

## **Licensing Personal Services Settings (PSS)**

<b>Date:</b>	January 21, 2013
<b>To:</b>	Licensing and Standards Committee
<b>From:</b>	Executive Director, Municipal Licensing and Standards
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2013\Cluster B\MLS\LS13001

### **SUMMARY**

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The purpose of this report is to transmit the recommendations of the Board of Health and to recommend that the Licensing and Standards Committee adopt the Board of Health's recommendations for the licensing and regulation of Personal Services Settings (PSS).

As described in detail in the joint report dated November 5, 2012 of the Executive Director, Municipal Licensing and Standards and the Medical Officer of Health, the recommended amendments to Municipal Code Chapter 545 Licensing and Chapter 441 Fees, will enhance the effectiveness and efficiency of the PSS program in a number of areas. This includes identification and inspection of all businesses offering personal services, and enhanced enforcement tools and consumer protection measures.

Personal services are identified as, and are not limited to: tattooing and body piercing, electrolysis, acupuncture, hair dressing and barber shops, micro-pigmentation, manicure/pedicure and various aesthetic services.

The Medical Officer of Health and Legal Services were consulted in the preparation of this report.

### **RECOMMENDATIONS**

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**The Executive Director, Municipal Licensing and Standards recommends that:**

1. City Council adopt Recommendation No. 1 of the Board of Health, made at its meeting on November 19, 2012, being that City Council instruct the City Solicitor to introduce a bill to amend Municipal Code Chapter 545, Licensing to:

- a. License businesses operating as Personal Services Settings (PSS);
  - b. Reflect the by-law design features as set out in Appendix A to the report dated November 5, 2012 from the Medical Officer of Health and Executive Director, Municipal Licensing and Standards; and
  - c. Phase implementation over a two-year period as set out in Table 1 of the November 5, 2012 report.
2. City Council adopt amendments to Toronto Municipal Code Chapter 441 Fees and Charges, Appendix C Schedule 12, to render the current fee for "hair salons" applicable to all Personal Services Settings;
  3. The recommended amendments come into force on July 1, 2013; and
  4. City Council direct the City Solicitor to prepare the necessary bill(s) as may be required to give effect to the recommendations in this report.

Public Notice has been given in a manner prescribed in the Toronto Municipal Code Chapter 162 Notice, Public.

### **Financial Impact**

The fees established for the licensing of businesses offering personal services reflect a cost recovery model and are consistent with existing licensing fees for barber shops and hair salons. These fees offset costs associated with enforcement and administration of the program.

This initiative requires a 2-year implementation. For 2013, staff and other expenditures to be incurred related to the above estimated revenue will be absorbed within the current operating budget for Municipal Licensing and Standards. As set out in detail in the November 5, 2012 report from the Medical Officer of Health and Executive Director, Municipal Licensing and Standards, *Regulation of Personal Services Settings (PSS)*, a phased-in licensing program will result in estimated additional revenues over a three-year period as follows:

Year	Anticipated New Applications	Anticipated Renewals	Initial Fee \$	Renewal Fee \$	Estimated Additional Revenue \$
Year 1	85	-	325.25	-	27,646.25
Year 2	940	77	334.11	219.65	330,976.40
Year 3	100	900	341.46	224.49	236,184.65

As described in the report adopted as amended by the Board of Health, dated November 5, 2012 and entitled *Regulation of Personal Services Settings (PSS)*, three additional

temporary staff will be required in Licensing Services in 2014. The costs associated with the temporary staff required will be funded through licence application fees and renewal fees collected. Full year impacts will be fully reviewed, reflected and considered in future budget processes.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

At its meeting on November 19, 2012 the Board of Health adopted, with amendments, the recommendations contained in the report, *Regulation of Personal Services Settings (PSS)*.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.HL18.2>

## **COMMENTS**

As set out in detail in the report dated November 5, 2012, personal service settings can pose a risk to the public through the spread of infectious diseases if these services are delivered using inadequate infection prevention and control practices.

Amendments to Toronto Municipal Code Chapter 545 Licensing and Chapter 441 Fees and Charges are required to implement this new licence category and to implement the new regulations governing these businesses. Currently only barber shops and hair salons are licensed. The new Personal Services Settings category will include barber shops, hair salons, tattoo, body piercing/ear piercing, micro-pigmentation, scarification, electrolysis, nail care and various aesthetics.

In the interest of public health and safety, and given the increasing use of personal services by the public, the licensing of PSS will assist the City in ensuring best practices are employed.

## **CONTACT**

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## **SIGNATURE**

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