

ORDINANCE NO. 1508

AN ORDINANCE OF THE CITY OF REDLANDS
AMENDING THE REDLANDS ORDINANCE CODE

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES
ORDAIN AS FOLLOWS:

SECTION ONE. That the Redlands Ordinance Code be
amended by adding Article 414, "Massage Parlors and
Massagists," as follows:

ARTICLE 414

Massage Parlors and Massagists

§ 41401. DEFINITIONS. The following words, as used in this article, shall have the signification attached to them in this article unless otherwise clearly apparent from the context: (1508)

§ 41401.1 MASSAGE. The word "Massage" means and includes a method of treating the external parts of the human body for remedial or hygienic purposes, consisting of rubbing, stroking, kneading, adjusting or tapping with the hand, hands or any instrument.

§ 41401.2 MASSAGE PARLOR. The term "Massage Parlor" means and includes any turkish bath parlor, steam bath, magnetic healing institute, massage parlor, or any room, place or institution where treatment for the human body is given by means of massage as herein defined and shall provide the following minimum facilities: sanitary massage table, a shower, toilet, washbasins and private lockers for patrons.

§ 41401.3 MASSAGIST. The word "Massagist" means and includes any person who practices massage as herein defined.

§ 41401.4 PERSON. The word "Person" means and includes persons, firms, corporations, associations or any other form of business organization or group.

§ 41402. BUSINESS LICENSE REQUIRED: COMPLIANCE WITH REGULATIONS. It shall be unlawful for any person to practice, engage in, carry on the business of a massagist, or conduct a massage parlor within the City of Redlands without first having obtained a license so to do and complying with all regulations and requirements as hereinafter contained and set forth.

§ 41403. CERTIFICATE OF REGISTRATION REQUIRED. Every person shall secure a "Certificate of Registration" as provided for in Article 413 of this Code before operating a massage parlor either as a principal or agent.

§ 41404. PROOF OF EXPERIENCE. Every person making application shall file written proof that the applicant has had at least one (1) year's experience in the profession, work and method of treating the external parts of the human body for remedial or hygienic purposes by rubbing, stroking, kneading, adjusting or tapping with the hand or by instrument, or applicant must furnish a diploma or certificate of graduation from a recognized school or other institution of learning wherein the method, profession and work of massagist is taught.

§ 41405. HEALTH CERTIFICATE. Every person making application shall file a certificate from the County Health Officer stating that the applicant has been examined and found to be free of any contagious or communicable disease.

§ 41406. REVOCATION. If any person operating a massage parlor or as a massagist as defined in this article shall act in any way contrary to the provisions of this article or any other ordinance or law relating to or regulating such activity, it shall be the duty of the Chief of Police, in addition to other penalties provided, to institute proceeding for revocation of the "Certificate of Registration" of such person or persons as follows:

§ 41406.1 NOTICE OF HEARING. Notice of the hearing for revocation of a "Certificate of Registration" shall be given in writing, stating the grounds of the complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the registrant at the permanent address given on the application for police registration, at least ten (10) days prior to the date set for the hearing.

§ 41406.2 RIGHT OF APPEAL. Any person aggrieved by the denial or revocation of a "Certificate of Registration" by the Chief of Police shall have the right to appeal to the City Council of the City of Redlands. Such appeal shall be made by filing with the City Clerk a written statement of the grounds for the appeal within fifteen (15) days after notice of the action complained of has been mailed to such person's permanent address, as such address is stated in the application.

§ 41406.3 COUNCIL HEARING. The Council shall set the time and place for hearing such appeal, and notice of such hearing shall be given by the City Clerk in the manner herein above provided for notice of hearing in Section 41406.1.

§ 41406.4 COUNCIL DECISION FINAL. The decision of the Council of the City of Redlands on such appeal shall be final.

§ 41407. OPPOSITE SEX. It shall be unlawful for any person to administer to any person of the opposite sex any massage, any alcohol rub or similar treatment, any fomentation, any bath or any electric or magnetic treatment, nor shall any person cause or permit in or about his place of business, or in connection with his business, any agent, employee or servant or any other person under his control or supervision to administer any such treatment to any person of the opposite sex.

§ 41408. BUSINESS LICENSE TAX. Every person practicing, engaging in, carrying on the business of massagist or conducting a massage parlor shall procure a license as provided for herein and pay a license tax according to the schedule of fees as set forth in Article 221 of this Code.

§ 41408.1 JANUARY RENEWAL - POLICE OR HEALTH DEPARTMENT OBJECTIONS. Every license as herein provided shall not be renewed in January of each year if objections to such renewal are made in writing to the City License Collector by the Chief of Police or the County Health Officer without a public hearing before the City Council of the City of Redlands.

§ 41409. EXEMPTIONS. This Article shall have no application and no effect upon, and shall not be construed as applying to any persons designated as follows: Physician, surgeon, chiropractor, osteopath, physiotherapist, or any nurse working under the supervision of a physician, surgeon, chiropractor or osteopath duly licensed to practice their respective professions in the State of California, nor shall this ordinance apply to any treatment administered in good faith in the course of the practice of any healing art or profession by any person licensed to practice any such art or profession under the Business and Professions Code of California or any other law of this state.

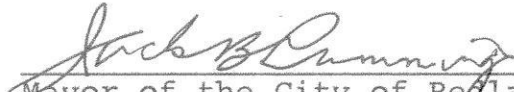
§ 41410. SEVERABILITY. This Article and the various parts, sections and clauses thereof are hereby declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid, the remainder of this Article shall not be affected thereby. The City Council of the City of Redlands hereby declares that it would have passed this Article and each part thereof, regardless of the fact that one or more parts hereof be declared unconstitutional or invalid.

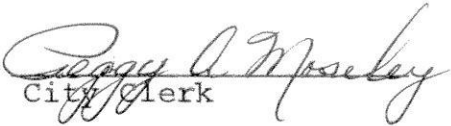
§ 41411. VIOLATION - MISDEMEANOR. A violation of this Article is a misdemeanor punishable by fine of not more than \$500.00, or by imprisonment in the County jail for not more than six months, or by both such fine and imprisonment. (1508)

SECTION TWO. This ordinance shall be in force and take effect as provided by law.

SECTION THREE. The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published once in the Redlands Daily Facts, a daily newspaper hereby designated for that purpose.

ATTEST:


Mayor of the City of Redlands


City Clerk

APPROVED FOR FORM:

s/ Edward F. Taylor
City Attorney

I, Peggy A. Moseley, City Clerk, City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 6th day of March, 1973, by the following vote:

AYES: Councilmen DeMirjyn, Knudsen, Miller, Sewall,
Mayor Cummings
NOES: None
ABSENT: None


City Clerk