

COUNCIL MEETING SEPT.09, 2002

REFUSAL OF LICENSE **EDMONDO PETRUZZIELLO**

Recommendation

The City Clerk in consultation with the Manager of Special Projects, Licensing and Permits recommends that the application by Edmondo Petruzzello be refused for a business license to operate an Adult Entertainment parlour in the City of Vaughan.

Purpose

To consider the refusal of an application for a business license for an Adult Entertainment parlour.

Background - Analysis and Options

On June 11, 2002, the Licensing Section of the Clerks Department received an application from Mr. Edmondo Petruzzello for a business license to operate an Adult Entertainment parlour at 544 Rivermede Road in Vaughan (Whiskey A Go Go). Upon receipt the application was circulated to various departments within the City, York Region Health Dept. and York Regional Police. York Regional Police forwarded a letter to the Licensing Section of the Clerks Department indicating they did not support the issuance of a license based on the applicants history of criminal convictions. Based on this information the licensing officer informed the applicant that his application for a business license to operate an Adult Entertainment parlour was refused.

Section 7.01 of By-Law 2-2001 (Licensing By-Law) provides that the applicant may appeal to Council where the licensing officer refuses to grant a license. Attached is a copy of a letter from the applicants solicitor requesting an appeal of the licensing officers refusal to grant a license.

Section 6.0, Sub-section 7 of By-Law 2-2001 (Licensing By-Law) provides Council with the following options after a hearing has been given to an applicant:

- a) grant the application in whole or in part and direct that the license be issued, subject to compliance with this By-law,
- b) grant the application subject to such conditions as the Council or the Committee as the case may be, in accordance with this By-law considers just and equitable in attaining the purposes of this By-law and direct that the license be issued subject to such conditions and to compliance with this By-law,
- c) refuse in whole or in part to grant the application upon grounds contained in this By-law or other by law; or
- d) adjourn the application in accordance with this By-law, or make such other disposition as may be permitted under this By-law and as is in accordance with law.

Conclusion

Based on the information from the York Regional Police, it is recommended that the applicant be refused a license to operate an Adult Entertainment parlour in the City of Vaughan at 544 Rivermede Road.

Attachments

Letter

Report prepared by:

Joseph A.V. Chiarelli
Manager Special Projects Licensing & Permits

Respectfully submitted,

John D. Leach
City Clerk

Olmsted & Pillay

Barristers & Solicitors

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SENT VIA TELEFAX TO 905-832-8535 & MAILED

August 16, 2002

The City of Vaughan
2141 Major MacKenzie Drive
Vaughan, Ontario
L6A 1T1

RECEIVED

AUG 19 2002

CLERK'S DEPT.

Attention: John D. Leach, City Clerk

Dear Sir:

RE: Whiskey A Go-Go
Application for Adult Entertainment Licence Applicant Edmondo Petruziello
Business Address 544 Rivermede Road, Vaughan

I represent the business known as Whiskey A Go-Go, and Mr. Edmondo Petruziello.

I enclose copy of letter from Mr. Geoff Gelfand, Licensing Officer, City of Vaughan, refusing Mr. Petruziello's application for an adult entertainment Parlour Licence, which application was dated June 11, 2002.


Please be advised that I hereby notify you of my client's intention to appeal this refusal. I am requesting your assistance in obtaining an early hearing before City Council to review this matter.

Your co-operation is appreciated.

Please contact me with any questions.

Yours truly,

E. BRUCE OLMSTED, BARRISTER

Per:  Kane Ray, Law Clerk
EBO:kar

c.c. Mr. Geoff Gelfand, Licencing Officer - Fax No.: 905-832-8535