contravention of this By-law or any other law, including any applicable Zoning By-law.
 - (c) there are reasonable grounds for belief that an application or other document provided to the Chief of Police contained a false statement or provides false information.
 - (d) there are reasonable grounds for belief that the application does not meet all the requirements of this By-law including, but not limited to, :
 - (i) that the adult entertainment parlour is operated or intended to be operated in an area of the Township where such an adult entertainment parlour is prohibited by this By-law from operating; and,
 - (ii) that the building, premises or place in which the adult entertainment parlour is operating or intended to be operated does not comply with the provisions of this By-law, or with any other law, including any applicable building requirements, or is dangerous or unsafe.
 - (e) the conduct of the applicant or licensee affords reasonable grounds for belief that the operation of the adult entertainment parlour would infringe the rights or endanger the health or safety of one or more members of the public including, but not limited to, employees, customers, contractors or agents.

- (f) the annual license fee payable has not been paid at the time of the application.
28. (a) Council may refuse to issue a license or refuse to renew a license where the applicant is disentitled to a license under Section 25.
- (b) Council may revoke a license where the licensee would be disentitled to a license if he/she were an applicant under Section 25 and, where a license is revoked, the licensee is not entitled to a refund of the license fee.

XI. INSPECTION

29. On receipt of an application for a license or for renewal of a license, a Police Officer may, at any reasonable time, enter upon the premises of the applicant or licensee to make an inspection to ensure that all the provisions of this By-law have been satisfied and shall, on completion of his/her inspection, complete and file a written report.
30. No person shall obstruct a Police Officer from inspecting premises or withhold, destroy, conceal or refuse to furnish any information or thing required by the Police Officer conducting the inspection.
31. Where the person inspecting has reason to suspect that a breach of the By-law has occurred in respect of an adult entertainment parlour, he may enter such adult entertainment parlour at any time of the night or day for the purposes of carrying out the enforcement of the By-law.
32. Upon an inspection under Section 29, the person inspecting is entitled to free access to all books of account, vouchers, correspondence and the records of the owner or business being inspected that are relevant to the purposes of the inspection.
33. No person shall obstruct the person inspecting or withhold, destroy, conceal or refuse to furnish any information or thing required by the person inspecting for the purpose of the inspection.

XII. HEARING

34. (a) Before Council refuses to issue a license, cancels, revokes or suspends a license, a written notice shall be given to the applicant or licensee advising him/her that a recommendation is to be made to Council with respect to his or her license application.
- (b) The notice under subsection 34(a) shall inform the applicant or licensee that he/she is entitled to a hearing by the Council if he/she delivers within seven (7) days after the notice in writing requesting a hearing by the Council.
- (c) When a hearing date before the Council has been requested and fixed and the applicant or licensee has been given notice and does not attend at the place and on the time appointed for the hearing, the license shall be deemed to be refused or revoked or not renewed, cancelled or suspended as of the date of the hearing and no further notice shall be given to the applicant or licensee.

35. (a) The provisions of Section 5 to 15 and 21 to 24 of the Statutory Powers Procedure Act, R.S.O. 1990, c. S22, as amended, shall apply to all hearings conducted by the Council under this By-law.
- (b) At the conclusion of a hearing the Council shall, as soon as practicable, make its final decision and shall give reasons in writing, therefore, if requested by the applicant or licensee. Notice of the decision of Council shall be sent in accordance with the provisions of Section 18 of the Statutory Powers Procedure Act, R.S.O. 1990, c. S22.

XIII. RETURN OF LICENSE

36. Where a license has been revoked, the holder of the license shall return the license to the Chief of Police within twenty-four (24) hours of receipt of notification of revocation and the Chief of Police or his appointee may enter upon the premises of the holder of the license for the purpose of receiving or taking the said license and no person shall refuse to deliver or, in any way, obstruct or prevent the Chief of Police or its appointee from obtaining the license.

XIV. PENALTY

37. Any person who contravenes the provisions of this By-law, including every person who fails to perform a duty imposed herein or who performs an act prohibited herein and every director or officer of a corporation who concurs in such a contravention is guilty of an offence and, upon conviction pursuant to the provisions of Section 161 of the Municipal Act, 2001, as amended, is liable to:
- (a) a penalty, in the case of persons other than a corporation, not to exceed \$25,000.00 or imprisonment for a term not to exceed one year or both;
- (b) a penalty, in the case of a corporation, not to exceed \$50,000.00.

XV. CONFIDENTIALITY

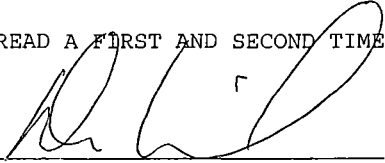
38. (a) Every person employed in the administration of this By-law and the attached schedules, including any person making an inspection under Part XI of this By-law, shall preserve secrecy and respect of all matters that come to his/her knowledge in the course of his/her duties, employment or inspection and shall not communicate any such matters to any other person, except:
- (i) as may be required in the course of administration or in any proceedings under the By-law and annexed schedules;
- (ii) to Council;
- (iii) to his/her legal Counsel; or,
- (iv) with the consent of the person to whom the information relates.
- (b) No person to whom subsection 34(a) applies shall be required to give testimony in a civil suit or civil proceeding on information obtained by him/her in the course of his/her duties, employment or investigation

except in proceedings under this By-law and the annexed schedules.

XVI. GENERAL

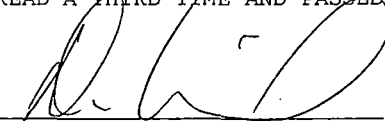
39. (a) Subject to Section 25 of this By-law, the Township describes areas in which adult entertainment parlours may operate.
- (b) The number of owners' licenses which may be granted in the Township of Whitewater Region in respect of adult entertainment parlours shall be limited to one (1) license.
40. If any provision or requirement of this By-law or the application thereof to any person shall, to any extent, be held to be invalid or unenforceable, the remainder of this By-law or the application of such provisions or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.
41. Section headings in this By-law are not to be considered part of this By-law and are included solely for the convenience of reference and are not intended to be full or accurate descriptions of the contents thereof.
42. This By-law shall be read with all changes of gender or number as are required by the circumstances and the context.
43. This By-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 21st DAY OF January, 2004.


Chief Administrative Officer


Reeve

READ A THIRD TIME AND PASSED THIS 21st DAY OF January, 2004.


Chief Administrative Officer


Reeve

SCHEDULE 'A'
FORM 1

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

By-Law # 04-01-145

APPLICATION BY AN OWNER

ADULT ENTERTAINMENT PARLOUR LICENSE

1. I, _____ Telephone No. _____
(full legal name)
also known as _____
of _____
(complete address of place where I ordinarily reside)

hereby make application under By-law 04-01-145 for a license as Owner on my

- (a) own behalf, operating under the name and style of:

- (b) or on behalf of the following corporation as Owner:

- (c) or as partner in the partnership to carry on or intending to carry on under the firm name of:

(name of Partnership)

2. I was born in _____
on the _____ day of _____, 19 ____.

3. Height: _____ Weight _____
Driver's License No. _____
(if Driver's License not issued by Ontario, state where)

4. (a) Mailing address of adult entertainment parlour:

- (b) Address of premises intended to be used as an adult entertainment parlour (please indicate where adult entertainment parlour will be operated (i.e. 1st/2nd floor):

5. If application is made on behalf of a corporation, state address of head office:

6. If application is made by a partner, state address of partner(s):

7. If an application is made on behalf of a corporation, partnership or a sole proprietorship:

(a) If a corporation, the principal officers are as follows:

- (i) _____
- (ii) _____
- (iii) _____
- (iv) _____
- (v) _____

(b) If a partnership, the names of all the partners who are active and inactive in carrying out the business

	NAME	RESIDENCE	PLACE & DATE OF BIRTH
--	------	-----------	-----------------------

- (i) _____
- (ii) _____
- (iii) _____
- (iv) _____
- (v) _____

(c) If on your own behalf as a sole proprietorship, the name and address of the proprietor is the same as the applicant or:

8. If application is made on behalf of a corporation or partnership

(A) If a corporation, describe applicant's office or position held:

(B) If a partnership, describe applicant's duties or responsibilities in operating business:

9. The shares in the corporation _____
(name)

on whose behalf I am applying for a license are held or owned in whole or in part by another corporation (name and address of head office or corporation):

10. Neither the corporation on whose behalf this application is made nor any of its officers has been convicted of any offence anywhere, except as follows (State offence and name of offender):

11. Neither I nor any of my partners has been convicted of any offence anywhere, except as follows (state offence and name of offender):

Where convicted and penalty:

12. The corporation or partnership on whose behalf this application is made (will) or (will not) be operating its own adult entertainment parlour. The following will operate the adult entertainment parlour on my behalf (name and address):

who has applied or is a licensed operator under License Number _____, issued on the _____ day of _____, 20

13. I (will) or (will not) be operating my own adult entertainment parlour. The following will operate the adult entertainment parlour on my behalf (name and address):

who has applied or is a licensed operator under License Number _____, issued on the _____ day of _____, 20

14. Neither the corporation on whose behalf this application is made nor its officers has ever held any kind of license issued by a municipality, nor had a license refused nor cancelled, except as follows:

(name of municipality, type of license)

(reasons for refusal or cancellation)

15. My License Number issued under the Liquor License Act is:

_____ Expiry Date: _____

16. The (corporation), (partnership), (I) will be operator of the adult entertainment parlour commencing (date):

Name and location where adult entertainment parlour is to do business:

- 17. The (corporation), (partnership), (I), have not previously owned an adult entertainment parlour, except as follows:

Name and addresses of adult entertainment parlours:

- 18. The name of the owner of the premises on which an adult entertainment parlour is to be carried on is (please attach copy of lease):

- 19. Do you have a written contract of employment with the following (please attach copies of contracts):

- (a) Operator Yes () No. ()
- (b) Attendant Yes () No. ()

- 20. I, _____, solemnly swear that the information given in this application and any supporting documents are true, correct and complete in every respect and understand that false statements could result in the revocation of the license if granted.

SWORN BEFORE ME)
 at the Township of Whitewater Region)
 in the County of Renfrew)
 this _____ day of)
 _____, 20)
)
)

 Signature of Applicant

NOTE: TWO PASSPORT SIZE PHOTOGRAPHS ARE REQUIRED WITH THIS APPLICATION.

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

By-Law # 04-01-145

APPLICATION BY AN OPERATOR

ADULT ENTERTAINMENT PARLOUR LICENSE

1. I, _____ Telephone No. _____
 (full legal name)
 also known as _____
 of _____
 (complete address of place where I ordinarily reside)

hereby make application under By-law 04-01-145 for an Operators License.

2. I was born in _____
 on the _____ day of _____, 19 ____.

3. Height: _____ Weight _____
 Driver's License No. _____
 (if Driver's License not issued by Ontario, state where)
 S.I.N. _____

4. I have never held any kind of license issued by any municipality or had a licensed refused or cancelled, except as follows:

 Name of Municipality, type of license and reasons for refusal or cancellation:

5. I will be operating an adult entertainment parlour at (complete address):

Name and address of Owner:

whose License Number under By-law Number 04-01-145 is _____.

6. The name of the adult entertainment parlour I will be operating is:

7. I have not previously operated a adult entertainment parlour, except as follows (give names and addresses of adult entertainment parlours):

8. I intend to carry out my trade, calling or occupation as an Operator commencing

_____ at _____
(date) (location)

9. I have never been convicted of any offence anywhere, except as follows (state offence, where convicted and penalty):

10. My address for all mail to be sent to me is:

11. Do you have a written contract of employment with the following (please attach copy of contract):

(l) Owner Yes () No. ()
(m) Attendant Yes () No. ()

12. I, _____, solemnly swear that the information given in this application and any supporting documents are true, correct and complete in every respect and understand that false statements could result in the revocation of the license if granted.

SWORN BEFORE ME)
at the Township of Whitewater Region)
in the County of Renfrew)
this _____ day of)
_____, 20)
)
)

Signature of Applicant

NOTE: TWO PASSPORT SIZE PHOTOGRAPHS ARE REQUIRED WITH THIS APPLICATION.

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

By-Law # 04-01-145

APPLICATION BY AN OPERATOR (CORPORATION)

ADULT ENTERTAINMENT PARLOUR LICENSE

1. I, _____ Telephone No. _____
(full legal name)

of _____
(complete address of place where I ordinarily reside)

hereby make application under By-law 04-01-145 for a license on behalf of the following corporation as Operator (name of corporation) :

2. I was born in _____
on the _____ day of _____, 19 ____.

3. Height: _____ Weight _____

Driver's License No. _____
(if Driver's License not issued by Ontario, state where)

S.I.N. _____

4. Address where corporation will be operating an adult entertainment parlour:

5. Head office of corporation: _____

6. Principal Officers of corporation:

	NAME	RESIDENCE	PLACE & DATE OF BIRTH
(a)	_____	_____	_____
(b)	_____	_____	_____
(c)	_____	_____	_____
(d)	_____	_____	_____

7. I hold the following office or position in the corporation:

8. The shares in the corporation: _____
(name)
on whose behalf I am applying for a license, are held or owned in whole or in part by one

(or more) other corporation(s) (name and address of head office of each corporation):

9. Neither the corporation on whose behalf this application is made nor any of its officers has been convicted of any offence, except as follows (state offence, where convicted and penalty)

Name in which conviction registered:

10. Neither the corporation on whose behalf this application is made, nor its officers has ever held any kind of license issued by a municipality or had a license refused or cancelled, except as follows:

(name of municipality, type of license)

(reasons for refusal or cancellation)

11. The corporation on whose behalf this application is made will operate the adult entertainment parlour commencing

(date) : _____

12. The corporation on whose behalf this application is made has not previously operated an adult entertainment parlour, except as follows (state names and addresses of adult entertainment parlours):

13. Do you have a written contract of employment with the following (please attach copy of contract):

(a) Owner Yes () No. ()
(b) Attendant Yes () No. ()

14. I, _____, solemnly swear that the information given in this application and any supporting documents are true, correct and complete in every respect and understand that false statements could result in the revocation of the license if granted.

SWORN BEFORE ME)
at the Township of Whitewater Region)
in the County of Renfrew)
this _____ day of)
_____, 20)Signature of Applicant

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

By-Law # 04-01-145

APPLICATION BY AN ATTENDANT

ADULT ENTERTAINMENT PARLOUR LICENSE

1. I, _____ Telephone No. _____
(full legal name)

Previous Married Names: _____

Have you been known by any other name? Yes () No ()

If Yes, please state name: _____

of _____
(complete address of place where you ordinarily reside)

and temporarily residing at _____

hereby make application under By-law 04-01-145 for an ATTENDANT'S LICENSE.

hereby make application under By-law 04-01-145 for an Operators License.

2. I was born in _____

on the _____ day of _____, 19 ____.

3. Height: _____ Weight: _____

Driver's License No. _____
(if Driver's License not issued by Ontario, state where)

S.I.N. _____

4. I have never held any kind of license issued by any municipality or had a licensed cancelled, except as follows:

(name of municipality and type of license):

(reasons for refusal or cancellation)

5. I will be working at : _____

for _____
(name of Owner or Operator)

commencing _____
(date)

I intend to carry out my trade, calling or occupation as an ATTENDANT under the name of :

and have first used this name since _____
(date)

in connection with _____
(trade, calling, occupation or other activity)

I have previously worked as an ATTENDANT at the following places:

- (a) _____
- (b) _____
- (c) _____
- (d) _____

6. I have never been convicted of any offence anywhere, except as follows (state offence, where convicted and penalty):

7. My address for all mail to be sent to me is:

8. Do you have a written contract of employment with the following (please attach copy of contract):

- (a) Owner Yes () No. ()
- (b) Operator Yes () No. ()

9. I, _____, solemnly swear that the information given in this application and any supporting documents are true, correct and complete in every respect and understand that false statements could result in the revocation of the license if granted.

SWORN BEFORE ME)
 at the Township of Whitewater Region)
 in the County of Renfrew)
 this _____ day of)
 _____, 20)
)
)

Signature of Applicant

NOTE: TWO PASSPORT SIZE PHOTOGRAPHS ARE REQUIRED WITH THIS APPLICATION.

Township of Whitewater Region
Licensing Cost Estimate Schedule

Service/Activity: Adult Entertainment Parlours
Rational for Licence: Licensing and regulating of adult entertainment parlours

<u>COST</u>	<u>EXPLANATION</u>	OWNERS (est. 2)	ATTENDANTS (est.100)
Preparation of By-law Public Meeting	Advertising cost amortized over five years (\$100.00/5 years)		20.00
Legal Fees	Legal fees amortized over five years (\$6,500.00/5 years)	25.00	1275.00
Preparation of By-law	Staff time amortized over five years (Secretarial: \$24.11 x 5 hours/5years) (Research: \$37.55 x 10 hours/5years) (Research: \$41.40 x 5 hours/5years)	15.00	800.00
		40.00	2095.00
Requirements of By-law: 04-01-145			
Investigation of Applicants	(\$29.00 x 2 hours x 2 licences) (\$29.00 x 2 hours x 100 licences)	120.00	5800.00
Approval of Applications	(\$40.38 x 1 hour x 2 licences) (\$40.38 x 1 hour x 100 licences)	80.00	4040.00
Processing of Applications	(\$20.32 x 1 hour x 2 licences) (\$20.32 x 1 hour x 100 licences)	40.00	2030.00
		240.00	11870.00
Enforcement By-law:			
Legal Fees	(\$200.00 x 10 hours) (\$200.00 x 5 hours)	2000.00	1000.00
Total Annual Cost of By-law		2280.00	14965.00
Maximum Allowable Fee per Licence (total annual cost/number of estimated annual licences)		1140.00	150.00