

ESCORT & ESCORT AGENCY
DOING BUSINESS IN WINNIPEG BY-LAW NO. 91/2008

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.

To view the Doing Business in Winnipeg By-Law in its entirety,
visit: [Doing Business in Winnipeg By-Law](#)

PART 1: GENERAL LICENSING PROVISIONS

DEFINITIONS

“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;

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

“independent escort agency” means an escort agency that is owned and operated by a single escort;

RESTRICTIONS

Escort must not operate except through agency

25 A person must not operate as an escort unless the escort holds a subsisting Independent Escort Agency Licence or unless all introductions between the escort and clients have been made by a licensed escort agency.

Age restriction on licensure

26(1) An Escort Licence or an Independent Escort Agency Licence must not be issued to an individual under the age of 18 years.

26(2) An Escort Agency Licence must not be issued to:

- (a) an individual under the age of 18 years;
- (b) a partnership where any partner is under the age of 18 years; or
- (c) a corporation where any shareholder, director or officer is under the age of 18 years.

INFORMATION REQUIRED PRIOR TO ISSUING A LICENSE

Identification

27(1) An Escort Licence, an Escort Agency Licence or an Independent Escort Agency Licence must not be issued or renewed unless the applicant provides to the designated employee:

- (a) where the applicant is an individual;
 - (i) government-issued personal identification sufficient to provide the family name and all given names of the applicant and the applicant's date of birth;
 - (ii) the current residential address of the applicant;
 - (iii) three coloured prints, not smaller than 4 cm. by 6 cm. and not larger than 9 cm. by 13 cm., of a photograph dated within the previous 60 days of the applicant's head and shoulders, with a statement signed by the applicant on the reverse side that the photograph is a true likeness of the applicant;
- (b) where the applicant is a partnership or a corporation:
 - (i) the names of all partners of the partnership or directors and officers of the corporation;
 - (ii) government-issued personal identification sufficient to provide the

family name and all given names of the manager of the escort agency and the manager's date of birth;

- (iii) the current residential address of the manager;
- (iv) three coloured prints, not smaller than 4 cm. by 6 cm. and not larger than 9 cm. by 13 cm., of a photograph dated within the previous 60 days of the manager's head and shoulders, with a statement signed by the manager on the reverse side that the photograph is a true likeness of the manager.

27(1.1) A licence must not be issued under this section unless the individual whose personal identification is required in subsection (1) applied in person in order to give the designated employee an opportunity to determine the accuracy of the identification and the photographs provided as part of the application.

27(2) Where the individual's name or address required to be provided by subsection (1) changes, or where the manager of the escort agency changes, the applicant must within 30 days notify the designated employee of the change and provide the current information.

APPROVAL OF NEW LICENCE APPLICATION

ESCORT AGENCY/ INDEPENDENT ESCORT AGENCY

Record Review

28(2) An Independent Escort Agency Licence must not be issued unless the applicant provides a certificate from the Record Review Board in respect of himself or herself.

28(3) An Escort Agency Licence under this Division must not be issued unless a certificate from the Record Review Board is provided in compliance with section 16.

Zoning Compliance

28(4) An Escort Agency Licence or an Independent Escort Agency Licence must not be issued until the designated employee receives:

- (a) 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 business on the premises proposed is permitted under one of those two zoning by-laws; and

Occupancy Permit

- (b) a copy of an occupancy permit authorizing the business to occupy the premises for which the licence is sought.

ESCORT

Record Review

28(2) An Escort Licence or an Independent Escort Agency Licence must not be issued unless the applicant provides a certificate from the Record Review Board in respect of himself or herself.

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.

PART 2 – SPECIFIC PROVISIONS RELATING TO ESCORTS, ESCORT AGENCY & INDEPENDENT ESCORT AGENCY

Record must be kept

29(1) A person who carries on the business of operating an escort agency or an independent escort agency must, whenever an introduction is arranged between an escort and client or prospective client, make and maintain a record of the date, time and place or location where the escort will meet the client or prospective client.

29(2) A person who carries on the business of operating an escort agency or an independent escort agency must ensure that the record referred to in subsection (1) is maintained in a secure location as it was entered and that no part of the record is erased, obliterated, deleted or removed.

Escort agency must maintain list of escorts

30(1) A person who carries on the business of operating an escort agency must make and maintain on the premises of the escort agency:

- (a) a current list of all the escorts employed by or under contract with the escort agency or for whom the escort agency provides introductions to clients or prospective clients; and
- (b) a copy of the licences of every escort employed by or under contract with the escort agency or for whom the escort agency provides introductions to clients or prospective clients.

30(2) A person who carries on the business of operating an escort agency must make the documents required to be made and maintained by subsection (1) available for review by an enforcement officer at any time the escort agency is open for business and at any other reasonable time.

Requirements for escort agency

31(1) A person who carries on the business of operating an escort agency or an independent escort agency must ensure that:

- (a) the escort agency does not arrange introductions between an escort and a client or prospective client unless the escort is licensed;
- (b) no person under the age of 18 years is on the premises, whether as an employee, client or otherwise;
- (c) no alcoholic beverages are purchased or consumed by any person on the premises;
- (d) no individual exhibits himself or herself nude on the premises;
- (e) no sign visible outside of the premises shows any nude male or female body;
- (f) no printed words on the exterior of the premises indicates that the service provided on the premises includes any form of sexual or nude entertainment.

31(2) An escort and a person who carries on the business of operating an escort agency or an independent escort agency must not allow any handbill, sign, business card or advertisement which represents or advertises the business in any media, including the internet, to

- (a) show or depict all or part of a nude male or female body; or
- (b) state, imply or suggest that the service provided includes any form of sexual or nude entertainment.

Part 3: FEES

Part 3: All licence fees are based on an annual licence, for one year from the business start date, and cannot be pro-rated, reduced or refunded. Licence holders renewing a licence must pay the fee as increased by the rate of inflation, or as otherwise approved by Council.

See Licence Fees page at

https://www.winnipeg.ca/cms/BLES/LS/business_licenses/licence_fees.stm.