

## PUBLIC PARTICIPATION MEETING COMMENTS

### 9. Business Licensing By-law Review - Adult Entertainment Establishments

- M. McCarthy – noting that she owns two of the parlors in the City and has for twenty years; indicating that she is speaking on behalf of four licensed parlors, the owners/proprietors and over 70 female staff members; stating that they have worked very hard to create a business that is recognized as one of the safest, and most professionally run in the province of Ontario and across Canada; noting that they are proud of their reputations and that entertainers from all over the country have heard that their parlors are known for providing a safe, professionally managed business for any entertainers to work in London; stating that she is speaking for the vast majority of London's parlors and that they stand together, opposed to the proposed amendments and the negative impact on the adult entertainment industry; advising that they are in the midst of retaining legal counsel who will provide written submissions on the detrimental impact of this by-law; noting that they have been advised that these comments will be provided for the Committee's review and consideration within the next couple of weeks and well before the next scheduled meeting; stating that they oppose the marrying of the adult entertainment and body rub parlors licenses as one; noting that both are considered adult entertainment but that both types of business are very different in almost every way, one is a licensed club and the other a spa where no alcohol is consumed; adding that with respect to the proposed licensing of operators, as defined in the proposed by-law, they question whether it is legal for the City to mandate licensing of individual managers within an already licensed and regulated business, which is one of the reasons they are seeking legal advice; stating that they challenge whether it is legal for the City to mandate that operators be present every minute that the business is actually open; indicating that the stated purpose for this is to ensure compliance with the by-law regulations and for operational oversight of the facility; noting that this statement has upset many of the attendants that they work with and that they feel judged, with extreme prejudice; indicating that their own operational protocols exceed the City by-law over 100 times; noting that the suggestion of forcing the business to license and staff a glorified babysitter to enforce the by-law regulations is insulting; stating that they already have multiple inspections each year and to date none of the businesses have been convicted of any by-law infractions; asking that follow up be done with the City's inspectors to get their unbiased opinions of these inspections and how they feel about how the businesses are run; noting that the proposed amendment shows that the creators of the by-law took little or no time to consult the industry that they want to further regulate and they have no working knowledge of the business or the business environment; stating that in addition to their many concerns they also oppose any implementation of regulation over their hours of operation, that they have been operating for years with their current hours with no negative occurrences and they ask that the City follow up with enforcement to confirm that; noting concern with the statement that "Civic Administration is continuing to review this matter as it pertains to late-night criminal occurrences at body rub parlors"; stating that they wonder who it is making these allegations; asking the City to provide a list of these occurrences and statistics in relation to London parlors; stating that as far as they are aware there have never been any criminal occurrences at their parlors during operating hours; stating that they feel that this by-law is an attempt to license and regulate the industry to death and that it would drive the cost of operating the business so high the sale of services could not sustain it and more than 70 people would be put out of work; indicating that the proposed by-law would increase the management costs without providing any justification; stating that the City would be forcing attendants out of a safe working environment that has structure and safety protocols, security and mentorship; noting that the City is turning a blind eye to the unlicensed parlors that are in hotels; stating that by-law enforcement needs to look at those that operate outside of the by-law and zoning regulations.
- C. Vitsentzatos, Vitsentzatos & Vistentzatos – indicating that he is a lawyer in London and is representing the three license holders of live adult entertainment establishments, all three of whom are present at the meeting; stating that these three owners oppose the by-law amendments that have been presented; stating that, from a legal perspective, the by-law is vague and the definitions are not tenable and they cannot understand how the definitions apply to the working aspects of the by-law; stating that there are several issues that he wants to highlight from a legal perspective; noting that the mirroring of two separate industries and the co-mingling of the definitions for those industries is not workable

- and is not proper; stating that the definition of “adult live entertainment parlor” and the use of the word parlor as it relates to present day society is rather archaic; indicating that the live entertainment industry and the body rub industry are two separate businesses and should be treated separately; stating that the by-law does not account for the differences between those businesses; noting that one of the primary concerns is the expansion of the Licensing Manager’s roles and responsibilities; indicating that there appears to be an unfettered and unchecked and unlimited amount of power given to the Licensing Manager to prescribe operational standards; stating that the proposed by-law does not have any of the specifics that an owner or a manager would require in order to be compliant; indicating that the by-law lacks substance, directive and it needs to be further expanded through consultation with all of the stakeholders; pointing out that Theresa Simone, a lawyer in Toronto, is acting on behalf of the managers, operators and entertainers in the adult live industry but was unable to attend but provided the attached communication for review; stating that further stakeholder meetings are needed in order to further review and consult and to provide the Committee with further information; noting that the prohibitions section of the by-law is problematic for all of the participants; indicating that section 7.4 limits persons under the age of 18 from entering the establishment and that would reduce the employment opportunities for wait staff, dishwashers, etc. in those establishments; stating that section 7.7, which is the “no touch” provision, is not tenable and makes no sense as it is drafted; stating that it discriminates between an attendant in a body rub facility vs. an entertainer in a live entertainment establishment; noting that is a problem when they are lumped together, they do two different jobs but they have to comply to the same regulation; stating that the regulations need to be further expanded and further consulting needs to take place in relation to the regulations; indicating that is an industry that has had very few issues over the past decade and that the convictions for by-law infractions are very few; stating that the need to regulate broadly should not exist here but should be focused on a couple of areas and not to give unlimited powers to the Licensing Manager to set owners and operators up for failure.
- M. Walker, London Abused Women’s Centre – see attached presentation.