

**BROTHELS LOCATION AND SIGNAGE BYLAW SUBCOMMITTEE  
3 FEBRUARY 2009**

**A meeting of the Brothels Location and Signage Bylaw Subcommittee  
was held on Tuesday 3 February 2009 at 12.30pm**

- PRESENT:** Councillor Sue Wells (Chairperson),  
Councillors Helen Broughton, Ngaire Button, Yani Johanson (until  
1.16pm), Claudia Reid, Bob Shearing, Mike Wall, and  
Chrissie Williams.
- APOLOGIES:** An apology for absence was received and accepted from Councillor  
Sally Buck and Councillor Norm Withers

**BRIEFING NOTE ON ISSUES RELATING TO BYLAWS MADE TO REGULATE SIGNAGE  
ADVERTISING COMMERCIAL SEXUAL SERVICES**

Terry Moody, Principal Adviser, Environmental Health, presented a briefing note covering issues relating to bylaws made to regulate signage advertising commercial sexual services to the Subcommittee. The Subcommittee discussed the merits of establishing a bylaw which would control signage advertising commercial sexual services. During consideration of this briefing note the following points were raised:

- Under a proposed brothel signage bylaw, any name or term promoting commercial sexual services in signage would not be permitted i.e. "brothel".
- Any definition of sexual services in a bylaw would need to be consistent with that in the Prostitution Reform Act. Further interpretation could be added by way of an explanatory note or explained further in a statement of proposal. Any definition would not be definitive and case law provides limited legal precedence.
- A bylaw could provide the Council with a greater ability to prosecute – more so than the power used by the Advertising Standards Authority. The Council would have authority to remove signage from public land and private land if visible from a public place.
- The Subcommittee noted that past public perception wanted advertising removed. A bylaw would represent this community view.
- A bylaw would entrust the Council with a leadership role and its current mandate is to have a bylaw to this effect.
- Staff have held initial discussions with some existing massage parlour owners and the Prostitutes Collective. The former stated that they had no intention of expanding current signage, while the latter were in favour of a bylaw.
- A bylaw would be on the basis of public offence and not based on public nuisance or keeping with the character of the city.
- The current Bylaw needs to be reviewed under the local Government Act.
- There have been no cases of the Advertising Standards Authority upholding complaints against words used in advertising or signage such as "brothel"

The Subcommittee agreed that staff should prepare a report to the Regulatory and Planning Committee recommending to Council that a bylaw controlling the advertising of commercial sexual services city-wide be drafted and public consultation take place.

The meeting concluded at 1.35pm.