

SCHEDULE NO. 20
Relating to Body-rub Parlours
(added by By-law 2005-415)

LICENSES REQUIRED

1. A separate license shall be obtained in respect of each premises operating as a body-rub parlour.
2. No person shall own or operate a body-rub parlour premises without first obtaining a body-rub parlour license.

CONDITIONS FOR ISSUANCE OR RENEWAL OF A BODY-RUB PARLOUR LICENSE

3. No applicant for a body-rub parlour license shall be issued a license unless:
 - (a) the applicant is eighteen (18) years of age or older;
 - (b) the applicant appears in person;
 - (c) the applicant provides proof of age and identification satisfactory to the Chief License Inspector;
 - (d) the applicant has provided the original documents from the issuing agency outlining the results of investigations related to the applicant for a Police Records Check for the Service with the Vulnerable Sector, dated less than 30 days prior to the date of the application for a license;
 - (e) the premises complies with the zoning, building and property standards requirements of the City;
 - (f) the Fire Chief has reported in writing that the premises complies with fire regulations;
 - (g) the Medical Officer of Health has reported in writing 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;
 - (h) the applicant has submitted proof of insurance in accordance with the requirements of Section 13 of this Schedule;
 - (i) the applicant has paid the fees described in Schedule "A" to this by-law.

GENERAL REGULATIONS

4. No licensee shall fail to ensure that:
 - (a) the body-rub parlour is,
 - (i) well lighted and that the lighting is at an intensity of fifty (50) footcandles measured at a distance of seventy-six centimetres (76 cm) from the floor level,
 - (ii) adequately ventilated,
 - (iii) adequately heated,
 - (iv) clean , and
 - (v) supplied with hot and cold running water;
 - (b) all bathing devices, including steam baths, are properly cleaned before they are offered for use to a patron;
 - (c) all robes, towels, blankets and linens furnished for the use of patrons are freshly laundered before being offered for use to a patron;
 - (d) clean uniforms or garments are worn by employees while working on a patron;
 - (e) the sleeves of uniforms or garments as referred to in subsection (d) do not reach below the elbow;
 - (f) the skin of the hands of an employee is clean and in a healthy condition and the nails are kept short and clean;
 - (g) the hands of an employee are washed thoroughly before performing a body-rub on a patron;
 - (h) the furniture and equipment are maintained in a safe and sanitary condition;
 - (i) the body-rub parlour is supervised at all times when open for business; and
 - (j) no cubicle, room, booth or area used for a body-rub is to be fitted with a door capable of being locked.
5. No licensee shall fail to post the license in a prominent location on the licensed premises so as to be clearly visible to the public.

6. No licensee shall refuse to produce his or her license for inspection when so requested by the Chief License Inspector or Chief of Police.

7. No licensee or body-rub parlour operator shall permit any person under the age of eighteen (18) years to enter or remain in the body-rub parlour.

7A. No licensee shall fail to post a notice, in a prominent location in the licensed premises so as to be clearly visible to the public, that no person under the age of eighteen years is permitted to enter or remain on the premises.

(By-law 2007-248)

8. No licensee shall permit any person under the age of eighteen (18) years to be employed in a body-rub parlour.

9. No licensee shall permit any person who appears to be intoxicated by alcohol or a drug to enter or remain in the body-rub parlour.

10. No licensee shall:

- (a) publish or distribute or cause to be distributed, any advertising matter or business identification card that describes or depicts any portion of the human body that would reasonably suggest to prospective patrons that any service is available other than a body-rub;
- (b) erect or post or cause to be erected or posted a sign, advertising or advertising device that describes or depicts any portion of the human body that would reasonably suggest to prospective patrons that any service is available other than a body-rub; and
- (c) fail to include the license number of the body rub parlour license issued by the Chief License Inspector on all advertising.

((c) added by By-law 2007-248)

11. No person shall operate a body-rub parlour in any area of the City zoned for residential or institutional purposes in the applicable zoning by-law.

INSURANCE

12. Prior to the issuance of the license, the applicant shall file with the Chief License Inspector proof of insurance of Commercial General Liability coverage subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property.

TRANSFERABILITY OF LICENSE

13. The body-rub parlour license is not transferable.

NUMBER OF LICENSES

(Sections 14 to 17 added by By-law 2007-248)

14. The number of body-rub parlour licenses shall be restricted to thirty-two (32).

LOCATION RESTRICTIONS

15. A body-rub parlour shall not be located within 1000 metres of an existing licensed body-rub parlour and shall not be located within 1000 metres of a school, place of worship, daycare, public library, community centre, public park or a property zoned residential.

16. Despite Section 15, a body-rub parlour may be operated in the following locations:

- (a) the premises known municipally as 1792 Bank Street;
- (b) the premises known municipally as 256 Bank Street;
- (c) the premises known municipally as 1757 Bank Street;
- (d) the premises known municipally as 195 Bank Street;
- ~~(e) the premises known municipally as 386 Bank Street;~~

(deleted by By-law 2009-203)

- (f) the premises known municipally as 155 Bank Street;
- (g) the premises known municipally as 14 Bentley Avenue;
- (h) the premises known municipally as 170 Booth Street;
- (i) the premises known municipally as 3049 Carling Avenue;
- (j) the premises known municipally as 2525 Carling Avenue;
- (k) the premises known municipally as 174 Colonnade Avenue South;
- ~~(l) the premises known municipally as 1145 Cyrville Road;~~

(deleted by By-law 2009-203)

- (m) the premises known municipally as 344 Donald Street;
- (n) the premises known municipally as 350 Donald Street;
- (o) the premises known municipally as 96 George Street;

- (p) the premises known municipally as 508 Gladstone Avenue;
- ~~(q) the premises known municipally as 176 Gloucester Street;~~
(deleted by By-law 2009-203)
- (r) the premises known municipally as 405 McArthur Road;
- (s) the premises known municipally as 868 Merivale Road;
- ~~(t) the premises known municipally as 1916 Merivale Road;~~
(deleted by By-law 2008-143)
- (u) the premises known municipally as 175 Montreal Road;
- ~~(v) the premises known municipally as 84 O'Connor Street;~~
(deleted by By-law 2009-203)
- (w) the premises known municipally as 287 Palace Street;
- (w) the premises known municipally as 2201 Riverside Drive;
- ~~(x) the premises known municipally as 323 Somerset Street West;~~
(deleted by By-law 2009-203)
- (y) the premises known municipally as 371 Somerset Street West;
- ~~(z) the premises known municipally as 373 St. Laurent Boulevard;~~
(deleted by By-law 2009-203)
- (aa) the premises known municipally as 2285 St. Laurent Boulevard
- (ab) the premises known municipally as 1725 St. Laurent Boulevard;
- (ac) the premises known municipally as 380 Terminal Avenue;
- (ad) the premises known municipally as 1367 Wellington Street;
- (ae) the premises known municipally as 969 Wellington Street;

17. Despite Section 15 and subject to Section 16, no body-rub parlours shall be permitted,

- (a) in the area bounded on the north by Scott Street, on the east by the CPR rail corridor, on the south by Highway 417 and on the west by Holland Avenue known as the Hintonburg community; and
- (b) in the area bounded on the south by Scott Street, on the west by Parkdale Avenue, on the north by the Ottawa River and on the east by the CPR rail corridor known as the Laroche Park community.