

## DISTRICT OF SEHELDT

### BYLAW NO. 520-5, 2022

A bylaw to amend Business Licence Bylaw No. 520, 2012

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**WHEREAS** section 8 (6) of the *Community Charter, S.B.C. 2003, c.26* authorizes Council, by bylaw, to regulate in relation to business;

**AND WHEREAS** section 8 (7) of the *Community Charter* authorize Council, by bylaw, to regulate, prohibit and impose requirements, as applicable, in relation to a matter;

**AND WHEREAS** section and 8 (8) of the *Community Charter* authorizes Council, by bylaw, to regulate, prohibit and impose requirements to provide that persons may engage in a regulated activity only in accordance with the rules established by bylaw;

**AND WHEREAS** Council deems it appropriate to amend certain provisions contained in Business Licence Bylaw, No. 520, 2012;

**NOW THEREFORE** the Council of the District of Sechelt in open meeting assembled hereby enacts as follows:

#### **Title**

1. This bylaw may be cited as “District of Sechelt Business Licence Amendment Bylaw No. 520-5, 2022”.

#### **Amendments**

#### **2. Definitions**

2. Section 2 is hereby amended by adding the following definitions:

**Body Work** means the kneading, rubbing, massaging, manipulating, touching or stimulating by any means of the human body by any person for remuneration and includes, but not limited to shiatsu, reflexology, bio-kinesiology, hellerwork, acupressure,

reiki, rolfing, and trager approach, but does not include medical, therapeutic, chiropractic treatment given by any person licensed or registered under a statute in the Province of British Columbia governing these activities.

**Body Work Studio** means any premises in which Body Work occurs.

## 5. Form and Particulars for Licenses

5. Section 5 is hereby amended by adding the following subsections:

### 5.7 Body Works Studios

(a) Every person conducting business as a Body Work Studio shall upon request:

- i. provide the License Inspector with a list containing the name, address, telephone number, date of birth, gender, and a copy of valid photographic identification of every person proposed to be employed or engaged in the business, together with any additional information as may be required;
- ii. notify the License Inspector within twenty four (24) hours and in writing of any change in the personnel employed or engaged in the business;
- iii. not employ or engage any person in the business without them first receiving an approved business licence;
- iv. permit the License Inspector or their designates to enter at any time any premise where Body Work services are provided or offered to ascertain whether the provisions of this Bylaw are being complied with;
- v. display in a prominent location within any premises where Body Work services are provided, a list of rates and prices payable by the public for such services;
- vi. establish and maintain a client registry of names, telephone numbers and addresses, with proof of identity to be established by the production of picture identification; and
- vii. upon request, supply a copy of the client registry to the License Inspector, their designates or the RCMP.

(b) A person carrying on the business of a Body Work Studio shall not:

- i. employ any person on the licensed premises unless such person is nineteen (19) years of age or older;

- ii. permit any person to be on the licensed premises at any time unless such person is nineteen (19) years of age or older, unless they are accompanied by a parent or guardian;
  - iii. permit any person engaged in providing Body Work in the licensed premises to perform Body Work services unless such person is wearing clean, washable, non-transparent outer garments covering their body between the neck and the top of the knee;
  - iv. have been, or employ any persons who have been, convicted of an offence under any of Section 210, 211, 212, or 213 of the Criminal Code of Canada, any offence related to the sex trade evidenced by a criminal records check, or is not legally entitled to be employed in Canada, or;
  - v. permit any person engaged in providing Body Work to manipulate, touch, or massage the male or female genitalia or female breast of any client.
- (c) A person carrying on the business of a Body Work Studio shall not exhibit themselves, nor permit other persons to exhibit themselves, in any window on or about the licensed premises, or exhibit, or permit to be exhibited, any sign visible from outside of the premises showing any nude human bodies, or any part thereof, nor any printed words that might indicate that the licensed premises is a place that offers a form of sexual or nude entertainment.
- (d) Every application for a licence for a Body Work Studio shall be accompanied by a floor plan of the entire premises in a scale and with detail acceptable to the License Inspector, and when any alterations are made to the licensed premises, a revised floor plan thereof shall be filed with the License Inspector forthwith.
- (e) Every room used for Body Work must:
- i. be free of any locking device;
  - ii. not be less than 5.5 square meters;
  - iii. be equipped with lighting of at least 250 lux, which must remain illuminated when the room is occupied; and
  - iv. be equipped with a window which may be translucent, must not be obstructed at any time, has a minimum area of 1 square meter with no side having a dimension less than 25 cm.
- (f) A person carrying on the business of a Body Work Studio shall not permit any client to enter or remain on the premises between 7:00 PM and 9:00 AM.
- (g) Every person carrying on the business of a Body Work Studio must maintain the premises where Body Work is provided to the public in a clean and sanitary condition,

