

**CITY OF BURNABY**

**BYLAW NO. 11254**

A BYLAW to regulate the activities of and the classes of persons that may be involved in certain types of businesses

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ADULT SERVICE BUSINESS REGULATION BYLAW, 2001.**

2. In this Bylaw, unless the context otherwise requires

(a) "adult telephone service business" means a business that provides or offers to provide to the customer telephone conversation of a sexual or erotic nature for a fee;

(b) "body rub" means the touching, manipulation or massaging of a person's body or any part thereof, but does not include:

(i) touching, manipulation or massaging administered for a medical or therapeutic purpose by a person licenced, certified or registered to carry out that activity under a statute of the Province of British Columbia other than the *Local Government Act*;

(ii) barbering, as defined under the *Barbers Act*;

(iii) the services of a cosmetologist, as defined under the *Cosmetologists Act*;

- (iv) touching, manipulation or massaging administered for a medical or therapeutic purpose by a person as a bona fide part of that person's education or training:
  - (A) in a program of education or training offered by a university, college or other educational institute, or a hospital, governed by or registered under a statute of the Province of British Columbia; or
  - (B) under the direction of a person licensed, certified or registered as described in subsection 2.(b)(i);
- (c) "body rub salon" means any business or premises, other than a day spa, where body rub is performed or offered;
- (d) "Chief Constable" means the officer in charge of the Burnaby Detachment of the Royal Canadian Mounted Police;
- (e) "day spa" means a business or premises that performs or offers a broad range of cosmetological services which may include massage therapy, whether or not performed by a person described in section 2(b), as a minor part of those services;
- (f) "escort service" means a business that provides the services of a person or persons as social escorts or companions to its customers for a fee;
- (g) "pornographic film studio" means any business or premises where pornographic photographs, films, videos or other electronic or mechanical visual representations are made.

3. No owner or operator of an adult telephone service business, body rub salon, escort service or pornographic film studio shall

- (a) employ or engage any person on its business premises or for the purposes of its business unless that person is nineteen (19) years of age or older;
- (b) permit any person to be on its business premises at any time unless that person is nineteen (19) years of age or older.

4. No owner or operator of an adult telephone service business, body rub salon, escort service or pornographic film studio shall permit any person to enter its business premises unless that person produces a valid British Columbia drivers licence or at least one other piece of picture identification which shows the name, address and birthdate of that person.

5. Every owner or operator of a body rub salon, pornographic film studio, adult telephone service business or escort service shall at all times that its business is open, and at any other reasonable time, permit the Chief Constable or any other police officer under this command or the Chief Licence Inspector for the City of Burnaby or any member of his or her staff to enter its business premises to determine whether the provisions of this Bylaw are being complied with, and shall provide immediate and unrestricted access to its business premises for that purpose at all times that its business is open.

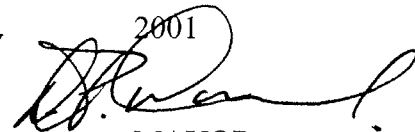

6. Every owner or operator of an adult telephone service business, body rub salon, escort service or pornographic film studio shall maintain at its business premises a written record of the name, address and age of each employee, and require its employees to carry with them while on the premises the identification referred to in section 4, all of which shall be made available for inspection by the Chief Constable or any police officer under his command.

7. Every owner or operator of an adult telephone service business, body rub salon, escort service or pornographic film studio shall post and keep posted at all times at every entrance to its business premises a clearly visible and legible sign, not less than 21.51 cm (8 ½ inches) by 27.83 cm (11 inches) in dimension, containing the following words:

"It is unlawful for any person under the age of 19 years to enter."

8. Every person who contravenes a provision of this Bylaw is guilty of an offence and is liable upon conviction to the penalties provided for in the *Offence Act*.

Read a first time this	18th	day of	June	2001
Read a second time this	18th	day of	June	2001
Read a third time this	18th	day of	June	2001
Reconsidered and adopted this	9th	day of	July	2001

  
MAYOR  
  
CLERK