

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 215-90

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO  
ESTABLISH ADULT ENTERTAINMENT PARLOURS  
AS A PERMITTED USE IN RURAL COMMERCIAL  
ZONES ONLY

WHEREAS By-law No. 28-80 does not adequately define Adult  
Entertainment Parlours;

AND WHEREAS the Council of The Corporation of the City of North  
Bay deems it desirable to establish a specific use and zone as  
the only zone where adult entertainment parlours shall be  
permitted in the City;

AND WHEREAS The Council of the Corporation of the City of North  
Bay has ensured that adequate information has been made available  
to the public and has held at least one Public Meeting after due  
notice for the purpose of informing the public of this By-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH  
BAY HEREBY ENACTS AS FOLLOWS:

- 1) Section 2 of By-law No. 28-80 is amended by adding the  
following definition as Subsection 2.2 and renumbering all  
other existing definitions accordingly:

- "2.2 a) Adult Entertainment Parlour means any premises or  
part thereof in which is provided, in pursuance  
of a trade, calling, business or occupation,  
services appealing to or designed to appeal to  
erotic or sexual appetites or inclinations;
- b) "services" includes activities, facilities,  
performances, exhibitions, viewings and  
encounters, but does not include the exhibition of  
film approved under the Theatres Act;
- c) "services designed to appeal to erotic or sexual  
appetites or inclinations" includes,
  - i) services of which a principal feature or  
characteristic is the nudity or partial  
nudity of any person,

ii) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement."

- 2) Section 2 of By-law No. 28-80 is further amended by adding to Section 2.111 the following after the word "any" in the fourth line:

"Adult Entertainment Parlours or other".

- 3) Section 2 of By-law No. 28-80 is further amended by adding to the end of Section 2.112 the following:

"or Adult Entertainment Parlour".

- 4) Section 10 of By-law No. 28-80 is amended by inserting the following to the list of permitted uses in Subsection 10.6.1:

"Adult Entertainment Parlours".

- 5) Section 10 of By-law No. 28-80 is further amended by inserting at the beginning of Section 10.6.2 the following words: "Subject to Section 10.6.5".

- 6) Section 10 of By-law No. 28-80 is further amended by adding the following new Subsection to be numbered 10.6.5:

"10.6.5 No person shall establish, operate, or use a new Adult Entertainment Parlour use in a Rural Commercial Zone except in conformity with the following regulations:

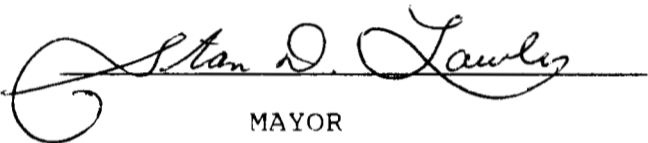
- a) The use shall be located in free-standing, single-use buildings;
  - b) the minimum on-site parking requirement shall be one (1) parking space for every three (3) seats;
  - c) that no new adult entertainment parlour use shall be located closer than:
    - i) 150 metres from any highway or local street;
    - ii) 500 metres from any residential, institutional or open space uses;
    - iii) 2000 metres from any other adult entertainment parlour."
- 6) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Ontario Regulation 404/83.
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
  - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed,

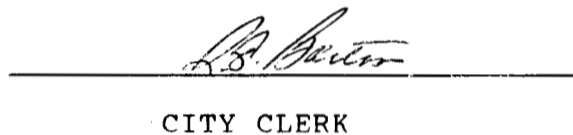
setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 12TH DAY OF NOVEMBER 1990.

READ A SECOND TIME IN OPEN COUNCIL THE 21ST DAY OF JANUARY 1991.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21ST DAY OF JANUARY 1991.

  
MAYOR

  
CITY CLERK