



## OWEN SOUND POLICE SERVICES BOARD

Expires: Indefinite

Repeals: 2006-07

Revisions: June 13, 2008

### **BY-LAW NO. 2008-18**

## **A BY-LAW RESPECTING THE LICENSING, GOVERNING, REGULATING AND INSPECTION OF ESCORT SERVICE, ESCORT ATTENDANT AND ESCORT DRIVERS WITHIN THE CITY OF OWEN SOUND**

**WHEREAS** the Board passed bylaw 2006-07 on the 19<sup>th</sup> day of October, 2006; and

**WHEREAS** the Board deems it necessary to review bylaw 2006-07; and

**WHEREAS** s. 150 of the *Municipal Act, 2001 S.O. 2001, C. 25*, as amended (the "Act"), authorizes a Municipal Council to pass by-laws for the licensing, regulating, governing, classifying and inspecting of Escort Services and for revoking or suspending any such licence and for limiting the number of licences to be granted and;

**WHEREAS** pursuant to s. 159(1) of the Act, the City Council, with the consent of the Owen Sound Police Services Board, passed a By-law on the 11th day of September 2006, which delegated to the Owen Sound Police Services Board the power to license, regulate and govern Escort Services, and other establishments named therein and;

**WHEREAS** s. 159(2) of the Act provides that Part IV of the Act thereafter applies, with necessary modifications, to a Police Services Board to which these powers have been delegated and;

**WHEREAS** the Police Services Board deems it necessary to exercise its licensing powers under s. 150 of the Act, including imposing conditions, for the following purposes:

- (i) the health and safety of the inhabitants of the City of Owen Sound; and
- (ii) to control, regulate and govern an activity as described in this By-law which might be, or might become, a nuisance and;

**WHEREAS** the reason the Owen Sound Police Services Board is licensing the activities described herein, or imposing the conditions described herein which apply to the business described herein, is that an Escort Service, as described in this By-law, involve activities which do affect, or can affect, the health and safety of the inhabitants of the City of Owen Sound, and the conditions set out in this By-law for the licensing of an Escort Service, including without limitation the Owner, Operator, and any Attendant, Escort Driver or other person performing services in the Escort Service, and also require to be licensed by this By-law, are included for the purpose of protecting the health and safety of the inhabitants of the City of Owen Sound, as well as to regulate, govern and control activities which are, or might become, a nuisance. The location should be licensed and regulated to ensure the use does not become a nuisance in the area in terms of exterior appearance, signage, noise, parking, vehicular and pedestrian access, and that the number and concentration of such uses do not adversely impact on surrounding land uses, and the inhabitants of the City of Owen Sound.

## **1. Definitions**

In this By-law:

- (a) “applicant” means a person applying for a license pursuant to this By-law;
- (b) “Board” means the Owen Sound Police Services Board;
- (c) “Escort Service” means an operation, or premises, or any part of a premises, which provides, or in which is provided, the services of one or more persons to accompany another person(s) to an event, function or social activity, whether or not such event, function or social activity is private or designed for public attendance.
- (d) “Escort Attendance” means a person who accompanies another person to an event, function or social activity, whether or not such event is private or designed for public attendance.
- (e) “Escort Driver” means a person who provides transportation to an escort attendant or individual engaging the services of an escort attendant.
- (f) “business” includes a trade or occupation;
- (g) “City” means the Corporation of the City of Owen Sound;
- (h) “customer” includes any person seeking, soliciting or receiving any service at a Escort Service or to whom an Escort is provided or offered;
- (i) “drugs” shall be deemed to exclude patient medicines and prescription drugs required for medicinal purposes;

- (j) “he or she” or “him or her” shall be deemed to include reference to corporations and partnerships as the context allows, including “it” and “its” as the case may be;
- (k) “licence” means an authorization under this By-law to carry on the business specified therein, and the document providing evidence of such authorization, as the context may allow;
- (l) “licenced” means licenced under this By-law and not in breach of the provisions of this By-law;
- (m) “Licensing Officer” means the Chief of Police for the City of Owen Sound, or his or her designate;
- (n) “Medical Officer of Health” means the Medical Officer of Health for the Counties of Grey and Bruce;
- (o) “operator” means an individual person other than owner who alone or with other operates, supervises, runs or directs an Escort Service, on an ongoing basis or from time to time, or who exercises control over an Escort Service on behalf of the owner;
- (p) “operator’s licence” means a valid and subsisting licence issued under this By-law to an operator as defined in this section;
- (q) “owner” means a person who will own or with others has the right to possess or occupy an Escort Service, or actually does possess or occupy an Escort Service, and includes a Lessee of an Escort Service, or premises upon which an Escort Service is located, and includes an owner/operator;
- (r) “owner/operator” means an owner who is an individual and operates his or her own Escort Service;
- (s) “owner’s licence” means a valid and subsisting licence issued under this By-law to an owner as defined in this section;
- (t) “person” includes a natural individual, his/her heirs, executors, administrators or other legal representatives, and a corporation, partnership or other form of business association, or a receiver or mortgagee in possession;
- (u) “to provide” when used in relation to any Escort or related service includes to furnish, perform such related services or cause or permit the provision thereof “and providing” and “provision” have corresponding meanings;
- (v) “services” may include services designed to appeal to erotic or sexual appetites or inclinations and includes activities, facilities, performances, exhibitions, viewings and encounters, but does not include the exhibition of any film approved under the *Theatres Act*;
- (w) “services designed to appeal to erotic or sexual appetites or inclinations” means:

- (i) services characterized by any person or persons involved or engaging in specified sexual activities or by an emphasis on the display of human specified body areas; or
  - (ii) services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any other 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, not suitable for minors;
- (x) “specified body areas” means one or more of the following:
- (i) in the case of a female person, her nipples, and areolae; and
  - (ii) in the case of all persons, the pubic, perineal, perianal areas, the genitals, anus, and the buttocks;
- (y) “specified sexual activities” means one or more of the following:
- Actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation, sodomy, including bestiality, and intercourse, oral sexual intercourse, physical stimulation of genital organs, and flagellation, bondage or torture in the context of a sexual relationship or activity;

## 2. Licence Requirement

- (1) No person shall be an **owner** in respect of an Escort Service within the geographic limits of the City without making application for, obtaining and maintaining, pursuant to the terms of this By-law, an Escort Service owner’s licence authorizing that person to carry on such trade, calling, business or occupation in respect of that Escort Service.
- (2) No person shall be an **operator** in respect of an Escort Service within the geographic limits of the City without making application for, obtaining and maintaining, pursuant to the terms of this By-law, an Escort Service operator’s licence authorizing that person to carry on such trade, calling, business or occupation in respect of that Escort Service.
- (3) No person shall be an Escort Attendant or Escort Driver in respect of an Escort Service within the geographic limits of the City, without making application for, obtaining and maintaining, pursuant to the terms of this By-law, an escort Attendant or Escort Driver authorizing that person to carry on such trade, calling, business or occupation in respect of the Escort Service named in the licence.
- (4) At or before the time of taking out a Licence under this By-law, every owner, operator, or Body-rubber shall pay the fee fixed by this By-law for the Licence.
- (5) No person shall within the limits of the City carry on or engage in the business of owner, operator, or Escort Attendant or Escort Driver, of an

Escort Service unless such person holds a valid subsisting Licence in good standing issued under this By-law authorizing him or her to do so.

- (6) Every owner/operator of an adult business:
  - (a) is required to be licenced as both an owner and an operator pursuant to this By-law;
  - (b) shall pay the fee in respect of each licence respectively; and
  - (c) shall be subject to the requirements and other provisions of this By-law in respect of his or her status as both an owner and an operator and shall comply with all the requirements of this By-law applicable to each.
- (7) Every person operating an Escort Service shall be required to obtain a Licence pursuant to this By-law, and any number of operators' licences may be issued in respect of any particular Escort Service.
- (8) No person other than an individual person may operate or be licenced as an operator of, an Escort Service.
- (9) a separate operator's licence shall be taken out by each operator of an Escort Service.

### **3. Additional Escort Service Regulations**

#### **A. Escort Service**

- (1) No person shall permit any person under the age of eighteen (18) years to act as an Escort Attendant for the Escort Service.
- (2) Every person required to be licenced under this by-law shall provide upon request to the Issuer of Licences, Municipal Law Enforcement Officer, Police Officer or other duly appointed individual, a list of all Escort Attendants and Escort Drivers currently providing services for the said service or having provided services as an escort attendant or escort driver for the escort service any time within the preceding twelve months, the professional name under which they carry on such services, or are performing such services, their legal name, current residential and mailing address.
- (3) Every person required to be licenced, under this by-law shall maintain a comprehensive and up-to-date register of clientele, detailing the client's legal name, current residential address, current mailing address, date of birth and contact telephone number(s). Such register shall be made available to a Municipal Law Enforcement Officer, Police Officer or any other duly appointed individual at any time.
- (4) No person shall:
  - (i) permit any person under the age of eighteen (18) years to act as an Escort Driver for the Escort Service;

- (ii) permit any person to act as, or provide services as an Escort Attendant unless such person is licenced to do so under the provision of this By-law;
- (iii) permit any person to act as, or provide services as an Escort Driver unless such person is licenced to do so under the provisions of this by-law;
- (iv) permit any Escort Attendant, while providing services as an Escort Attendant to provide services as an Escort Driver, or Escort Attendant;
- (v) permit any Escort Driver, while providing services as an Escort Driver, to provide services as an Escort Attendant or Escort Service;
- (vi) permit any Escort Attendant to touch, or have sexual contact with any person;
- (vii) permit any person to touch, or have sexual contact with an Escort Attendant;
- (viii) permit any Escort Driver to touch any person, be touched by any person, or have sexual contact with any person.

**B. Escort Attendant**

- (1) every person making application as an Escort Attendant shall provide to the Issuer of Licences at the time of application:
  - (i) two (2) pieces of identification, one of which shall be photographic identification detailing the applicant's date of birth, legal name and current residential address;
  - (ii) social insurance number;
  - (iii) a Criminal Record check obtained from a Police Enforcement Agency and dated within 30 days of the date of receipt of the application;
  - (iv) any professional name, other than the applicant's legal name;
  - (v) a description of any distinctive markings, tattoos or embellishments such person may have; and
  - (vi) a letter of employment or pending employment from the Escort Service.
- (2) No person under the age of eighteen (18) years shall be or act as an Escort Attendant or provide services as an Escort Attendant.
- (3) No Escort Attendant shall:

- (i) touch any person, or have any sexual contact with any person;
- (ii) provide services as an Escort Attendant to an Escort Service which is not licenced under the provisions of this By-law;
- (iii) provide services as an Escort Attendant unless the client to whom such services are being provided has been registered with the Escort Service as required by this By-law;
- (iv) while providing services as an Escort Attendant, accept or engage the services of an Escort Driver who is not licenced under the provisions of this By-law;
- (v) while providing services as an Escort Attendant, provide any services as an Escort Driver.

**C. Escort Driver**

- (1) No person shall act as, operate as, carry on business as, or offer services as an Escort Driver within the City without first having obtained a licence to do so.
- (2) The applicant shall provide to the Issuer of Licences at the time of application:
  - (i) two (2) pieces of identification, one of which shall be photographic identification detailing the applicant's date of birth, legal name and current residential address;
  - (ii) a Criminal Record check obtained from a Police Enforcement Agency and dated within 30 days of the date of receipt of the application;
  - (iii) an Ontario Driver's Licence abstract obtained from the Ministry of Transportation and dated within 30 days of the date of receipt of the application;
  - (iv) the applicant's original Ontario Driver's Licence with a minimum Class G designation with no driving restrictions;
  - (v) a letter of employment or pending employment from the Escort Service which the applicant intends to act as an Escort Driver.
- (3) No person under the age of eighteen (18) years may be, act as, operate as, carry on business as, offer services as, or provide services as an Escort Driver.
- (4) No Escort Driver shall:
  - (i) provide services as an Escort Driver to any Escort Service unless such Escort Service is licenced under the provisions of this by-law;

- (ii) provide services as an Escort Driver to any Escort Attendant unless such Escort Attendant is licenced under the provisions of this by-law;
  - (iii) while providing services as an Escort Driver provide any services as an Escort Attendant, or Escort Service;
  - (iv) touch any person, or have sexual contact with any person;
  - (v) permit or allow any immoral, indecent, illegal or disorderly conduct in his/her vehicle while providing services as an Escort Driver;
  - (vi) permit or allow any escort Attendant to touch, or have sexual contact with any other person while in the Escort Driver's vehicle;
  - (vii) permit or allow any person to touch, or have sexual contact with the Escort Attendant, or any other person while in the Escort Driver's vehicle.
- (5) Every Escort Driver shall:
- (i) keep a daily trip record of all Escort Attendants for whom services are provided, including:
    - (a) the Escort Attendant's legal name, professional name and City of Owen Sound Business Licence Number;
    - (b) time and location where the Escort Attendant was picked up by the Escort Driver;
    - (c) time and location where the Escort Attendant was dropped off by the Escort Driver.
  - (ii) ensure that trip records are maintained for a minimum period of 12 months;
  - (iii) produce the daily trip record(s) upon request of any Municipal Law Enforcement Officer, Police Officer or other duly authorized individual;
  - (iv) place his Escort Driver's photographic identification card as issued by the City pursuant to the provision of this by-law, in a transparent folder in such a manner in the vehicle utilized by him/her as a Driver, so as to be conveniently seen and read by any person in the vehicle;
  - (v) travel by the most direct route to the point of destination;
  - (vi) be familiar with the provisions of this by-law.

#### **4. Nature of Licence**



- (1) No person shall enjoy a vested right in the continuance of a licence and the value of a licence shall be the property of the Board and shall remain so irrespective of the issuance, renewal or revocation of the licence.
- (2) No person licenced to carry on any trade, calling, business or occupation pursuant to this By-law shall advertise or promote or carry on such trade, calling business or occupation under any name other than the name endorsed upon the licence.
- (3) The licences required by this By-law shall, unless they are expressed to be for a shorter or longer time, be for the period up to and including the 31<sup>st</sup> day of December in the year of issuance of a Licence, unless they are sooner forfeited or revoked.
- (4) No licence shall be transferred or assigned and if an owner sells, leases or otherwise disposes of the owner's interest in the trade, calling, business, or occupation carried on at an Escort Service, the license in respect of such Escort Service shall notwithstanding any other provision of this By-law, be revoked.
- (5)
  - (a) Every Escort Service owner's licence shall have endorsed thereon the location of the Escort Service. Such endorsement shall be for the one location only and such licence shall be valid only for the location endorsed on such licence.
  - (b) Every Escort Attendant or Escort Driver's licence shall have endorsed thereon the location and the name of the Escort Service with respect to which it is issued. Such endorsement shall be for the one location only and such licence shall be valid only for the location and the Escort Service endorsed on such licence.
- (6)
  - (a) The requirement of obtaining any Licence under this By-law is in addition to, and not in substitution for, any other requirement to obtain a Licence or other regulatory approval under any other federal, provincial or municipal regulation.
  - (b) No licence shall be issued under this By-law in respect of any business or use of land carried on it breach of the Zoning By-law of the City, as amended, or any other law, nor shall any licence or the issuance of any licence under this By-law be deemed to authorize contravention of any such law.

## **5. Application for Licence and Revocation of Licence**

- (1) Every Applicant shall appear in person before the Licensing Officer and shall complete an Escort Service Owner/Operator's/Escort Attendant or Escort Driver's Licence Application in the form prescribed by the Board from time to time, and shall provide all information requested thereon, and shall furnish to the Licensing Officer such information as the Licensing Officer or the Board may direct from time to time. In the case of an Escort Service owned by a partnership such appearance shall be made by one of the partners, provided the Application shall be signed by all of the partners and in the case of the Escort Service owned by a corporation, such appearance

shall be made by an authorized officer of the corporation and not by an agent thereof.

- (2) Every Applicant for an Escort Service owner's licence, or operator's licence, where such Applicant is a natural individual, shall have his or her photograph taken by the Licensing Officer. Where the Applicant for the Escort Service owner's licence is a corporation, such photograph shall be taken of an authorized officer of the corporation. Where the Applicant is a partnership, such photograph shall be taken of one of the partners.
- (3) No person shall apply for an Escort Service owner's or operator's licence unless, where there are to be separate owners or operators, both Applications in completed form are filed with Licensing Officer simultaneously.
  - (i) A Record of all offences, other than offences relating to motor vehicles, under any By-law, Provincial Statute or Federal Statute in respect of which the Applicant, any of the partners, if the Applicant is a partnership, and any of the Directors, Shareholders and Officers of a corporation, if the Applicant is a corporation has or have been convicted.
  - (ii) Proof satisfactory to the Licensing Officer that all the Applicants, if an individual, are at least eighteen (18) years of age.
  - (iii) The name and address of the owner of any building, premises or place in which the Escort Service is carried on or is intended to be carried on.
  - (iv) The telephone number of the Escort Service.
- (5) Written confirmation satisfactory to the Licensing Officer in the case of an Applicant for an Owner's Licence that the Applicant is the Owner of the Escort Service in respect of which the Licence is sought.
- (6) At the time of submission of the Application, every Applicant shall pay to the Board, the annual fee set forth in the Escort Service Fees By-law, provided such annual fee may not be reduced in the event that the period for which the licence is granted is for more than four months in the year in which the licence is granted. At the discretion of the Licensing Officer, a percentage of such fee is refundable in the event that an application is not accepted for licensing.
- (7)
  - (a) Receipt of the application and the licence fee by the Licensing Officer shall not constitute approval of the Application for the issuance of a licence nor shall it obligate the Licensing Officer or the Board to issue such licence.
  - (b) No Application is complete, nor will be considered by the Licensing Officer, until the total fee is paid to the Licensing Officer by the Applicant, and all requirements as herein set out for the Applications are fully complied with.
- (8)
  - (a) Without limiting the generality of any other provision in this By-

law, persons associated in a partnership applying for a licence under this By-law shall file with their Application a statutory 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 or her ordinary residence;
  - (ii) the name or names under which they carry on or intend to carry on business;
  - (iii) that the persons named in the declaration are the only members of the partnership;
  - (iv) the mailing address of the partnership;
  - (v) the identity of every person having a beneficial interest, directly or indirectly in the premises or in the business to be carried on to which this By-law relates, of every person having a right to receive income, revenue or benefit of any kind arising out of the operation of such premises or business, and of any person who in fact receives such income, revenue or benefit, and the terms upon which such interest or right is conferred; and
  - (vi) the identity of all persons or entities having an interest, direct or indirect, any trust arrangement, or any financial or contractual or understood arrangement, with respect to the ownership or operation of the premises or the Body Rub Parlour or the control or management of either or both, and the terms upon which such interest or right is conferred.
- (b) If any member of a partnership applying for a licence is a corporation, such corporation shall be deemed to be applying for an owner's licence in place and stead of the partnership.
- (c) No partnership shall be licence as an owner in respect of an Escort Service unless that partnership is also an operator or some other person is licenced as an operator in respect of that Escort Service.
- (d) Without limiting the generality of any other provision in this By-law, every corporation applying for a licence shall file with the Licensing Officer, at the time of making this Application, a copy of its' Articles of Incorporation or other incorporating documents and shall file a statutory declaration, in writing signed by an authorized officer of the corporation, which declaration shall state:
- (i) the full name of every shareholder and the address of his or her ordinary residence;
  - (ii) the name or names under which it carries on or intends to carry on business;

- (iii) that the persons named in the declaration are the only shareholders of the corporation; and
  - (iv) the mailing address of the corporation;
  - (v) the identity of every person having a beneficial interest, directly or indirectly in the premises or in the business to be carried on to which this By-law relates, of every person having a right to receive income, revenue or benefit of any kind arising out of the operation of such premises or business, and of any person who in fact receives such income, revenue or benefit, and the terms upon which such interest or right is conferred;
  - (vi) the identity of all persons or entities having an interest, direct or indirect, any trust arrangement, or any financial or contractual or understood arrangement, with respect to the ownership or operation of the premises or the Escort Service or the control or management of either or both, and the terms upon which such interest or right is conferred; and
  - (vii) a certified copy of its most recent filing with the Ministry of Consumer and Commercial Relations listing all directors and officers and the address of the head office of the corporation;
  - (viii) a resolution of the directors of the corporation authorizing the Application for a Licence; and
  - (ix) the name and address of every person having responsibility for the operation or management of the business of the Applicant.
- (e) No corporation shall be licenced as an owner in respect of an Escort Service unless an individual person is licenced as the operator of the Escort Service.
- (f) Every person applying for an Escort Service owner's licence shall file with the Licensing Officer, documentation satisfactory to the Licensing Officer demonstrating the Applicant's right to possess or occupy the premises to be used by them as an Escort Service. If an Applicant is not the registered owner or owner in fee simple of the property upon which the Escort Service is to be located, such person shall file with the Licensing Officer, with the Application for an Escort Service Licence, a copy of the lease, if any, and a copy of any other document constitution or affecting the legal relationship relating to the lands or premises between the Applicant and the registered owner or owner in fee simple of the real property.
- (9) Every Application for a Licence for an Escort Service by proposed owners or operators shall include a requirement that an Applicant provide, at a minimum, the information hereinbefore set out, together with the following:
- (a) the name of any proposed operator, and an application by such person for an operator's licence;

- (b) a precise description of the real property upon which the business is to be carried on, and where all services are to be provided, together with information as to exactly where in the property and what parts of the premises are to be utilized for such purposes; working drawings of the physical premises with details and size of any doors, walls, seating areas, full or partial partitions and screens;
- (c) information as to whether or not all or any part of the premises in which the services would be offered are or intended to be licenced under the *Liquor Licence Act*, or the subject matter of an Application for such a Licence, and a copy of any such Licence and any such Application;
- (d) where the property is leased, or not owned by the owner of the Escort Service, a written consent of the registered owner of the property to the use of the property as an Escort Service on a form provided by the Licensing Officer;

## **6. Duties of the Licensing Officer**

- (1) The Licensing Officer shall:
  - (a) receive and process all applications or licences and renewal of licences to be issued under this By-law;
  - (b) co-ordinate the enforcement of this By-law;
  - (c) generally perform all the administrative functions conferred upon him or her by this By-law;
  - (d) make or cause to be made all investigations which he or she deems necessary to determine whether an Applicant has or will have or continues to meet the requirements of this By-law and all applicable laws;
  - (e) made or cause to be made a circulation respecting the application which shall include circulation of the licence application to the Medical Officer of Health and Municipal and Provincial Police Departments for comments;
  - (f) issue licences to persons who meet the requirements of this By-law or after due consideration provide a report and recommendation to the Board for its disposition with respect to each application which does not meet the requirements of this By-law;
  - (g) upon receipt of the Board's disposition with respect to each application for which a report and recommendation was made to the Board pursuant to this By-law, execute and issue all licences as directed by the Board or refuse to issue a licence as directed by the Board or revoke a licence as directed by the Board;
  - (h) where a licence has been issued pursuant to this By-law and otherwise remains in full force and effect, renew the licences of persons who meet the requirements of this By-law or, after due

consideration, provide a report and recommendation to the Board for its disposition with respect to each application for renewal that does not meet the requirements of this By-law and after receiving the Board's disposition with respect to such licence, renew the licence as directed by the Board or revoke the licence as directed by the Board.

- (2) When an application for a licence is made in accordance with the provisions of this By-law and the applicant meets all the requirements of this By-law or as otherwise directed by the board, the Licensing Officer shall issue a licence certificate which shall set out the expiry date of the licence in accordance with this By-law and the Applicant shall thereby be licensed.
- (3) Upon review of a Licence Application, including an Application for Renewal, the Licensing Officer shall prepare a report and seek the Board's direction with respect to the issuance or renewal of a licence where:
  - (a) the past or current conduct of the Applicant or licence holder affords reasonable grounds for the belief that the Applicant or licence holder will not carry on the trade, calling, business or occupation in respect of the Escort Service in accordance with the law and with integrity and honesty;
  - (b) there are reasonable grounds for the belief that the carrying on of the trade, calling, business or occupation in respect of the Escort Service by the Applicant or licence holder will result in a breach of this By-law or any other applicable law;
  - (c) the Applicant or licence holder is a corporation or a partnership and its conduct or the conduct of its officers, directors, employees, agents or partners affords reasonable grounds for the belief that its trade, calling, business or occupation in respect of the Escort Service will not be carried on in accordance with the law and with integrity and honesty;
  - (d) there are reasonable grounds for the belief that the premises, accommodations, equipment or facilities in respect of which the licence is required to not comply with the provisions of this By-law or any other applicable law;
  - (e) the conduct of the Applicant or licence holder or other related circumstances afford reasonable grounds for the belief that the carrying on by the Applicant of the trade, calling, business or occupation in respect of the premises for which the licence is sought would infringe the rights or endanger the health or safety of other members of the public.
- (4) The Licensing Officer may suspend a licence where there is reason to believe that a breach of this By-law has occurred or for any of the reasons that would for the basis of the report to seek the Board's direction with respect to the issuance or renewal of a licence. Such suspension shall take effect upon service of written notice of the suspension to the licensee and the licence shall remain suspended for no more than sixty (60) days from the date of service of the notice. The Licensing Officer shall, within sixty

(60) day period, prepare a report, and receive the Board's direction in this regard.

- (5) At any meeting of the Board called in relation to a report to consider the issuance, renewal or revocation of a licence, the Applicant shall be accorded rights pursuant to the *Statutory Powers Procedure Act, R.S.O. 1990, c. S.22*, including the right to appear and speak to the matter.
- (6) Provided a licensed Applicant is not in breach of any of the terms of this By-law, the Licensing Officer shall renew an Applicant's licence for a period of time up to and including the 31<sup>st</sup> day of December in the year of Application for Renewal, or such shorter or longer period of time et by the licensing Officer, provided such Applicant has completed the Application or Renewal as required by this By-law and in the form approved by the Board from time to time and has provided all information requested in the Application for Renewal.
- (7) Any Licence that has not been renewed as at the 30<sup>th</sup> day of November in the year of its issuance or renewal shall expire on the 31<sup>st</sup> day of December in the year of its issuance or renewal.
- (8) Notwithstanding the provisions hereof, the Licensing Officer may extend a licence where an Application for Renewal of the license has been made, a hearing by the Board has been requested by the Applicant and the final disposition of the Application remains outstanding by December 31<sup>st</sup> of the year in which the Renewal Application was made.

## **7. Change of Status**

- (1) Where there is any change in any of the particulars relating to a person licenced under this By-law, which particulars are required to be filed with the Board on applying for a licence under this By-law, such person shall report the change to the Licensing Officer within ten (10) days of the change or the licence issued under this By-law may be revoked.
- (2) where there is to be a change in the composition or the controlling interest of a partnership licenced under this By-law, the persons licenced under this By-law in partnership shall obtain the approval of the licensing Officer to such change prior thereto, failing which, the licence may be revoked.
- (3) Where there is to be a change in the composition or the controlling interest of the shareholders of a corporation licenced under this By-law, the corporation shall obtain the approval of the Licensing Officer to such change prior thereto, failing which the licence may be revoke. Where there has been any change in the controlling interest of the corporation, either by one transaction or a number thereof, the licence may be revoked, despite the Licencing Officer's prior approval of any one or more such transactions.

## **8. General Regulations**

- (1) No owner shall permit or cause any person other than a licenced operator to operate an Escort Service.

- (2) No operator shall operate an Escort Service in premises for which the owner thereof has not obtained an owner's licence under this By-law.
- (3) No owner or operator or Escort Attendant or Escort Driver shall carry on any trade, calling, business or occupation at an Escort Service other than the Escort Service endorsed on the licence and at the location endorsed on the licence.
- (4) Every contract of service, contract for services or other document constituting or pertaining to the relationship between the owner, operator or Escort Attendant or Escort Driver at an Escort Service shall be in writing and shall be made available for inspection at any time during normal business hours of the Board to the Licensing Officer upon request, and shall be retained by the owner or operator or Escort Attendant or Escort Driver for a period of six months after its termination or completion.
- (5) No person shall be an owner or operator in respect of an Escort Service unless there is maintained over the street door or in the lower front window of the premises in respect to which such person's licence is issued or in some other conspicuous place on the exterior of such premises satisfactory to the Licensing Officer, a sign issued by the Licensing Officer bearing the words, "LICENCED Escort Service No. \_\_\_\_\_", (inserted after "No." the owner's licence number) and "Comments regarding this business may be made to the Owen Sound Police Services Office."
- (6) Every owner and operator shall keep the licence issued in respect of an Escort Service posted in a conspicuous place in the premises, in a manner satisfactory to the Licensing Officer, at all times during the currency of the licence.
- (7) Every owner, operator or Escort Attendant or Escort Driver at an Escort Service in the City who is in attendance at an Escort Service, whether engaged in their respective trade, calling business or occupation at that time or not, shall upon a request made to them by any peace officer, by-law enforcement officer, Medical Officer of Health, or the Licensing Officer provide their name, residential address and licence pursuant to the provisions of this By-law.
- (8) No owner, operator, or Escort Attendant or Escort Driver shall provide or cause or permit any services to be given, performed, provided or received in any Escort Service in breach of any of the provisions contained in this By-law.
- (9) No owner or operator shall permit an Escort Service to be open for business or cause or permit the provision of any services at an Escort Service, unless the owner or operator is in attendance in person or is represented by a senior employee having full authority to take action on behalf of the owner or operator and no owner or operator shall cause or permit an Escort Service to open for business, or remain open for business, or any body rub to be provided at such Escort Service unless this section is complied with.
- (10) No owner, operator or Escort Attendant or Escort Driver shall take, consume or have alcohol or drugs in their possession in an Escort Service, nor shall the use of effects of alcohol or drugs by them be apparent while



that Escort Service is under their charge or when they are providing services therein, as the case may be.

- (11) Every owner who operates their own Escort Service and every operator shall provide and maintain at all times at the Escort Service a first-aid kit equipped in a manner satisfactory to the Medical Officer of Health.
- (12) Every owner, operator and Escort Attendant or Escort Driver shall, while engaged in their respective trade, calling, business or occupation in an Escort Service, 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.
- (13) No owner or operator or Escort Attendant or Escort Driver shall use or cause or permit to be used any camera or other photographic or recording device, while engaged as an Escort Attendant or Escort Driver other than:
  - (a) a public health inspector acting under the direction of the Medical Officer of Health;
  - (b) the Licensing Officer;
  - (c) a peace officer; or
  - (d) a by-law enforcement officer.
- (14) No Escort Attendant or Escort Driver, owner or operator of an Escort Service, or other person in an Escort Service shall provide any services designed to appeal to erotic or sexual appetites or inclinations.
- (15) Every owner, operator or Escort Attendant or Escort Driver or other person providing any services at an Escort Service shall be clothed in a manner such that each such person's public and genital area, and in the case of a woman, her breasts, are fully covered by opaque material.

## **9. Signs and Advertisements**

### **9.1 Signs**

- (1) No person shall erect or maintain any sign advertising an Escort Service or any trade, calling business or occupation carried on at an Escort Service except in accordance with City By-laws, including the Sign By-law of the City, as amended. Notwithstanding the provisions of the Sign By-law, no person shall erect or maintain any sign advertising an Escort Service or any trade, calling, occupation or business carried on at an Escort Service except in accordance with the following additional regulations:
  - (a) No person may erect or maintain any sign other than those permitted by this By-law relating to an Escort Service in the City of Owen Sound.
  - (b) No person may erect or maintain an external wall sign in respect of an Escort Service or in respect of any trade, calling, occupation or business carried on at an Escort Service, except a wall sign or signs

not exceeding a total combined area of one (1) square metre and not consisting of more than two wall signs.

- (c) No person may erect or maintain a projecting external sign in respect of an Escort Service in the City of Owen Sound.
- (2) Nothing within this By-law shall be deemed to constrain any person from erecting or maintaining any sign on any interior wall of an Escort Service, provided the content of such sign is not visible from the exterior of the Escort Service, and provided it complies with this By-law.
- (3) No person may erect or maintain any sign in respect of an Escort Service which includes any letter, markings, symbols, pictures or representations except the name of the Escort Service as recorded on the application for licence and any registered trade mark logos or symbols, provided a copy of such logos or symbols is filed with the Licensing Officer as part of the licensing process.
- (4) No owner, or operator or an Escort Service shall allow or permit any signage or other reproduction on film or otherwise, in an Escort Service depicting services designed to appeal to erotic or sexual appetites or inclinations, or depicting specified body areas, or specified sexual activities.
- (5) Every owner or operator shall obliterate, withdraw, remove or destroy any sign or other depiction or illustrations advertising their Escort Service or showing material prohibited by this By-law which has been erected or is being shown contrary to the provisions of the By-law upon their property, immediately upon becoming aware of same or upon being ordered to do so by the Licensing Officer, whichever shall first occur.

## **9.2 Advertisements**

No person shall display or circulate any poster, handbill, sign, card or novelty used to promote the business of an Escort Service on any lands or premises other than within the premises upon which the Escort Service is situated.

## **10. Age Restriction**

No owner, operator or Escort Attendant or Escort Driver, shall permit any person under the age of eighteen (18) years to enter or remain in any part of an Escort Service.

## **11. Restrictions On Location and Limitation on Number of Licences**

- (1) No person shall own or operate or cause or permit to be operated an Escort Services, and no Escort Attendant or Escort Driver shall perform escorts, within the geographic limits of the City, except within the Manufacturing 2-1 Zone as set out in the City's Zoning By-law 2003-032 as amended by Zoning By-law 1985-80, or as further amended, subject to applicable site and building regulations, and specific minimum separation distances from other uses, contained within the definition, as follows:
  - (a) one hundred (100) metres from any drinking establishment or adult entertainment facility;

- (b) eight hundred (800) metres from an institutional use including a school, daycare or church;
  - (c) five hundred (500) metres from any residential zone; and
  - (d) five hundred (500) metres from another Escort Service.
- (2) No person shall own or operate or cause or permit to be operated an Escort Service on any land or premises except in a single use building on a single lot or block upon which no other buildings are located and which lot or block may be conveyed in compliance with the provisions of the Planning Act, R.S.O. 1990, C. P.13, as amended, without the requirement of subdivision or consent approval.
  - (3) The number of Escort Service owner's licences, which may be granted in respect of an Escort Service within the City shall be limited to two (2).
  - (4) No person shall own or operate or cause or permit to be owned or operated an Escort Service from any premises except upon such lands as are zoned to expressly permit the use of an Escort Service as defined within the Comprehensive General Zoning By-law of the City of Owen Sound, as amended from time to time.

## **12. Miscellaneous**

- (1) The making of a false or intentionally misleading recital of fact, statement or representation verbally to the Licensing Officer, or in any agreement, statutory declaration or application form required by this By-law shall be deemed to be a violation of the provisions of this By-law.
- (2) Every person shall comply with the provisions of this By-law applicable to that person whether or not that person is licenced under this By-law.
- (3) This By-law shall be known as the Escort Service By-law.
- (4) Every owner and every operator and Body-rubber shall during the regular operating hours of the Escort Service make available for inspection by the Licensing Officer, a Peace Officer, the Medical Officer of Health, a Provincial Offences Officer, or a By-law Enforcement Officer the original of any document or record referred to in this By-law.
- (5) Every owner and every operator of an Escort Service and every Escort Attendant or Escort Driver shall, at all times during the regular operating hours of the Escort Service, permit the entry by and the inspection of the Escort Service by a By-law Enforcement Officer, a Provincial Offences Officer, the Licensing Officer, the Medical Officer of Health, or a Peace Officer.
- (6) No person shall obstruct or hinder the entry or the inspection of an Escort Service by a By-law Enforcement Officer, a Provincial Offences Officer, the Licensing Officer, the Medical Officer of Health, or a Peace Officer.
- (7) Wherever notice or materials are required to be served upon or provided to any person pursuant to this By-law, such service or provision shall be

deemed effective upon the mailing of such materials by registered mail to the last address of that person as indicated upon the licence or other material filed with the Licensing Officer.

**13. Offences and Penalty**

- (1) Every person who contravenes the provisions of this By-law, including every person who fails to perform a duty imposed by this By-law or who performs an act prohibited by this By-law and every director or officer of a corporation who concurs in such contravention is guilty of an offence and, upon conviction is liable to a fine exclusive of costs not to exceed \$25,000.00;
- (2) A penalty in the case of a corporation, not to exceed \$50,000, exclusive of costs; and
- (3) An order closing the premises, which are the subject of the contravention for a period not to exceed two (2) years.

**14. Regulations-Supplied-Instructions-to all Employees**

Every owner and operator shall, before permitting any person to provide escorts or other services at an Escort Service, provide to such person a copy of the regulations in this By-law, and instruct such person with respect to each of the regulations.

**15. Intention to Maintain Valid Provisions by Severance**

The Board hereby declares and confirms its intent that should any provision or any part of any provision of this By-law be held by a court of competent jurisdiction to be invalid, or of no force and effect, it is the intent of the Board in enacting this By-law, that each and every other provision of the By-law, and every part of any provision, authorized by law, stand and be applied and enforced in accordance with its terms to the extent possible according to law.

**16. Notice-Delivery and Service**

- (1) Any notice, order or other document required or authorized to be given under this by-law is sufficiently given if delivered personally or sent by prepaid ordinary mail addressed to the person to whom delivery is required to be made at the last address for delivery appearing on the records of the Licensing Officer.
- (2) Where service or delivery is effected by prepaid ordinary mail, it shall be deemed to be made on the third day after the date of mailing, unless the person on whom service is being made establishes that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond his or her control, receive the notice, order or document until a later date.

This By-law shall come into full force and effect upon the final passing hereof.

Read a first and second time this        day of        , 2008.

Read a third and finally passed this        day of        , 2008.

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G. Pierce, Chair

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KJ. Calver, Secretary

## **SCHEDULE "A" TO BY-LAW 2008-18**

NOTE: SCHEDULE "A" INCLUDES APPLICATION FORMS FOR:

- FORM 1 - OWNERS
- FORM 2 - OPERATOR
- FORM 3 - OPERATOR (CORPORATION)
- FORM 4 - ATTENDANT/DRIVER

**SCHEDULE "A" TO BY-LAW 2008-18**  
**ADULT ENTERTAINMENT PARLOUR LICENCE**  
**FORM 1 - APPLICATION BY AN OWNER**

NAME: \_\_\_\_\_

ALSO KNOWN AS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(complete address of place where I ordinarily reside)

I hereby make application under By-law 2008-18 for a licence as owner on

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b) or on behalf of the following corporation as owner:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c) or as a partner in the partnership to carry on or intending to carry on under the firm name of: \_\_\_\_\_

(name of partnership) \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ HEIGHT: \_\_\_\_\_

WEIGHT: \_\_\_\_\_

DRIVERS LICENCE NUMBER: \_\_\_\_\_  
(if Drivers Licence not issued in Ontario, state where issued)

MAILING ADDRESS OF ADULT ENTERTAINMENT PARLOUR:

\_\_\_\_\_  
\_\_\_\_\_

ADDRESS OF PREMISES INTENDED TO BE USED AS AN ADULT ENTERTAINMENT PARLOUR: (please indicate where Adult Entertainment Parlour will be operated i.e. first/second floor)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IF APPLICATION IS MADE ON BEHALF OF CORPORATION, STATE ADDRESS OF HEAD OFFICE:

\_\_\_\_\_

IF APPLICATION IS MADE ON BEHALF OF A PARTNER, STATE ADDRESS OF PARTNER(S):

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IF APPLICATION IS MADE ON BEHALF OF A CORPORATION, PARTNERSHIP OR SOLE PROPRIETORSHIP:

**CORPORATION:** PRINCIPAL OFFICERS OF THE CORPORATION ARE AS FOLLOWS:

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**PARTNERSHIP:** NAMES, RESIDENCE ADDRESSES, AND PLACE OF BIRTH OF PARTNER(S) WHO ARE ACTIVE AND INACTIVE IN CARRYING OUT THE BUSINESS:

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**SOLE PROPRIETOR:** NAME AND ADDRESS OF THE SOLE PROPRIETOR, IF NOT THE SAME AS THE APPLICANT:

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IF APPLICATION IS MADE ON BEHALF OF A CORPORATION DESCRIBE THE APPLICANTS OFFICE OR POSITION HELD:

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IF APPLICATION IS MADE ON BEHALF OF A PARTNERSHIP DESCRIBE THE APPLICANTS DUTIES AND RESPONSIBILITIES IN OPERATING THE BUSINESS:

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IF THE SHARES IN THE CORPORATION ARE HELD OR OWNED IN WHOLE OR IN PART BY ANOTHER CORPORATION ON WHOSE BEHALF YOU ARE APPLYING FOR A LICENCE SHOW THE NAME AND ADDRESS OF THE HEAD OFFICE OR CORPORATION ON WHOSE BEHALF YOU ARE APPLYING FOR A LICENCE:

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NEITHER THE CORPORATION ON WHOSE BEHALF THIS APPLICATION IS MADE NOR ANY OF ITS OFFICERS HAVE BEEN CONVICTED OF AN OFFENCE ANYWHERE, EXCEPT AS FOLLOWS: (state offence and name of offender)

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CONVICTION AND PENALTY:

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NEITHER I NOR ANY OF MY PARTNERS HAVE BEEN CONVICTED OF AN OFFENCE ANYWHERE, EXCEPT AS FOLLOWS: (state offence and name of offender)

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CONVICTION AND PENALTY:

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THE CORPORATION OR PARTNERSHIP ON WHOSE BEHALF THIS APPLICATION IS MADE WILL \_\_\_ OR WILL NOT \_\_\_ BE OPERATING ITS OWN ADULT ENTERTAINMENT PARLOUR.

THE FOLLOWING PERSON WILL OPERATE THE ADULT ENTERTAINMENT PARLOUR ON MY BEHALF:

1. NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

THE ABOVE INDIVIDUAL HAS APPLIED OR IS LICENCED UNDER LICENCE NUMBER \_\_\_\_\_  
DATE OPERATOR LICENCE ISSUED: \_\_\_\_\_

2. NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

THE ABOVE INDIVIDUAL HAS APPLIED OR IS LICENCED UNDER LICENCE NUMBER \_\_\_\_\_  
DATE OPERATOR LICENCE ISSUED: \_\_\_\_\_

3. NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

THE ABOVE INDIVIDUAL HAS APPLIED OR IS LICENCED UNDER LICENCE NUMBER \_\_\_\_\_  
DATE OPERATOR LICENCE ISSUED: \_\_\_\_\_

I WILL \_\_\_ OR WILL NOT \_\_\_ BE OPERATING MY OWN ADULT ENTERTAINMENT PARLOUR.

THE FOLLOWING PERSON WILL OPERATE THE ADULT ENTERTAINMENT PARLOUR ON MY BEHALF:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

THE ABOVE INDIVIDUAL HAS APPLIED OR IS LICENCED UNDER LICENCE NUMBER  
DATE OPERATOR LICENCE ISSUED: \_\_\_\_\_

HAS THE CORPORATION ON WHOSE BEHALF THIS APPLICATION IS MADE OR ITS  
OFFICER(S) EVER HELD ANY KIND OF LICENCE ISSUED BY A MUNICIPALITY OR HAD  
A LICENCE REFUSED, REVOKED OR CANCELLED? IF SO, PROVIDE DETAILS. (State  
the name of the municipality, type of licence, reason for refusal, revocation or cancellation)

\_\_\_\_\_  
\_\_\_\_\_

LICENCE NUMBER ISSUED UNDER THE LIQUOR LICENCE ACT:

\_\_\_\_\_  
(Indicate Licence Number and Expiry Date)

DATE TO COMMENCE OPERATION OF AN ADULT ENTERTAINMENT PARLOUR:

\_\_\_\_\_

DID THE CORPORATION, PARTNERSHIP, OR YOU EVER PREVIOUSLY OWN AN  
ADULT ENTERTAINMENT PARLOUR? IF SO, PROVIDE DETAILS. (State names and  
addresses)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME OF OWNER OF THE PREMISES ON WHICH AN ADULT ENTERTAINMENT  
PARLOUR IS TO BE CARRIED ON: (Attach copy of Deed, Lease or other Agreement)

\_\_\_\_\_  
\_\_\_\_\_

DO YOU HAVE A WRITTEN CONTRACT OF EMPLOYMENT WITH THE FOLLOWING? IF  
SO, PLEASE ATTACH COPIES OF CONTRACT.

OPERATOR	YES ( )	NO ( )
ATTENDANT	YES ( )	NO ( )

I, \_\_\_\_\_ do solemnly swear that the information given on this application and any supporting documentation is true, correct and complete in every respect and understand that false statements could result in the revocation of a licence, if granted.

I, the Applicant, state that in order to commence my occupation as an Attendant pursuant to By-law 2008-18, as amended, prior to the final processing of my Application by the Chief of Police, I require an Interim Attendant's Licence. I acknowledge and understand that an Interim Attendant's Licence is not an Attendant's Licence, and will not become an Attendant's Licence unless my Application is approved by the Chief of Police, after the required investigation, and I further acknowledge and understand that, if after the issuance to me of an Interim Attendant's Licence by the Chief of Police, it subsequently appears to the Chief of Police that my Application does not comply with By-law 2008-18 as amended, and the Chief of Police will be recommending to the Board that my Application for an Attendant's Licence should be refused, I acknowledge that the Chief of Police may forthwith cancel my Interim Attendant's Licence pending a final decision on my Application by the Board, if I request the same in accordance with the By-law.

Sworn before me at the City of \_\_\_\_\_  
in the County of \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Signature of Applicant)

Personal information contained in this form is collected under the authority of the Municipal Act and The Board's By-law 2008-18 and will be used to determine eligibility for the applicable licence. Questions about the collection of information should be directed to the Chief of Police, Owen Sound Police Services, 922 2nd Avenue West, OWEN SOUND ON N4K 4M7, 519-376-1234.

**SCHEDULE "A" TO BY-LAW 2008-18**

**ESCORT SERVICE LICENCE**

**FORM 2 - APPLICATION BY AN OPERATOR**

NAME: \_\_\_\_\_

ALSO KNOWN AS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(complete address of place where I ordinarily reside)

I hereby make application under By-law 2008-18 for a licence as operator of an Escort Service.

DATE OF BIRTH: \_\_\_\_\_

HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_

DRIVERS LICENCE NUMBER: \_\_\_\_\_  
(if Drivers Licence not issued in Ontario, state where issued)

SOCIAL INSURANCE NUMBER: \_\_\_\_\_

COMPLETE MAILING ADDRESS AND TELEPHONE: \_\_\_\_\_

\_\_\_\_\_  
COMPLETE NAME AND ADDRESS OF ADULT ENTERTAINMENT PARLOUR I WILL BE OPERATING:

\_\_\_\_\_  
NAME AND ADDRESS OF OWNER OF ADULT ENTERTAINMENT PARLOUR:

\_\_\_\_\_  
LICENCE NUMBER UNDER BY-LAW 2008-18 OF OWNER: \_\_\_\_\_

HAVE YOU PREVIOUSLY OPERATED AN ESCORT SERVICE? IF YES, STATE NAMES AND ADDRESSES OF LOCATIONS.

\_\_\_\_\_  
DATE OF COMMENCEMENT AS AN OPERATOR OF ABOVE NAMED ESCORT SERVICE:

\_\_\_\_\_  
HAVE YOU EVER HELD ANY KIND OF LICENCE BY ANY MUNICIPALITY OR HAD A LICENCE REFUSED OR CANCELLED? IF YES, PROVIDE DETAILS.

\_\_\_\_\_

HAVE YOU EVER BEEN CONVICTED OF AN OFFENCE ANYWHERE? IF YES, STATE OFFENCE.

CONVICTION AND PENALTY:

DO YOU HAVE A WRITTEN CONTRACT OF EMPLOYMENT WITH THE FOLLOWING:  
(Please attach copies of contract)

OWNER	YES ( )	NO ( )
ATTENDANT	YES ( )	NO ( )

I, \_\_\_\_\_ do solemnly swear that the information given on this application and any supporting documentation is true, correct and complete in every respect and understand that false statements could result in the revocation of a licence, if granted.

Sworn before me at the City of \_\_\_\_\_  
in the County of \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Signature of Applicant)

Personal information contained in this form is collected under the authority of the Municipal Act and The Corporation's By-law 2008-18 and will be used to determine eligibility for the applicable licence. Questions about the collection of information should be directed to the Chief of Police, Owen Sound Police Services, 922 2nd Avenue West, OWEN SOUND, ONTARIO N4K 4M7, 519-376-1234.

**SCHEDULE "A" TO BY-LAW 2008-18**

**ADULT ENTERTAINMENT PARLOUR LICENCE**

**FORM 3 - APPLICATION BY AN OPERATOR (CORPORATION)**

NAME: \_\_\_\_\_

ALSO KNOWN AS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(complete address of place where I ordinarily reside)

I hereby make application under By-law 2008-18 for a licence on behalf of the following Corporation as an operator of an Escort Service.

NAME OF CORPORATION: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_

DRIVERS LICENCE NUMBER: \_\_\_\_\_  
(if Drivers Licence not issued in Ontario, state where issued)

SOCIAL INSURANCE NUMBER: \_\_\_\_\_

NAME AND ADDRESS OF ESCORT SERVICE WHERE CORPORATION WILL BE OPERATING:

\_\_\_\_\_  
\_\_\_\_\_

ADDRESS OF HEAD OFFICE OF CORPORATION:

\_\_\_\_\_  
\_\_\_\_\_

NAMES, RESIDENCE ADDRESS, AND DATE OF BIRTH OF PRINCIPAL OFFICERS OF CORPORATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I HOLD THE FOLLOWING OFFICE OR POSITION IN THE CORPORATION:

\_\_\_\_\_

THE SHARES IN THE CORPORATION ON WHOSE BEHALF I AM APPLYING FOR A LICENCE ARE HELD OR OWNED IN WHOLE OR IN PART BY ONE (OR MORE) OTHER CORPORATION(S): (State name and address of head office of each Corporation)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HAS THE CORPORATION ON WHOSE BEHALF THIS APPLICATION IS BEING MADE OR ANY OF ITS OFFICERS EVER HELD ANY KIND OF MUNICIPAL LICENCE OR HAD A MUNICIPAL LICENCE REFUSED OR CANCELLED? IF YES, PROVIDE DETAILS.

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HAVE YOU OR THE CORPORATION ON WHOSE BEHALF THIS APPLICATION IS MADE OR ANY OF ITS OFFICERS EVER BEEN CONVICTED OF AN OFFENCE ANYWHERE? IF YES, STATE OFFENCE.

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CONVICTION AND PENALTY: \_\_\_\_\_

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COMPLETE NAME AND ADDRESS OF ESCORT SERVICE I WILL BE OPERATING:

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DATE OF COMMENCEMENT AS AN OPERATOR OF ABOVE NOTED ESCORT SERVICE:

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HAVE YOU PREVIOUSLY OPERATED AN ESCORT SERVICE? IF YES, STATE NAMES AND ADDRESSES OF LOCATIONS.

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DO YOU HAVE A WRITTEN CONTRACT OF EMPLOYMENT WITH THE FOLLOWING:  
(Please attach copies of contract)

OWNER	YES ( )	NO ( )
ATTENDANT	YES ( )	NO ( )

I, \_\_\_\_\_ do solemnly swear that the information given on this application and any supporting documentation is true, correct and complete in every respect and understand that false statements could result in the revocation of a licence, if granted.

Sworn before me at the City of \_\_\_\_\_  
in the County of \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Signature of Applicant)

Personal information contained in this form is collected under the authority of the Municipal Act and The Board's By-law 2008-18 and will be used to determine eligibility for the applicable licence. Questions about the collection of information should be directed to the Chief of Police, Owen Sound Police Services, 922 2nd Avenue West, OWEN SOUND, ONTARIO N4K 4M7, 519-376-1234.

**SCHEDULE "A" TO BY-LAW 2008-18**

**ESCORT SERVICE LICENCE**

**FORM 4 - APPLICATION BY AN ATTENDANT**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(complete address of place where I ordinarily reside)

TEMPORARY ADDRESS:  
\_\_\_\_\_

MAILING ADDRESS:  
\_\_\_\_\_

I hereby make application under By-law 2008-18 for a licence as an attendant at an Adult Entertainment Parlour.

MAIDEN NAME: \_\_\_\_\_

PREVIOUS MARRIED NAME(S): \_\_\_\_\_

HAVE YOU EVER BEEN KNOWN BY ANY OTHER NAME(S) IF YES, STATE NAME(S):  
\_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_

DRIVERS LICENCE NUMBER: \_\_\_\_\_  
(if Drivers Licence not issued in Ontario, state where issued)

SOCIAL INSURANCE NUMBER: \_\_\_\_\_

NAME AND ADDRESS OF ESCORT SERVICE WHERE I WILL BE WORKING:  
\_\_\_\_\_  
\_\_\_\_\_

NAME AND ADDRESS OF OPERATOR/OWNER OF ESCORT SERVICE:  
\_\_\_\_\_  
\_\_\_\_\_

I INTEND TO CARRY OUT MY TRADE, CALLING OR OCCUPATION AS AN ATTENDANT UNDER THE NAME OF:  
\_\_\_\_\_

HOW LONG HAVE YOU USED THIS NAME? \_\_\_\_\_

DATE OF COMMENCEMENT OF WORK AT THE ABOVE NAMED ESCORT SERVICE:  
\_\_\_\_\_



HAVE YOU EVER HELD ANY KIND OF MUNICIPAL LICENCE OR HAD A MUNICIPAL LICENCE REFUSED OR CANCELLED? IF YES, PROVIDE DETAILS.

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HAVE YOU EVER BEEN CONVICTED OF AN OFFENCE ANYWHERE? IF YES, STATE OFFENCE.

---

CONVICTION AND PENALTY:

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DO YOU HAVE A WRITTEN CONTRACT OF EMPLOYMENT WITH THE FOLLOWING:  
(Please attach copies of contract)

OWNER	YES ( )	NO ( )
OPERATOR	YES ( )	NO ( )

I, \_\_\_\_\_ do solemnly swear that the information given on this application and any supporting documentation is true, correct and complete in every respect and understand that false statements could result in the revocation of a licence, if granted.

Sworn before me at the City of \_\_\_\_\_  
in the County of \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
(Signature of Applicant)

Personal information contained in this form is collected under the authority of the Municipal Act and The Board's By-law 2008-18 and will be used to determine eligibility for the applicable licence. Questions about the collection of information should be directed to the Chief of Police, Owen Sound Police Services, 922 2nd Avenue West, OWEN SOUND, ONTARIO N4K 4M7, 519-376-1234.

BY-LAW 2008-18  
Schedule B

This is Schedule B to By-law 2008 – 18  
Passed this        day of        20

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Chair of the Board

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Secretary of the Board

**SCHEDULE "C" TO BY-LAW 2008-18**

**CERTIFICATE OF CHIEF OF POLICE  
CITY OF OWEN SOUND**

RE: \_\_\_\_\_ Application of: \_\_\_\_\_

FOR: Owner  
Operator  
Attendant

ADDRESS: \_\_\_\_\_

PREMISES AT: \_\_\_\_\_

The Chief of Police hereby certifies :

A: Owner's Licence Application:

1) I have caused to be inspected the premises above described in Owen Sound and in my opinion

they are

are not

suitable for use as an escort service;

2) If the answer to 1) is "are not", state reasons, including particulars:

B: Owner's, Operators, or Escort Attendant's/Driver's Licence Application:

3) The Applicant's conduct (or if a corporation, or partnership, its partner(s), shareholders, officers, directors, employees, or agents) affords reasonable grounds to conclude that the Applicant

is

is not

entitled to a Licence.

4) If the answer to 3) is "is not", state the grounds for this opinion, and the particulars of the said grounds:

DATED: \_\_\_\_\_

\_\_\_\_\_  
Chief of Police or Appointee