

**BODY MODIFICATION SERVICES**  
**DOING BUSINESS IN WINNIPEG BY-LAW NO. 91/2008**

*(Comes into force on June 1, 2008)*

By-law Extract of pertinent sections regarding the regulation of specific business activities as adopted by Council effective June 1, 2008. This is only an extract. For more information please contact Community By-Law Enforcement Services at 986-2234

**PART 1: GENERAL LICENSING PROVISIONS**

**DEFINITIONS**

*For more information see Body Modification By-law No. 40/2005*

**“Body Modification”** means the practice of physical body adornment by body piercing or tattooing including scarification and the insertion of implants but excluding piercing of the ear.

**“Body Modification Establishment”** means any place or premise in which body modifications are performed.

**“Body Modification Technician”** means any person licensed to conduct or practice body modification at a body modification establishment.

**APPROVAL OF NEW LICENCE APPLICATION**

**BODY MODIFICATION ESTABLISHMENT**

21(2) A Body Modification Establishment Licence must not be issued until the designated employee receives:

**Public Health**

- (a) verification from a public health inspector that the premises at which the body modification establishment is proposed to be operated or carried on meets the requirements of *The Public Health Act*, the Body Modification By-law, other relevant City by-laws and other regulatory requirements relating to public health;

**Zoning Compliance**

- (b) verification from a City employee authorized to administer and enforce the *Winnipeg Zoning By-law* or the *Downtown Winnipeg Zoning By-law* that operation of the body modification establishment on the premises proposed is permitted under one of those two zoning by-laws; and

### **Occupancy Permit**

- (c) a copy of an occupancy permit authorizing the body modification establishment to occupy the premises for which the licence is sought.

### **Record Review**

21(4) A *Body Modification Establishment Licence* must not be issued unless the applicant provides a certificate from the Record Review Board in respect of each of the individuals identified in section 16.

16(1) Where this By-law provides that a licence must not be issued unless a certificate from the Record Review Board has been issued, the certificate must be provided in respect of each of the following individuals:

- (a) where the owner of the business is a sole proprietor, the owner;
- (b) where the owner of the business is a partnership or a corporation, the manager of the business at each location from which business is carried on.

### **Compliance with Body Modification By-law Mandatory**

22(1) A person who is issued a Body Modification Establishment Licence under this Division must ensure that the body modification establishment complies with the Body Modification By-law, *The Public Health Act* and all other regulatory by-laws related to the body modification establishment.

## **BODY MODIFICATION TECHNICIAN**

### **Record Review**

21(3) A *Body Modification Technician Licence* must not be issued unless the applicant provides a certificate from the Record Review Board in respect of himself or herself.

### **Compliance with Body Modification By-law Mandatory**

22(2) A person who is issued a body modification technicians licence must ensure that he or she complies with the Body Modification By-law, *The Public Health Act* and all other regulatory by-laws.

## **APPLICATIONS FOR CERTIFICATE FROM RECORD REVIEW BOARD**

15(1) Where this By-law requires that one or more certificates from the Record Review Board must be provided as a condition of obtaining a licence, the applicant must apply to the Record Review Board for the required certificates.

15(2) When applying for a certificate, an applicant must provide the Record Review Board with accurate identification and the releases and authorizations sufficient to allow the Record Review Board to review, throughout the duration of the licence, the criminal and other records of every individual for whom a certificate is required as a condition of obtaining a licence.

**Individuals requiring record reviews**

16(1) Where this By-law provides that a licence must not be issued unless a certificate from the Record Review Board has been issued, the certificate must be provided in respect of each of the following individuals:

- (a) where the owner of the business is a sole proprietor, the owner;
- (b) where the owner of the business is a partnership or a corporation, the manager of the business at each location from which business is carried on.

16(2) It is a condition of a licence issued under this By-law that, where an individual holding any position for which a Record Review certificate is required is replaced by another individual, the licence holder must, within 30 days of the replacement, apply to the Record Review Board for a certificate in respect of the new individual holding that position.

16(3) It is a condition of a licence issued under this By-law that a licence holder under this Part must immediately notify the Record Review Board when any individual for whom a Record Review certificate is required is convicted of a criminal offence.

**SCHEDULE A – FEES**

**Part 1:** All license fees in this part are applicable to the licence year June 1, 2011 to May 31, 2012 and are subject to an inflationary increase based on the Consumer Price Index thereafter. Licence holders renewing a licence must pay the fee as increased by the rate of inflation.

<b>No.</b>	<b>Business License</b>	<b>Annual Fee</b>
4	Body Modification Establishment	\$530
5	Body Modification Technician	\$116