THE CITY OF WINNIPEG

BY-LAW NO. 21/2022

A By-law of THE CITY OF WINNIPEG to amend and rename the Doing Business in Winnipeg By-law

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

PART 1
AMENDMENTS TO DOING BUSINESS IN WINNIPEG BY-LAW

Doing Business in Winnipeg By-law amended

1 The Doing Business in Winnipeg By-law No. 91/2008 is amended by this Part.

By-law name amended

2(1) The Doing Business in Winnipeg By-law is amended to replace its title "*Doing Business In Winnipeg By-law*" with "*Community Safety Business Licensing By-law*".

2(2) Section 1 is amended to replace "*Doing Business In Winnipeg By-law*" with "*Community Safety Business Licensing By-law*".

2(3) Schedule C is amended to replace the portion of its title "*Doing Business In Winnipeg By-law*" with "*Community Safety Business Licensing By-law*".

Division Two repealed

3 Division Two of Part 3 is repealed.

Division Six repealed

4 Division Six of Part 3 is repealed.

PART 2
CONSEQUENTIAL AMENDMENTS AND COMING INTO FORCE

Municipal By-law Enforcement Act Enabling By-law No. 59/2016 amended

5 The table applicable to the Doing Business in Winnipeg By-law No. 91/2008 set out in Schedule A of the Municipal By-law Enforcement Act Enabling By-law No. 59/2016 is amended to delete its title "*Doing Business In Winnipeg By-law*" and to replace it with "*Community Safety Business Licensing By-law*".

Downtown Winnipeg Zoning By-law No. 100/2004 amended

6 Section 700(3) of the Downtown Winnipeg Zoning By-law No. 100/2004 is amended to:

(a) replace the definition of "body rub parlour" with the following:

"body rub parlour" *means any premises, or part of any premises, where more than one individual carries on the business of a body rub practitioner;*

(b) add the following definition in alphabetical order:

"body rub practitioner" *means an individual who provides or offers to provide massages for a fee but does not include an individual who provides or offers to provide massages in the course of his or her practice as one of the following:*

(a) a "regulated member" as defined in The Regulated Health Professions Act, C.C.S.M., c. R117 or a health professional whose practice is governed by an Act set out in Schedule 2 of that Act;
(b) a massage therapist;
(c) an individual who carries on a business or occupation which is limited exclusively to massaging the feet, hands, head or face;
(d) a Provincially-certified esthetician who administers massages as part of a skin care treatment, where the massage is for the purposes of product application and is a minor or incidental and secondary part of the treatment; or
(e) a member in good standing of an exempt organization;

(c) add the following definitions in alphabetical order:

"escort" *means an individual who charges or receives a fee for:*

(a) acting as a date; or
(b) providing personal companionship for a limited period of time;

but does not include a person who provides care, supervision or assistance to children or to another person because of that other person's advanced age or mental or physical disability;

"fee" *includes any valuable consideration;*

(d) replace the definition of "dating & escort service" with the following:

"dating & escort service" means

(a) a person who offers to arrange or arranges an introduction between an escort and another person or arranges an escort to provide a date or a period of companionship for another person;

(b) a person who is the registered user of a telephone number or cellular phone number that is advertised as the number to telephone to arrange an introduction with an escort;

(c) a person who pays for, places or arranges an advertisement in any media offering to arrange an introduction with an escort; or

(d) a person who operates an internet website promoting an escort service or offering to arrange an introduction with an escort;

Winnipeg Zoning By-law No. 200/2006 amended

7 Section 48 of the Winnipeg Zoning By-law No. 200/2006 is amended to:

(a) replace the definition of "body rub parlour" with the following:

"body rub parlour" *means any premises, or part of any premises, where more than one individual carries on the business of a body rub practitioner;*

(b) add the following definition in alphabetical order:

"body rub practitioner" *means an individual who provides or offers to provide massages for a fee but does not include an individual who provides or offers to provide massages in the course of his or her practice as one of the following:*

(a) a "regulated member" as defined in The Regulated Health Professions Act, C.C.S.M., c. R117 or a health professional whose practice is governed by an Act set out in Schedule 2 of that Act;
(b) a massage therapist;
(c) an individual who carries on a business or occupation which is limited exclusively to massaging the feet, hands, head or face;
(d) a Provincially-certified esthetician who administers massages as part of a skin care treatment, where the massage is for the purposes of product application and is a minor or incidental and secondary part of the treatment; or
(e) a member in good standing of an exempt organization;

(c) delete the following sentence from the definition of "dating and escort services":

This use is also regulated under the City of Winnipeg License By-law.

City Organization By-law No. 7100/97

8 Subsection 10(k.2) of the City Organization By-law No. 7100/97 is amended to replace the reference to the "*Doing Business In Winnipeg By-law*" with "*Community Safety Business Licensing By-law*".

Coming into force
9 This By-law comes into force on March 1, 2022.

DONE AND PASSED this day of February, 2022.

Mayor

City Clerk

Approved as to content:

Director of Community Services

Legally reviewed and certified as to form:

for Director of Legal Services and City Solicitor