

Corporation of the Town of Newmarket

By-law 2021-XX

A By-law to amend By-law 2019-62 being a By-law to implement an Administrative Monetary Penalty System in the Town of Newmarket.

Whereas the Municipal Act, 2001 and Ontario Regulation 333/07 authorizes a municipality to require a Person to pay an Administrative Penalty for a contravention of any By-law respecting the parking, standing or stopping of vehicles; and,

Whereas the Municipal Act, 2001 authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Whereas Council enacted By-law 2019-62 to implement an Administrative Monetary Penalty System in the Town of Newmarket; and,

Whereas it is deemed necessary to amend the Schedule A of By-law 2019-62 as it relates to the Designated By-law Provisions.

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That Schedule A to the By-law 2019-62 be amended to remove the following sections:

By-law 2002-151 (Licensing)						
By-law 2002-151 Schedule 7 Body-rub Parlours	7.2	Operate without a body-rub parlour licence	450.00	600.00	750.00	
	7.3	Failure to obtain an attendant's licence	450.00	600.00	750.00	
	7.4(a)	Provide services designed to appeal to sexual appetites	450.00	600.00	750.00	
	7.4(b)	Provide body-rubs to a person under 18 years of age	225.00	300.00	375.00	
	7.4(c)	Failure to post sign restricting entry for under 18 years of age	225.00	300.00	375.00	
	7.4(d)	Permit employee under 18 years of age	225.00	300.00	375.00	
	7.4(e)	Business open without owner/operator onsite	225.00	300.00	375.00	
	7.4(f)	Consume or be in possession of alcohol or drugs	450.00	600.00	750.00	
	7.4(g)	Permit intoxicated person to remain in body-rub parlour	225.00	300.00	375.00	
	7.4(l)	Failure to post licence	225.00	300.00	375.00	
	7.4(o)	Failure to provide required documentation to Licensing Officer	225.00	300.00	375.00	
	7.4(p)	Failure to provide copy of attendant licences	225.00	300.00	375.00	
	7.4(s)	Use or permit any camera or recording device	225.00	300.00	375.00	
	7.4(t)	Failure to post sign as directed by Town	225.00	300.00	375.00	
	By-law 2002-151 Schedule 7 Body-rub Parlours	7.6	Prohibited sign	225.00	300.00	375.00
7.7		Circulate, post, or distribute printed material	225.00	300.00	375.00	
7.9		Advertise unauthorized business name or logo	225.00	300.00	375.00	
7.11(a)		Contravene approved floor plan	225.00	300.00	375.00	
7.11(b)		Locked or obstructed rooms	225.00	300.00	375.00	
7.11(d)		Body-rub parlour used as a dwelling	225.00	300.00	375.00	
7.11(e)		Room for body-rub not equipped with window	225.00	300.00	375.00	
7.12		Operate business contrary to hours of 11:00am to 11:59pm	225.00	300.00	375.00	
7.13(a)		Operate body-rub parlour within 500m of residential zone	225.00	300.00	375.00	
7.13(b)	Operate body-rub parlour on or within 500m of restricted roadway	225.00	300.00	375.00		
7.13(c)	Operate body-rub parlour within 500m of any school,	225.00	300.00	375.00		

		church, or child day care			
	7.13(d)	Operate body-rub parlour within 1km of another body-rub parlour	225.00	300.00	375.00
	7.47	Obstruct a Licensing Officer	450.00	600.00	750.00

2. That Schedule A to the By-law 2019-62 be amended to add the following sections:

Business Licence By-law 2020-31						
Business Licence By-law 2020-31, as amended	1.	8.6 (1)	Failure to provide accurate floor plan	225.00	300.00	375.00
	2.	8.6 (5)(a)	Unauthorized attendant	450.00	600.00	750.00
	3.	8.6 (5)(b)	Failure to maintain records	225.00	300.00	375.00
	4.	8.6 (5)(c)	Failure to pre-screen customer	225.00	300.00	375.00
	5.	8.6 (5)(d)	Permit attendant to be nude	450.00	600.00	750.00
	6.	8.6 (5)(e)	Offer or provide sexual services	450.00	600.00	750.00
	7.	8.6 (6)	Advertise contrary to conditions	450.00	600.00	750.00
	8.	8.6 (7)	Operate when prohibited	450.00	600.00	750.00
	9.	8.6 (8)	Use of unauthorized entrance	375.00	300.00	375.00

Enacted this XX day of XXXXXXXXXX, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk