

Adult Books & Magazine Outlets

A-11 - Enacted November 15, 1993

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ADMINISTRATIVE

**By-law A-11
A by-law to provide for the
REGULATION OF ADULT BOOK AND MAGAZINE OUTLETS**

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The Municipal Council of The Corporation of the City of London enacts as follows:

**SHORT TITLE
ADULT BOOK AND MAGAZINE OUTLETS BY-LAW**

**Part 1
DEFINITIONS**

1.1 Definitions

In this by-law:

Adult book and magazine outlet - defined

"adult book and magazine outlet" shall mean the class of adult entertainment parlour mentioned in section 2.1 of this by-law.

Adult book or magazine - defined

"adult book or magazine" shall mean any book or magazine appealing to or designed to appeal to erotic or sexual appetites through the portrayal or depiction on its cover by means of photographs, drawings or otherwise of:

- (a) one or more of the specified body areas of any person or persons; or
- (b) one or more of the specified acts whether actual or simulated.

Operator - defined

"operator" shall mean every person who:

- (a) provides in any premises or part thereof, in pursuance of a trade, calling, business or occupation, adult books or magazines; or
- (b) operates any premises or part thereof in which such books or magazines are so provided.

Specified acts - defined

"specified acts" shall mean sexual intercourse, cunnilingus, fellatio, buggery, bestiality, masturbation, urination or defecation, or the bonding, flagellation, mutilation, maiming or murder of one or more human beings.

Specified body areas - defined

"specified body areas" shall mean:

- (a) in the case of a female, the nipples and areolae; and
- (b) in the case of all persons, the pubic, perineal and perianal areas and the buttocks.

To provide

"to provide", when used in relation to any adult book or magazine, shall mean to sell, offer to sell, or display by retail or otherwise such book or magazine, and "providing" has a corresponding meaning.

**Part 2
ADULT BOOK AND MAGAZINE OUTLET CLASSIFICATION**

2.1 All premises - adult books - magazines - provided

All premises in which or in part of which, in pursuance of a trade, calling, business or occupation, adult books or magazines are provided are hereby classified as a class of adult entertainment parlour.

**Part 3
ADULT BOOKS - MAGAZINES - DISPLAY**

3.1 Display - minimum height - opaque barrier - required

Every operator providing adult books and magazines in an adult book and magazine outlet shall, if such magazines or books are on display to the public, place such magazines or books:

- (a) at a height of 1.5 metres (5 feet) or more above floor level; and
- (b) behind an opaque barrier of a size and nature so that the cover of every book or magazine while on display, except for the name or title thereof, may not be seen by any member of the public.

**Part 4
ENFORCEMENT**

4.1 Fine - for contravention

Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the *Provincial Offences Act*.

4.2 Continuation - repetition - prohibited - by order

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

**Part 5
REPEAL - ENACTMENT**

5.1 By-law - previous

By-law A.-5226-101 is hereby repealed.

5.2 Effective date

This by-law comes into force on May 15, 1994.

Passed in Open Council on November 15, 1993.

T.C. Gosnell
Mayor

K.W. Sadler
City Clerk

First Reading - November 15, 1993
Second Reading - November 15, 1993
Third Reading - November 15, 1993