

**CORPORATION OF THE CITY OF CLARENCE-ROCKLAND
BY-LAW NUMBER 2006-10**

**A BY-LAW TO PROVIDE FOR THE LICENSING, REGULATING AND INSPECTING
OF ADULT ENTERTAINMENT PARLOURS, THEIR OWNERS, OPERATORS
AND ENTERTAINERS IN THE CITY OF CLARENCE-ROCKLAND**

WHEREAS section 150 of the Municipal Act, 2001, chapter.25, as amended provides that local municipalities may license, regulate and govern any business wholly or partly carried on within the municipality, including the power to license, regulate and govern the persons carrying on or engaged in the business;

AND WHEREAS section 151 of the Municipal Act, 2001, provides for the licensing of adult entertainment establishment including the power to define the area of the municipality in which adult entertainments may or may not operate and limit the numbers of licenses granted in any defined area in which they are permitted;

AND WHEREAS the City of Clarence-Rockland is desirous and enacting this by-law for the following purpose:

- a. to protect the health and safety of residents of the City;
- b. to protect the health and safety of patrons, entertainers and employees of an adult entertainment parlour;
- c. to control any nuisances that may arise as a result of the operation of an adult entertainment parlour; and
- d. to protect consumers who are patrons of an adult entertainment parlour;

AND WHEREAS the Council of the city of Clarence-Rockland held a public meeting in the accordance with section 157(3) of the Municipal Act with respect to this by-law on March 8th, 2006.

**NOW THEREFORE THE COUNCIL OF THE CITY OF CLARENCE-ROCKLAND
ENACTS AS FOLLOWS:**

PART I - DEFINITIONS:

For the purpose of this by-law;

“adult entertainment parlour” means any premises or part thereof in which are provided, in pursuance of a trade, calling, business or occupation, live entertainment, or services appealing to or designed to appeal to erotic or sexual appetites or inclinations, includingbody rub parlours and may include a restaurant as an a accessory use;

“adult entertainment operator” means an individual person other than the owner, who alone or with others operates, manages, supervises, runs or directs an

adult entertainment parlour on an ongoing basis or from time to time, or who exercises control over an adult entertainment parlour on behalf of the owner;

“**applicant**” means a person or persons or a corporation applying for a license under this By-law;

“**body rub**” includes the kneading, manipulation, rubbing, massaging, touching or stimulating by any means of a person’s body or part thereof, but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario;

“**body rubber**” means an individual person other than a licensed owner or operator who in pursuance of a business, occupation or calling performs body rubs;

“**body rub parlour**” means any premise or part thereof where body rub is performed, offered or solicited in pursuance of a business;

“**clearance certificate**” means a certificate issued by immigration Canada to a person who is neither a Canadian citizen nor a permanent resident who provides evidence of his/her legal authority to work in Canada;

“**council**” means the Council of the City of Clarence-Rockland;

“**owner**” means a person or persons who has or have the right to possess or occupy an adult entertainment parlour or who actually does possess or occupy an adult entertainment parlour or premises upon which an adult entertainment parlour is located;

“**daily register**” means a register of entertainers providing services at an adult entertainment parlour which is maintained by the owner or operator pursuant to this by-law and contains the name, stage name, licence number and the date and time of performance;

“**entertainer**” means any person other than a licensed adult entertainment owner or adult entertainment operator who provides at or in an adult entertainment parlour live entertainment or services designed to appeal to erotic or sexual appetites or inclinations;

“**fire chief**” means the fire chief of the City of Clarence-Rockland or in the alternative, someone designated to act on his/her behalf;

“**designated entertainment area**” means the area, approved by the Chief Building Official and the Municipal Law Enforcement Director, where live entertainment or services designed to appeal to erotic or sexual appetites or

inclinations may be provided, such area to offer a clear and unobstructed view to entrances, disc jockey area, bar and other public areas;

“**licensee**” means a person to whom a license is issued under the provisions of this By-law.

“**live entertainment or services designed to appeal to erotic or sexual appetites or inclinations**” means:

- (a) services of which the principal feature or characteristic by a person or persons involved or engaging in specified sexual activities or by emphasis on the display of human nudity or partial nudity of any person. For the purposes of this clause “partial nudity” means less than completely or opaquely covered:
 - i. human genitals or human pubic region;
 - ii. human buttocks; or
 - iii. female breast below a point immediately above the top of the areola;
- b. services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any picture, symbol, or representation having like meaning or implication is used in any advertisement or in respect of which is advertised the availability of any form of entertainment held out to be, by reason of its sexual content;

“**medical officer of health**” means the Medical Officer of Health of the Eastern Ontario Health Unit and includes any employee acting on his/her behalf;

“**municipality**” means the Corporation of the City of Clarence-Rockland;

“**person**” means includes individuals, partnerships, associations, trusts, unincorporated organisations and corporations;

“**provide**” when used in relation to live entertainment or services designed to appeal to erotic or sexual appetites or inclinations includes to furnish, perform, solicit or give such live entertainment or services and “providing” and “provision” have corresponding meanings;

“**services**” means services designated to appeal to erotic or sexual appetites or inclinations and includes activities, facilities, performances, exhibitions, viewings, massages and encounters but does not include the exhibition of film approved under the Theatres Act;

“**unobstructed**” means without obstruction by walls, structures curtains or any other screen or enclosure.

PART II - INTERPRETATION - GENERAL

In this by-law:

- (a) words importing the singular number or the masculine gender only, include more persons, parties or things of the same kind than one and females as well as males and the converse.
- (b) a word interpreted in the singular number has a corresponding meaning when used in the plural.
- (c) "may" shall be construed as permissive.
- (d) "shall" shall be construed as imperative.

PART III - CLASSES OF LICENSES

1. The following (3) types of licenses may be issued by the municipality:

adult entertainment parlour owner;
adult entertainment parlour operator;
adult entertainment parlour entertainer

- 2 a) No person shall be entitled to obtain more than one adult entertainment parlour owner's license pursuant to the provisions of this by-law;
 - b) No partnership which includes a person who is a holder of an adult entertainment parlour owner's license shall be entitled to a license pursuant to this by-law;
 - c) No corporation whose directors, officers or shareholders or any of them are holders of an adult entertainment parlour owners licence shall be entitled to a licence pursuant to this by-law.
3. A separate adult entertainment operator's license shall be obtained by each person operating an adult entertainment parlour.
4. A separate adult entertainment entertainer's license shall be obtained by each person entertaining in an adult entertainment parlour.
5. No person shall carry on or engage in any trade, business or occupation listed in Section 2, 3 and 4 of this By-law, without obtaining and maintaining in good standing a license as required by section 1. of this by-law, authorizing him/her to carry on such trade, business or occupation within the boundaries of the municipality.
6. Licenses referred to in this By-law issued to an adult entertainment owner, operator and entertainer are not transferable.

7. The requirements for obtaining a license under this By-law is in addition to and not in substitution for any other requirements to obtain a license or licenses or other regulatory approval under any other federal, provincial or municipal regulation.

PART IV - REQUIREMENTS FOR ISSUANCE OR RENEWAL OF AN ADULT ENTERTAINMENT OWNER'S LICENSE

8. Any person wishing to make an application for an Adult Entertainment Parlour owner's license, or a renewal thereof pursuant to this by-law, shall attend in person at the office of the Municipal Law Enforcement Director and file the following documents:
 - a. proof that the applicant is eighteen (18) years of age or older;
 - b. provides proof of age and identification satisfactory to the Municipal Law Enforcement Director;
 - c. original documents from the issuing agency outlining the results of investigations related to the applicant for a Police Records Check, dated less than 30 days prior to the date of the application for a license;
 - (e) a detailed floor plan, drawn to scale, of the adult entertainment parlour has been approved by the Municipal Law Enforcement Director and the details on such floor plan shall include but are not limited to the following:
 - i. the designated entertainment area; and
 - ii. location of seating areas, offices, cloak rooms, disc jockey area, kitchen facilities, bar area, dressing rooms, washrooms, storage areas and exits;
 - (f) a letter from the Planning department confirming that the premises complies with the zoning, building and property standards requirements of the City;
 - (g) a written report from the Fire Chief that the premises complies with fire regulations;
 - (h) a letter from the Medical Officer of Health that the premises in connection with which the license is sought is suitable for the purpose of the license application and is in a sanitary condition;
 - (i) proof that the applicant has insurance in accordance with the requirements of Section 40 (1) under this By-law;
 - (j) proof that the adult entertainment parlour is located in an area referred to in Section 20; and
 - (k) proof that the applicant has paid the fees described in Schedule "A" to this by-law.
 - (l) satisfactory proof that the applicant has provide particulars of the class and status of any license issued to or required to be obtained by the applicant or another person under the Liquor Licence Act, R.S.O.1990, c.L.19 in respect of any building, premise or place in or at which the adult entertainment parlour for which the license is sought is to be carried on in by the applicant.

9. Where the owner is a corporation, the required attendance shall be made in person by all shareholders, directors and officers who shall file on behalf on the corporation the following:
 - (a) all matters required to be filled pursuant to Section 8. of this By-law;
 - (b) a copy of its letters of incorporation or other incorporating document duly certified by the proper government official or department;
 - (c) a list of all officers, directors and shareholders and the address of their ordinary residence;
 - (d) a declaration that the persons named therein are the only shareholders of the corporation;
 - (e) the name or names under which it carries on or intends to carry on business; and
 - (f) the mailing address for the corporation.

10. Where the owner is a partnership, attendance shall be made by all partners who shall comply with the provisions of Section 8. of this By-law; and
 - (a) provide the full name of each partner and the address of his ordinary residence;
 - (b) provide the name or names under which they intend to carry on business;
 - (c) provide that the persons named therein are the only members of the partnership;
 - (d) provide the mailing address of the partnership; and
 - (e) a copy of all registration of the partnership.

PART V - CONDITIONS FOR ISSUANCE OR RENEWAL OF AN ADULT ENTERTAINMENT OPERATOR'S LICENSE

11. Any person wishing to make an application for an Adult Entertainment Parlour Operator's license, or a renewal thereof pursuant to this by-law, shall attend in person at the office of the Municipal Law Enforcement Director and file the following documents:
 - (a) satisfactory proof that applicant is (18) eighteen year of age or older;
 - b. the original documents from the issuing agency outlining the results of investigations related to the applicant for a Police Records Check, dated less than 30 days prior to the date of the application for a license;
 - (d) proof of age and identification satisfactory to the Municipal Law Enforcement Director;
 - d. the name of the owner of the adult entertainment parlour in which the applicant intends to operate; and

- e. two (2) passport-type photographs of the applicant's face five centimetres (5cm) by five centimetres (5cm) in size;
- f. proof of payment of the fees described in Schedule "A" to this by-law.

PART VI - CONDITIONS FOR ISSUANCE OR RENEWAL OF AN ADULT ENTERTAINMENT PERFORMER'S LICENSE

12. Any person wishing to make an application for an Adult Entertainment Parlour Entertainer's license, or a renewal thereof pursuant to this by-law, shall attend in person at the office of the Municipal Law Enforcement Director and file the following documents:

- (a) satisfactory proof that applicant is (18) eighteen year of age or older;
- (b) original documents from the issuing agency outlining the results of investigations related to the applicant for a Police Records Check, dated less than 30 days prior to the date of the application for a license;
- c. proof that the applicant is legally entitled to work in Canada which may be evidenced by either proof of Canadian citizenship, proof of permanent residency or a Clarence Certificate issued by immigration Canada;
- d. proof of age and identification of applicant that is satisfactory to the Municipal Law Enforcement Director;
- (e) a letter of prospective employment or engagement from a licensed Owner or Operator operating in the municipality;
- (f) two (2) passport-type photographs of the applicant's face five centimetres (5cm) by five centimetres (5cm) in size;
- g. proof that applicant has paid the fees described in Schedule "A" to this by-law.

PART VII - ISSUANCE OF LICENSE

13. Upon receipt of the any application or renewal for any classes of license as provided for under this By-law, the Municipal Law Enforcement Director shall:

- (a) conduct a criminal record search in respect of the applicant; and
- (b) determine whether or not the applicant has been convicted of offences relating to the occupation of this or any other by-laws in respect to Adult Entertainment Parlours.

14. Upon completion of the investigations and searches set out above, the Municipal Law

Enforcement Director may issue or renew any classes of license as set out in this By-law,
provided that:

- (a) the provisions of section 8, 11 or 12, depending on the class of licence sought by the applicant, have been complied with;
- (b) the criminal record search discloses no criminal record of any applicant for offences relating to the ownership, operation or entertaining at an adult entertainment parlour;
- (c) there are no prior convictions under this or any other by-laws relating to Adult Entertainment Parlours in Canada;
- (d) any outstanding fines that have been imposed pursuant to any provision of this By-law have been paid;
- (e) the conduct of the applicant does not afford any reasonable grounds to believe that the applicant will not carry on business in accordance with the laws or with honesty and integrity; and
- (f) the applicant is (18) eighteen years of age or older.

15. The Municipal Law Enforcement Director shall furnish to each licensed adult operator a license containing a photograph of the face of the adult entertainment operator and his or her name, license number and the expiry date of the license.

16. Every licensed adult entertainment operator shall produce his or her license for inspection when so requested by the Municipal Law Enforcement Director, Provincial Police or any other peace officer.

PART VIII - REFUSAL – SUSPENSION – REVOKATION OF LICENSE

17. The Municipal Law Enforcement Director may refuse to issue or renew a license for one or more of the following circumstances:

- (a) if the investigation referred to in section 14. of this by-law discloses any reasonable grounds that the carrying on of the adult entertainment parlour may result in the breach of the law or any other by-laws of the City;
- (b) a licensee has been convicted under the Criminal Code of Canada or the Controlled Drug and Substances Act for an offence that relates to the operation of an adult entertainment parlour;
- (c) a licensee has been convicted under the Liquor License Act of the Province of Ontario and the charges relate in any way to the operation of an adult entertainment parlour or the provision of Services therein;
- (d) a licensee has been convicted of having contravened any provision or any provisions of this By-law or any other By-law relating to adult entertainment parlour within any twelve month period;
- (e) there are reasonable grounds to believe that any application or any other document or information provided by or on behalf of the licensee contains a false statement or provides false information;

- (f) information contain in the original application form or any other information provided to the Municipal Law Enforcement Director by or on behalf of the applicant, has ceased to be accurate and the licensee has not provided up to date accurate information to the Municipal Law Enforcement Director to allow the Municipal Law Enforcement Director to conclude that the license can be or should be maintained as valid;
- (g) the conduct of the licensee afford reasonable grounds to believe that the licensee will not carry on business in accordance with the law or with honesty or integrity;
- (h) the licensee breaches a condition of the license;
- (i) in the case of an owner's license, there are reasonable grounds for belief that the building, premise or place in which the business is carried in or intended to be carried does not comply with the provisions of this By-law, or with any other law, including any applicable building requirement, or is dangerous or unsafe;
- (j) the applicant does not accept or ensure compliance with any condition imposed under this By-law upon the business or upon the license, as a requirement of obtaining, continuing to hold or renewing a license; or
- (k) the Municipal Law Enforcement Director becomes aware of any fact or facts which, if know at the time of application, may have resulted in the Municipal Law Enforcement Director refusing the license, and the Municipal Law Enforcement Director shall provide a written notice detailing the grounds on which a license has been suspended or recommend in a written report to Council that a license issued under this By-law be revoked.

18. The notice referred to in section 17 (k) shall be served to the licensee in writing by ordinary mail to the last known address of all parties as provided on the application referred to in this by-law, where such notice shall provide, the detail and reasons of the refusal to issue or renew such license and it shall make reference that the applicant has an opportunity for a hearing before Council with respect to the application.

19. The Council may after the hearing referred to in section 18 of this by-law, in accordance to the Municipal Act,

- (a) suspend the license;
- (b) revoke the licence, or
- (c) impose conditions on the license.

PART IX - LOCATION RESTRICTIONS

20. Adult entertainment parlours shall be located in a General Industrial Zone exemption (MG-1) as set out in the municipality's Zoning By-law number 2006-03, provided that the following conditions are respected:

- a. be located on the Northerly side of Industrial street, Rockland

- b. the adult entertainment parlour is located a minimum of one thousand metres (1000m) from an existing adult entertainment parlour and a minimum of five hundred metres (250m) from any church, school, day care, public library, community centre, City hall or public park.

PART X - REGULATIONS

21. A owner shall not permit any person other than a licensed adult entertainment operator to operate such adult entertainment parlour.
22. The owner shall post the license issued pursuant the provisions of this by-law, in a prominent location on the licensed premises so as to be clearly visible to the public.
23. No operator not being the owner of an adult entertainment parlour shall operate the said adult entertainment parlour unless the owner of the said adult entertainment parlour is duly licensed as an adult entertainment owner.
24. No owner or operator shall open the adult entertainment parlour for business or permit the same to be open or remain open for business or permit any services to be provided in the said adult entertainment parlour at any times between the hours of 0200 hours and 1100 hours of the same day.
25. No owner or operator shall permit the door or doors or other principal means of access into the adult entertainment parlour to be kept locked during the hours of business of the adult entertainment parlour.
26. An owner and, or the operator shall be in attendance during all hours of business of the adult entertainment parlour.
27. The owner shall ensure that an operator shall be in attendance during all hours of business of the adult entertainment parlour when the owner is not in attendance.
28. No owner or operator shall permit any person under the age of eighteen (18) years to enter or remain in the adult entertainment parlour.
29. No owner or operator shall permit any person who appears to be intoxicated by alcohol or a drug to enter or remain in the adult entertainment parlour.
30. No owner or operator shall place or permit to be placed any sign, or any other advertising device on any premises occupied by an adult entertainment parlour save and except a sign or other advertising device containing the words "Adult Entertainment

Parlour” and the name under which the business is operated provided such name does not include any of the following words:

“nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any pictures, symbol or presentation having like meaning or implication.

31. (1) No owner or operator shall permit services to be provided in any area of the premises other than the designated entertainment area shown on the approved floor plan.
- (2) No owner shall change or cause a change to be made in the adult entertainment parlour premises without first submitting a revised floor plan containing the information described in clause (e) of section 8 of this By-law and obtaining the approval of the Municipal Law Enforcement Director as well as any other approval required by By-law or other applicable laws.
32. Every owner and operator shall ensure that no adult entertainment service can be viewed from outside the adult entertainment parlour.
33. (1) No owner or operator shall use or permit to be used any camera or other photographic or recording device in, upon or at an adult entertainment parlour by any person other than a peace officer, Medical Officer of Health, a public health inspector acting under the direction of the Chief Medical Officer of Health or a designated by the Municipal Law Enforcement Director.
- (2) Subsection (1) shall not apply to cameras used for security purposes.
34. (1) No owner or operator shall permit live entertainment or services designed to appeal to erotic or sexual appetites or inclinations to be visible from outside the premises in which the adult entertainment parlour is located.
- (2) Every owner or operator shall ensure that services provided by an entertainer, other than a body rubber, are provided without obstruction such as doors, walls, curtains or any other enclosure, which obstruction interferes with the view of any person, including a peace officer, police officer and a municipal law enforcement officer.
35. Every owner and every operator shall, in the operation of an adult entertainment parlour, comply with and ensure compliance with the following requirements:
 - a. the premises shall be equipped with adequate light and ventilation;
 - b. the premises and all equipment and fixtures therein shall be regularly washed and kept in a sanitary condition;
 - c. the premises shall be equipped with an effective utility sink;

- d. adequate toilet and washroom accommodation shall be provided and there shall be separate washrooms for males and females;
 - e. washrooms shall be equipped with:
 - i. an adequate supply of hot and cold water;
 - ii. an adequate supply of liquid soap in a suitable container or dispenser;
 - iii. hot air dryers or individual towels in a suitable container or dispenser; and
 - iv. a suitable receptacle for used towels and waste material; and
 - f. no washroom, toilet, sink or basin used for domestic purposes shall be used in connection with an adult entertainment parlour.
36. (1) The owner or operator shall post the following notices in an area accessible to the patrons and employees, in the adult entertainment entertainers dressing rooms, at all public entrances and in the washrooms
- (a) a notice to advise that physical contact is prohibited which notice shall include the telephone numbers of the Provincial Police and Municipal Law Enforcement Services; and
 - (b) a notice that sexually transmitted infections can be transmitted through unprotected physical contact.
- (2) The owner or operator shall post copies of the approved floor plan at all public entrances and in the adult entertainment entertainer's dressing rooms.
37. (1) The owner or operator shall maintain a daily register, to be signed by each entertainer, of all entertainers that have or are providing services at the adult entertainment parlour.
- (a) Every owner or operator shall produce the daily register referred to in section 38.(1) for inspection on demand of a peace officer, a municipal law enforcement officer or a police officer, and
 - (b) the daily register shall remain the property of the City of Clarence-Rockland.
- (2) The owner or operator shall ensure that each entertainer has been included into and has signed the daily register prior to performing at the adult entertainment parlour.
38. (1) Every owner or operator shall maintain a list of the names, addresses and phone numbers of every adult entertainment operator, adult entertainment entertainer and employee of the adult entertainment parlour.
- (2) The owner or operator shall keep the list current at all times and retain all information for a period of one year after the end of the calendar year for which it was maintained.

- (3) The owner or operator shall produce the list referred to in section 38.(1) for inspection on demand of a peace officer, a municipal law enforcement officer or a police officer.

PART XI - LICENCE EXPIRY

39. (1) Every owner licence issued pursuant to this By-law shall expire on December 31st of each year of the issuance of the license, unless earlier terminated or revoked.
- (2) Every operator and entertainer licence issued pursuant to this By-law shall expire one (1) year following the date the licence was issued, unless earlier terminated or revoked.
- (3) Notwithstanding section 40.(2) of this By-law, the licence of an entertainer who is neither a Canadian Citizen nor a permanent resident shall expire on the date the entertainer's authorisation to work in Canada expires, unless earlier terminated or revoked.

PART XII - INSURANCE

40. (1) Prior to the issuance of any license referred to under this By-law, the adult entertainment owner shall file with the Municipal Law Enforcement Director proof of insurance of Commercial General Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive for bodily injury, death and damage to property.
- (2) If applicable to the licensed activity, such insurance shall be endorsed to include Liquor Licence Act Liability or Host Liability insurance.

PART XIII - INSPECTION

41. Any peace officer, municipal law enforcement officer or police officer may require a licensee to produce the license, records or any other documents required to be maintained pursuant to this by-law for the purpose of determining whether such person is validly licensed under this By-law, or whether this By-law is being contravened.
42. Any peace officer, municipal law enforcement officer, police officer or medical officer of health may at anytime of the day or night enter into the adult entertainment parlour to determine whether this By-law is being complied with and for such purpose make such examinations, investigations and inquiries as are necessary
43. No person shall obstruct, or hinder the entry for the inspection of any adult entertainment parlour or any part thereof by any peace officer, municipal law enforcement officer, police officer or medical officer of health.

44. No owner or operator shall construct or place equipment in an adult entertainment parlour in such a manner as to hinder or prevent the enforcement of this By-law.

PART XIV - ADMINISTRATION AND ENFORCEMENT

45. Nothing in this By-law shall exempt any person from complying with the requirements of any other by-law or regulation or any other law in force within the area affected by this by-law. It is the responsibility of the licensee and the owner to ensure that the adult entertainment parlour complies with all legislation and regulation pertaining to the conduct of such a business.
46. The provisions of this by-law shall be administered and enforced by the Municipal Law Enforcement Director.

PART XV - PENALTIES

47. Any person who contravenes any of the provisions of this By-Law, and every director or officer of a corporation, who concurs in a contravention of this By-law by the corporation, is guilty of an offence and upon conviction, is liable to a fine or penalty, pursuant to the Municipal Act, 2001 as amended.
48. Each day that a person operates as an adult entertainment parlour owner, operator or entertainer in contravention of the provisions of this By-law shall constitute a separate offence. Any person who contravenes any of the provisions of this By-Law, and every director or officer of a corporation, who concurs in a contravention of this By-law by the corporation, is guilty of an offence and upon conviction, is liable to a fine or penalty, pursuant to the Municipal Act, 2001 as amended.
49. Where a corporation is convicted of an offence under this By-law, the maximum penalty may be imposed on the corporation pursuant to the Municipal Act, 2001 as amended.
50. Every person who hinders or obstructs or attempts to hinder or obstruct any peace officer or person exercising a power or performing a duty under this By-law is guilty of an offence and on conviction, is liable to a fine or penalty as set out in the Provincial Offences Act, 1990, and amendments thereto
51. Where the owner is convicted of carrying on or engaging in business in respect of any premises without a license required by this By-law, the court may make an order that the premises or part of the premise be closed to any use for a period not exceeding two (2) years pursuant to the Municipal Act, 2001.

PART XVI - ORDER PROHIBITING

52. When a person has been convicted of an offence under the provisions of this By-law, any court of competent jurisdiction thereafter may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act by person convicted directed towards the continuation or repetition of the offence.

PART XVII - SEVERABILITY

53. It is declared that if any section or subsection or part or parts thereof be declared by any competent Court of Law to be illegal shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

PART XVIII- SCHEDULE ADOPTED

54. The Schedules referred to in this by-law and shall form part of this by-law and each entry in a column of such a Schedule shall be read in conjunction with the entry or entries across therefrom, and not otherwise.

PART XIX - FORMER BY-LAW REPEAL

55. By-law No.1995-002, of the City of Clarence-Rockland for the licensing, regulating, and governing of adult entertainment parlours, is hereby repealed.

PART XX - ENACTMENT

56. This By-law shall come into force on the day it is enacted.

**READ A FIRST, SECOND AND DULY PASSED UPON THE THIRD READING,
THIS 13TH DAY OF MARCH, 2006**

Original signed by

Richard Lalonde, Mayor

Original signed by

**Daniel
Gatien, Clerk**

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2006-10

SCHEDULE "A"

FEES - CLASSES OF LICENSES

<u>CLASS</u>	<u>OF</u>	<u>LICENCE</u>	<u>LICENSE</u>
<u>FEE</u>			
Owner of an Adult Entertainment Parlour			\$2,500.00
Operator of an Adult Entertainment Parlour			\$ 500.00
Entertainer of an Adult Entertainment Parlour			\$ 125.00

No license fee refunds shall be allocated

