

## **The Rules: Maggie's Practical Guide to Stripping & Erotic Massage Licensing in Toronto (2011)**

Strippers (aka exotic dancers), erotic masseuses and body rub parlour attendants need a license to legally work in Toronto. This guide is about how and to get those licenses, who can get them, and what to do if something goes wrong. The licensing information here does not in any way change the federal laws around prostitution. If you have a license to work in a body rub or holistic centre, and you get caught providing any kind of sexual service (including hand-jobs), you could end up with criminal charges and a ticket for a bylaw infraction. Keep in mind that any sex at work (hand-jobs, blow-jobs and full service) can bring with it the risk of both criminal arrest and bylaw infraction penalties (like fines and getting your license revoked). For more info on how to protect yourself from any criminal charges, visit [www.maggiestoronto.ca/legaltips](http://www.maggiestoronto.ca/legaltips)

According to Municipal Licensing and Standards (MLS), Toronto licenses certain businesses in order to promote health and safety, protect consumers, and control nuisance.

If you want to be a stripper or an erotic masseuse you may need a license in the City of Toronto. If you want to work at a strip club (called an adult entertainment parlour in the by-laws), a body rub parlour, or a holistic parlour you will need to get a license with the City of Toronto. Most licensed erotic massage parlours in Toronto have holistic licenses, but for some you may need a body rub attendant license. Check with your manager to find out which license you need to work in their parlour.

### **Stripper License Step by Step**

Strippers are called burlesque entertainers in Toronto's by-laws. You need a license to work in any strip club in Toronto; this includes Scarborough, Etobicoke, and North York. Clubs will not let you work unless you have your license and you must bring it with you whenever you go in to work. Some clubs used to front dancers money for the license and allow them to work on schedule to pay back the money, but many clubs got ripped off and are now reluctant to lend new dancers money for licenses.

In order to get a burlesque entertainer license you must be 18 years old or older and entitled to work in Canada. You need to have a police check. This costs \$45.00 and can be obtained at the police stations listed below. Bring the document from the police with you to Toronto Municipal Licensing and Standards (MLS) in North York (850 Coxwell Ave). Also bring 2 pieces of government issued ID, one must show you are legally entitled to work in Canada and one must have a picture on it. Proof of work ID include: your Canadian passport or citizenship card, permanent resident card, S.I.N. card, Canadian birth certificate, or work permit. Photo ID include: driver's license, health card, and passport.

A burlesque entertainer license initially costs \$347.06 and must be renewed every year from the date it is originally issued. You must pay \$244.40 to renew your license. When you get your license you will be required to provide MLS with an address. Though they ask for your home/ residential address and technically require you to update your address if you move, many burlesque entertainers/ strippers provide MLS with the address of the club where they work regularly. MLS will send your renewal notice

to whatever address they have on file so if you give them your club's address make sure you will actually receive any notices from MLS.

## **Erotic Massage Licenses Step by Step**

There are two licensing categories that may apply to the massage parlour you want to work at. **Body rub parlours** and **holistic centres**. You need to talk to the owner or manager about which category of license your parlour has because it determines which license you need as an attendant.

### **Body Rub Attendants**

If the business is licensed as a body rub parlour you will need to have a medical doctor sign a city form saying that you are free of all communicable diseases, like HIV/AIDS, Hep B, Hep C, scabies, etc. Many doctors and clinics will charge you a fee for medical checks for employment. Fees range but some charge about \$100.00. You also need to do a police check. It costs \$45.00 and can be obtained at the stations listed below. You must be 18 years old or older and entitled to work legally in Canada.

Take your medical and police form with you to the MLS office in North York. Also bring 2 pieces of government issued ID, one must show you are legally entitled to work in Canada and one must have a picture on it. Proof of work ID include: your Canadian passport or citizenship card, permanent resident card, S.I.N. card, Canadian birth certificate, or work permit. Photo ID include: driver's license, health card, and passport.

Your body rub attendant license will initially cost \$344.06. Your license must be renewed every year from the date it is issued. It will cost \$244.40 to renew your body rub attendant license. You are expected to provide MLS with your address, which will be printed on the license, and you are expected to display your license while you are at work. Some body rub parlours will have you put a sticker over your address so that clients cannot see it. Technically MLS requests your residential address and the bylaws stipulates that you must inform them when you move, but some body rub attendants have used a post office box as their address or their work address to ensure that their privacy is protected. Just make sure that you will receive notices from MLS at whichever address you provide and that you do risk a demerit point for failure to provide your up to date residential address.

Some body rub parlours will be reluctant to hire you if you do not already possess a license. Some will hire you on the condition that you get a license immediately. Others might agree to hire you but will not let you work until you have a license because there are significant fines for body rub parlours that allow unlicensed people to work.

There is a limit of 25 body rub parlours in Toronto so many erotic massage parlours are licensed as holistic establishments.

### **Holistic Practitioner License**

To work in an erotic massage parlour licensed as a holistic centre you must be 18 years old or older and legally allowed to work in Canada.

In addition, you have to provide proof to the city that you are a member in good standing of a professional holistic association recognized by the City of Toronto. Some examples of professional holistic associations include: The Therapeutic Touch Network of Ontario, The Canadian Federation of Aromatherapists, The Ontario Herbalist Association, Reflexology Registration Council of Ontario, Canadian Reiki Association, Shiatsu Society of Ontario, National Association of Holistic Health Practitioners (a complete list is available in appendix L of the by-laws). Each of these professional organizations has its own criteria for membership. For example, the Therapeutic Touch Network of Ontario offers membership to anyone who spends 24 hours studying therapeutic touch with a practitioner recognized by the Network (see their website <http://www.therapeutictouchontario.org> for more information on becoming a member).

In most cases becoming a member of a professional holistic association will require you to study some form of holistic practice (examples include therapeutic touch, shiatsu, aromatherapy, reflexology, and massage). You will likely have to pay for these courses yourself though some massage parlours may pay or otherwise assist you get your license. Talk to the parlour where you would like to work to get more information on how to become a member of a professional association. You must bring your proof of membership with you to the licensing office when you apply for a holistic practitioner license.

You also need a criminal record background check to work in a holistic establishment, but you do not have to have any sort of health check. You can get a criminal background check at the police stations listed below for \$45.00. Bring the document from the police to the MLS office in North York. Also bring 2 pieces of government issued ID, one must show you are legally entitled to work in Canada and one must have a picture on it. Proof of work ID include: your Canadian passport or citizenship card, permanent resident card, S.I.N. card, Canadian birth certificate, or work permit. Photo ID includes: driver's license, health card, and passport.

The initial fee for a license is \$272.06 and it must be renewed every year from the date it is originally issued. The license renewal is \$169.36.

This license category is confusing because there are a number of holistic establishments that do not offer erotic massage and instead only offer the holistic practices governed by professional holistic practices, like aromatherapy or therapeutic massage.

## **Things to Know about Licenses**

### **Burlesque Entertainer By-laws**

There are a lot of rules outlined in the by-laws that affect strippers. Many of these by-laws are out of date and are arbitrarily enforced, if they are enforced at all. They could be enforced, however, and

those found violating these rules receive a fine and demerit points that could impact your ability to get or renew your license in the future. Fines for breaking the by-laws do not appear on your criminal record, but if you fail to pay the fine it may affect your ability to renew your license.

If you are found working without a license you will receive a fine and 2 demerit points. Even if you have a license but forget to bring it to work with you, you could receive a fine for working without a license.

The by-laws currently state that burlesque entertainers are NOT allowed to touch customers on ANY part of their body and customers are NOT allowed to touch dancers on ANY part of their body. That means you could technically be fined for sitting in a customer's lap. There is some debate about how this by-law is enforced. Officials at MLS say that it has not been enforced in 8 years but some dancers have mentioned receiving fines for touching as recently as 4 and 2 years ago. Again, if you are fined for touching it will not appear on your criminal record, but failure to pay or repeat fines could affect your ability to renew your license. You will also receive 2 demerit points for physical contact with clients. If you disagree with the fine you can appeal it at the Tribunal.

Also, be aware that the by-laws are enforced by the police and they could charge you under Canada's Criminal Code if you solicit sex or offer extras in the clubs. If you are charged under the Criminal Code, it will appear on your criminal record.

### **Body Rub Parlour Attendants**

The body rub license includes a rule that body rubbers can only work for one body rub owner at a time. This means you can work at multiple locations for the same owner but if the owner of your body rub parlour only has one location you can only work at that location.

You are expected to bring your license with you to work whenever you are working. If you are found working without a license, even if you just forgot it at home, you could receive a fine for working without a license and 2 demerit points.

The by-laws prohibit locking the rooms or cubicles where services are provided.

They also say that customers must be provided with an itemized bill and receipt for services and body rubbers are not allowed to handle currency or customer belongings. Some parlours violate these rules, but it is not clear how often or if they are enforced. Violating the by-laws can result in fines and demerit points but will not appear on your criminal record.

Be aware that the body rub by-laws are enforced by police officers and they could charge you under the Criminal Code for soliciting sex/ prostitution if you offer full sex or blow jobs. Convictions under the Criminal Code will appear on your criminal record.

### **Holistic Centres**

The by-laws on holistic centres also indicate that customers are to receive an itemized bill and receipt though different parlours have varied book keeping practices.

You are expected to carry your license with you whenever you are working. You can be fined for failure to have your license with you and will receive 2 demerit points.

The holistic centre by-laws explicitly state that touching specified body areas, including breasts, nipples, genitals, and anus, is prohibited. The by-laws also say that clients, owners and operators are to keep these body parts covered and that holistic practitioners must dress in a professional manner in opaque clothing. Yes, the by-laws are that detailed.

So if a by-law officer or police officer finds you and your client naked you could receive a fine for by-law infraction. Be aware police officers enforce the holistic practitioner by-laws and they could charge you under the criminal code if you offer blow jobs or full sex. If you are convicted under the Criminal Code it will appear on your criminal record.

### **General Information About By-law Enforcement**

The City of Toronto works with the police to monitor and enforce these by-laws, but police are mainly responsible for enforcing the by-laws that apply to sex workers. According to MLS authorities, they try to use the by-laws to penalize problematic owners and operators. It is not entirely clear which owners they believe are problematic or why.

In some instances, the police will enforce these by-laws in order to disrupt sex work businesses where they believe workers are being exploited and municipal by-laws have been used to investigate, disrupt and possibly charge people criminally that they believe are involved in sex trafficking. In other words, the police use the by-laws and licensing system as a way to pursue a law and order agenda against prostitution.

The licenses are also used as a way to ensure that everyone working in these businesses is legally permitted to work in Canada.

If someone is found working in a strip club, body rub parlour or holistic centre without a license, they will usually receive a fine and demerit points. Fines for breaking the by-laws do not appear in criminal records or in criminal background checks. If they pay the fine within the specified time it will unlikely affect their ability to renew their license. Failure to pay a fine can result in the loss of your license, however. If someone is repeatedly found working without a license they may not be able to get a license in the future. It is possible to dispute fines at the Licensing Tribunal.

Police enforcing by-laws can also charge workers with Criminal Code violations. If you offer blow jobs or full service in strip clubs or massage parlours police officers could potentially charge you with soliciting for the purposes of prostitution or as an inmate of a common bawdy house. Criminal Code convictions will appear on your criminal record so be careful.

Many people with burlesque entertainer and body rub licenses worry about having a state record of their work in these industries. MLS officials insist that license records are private and confidential. These records should not come up in criminal background or police checks and your future employers

should not have access to them. Some dancers, however, insist that their licenses have negatively impacted their ability to get other jobs and records of their licenses have appeared at the US border.

## **Practical Stuff**

### **Municipal Licensing and Standards**

Municipal Licensing and Standards  
License Application and Renewal  
East York Civic Centre  
850 Coxwell Avenue  
Third Floor  
Toronto, ON M4C 5R1

Information line: 416-392-6700  
Fax number: 416-392-3196

Business hours: Monday – Friday. 8:30 a.m. - 4:00 p.m.

Tip: Try to show up early because the earlier you are there the less you have to wait. No matter when you arrive be prepared to wait. Bring a book or a magazine with you because there is nothing to read in the waiting area.

### **Criminal Background Check**

Peel Regional Police  
7750 Hurontario St.  
Brampton, ON L6V 3W6  
(905) 453-3111  
Completed Same Day  
Cost: \$45.00

York Regional Police  
16775 Yonge St.  
Newmarket, ON L3Y 4W5

OR

9350 Yonge St.  
Richmond Hill, ON L4C 5G2  
(Open Tuesdays to Saturdays)  
(905) 830-0303  
Completed Same Day  
Cost: \$45.00

Durham Regional Police  
Any Police Station within the Durham Region  
(905) 579- 1520 ext. 4104  
Cost: \$45.00

## **I Have a Criminal Record – Can I get a License?**

If you have a criminal record your ability to get a license will depend on the nature of your conviction and how long ago you were convicted. This applies to all license applicants and not just strippers, body rub attendants, or holistic practitioners.

Offences under the Criminal Code are divided into 7 restriction codes where Code 1 is the most severe and Code 6 is the least. Some examples of offences under the restriction codes include:

Code 1 Sexual offences against minors

Code 2 Murder

Code 3 Sexual assault with a weapon, aggravated assault, assault with a weapon causing bodily harm

Code 4 Criminal harassment, theft, forgery and fraud, breaking and entering

Code 5 Bawdy houses and prostitution, possession of drugs

Code 6 Dangerous operation of motor vehicles

Code 7 Driving while license suspended

MLS will not issue or renew your license if you have:

- any code 1 convictions
- any code 2 convictions in the last ten years
- any code 3 convictions in the last five years or two or more code 3 convictions in the last ten years
- any code 4 convictions in the last three years or two or more code 4 convictions in the last five years
- any code 5 convictions in the last year

This means that if you've been convicted for soliciting for the purposes of prostitution any time in the last 5 years MLS will deny your license application. Or if you've been convicted of possessing drugs in the last 5 years MLS will deny your license. You can appeal their decision at the Toronto Licensing Tribunal.

Your license application or renewal could also be denied if you have:

- Seven or more by-law demerit points in the last 12 months
- Overdue by-law fines

If you are denied a license you may appeal the decision at the Toronto Licensing Tribunal, which sits every Thursday from 9:30am to 4pm.