



BY-LAW NO. 2009-128

OF

The Corporation of Norfolk County

BEING A BY-LAW TO AMEND BY-LAW 2007-235, TO PROVIDE FOR THE LICENSING, REGULATING AND GOVERNING OF CERTAIN BUSINESSES WITHIN NORFOLK COUNTY. (ADDITION OF SCHEDULE 7 - TATTOO PARLOUR AND/OR BODY PIERCING PARLOUR)

WHEREAS Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, states that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 10(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, states: "A single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS Section 10(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, states: "A single-tier municipality may pass by-laws respecting the following matters:

(11) Business Licensing";

AND WHEREAS it is deemed advisable to maintain the regulation of certain businesses within Norfolk County;

AND WHEREAS the Council of The Corporation of Norfolk County deems it expedient to amend Licensing By-Law 2007-235, "Schedule 1 - Licence Fees" to include Tattoo Parlours and/or Body Piercing Parlours and by adding "Schedule 7 - Tattoo Parlour and/or Body Piercing Parlour".


NOW THEREFORE THE COUNCIL OF THE CORPORATION OF NORFOLK COUNTY HEREBY ENACTS AS FOLLOWS:

1. That Schedule "1" to By-Law 2007-235 is hereby repealed in its entirety and the attached Schedule "1" is hereby substituted therefore.
2. That Schedule "7" attached hereto is hereby added to Licensing By-Law 2007-235.

3. That the effective date of this By-Law shall be the date of final passage thereof.

ENACTED AND PASSED THIS 23RD DAY OF JUNE, 2009.

First Reading: June 23, 2009



Mayor

Second Reading: June 23, 2009

Third Reading: June 23, 2009



Clerk/Manager of Council Services

BY-LAW NUMBER 2007-235 AS AMENDED BY
BY-LAW 2009-128

SCHEDULE 1 – LICENSE FEES

1. Peddlers & Salesmen:	Resident	Non-Resident
Annual License (includes Door to Door or Seasonal Sales)	\$150.00\$	\$ 300.00
Daily Sales (includes Auctions, Liquidations, Special Sales not within the Central Business Districts)	\$100.00\$	\$ 750.00
Non-Profit/Charitable Organizations	No Charge	\$ 100.00
2. Mobile Refreshment Sales	Resident	Non-Resident
Mobile Refreshment Vehicle	\$250.00\$	\$ 500.00
Ice Cream Vendor	\$ 75.00\$	\$ 150.00
Non-Hazardous Food Vendor	\$ 75.00\$	\$ 150.00
Non Profit/Charitable Organizations	\$ 50.00\$	\$ 250.00
Second or Subsequent Vehicle	\$ 25.00	\$ 50.00
3. Amusements, Carnivals & Circuses	Resident or Non-Resident	
Amusement devices such as merry-go-rounds carousels, switchback railways, sea-doo's, and other like contrivances		\$25.00 per unit per annum
Exhibitions such as carnivals, circuses, trained animal shows, menageries, or other like shows usually exhibited by showmen.		\$100.00 per day
	Resident or Non-Resident	
4. Community Festival License		\$10.00
Mobile Refreshment Vehicle – One (1) Festival Event		\$125.00
5. Friday the 13th Events	Resident	Non-Resident
Daily Sales:		
• Merchandise Only	\$100.00	\$500.00
• Mobile Refreshment Vehicle	\$250.00	\$500.00
• Non-Hazardous Food Vendor	\$ 75.00	\$150.00
• No Retail Sales	\$ 50.00	\$ 50.00
• Corporate Sponsors	\$ 50.00	\$ 50.00
Non Profit/Charitable Organizations:		
• Merchandise Only	\$ 50.00	\$100.00
• Mobile Refreshment Vehicle	\$ 50.00	\$250.00
• Ticket Sales Only	\$ 50.00	\$100.00
Resident Business Owners	No Charge	
6. Tattoo Parlours and/or Body Piercing Parlours		\$ 75.00

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SCHEDULE 7 – TATTOO PARLOUR AND/OR BODY PIERCING PARLOUR

1. Definitions

- A. “Acupuncture” means a technique of inserting and manipulating fine filiform needles into specific points on the body to relieve pain or for therapeutic purposes.
- B. “Body Piercing Parlour” means a business or premise where parts of a body are punctured by a sharp-pointed instrument for the purpose of making a hole or opening through which an item may be attached to the body but shall not include a business or premise which is operated solely for the purpose of piercing earlobes, or a business or premise where hair is cut or styled and where the piercing of earlobes is an accessory use, or a business or premise which perform acupuncture treatments;
- C. “Legal guardian” is a person who has the legal authority to care for the personal interests of another person,
- D. “Pierce” means the use of needles or other instruments to permanently create a hole in or through the skin, for the purpose of decorating such a hole with jewellery, hoops, studs or other decorative items;
- E. “Tattoo Parlour” means a business or premise where the skin of an individual is marked by puncturing it and inserting a pigment or pigments to make permanent marks or designs;
- F. “Tattoo” means an indelible figure fixed upon the body by the insertion of pigment under the skin.

2. License Required

No person shall operate or maintain a Tattoo Parlour and/or Body Piercing Parlour within Norfolk County without first obtaining a license to do so.

3. Display of License

Every license shall be laminated and prominently displayed at the location of the licensed business at all times when the licensee is engaged in the activity for which the license has been issued.

4. Health Unit Certification

No License shall be issued to a Tattoo Parlour and/or Body Piercing Parlour unless the Medical Officer of Health or designate has reported, in writing, that the Place of Business is suitable for the purpose of a Tattoo Parlour and/or Body Piercing Parlour and that the Business complies with all relevant regulations, guidelines or protocols published or recommended by Health Canada or the Ontario Ministry of Health and Long Term Care.

5. Age Requirements

No person under the age of 18 shall be allowed to enter or remain in a Tattoo Parlour and/or Body Piercing Parlour without the accompaniment of a parent or legal guardian.

No person under the age of 18 shall be allowed to obtain services in a Tattoo Parlour and/or Body Piercing Parlour without a waiver form completed by the parent or legal guardian in the presence of the person performing the tattooing or body piercing or an employee or agent of the person at the Parlour, containing the Name, Date of Birth, phone number and address of both the minor and the parent or legal guardian who must present valid Ontario or other provincial or legal photo ID, as well as a description of the tattoo.

6. Zoning Requirments

No Tattoo and/or Body Piercing Business will be permitted at any location in contravention to the Zoning By-law.

7. Insurance

Every application for a Tattoo Parlour and/or Body Piercing Parlour must provide a current Certificate of Insurance certifying that public liability insurance in the amount of not less than \$2,000,000 is in force.

8. License Conditions

No person shall fail to use a new, never used before, needle or other similar piercing instrument, item or tool on each client, or patron.

No person shall dispose of any needle or other similar piercing instrument, item or tool in an unsafe manner.

The Licensee shall ensure that no food or beverages are offered for sale or sold on the premises.

The Licensee shall ensure that no room in the premises is being used as living, eating, food preparing, bathing or sleeping quarters.