

The Corporation of the City of Burlington

City of Burlington By-law 29-2025

A by-law to amend By-law 01-2008 being a by-law to provide for the licensing, regulating and governing of Adult Entertainment Establishments in the City of Burlington, as amended.
(DGM-35-25)

Whereas Part IV of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act*") allows the enactment of by-laws to license, regulate and govern businesses, and to impose conditions on the obtaining, holding and keeping of licences to carry on such businesses; and

Whereas By-law 01-2008 was enacted on the 17th day of March, 2008 to provide for the licensing, regulating and governing of adult entertainment establishment businesses in the City of Burlington; and

Whereas Council of the Corporation of the City of Burlington has deemed it necessary to amend By-law 01-2008 to clarify powers of inspection in By-law 01-2008.

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That Part 7 Inspection of By-law 01-2008 be deleted in its entirety and replaced with the following new section:

INSPECTION

7. (1) An officer may enter on land at any reasonable time and in accordance with the conditions set out in sections 435 and 437 of the *Municipal Act, 2001* for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - (a) this By-law;
 - (b) an order made under this By-law;
 - (c) a condition of a licence issued under this By-law; or
 - (d) an order made under section 431 of the *Municipal Act, 2001*.
- (2) An officer, for the purpose of the inspection under section 7 (1) and in accordance with the conditions set out in section 436 of the *Municipal Act, 2001*, may:
 - (a) require the production for inspection of documents or things relevant to

- the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information in writing or otherwise as required by an officer from any person concerning a matter related to the inspection; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- (3) An officer may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under section 438 of the *Municipal Act, 2001*, in accordance with the conditions set out in that section, where he or she has been prevented or is likely to be prevented from carrying out an inspection under section 7 (1).
- (4) No individual shall be licensed under the By-Law unless the individual is eighteen (18) years of age or older.
2. Despite the amendment being made to By-law 01-2008, By-law 01-2008, as amended, as it read before the amendment to Part 7, above, shall continue to apply to proceedings in respect of offences that occurred before its amendment.
3. That in all other respects, By-law 01-2008, as amended, be and is hereby confirmed.
4. That this By-law comes into force on the day it is passed.

Passed this 20th day of May, 2025.

Enacted and passed this 20th day, of May, 2025.

Deputy Mayor Kelvin Galbraith _____

City Clerk Samantha Yew _____