

Adult Entertainment

Please note: Adult Entertainment Establishment Business owner must come in person with below required documents. Please book your appointment online. No walk-ins permitted at this time.

<https://www.brampton.ca/EN/Online-Services/Skip-the-line/Pages/appointment-booking.aspx>

Requirements for obtaining the above Licence:

***NOTE:** An Adult Entertainment Parlour cannot be located closer than 500 metres measured on a continuous path over the shortest distance from a dwelling unit or a residential zone.

1. **Licence Application Form**

The attached form must be completed and signed by the owner of the business.

2. **Zoning Approval** Flower City Community Campus
8850 McLaughlin Road South, Unit 1

This approval must be stamped on the completed license application form.

3. **Floor Plan**

A floor plan of the Adult Entertainment business in a fashion acceptable to the Licence Issuer, which clearly depicts where the Main Stage is in relation to all patron seating areas must be provided

4. **Certificate of Insurance**

The insurance form must be completed and signed by your insurer.

5. **Criminal Record Search**

A Criminal Record Search must be conducted for Owner of the business and must be done within 30 days of the Licence Application.

6. **Proof of Property Ownership** satisfactory to the Licence Issuer and if not the registered owner of the property, shall submit a copy of the Lease.

7. **Fire Department Approval** – Please contact the Fire Department at (905) 874-2740 to book an inspection of the premises. This must be completed before any Licence is Issued.

8. **Business Registration and/or Articles of Incorporation**

9. **List of Services and Fees**

10. **Fee** - \$4,488.00 * **NO CASH PAYMENTS AT THIS TIME**

- **Expiry Date** - April 30th of every year

Please note: Adult Entertainment Business owner must come in person and bring Photo ID showing current home address.

RELATING TO ADULT ENTERTAINMENT BUSINESSES

DEFINITIONS

1. In this Schedule:
 - (1) “Entertainer” means someone who, in pursuance to a trade, business or occupation, provides Services Designed to Appeal to Erotic or Sexual Appetites or Inclinations at an Adult Entertainment Business;
 - (2) “Operator” includes a person who, alone or with others, operates, manages, supervises, runs or directs the trade, calling, business or occupation carried on as an Adult Entertainment Business;
 - (3) “Owner” means a person who alone or with others, fits in any one or more of the following categories:
 - i. is the owner of the Adult Entertainment business
 - ii. has control of Adult Entertainment the business
 - iii. directs the operation of the Adult Entertainment business.
 - (4) “Permitted Area” means that area of the City that is zoned for industrial or commercial use and where the use of land as an Adult Entertainment Business has not been specifically prohibited;
 - (5) “Services” includes, performances, dances, exhibitions and viewings;
 - (6) “Services Designed to Appeal to Erotic or Sexual Appetites or Inclinations” means:
 - Services of which a principal feature or characteristic is the nudity or partial nudity of any person; and
 - 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;
 - (7) “To Provide” when used in relation to Services, includes to furnish, perform, solicit or give such services and “providing” and “provision” have corresponding meanings.

LICENSING REQUIREMENTS OF OWNERS AND OPERATORS

2. No Person shall operate an Adult Entertainment Business unless licensed under this By-law.
3. (1) No Licence will be issued or renewed under this By-law unless:
 - (a) The Adult Entertainment Business is located in a Permitted Area and is not located closer than 500 metres measured on a continuous path over the shortest distance from a dwelling unit or a residential zone; and
 - (b) The Owner is a holder of a Licence under the Liquor Licence Act, R.S.O. 1990, c. L.22, as amended;
- (2) The provisions of subsection 3. (1) (a) shall not apply so as to prevent the renewal of a Licence when, subsequent to the valid issuance of a Licence under this By-law, a dwelling unit has been located or a residential zone created within 500 metres of the Adult Entertainment Business for which the Licence was granted.
4. In addition to the General Licensing Provisions contained in this By-law, every Applicant for a new Adult Entertainment Business Owner’s or Operator’s Licence and at the discretion of the Licence Issuer, for the renewal of a Licence shall submit:
 - (1) A Criminal Record Search dated within 30 days of the Application or Licence renewal, conducted by the Police Services in which the Applicant resides or from an approved

provider of criminal record checks in Canada for the Owner where the Owner is an individual; for each partner where the Owner is a partnership, and for each director of the corporation where the Owner is a corporation and for each Operator;

- (2) Two passport size photographs of the Owner where the owner is an individual; for each partner where the Owner is a partnership, and for each director of the corporation where the Owner is a corporation and for each Operator;
 - (3) A floor plan of the Adult Entertainment Business in a fashion acceptable to the Licence Issuer, which clearly depicts where the Main Stage is in relation to all patron seating areas in the Adult Entertainment Business;
 - (4) Proof of property ownership satisfactory to the Licence Issuer and if not the registered owner of the property, shall submit a copy of the lease and any other document affecting the legal relationship between the Applicant and registered owner of the real property;
 - (5) For the purposes of sub section (4), "registered owner" means the owner as registered pursuant to the *Land Titles Act, R.S.O. 1990, CHAPTER I.5* OR or the *Registry Act, R.S.O. 1990, CHAPTER r.20* as the case may be;
 - (6) A separate Owner's Licence shall be taken out in respect of each Adult Entertainment Business.
5. Where an Owner does not personally operate the Adult Entertainment Business, every Person operating such Adult Entertainment Business shall obtain a Licence to do so, but nothing herein relieves such an Owner from the requirement that he or she obtain a Licence as Owner of such Adult Entertainment Business.
6. An Owner or Operator may, subject to the provisions of this By-law, if his or her Licence as an owner or Operator is so endorsed by the Licence Issuer, perform the Services of an Entertainer in the Adult Entertainment Business of which he or she is the Owner or Operator, and an Owner who operates his or her own Adult Entertainment Business shall notify the Licence Issuer of this fact at the time he or she obtains his or her Licence, and his or her Licence may be endorsed accordingly upon payment of the appropriate Licence fee, and he or she shall notify the Licence Issuer and have the said endorsement amended before engaging any Operator to operate his or her Adult Entertainment Business.

REGULATIONS CONCERNING OWNERS AND OPERATORS

7. No Owner or Operator of an Adult Entertainment Business shall:
- (1) Permit any person other than a licensed Operator to operate such Adult Entertainment Business;
 - (2) Permit the provision of Services upon or at his or her Adult Entertainment Business by any person other than a licensed Entertainer or other person licensed or authorized by or under this By-law so to do;
 - (3) Permit any person other than an employee of such Owner or Operator or a person with whom the Owner or Operator has contracted to operate his or her Adult Entertainment Business or To Provide Services in his or her Adult Entertainment Business;
 - (4) Construct or equip, or permit the construction or equipping of the Premises containing an Adult Entertainment Business in such a manner as to hinder or prevent the enforcement of this By-law;
 - (5) Permit any individual under the age of 18 years to enter or remain in the Adult Entertainment Business;
 - (6) Employ or otherwise use the services of individuals under the age of 18 years.
 - (7) Permit any person to loiter, create a disturbance or cause undue noise while on the licensed premises;
 - (8) Advertise or cause to be advertised an Adult Entertainment Business in any way or by any means, or publish anything, erect, post or maintain any sign, notice or any other

publication or device relating to or drawing attention to an Adult Entertainment Business except as specifically permitted by this By-law;

- (9) Advertise an Adult Entertainment Business unless the sign:
- i. Is erected only on the property where the Adult Entertainment Business is located;
 - ii. Contains only readable text which shall be free from any words or slang referring to any part of the human body or the word nude, naked, topless, bottomless, sexy or any other word or picture, symbol or representation having like meaning or implication, has no animation, flashing lights or is designed to revolve on an axis;
 - iii. 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;
 - iv. Is in compliance with the City's Sign By-law as amended.
- (10) Make or cause to be made a Main Stage or make or cause to be made any alterations to the composition, design or location of the Main Stage for the Adult Entertainment Business, without first receiving approval from the Licence Issuer for such renovations.

RECORDS

8. Every Owner who operates his or her Adult Entertainment Business and every Operator shall keep proper records and books of account of all business transacted in, by or in respect of the business operated by him or her, which books shall give the amount of gross receipts for all Services provided in the said Adult Entertainment Business, including all receipts for admission fees and other charges and receipts in respect of entry to or Services provided; the name and licence number of every Entertainer providing Services, including the date of commencement and the date of termination of such Services; the amount of salary or commission paid to each Entertainer and all amounts paid by the Owner to the Operator, if any, or by the Operator to the Owner, in respect of such Adult Entertainment Business;
9. Every Owner to whom this section applies and every Operator shall keep such books and records as are required by this section for at least one year after the information required by this section is entered therein, and the Licence Issuer, By-law Enforcement Officer, Inspector or Police shall at all times have access to such records.

REGULATIONS FOR OPERATION OF ADULT ENTERTAINMENT BUSINESSES

10. Every Owner who operates and Adult Entertainment Business and every Operator of an Adult Entertainment Business shall comply with and ensure compliance with the following:
- (1) The Premises shall be provided with adequate light and ventilation;
 - (2) The Premises and all fixtures and equipment, including all surfaces in contact with skin or body fluids, shall be frequently cleaned with a cleaning agent that disinfects but does not damage skin;
 - (3) Containers shall be provided for proper disposal of sharp objects;
 - (4) The Premises shall be equipped with an effective utility sink;
 - (5) Adequate toilet and washroom accommodation shall be provided and there shall be separate such rooms for males and females;
 - (6) Washrooms will be equipped with:
 - An adequate supply of toilet paper
 - An adequate supply of hot water
 - An adequate supply of liquid soap in a suitable container or dispenser;
 - Hot air dryers or individual clean towels for the use of each person using the washroom facilities
 - A suitable receptacle for used towels and waste materials;

- (7) The water serving all bathtubs, showers, if any, and hand basins used by patrons shall not have a temperature exceeding 49 degrees Celsius and shall be controlled by a device that regulates the temperature, and patrons shall not have access to this device;
 - (8) A total volume of air change of 10 times per hour shall be provided for all tub, shower or bath rooms;
 - (9) No washroom, toilet, sink or basin used for domestic purposes shall be used in connection with an Adult Entertainment Business;
 - (10) In all shower-bath rooms, if any, and in all sauna-bath rooms, if any:
 - A grab-bar or other convenient support shall be provided unless the walls of the tub or bath enclosure are 0.61 metres in height or higher;
 - The floors shall be disinfected at least once a week;
 - All surfaces and attached accessories of the bath or shower enclosure must be self-draining;
 - All showers must have removable, cleanable drain covers; and
 - Floor surfaces both within and outside the enclosure shall be of a nonslip type.
 - (11) Common foot baths shall not be provided on the premises;
 - (12) Duck-boards or cocoa matting shall not be used in the shower, bath, sauna or steam room and only liquid or powered soap shall be used in such rooms;
 - (13) Storage facilities shall be provided that lock to secure the personal items of each Entertainer;
 - (14) Refrigerator space and microwave shall be provided for Entertainers to prepare and eat snacks and lunch while working;
 - (15) A first-aid kit equipped in accordance with the *Workplace Safety and Insurance Act 1997, S.O 1997. c.16*, shall be provided and maintained at all times;
 - (16) Patrons who harass, threaten or assault Entertainers shall be promptly evicted;
 - (17) Panic buttons shall be Installed in judicious locations, and monitored regularly;
 - (18) Physically isolated areas of the Premises shall be minimized;
 - (19) No Premises or part thereof used as an Adult Entertainment Business shall be used as a dwelling or for sleeping purposes.
 - (20) During the hours of business of the Adult Entertainment Business, or at any time when an entertainer is in attendance at the Adult Entertainment Business, the Owner, Operator or Owner/Operator shall ensure that the door or doors or other principal means of access into the Adult Entertainment Business by the public are kept unlocked so that anyone may enter or exit the Adult Entertainment Business without hindrance or delay.
11. Every Entertainer shall label all personal items; refrain from sharing such items as razors and cosmetics; dispose of sharps, personal waste or garbage in designated containers; remain sober while working; work with other staff such as bouncers, to handle unruly patrons.
 12. No Owner or Operator shall permit any Services to be given, performed, provided or received in any Adult Entertainment Business in breach of any of the regulations contained in this By-law.

LIST OF SERVICES AND FEES

13. Every Operator of an Adult Entertainment Business and every Owner who operates his or her own Adult Entertainment Business shall file with the Licence Issuer, a copy of a list of all Services provided at the said Adult Entertainment Business and a copy of the respective fees charged for services, including admission fees and any other payment charged in respect of entry to the Adult Entertainment Business and, if any charge is based on a computation of time, the hourly rate shall be shown on such lists.

14. No Operator, Owner or Entertainer shall charge, demand, ask for or require, or permit to be charged, demanded, asked for or required for any Services provided at an Adult Entertainment Business other than that set out in a list filed with the Licence Issuer or amendments thereto also filed with the Licence Issuer.
15. No Operator, Owner or Entertainer shall provide Services at or in respect of an Adult Entertainment Business other than those permitted by endorsements by the Licence Issuer on the Licence of the Owner as filed with the Licence Issuer or amendments thereto also as filed with the Licence Issuer.
16. Every Owner and Operator shall post a copy of the list of Services and fees referred to in this section in a conspicuous place in the interior of the Adult Entertainment Business owned or operated by him or her, plainly visible to any person upon entering the said Premises.

DRUGS AND ALCOHOL

17. No Owner or Operator shall permit any person who appears to be intoxicated by alcohol or a drug to enter or remain in any Adult Entertainment Business operated by him or her.
18. No Owner, Operator or Entertainer shall take, consume or have alcohol or a drug in his or her possession in an Adult Entertainment Business, nor shall the use of alcohol or a drug by him or her be apparent while he or she is in an Adult Entertainment Business.
19. For the purposes of this section, the word “drug” shall be deemed to exclude patent medicines and prescription drugs required for medicinal purposes.

APPEARANCE AND BEHAVIOUR OF OWNERS, OPERATORS AND ENTERTAINERS

20. Every owner, Operator and Entertainer shall, while engaged in his or her respective trade, business or occupation in an Adult Entertainment Business, be neat and clean in his or her person and civil and well behaved to members of the public with whom he or she is dealing.

USE OF CAMERAS OR OTHER PHOTOGRAPHIC OR RECORDING DEVICES

21. No Owner, Operator or Entertainer shall use or permit to be used any camera or other photographic or recording device in, upon or at an Adult Entertainment Business by any person other than the Police, By-law Enforcement Officer and Medical Officer of Health, with the exception of a camera at the entrance of the area for security purposes only.

LICENSING REQUIREMENTS OF ENTERTAINERS

22. Every Owner and/or Operator shall require an Entertainer to be licensed prior to performing in the Adult Entertainment Business.
23. Every Applicant for an Entertainer’s Licence shall attend the Licence Issuer’s Office in person and shall file:
 - (1) A completed Application accompanied by the appropriate fee;
 - (2) A Criminal Record Search dated within 30 days of the Application or renewal, conducted by the Police Services in whose jurisdiction the Applicant resides or from an approved provider of criminal record checks in Canada;
 - (3) A copy of the photograph taken by the Licensing Staff;
 - (4) Proof of status of Canadian citizenship, immigration status or other valid work authorization;
 - (5) Proof of age in the form of at least two of the following valid original documents, one of which must contain a photo: birth certificate, Provincial Driver’s Licence, current passport and permanent residency card.
 - (6) Where an Entertainer applies for a renewal of a Licence, no proof of age is required.
24. No Owner or Operator licensed under this By-law shall:

- (1) Permit any Entertainer to touch, sit or rest on, or make any physical contact with the breasts, buttocks, genital or pubic areas of any other person;
- (2) Permit any employee or patron to touch, sit or rest on, or make any physical contact with the breasts, buttocks, genital or pubic areas of any Entertainer;
- (3) Permit any Entertainer to perform any Services in a location which is not clearly visible from the Main Stage and from a patron seating area for that particular floor of the Adult Entertainment Business, and which location is without obstruction by any person or anything, including but not limited to walls, curtains, glass, enclosures, structures, fog or inadequate lighting;

25. No Entertainer shall:

- (1) Permit any person to touch or make any physical contact with their breasts, buttocks, genital or pubic areas;
- (2) Touch, sit or rest on, or make any physical contact with the breasts, buttocks, genital or pubic areas of any other person; or
- (3) Perform any Services in a location which is not clearly visible from the Main Stage and from a patron seating area for that particular floor of the Adult Entertainment Business and which location is without obstruction by any person or anything, including but not limited to walls, curtains, glass, enclosures, structures, fog or inadequate lighting.

CHANGE OF ADDRESS OF OWNER, OPERATOR OR ENTERTAINER

26. Every Owner, Operator or Entertainer who changes his or her address shall, within 2 days after such change, attend at the office of the Licence Issuer and notify the Licence Issuer of such change of address and produce his or her Licence for the change to be entered thereon.

NOTICES TO BE POSTED

27. Every Owner or Operator shall post notices in a conspicuous location in all Entertainers' dressing or locker rooms and at all public entrances and exits in a format approved by the Licence Issuer that includes contact information for the following:

- (1) Municipal Licence Issuer;
- (2) Municipal Enforcement – Complaints and Information;
- (3) Peel Regional Police Services (Non-emergency line), and
- (4) Ontario Ministry of Labour, Health and Safety Centre.

PROVISION OF SECURITY PERSONNEL

28. Every Owner of an Adult Entertainment Business shall ensure that:

- (1) All security personnel are licensed under the *Private Security and Investigative Services Act 2005*, S.O 2005, c. 34 in the Province of Ontario;
- (2) All security personnel wear identification or clothing by which they can readily be identified as security personnel while on duty.

APPLICATION TO LICENCE AN ADULT ENTERTAINMENT BUSINESS

The following **MUST** be **FULLY COMPLETED** in order to process the licence(s) applied for and **RETURNED** along with the applicable fees and required documents.

Licensing - Administration
2 Wellington Street West
Brampton, ON L6Y 4R2
Tel: (905) 874-2580
Fax: (905) 874-2119

Fee: _____

File#: _____

New:

Renewal:

BUSINESS:

Corporate Name: _____

Business O/A: _____

Address: _____ Unit #: _____ City/Town _____

Postal Code _____ Telephone _____ Cell _____ Fax _____

Email address _____

APPLICANT:

Name: _____

Address _____ City/Town _____

Postal Code _____ Telephone _____ Cell _____ Fax _____

This application is hereby made for a licence in accordance with the information shown above. I agree to conform to the regulations and applicable schedules as set out in the City of Brampton Licensing By-Law.

Date: _____ **Applicant's Signature:** _____

NOTE: All personal information on this form is collected under authority of the Municipal Act, SO 2001, c. 25 and City of Brampton Business Licensing By-law. The information will be used to administer the business licensing process. Questions about this collection should be directed to the Licence Issuer at www.licensing@brampton.ca