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Amend Chapt 5.52 of RMC
clarify regulations/
procedures relating to
licensing/operation of
public bathhouses

ORDINANCE NO. 1562

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON,
AMENDING CHAPTER 5.52 OF THE REDMOND MUNICIPAL
CODE TO CLARIFY REGULATIONS AND PROCEDURES
RELATING TO THE LICENSING AND OPERATION OF PUBLIC
BATHHOUSES; AND ELIMINATING LICENSING
REQUIREMENTS FOR MASSAGE THERAPY ESTABLISHMENTS
UNDER THIS CHAPTER.

WHEREAS, Chapter 5.52 of the Redmond Municipal Code
currently establishes regulations and procedures relating to the
licensing and operation of massage therapy establishments and
public bathhouses, and

WHEREAS, the City Clerk has presented revisions to this
Chapter which more clearly define the regulations and procedures
relating to the licensing and operation of public bathhouses, and

WHEREAS, the City Council wishes to amend Redmond
Municipal Code Chapter 5.52 to accomplish these revisions and
eliminate licensing requirements for massage therapy
establishments under this Chapter, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
HEREBY ORDAINS AS FOLLOWS:

Section 1. Chapter 5.52 of the Redmond Municipal Code
is hereby amended to read as follows:

Chapter 5.52

PUBLIC BATHHOUSES

Sections:

- 5.52.010 Purpose and scope.
- 5.52.020 Definitions.

- 5.52.030 Exemptions.
- 5.52.040 License--Required.
- 5.52.050 License--Fees.
- 5.52.060 License--Display required.
- 5.52.070 License--Probationary.
- 5.52.080 License--Application.
- 5.52.090 License--Issuance and Renewal.
- 5.52.100 Premises--Inspection.
- 5.52.110 Premises--Condition.
- 5.52.120 Employee--License required.
- 5.52.130 Employee--Age restriction.
- 5.52.140 Unlawful to admit certain persons.
- 5.52.150 Unlawful to advertise without license.
- 5.52.160 Consumption of liquor on premises--Unlawful.
- 5.52.170 Business hours.
- 5.52.180 List of services required.
- 5.52.190 Public Bathhouse attendant license--Application.
- 5.52.200 Public Bathhouse attendant license--Issuance and renewal.
- 5.52.210 License--Application fee nonrefundable.
- 5.52.220 License--Expiration.
- 5.52.230 License--Suspension or revocation.
- 5.52.240 License--Denial--Hearing.
- 5.52.250 Penalty for violation.

5.52.010 Purpose and scope. The purpose of this chapter is to establish minimum standards for the regulation and licensing of public bathhouses, saunas and similar facilities, and the operators and employees thereof, in the interests of the public health and welfare of the citizens of the city; and to proscribe activities and practices which may be detrimental.

5.52.020 Definitions. (a) "Person" means any individual, firm, partnership, association, corporation, company or organization of any kind.

(b) "Public bathhouse" means any place within the city where baths or facilities for baths of any kind whatever are given or furnished for, or in expectation of, any fee, compensation or monetary consideration including, but not limited to: Finnish baths, Russian baths, sauna baths, Swedish baths,

Turkish baths, baths by hot air, steam, vapor, water or electric cabinet.

(c) "Public bathhouse attendant" means any person who administers to, or provides services to, patrons of a public bathhouse or who supervises the work of such a person. The term does not include a person who performs only custodial or janitorial work.

(d) "License" means a certificate issued by the city authorizing a holder thereof to:

- (1) Act as a public bathhouse attendant;
or
- (2) Operate a public bathhouse.

5.52.030 Exemptions. This chapter shall not apply to baths given in any hospital, or by physical therapists who treat patients referred by licensed physicians, or by any person licensed by the state of Washington to treat the sick, injured or infirm, or by any nurse under the direction of a person so licensed.

5.52.040 License--Required. (a) No person shall conduct, operate or maintain a public bathhouse without first obtaining a license therefor as hereinafter provided.

(b) No person shall act as a public bathhouse attendant without first obtaining a license as hereinafter provided.

5.52.050 License--Fees.. (a) The fee for a public bathhouse license shall be fixed by council resolution. In addition, a nonrefundable application fee in an amount fixed by council resolution shall accompany each original application for such license.

(b) A nonrefundable application fee in an amount fixed by council resolution shall accompany each application for a license to serve as a public bathhouse attendant.

5.52.060 License--Display required. The license required by this chapter must be prominently displayed for public inspection at the business establishment of the licensee.

5.52.070 License--Probationary. The city clerk may, if deemed in the public interest, grant a probationary license for a period of six months which shall authorize limited operation on such terms and conditions as the city clerk deems necessary to provide reasonable safeguards for the public against misuse of such license.

5.52.080 License--Application. No license or renewal of license to conduct a public bathhouse shall be issued or renewed except upon written application to the city clerk which shall be signed and sworn to by the person who intends to conduct, operate or maintain a public bathhouse. Such application shall contain the following information:

(a) The full name, home address and telephone number of the applicant;

(b) The business name, business address and telephone number of the establishment or proposed establishments;

(c) Whether the applicant is a sole proprietorship, partnership or corporation. If partnership, giving names of all persons sharing in the profits of the business; if corporation, giving the names of its officers, directors and shareholders who possess a ten percent (10%) or more ownership interest, with the residence address and telephone number of each;

(d) How long applicant (or if corporation, its officers) have resided in King County or the state of Washington;

(e) If sole proprietorship or partnership, stating whether applicant is 18 years or older;

(f) Such other information as the city clerk may reasonably require.

5.52.090 License--Issuance and renewal. Upon the filing of any application for issuance or renewal of license for a public bathhouse, the city clerk shall refer the same to the police chief, with a request to investigate the statements contained in the application and to furnish a written report containing the results of his investigation and any other

matters which might aid the city clerk in determining whether such license should be issued. The city clerk shall also refer the application to the director of public works with a request to inspect the premises or proposed premises as to its sanitary and physical conditions and to submit a written report thereon. If from the reports and other information, the city clerk determines that the applicant and premises meet all requirements of this chapter and applicable health, safety, and land use regulations, then the city clerk shall issue or renew the license applied for.

5.52.100 Premises--Inspection. Any public bathhouse as licensed herein shall be at all times open to reasonable inspection as to sanitary and safety conditions by the city building department.

5.52.110 Premises--Condition. The premises and equipment of all public bathhouses shall be maintained in a clean, safe and sanitary manner and it shall be the duty of the owner or operator of such establishment to meet the following requirements:

(a) Adequate lighting, heating and ventilating is to be installed and maintained in all parts of the facility in full compliance with the city's applicable building, mechanical, plumbing, electrical and related codes.

(b) Each patron using such a facility shall be furnished with an individual clean towel or disposable paper mat by the operator thereof; towels shall not be reused until they are washed and sanitized. There shall be adequate facility for towel and mat storage.

(c) If any facility contains any swirling water pools where more than one person is immersed, such pools shall be maintained under the same restriction as any public or semi-public pool. Bacterial quality shall be such that not more than fifteen percent (15%) of any series of samples nor more than two consecutive samples in any series of samples collected at times when the pool is in use show the presence of coliform bacteria. Chlorine residual of four-tenths ppm. shall be maintained in all parts of pool water while in use to assure acceptable bacteriological standards.

(d) A chlorine and pH test kit shall be used routinely to check the chemical make-up of pool water with results recorded on a daily log sheet and kept current at all times.

(e) Any stools or benches in any bath facility shall be easily cleanable and soundly constructed. They shall be covered with single service towels when in use.

(f) All exercise equipment and appliances shall be routinely checked for possible structural weaknesses and shall be maintained in a safe and sanitary manner at all times.

(g) All pools must be provided with recirculation and filtering equipment which equipment shall include a rate of flow indicator and a loss of head gauge for the backwash filter.

(h) All shower and dressing facilities shall be available outside the pool area. Such area must be well lighted and ventilated with non-slip floor finish provided on floors sloping to a floor drain.

(i) A safety bar or hand rail shall be installed in the pool easily accessible to users in every area of the pool.

(j) Any sauna bath or similar facility shall duly post a maximum exposure time table as suggested by the manufacturer thereof.

(k) Ceilings in the sauna area shall be designed, constructed and maintained to prevent dripping of hot water on users.

(l) Any facilities using ultra-violet exposure rooms in their establishment shall post maximum exposure time which shall not exceed three minutes for any individual.

5.52.120 Employee--License required. It is unlawful for the owner, proprietor, manager or person in charge of any facility as herein defined, to employ in such establishment, any person who does not have a valid employee license issued pursuant to this chapter.

5.52.130 Employee--Age restriction. It is unlawful for the owner, proprietor, manager or

person in charge of any public bathhouse to employ in such establishment any person who is not eighteen (18) years of age.

5.52.140 Unlawful to admit certain persons. It is unlawful for the owner, proprietor, manager or person in charge of any public bathhouse, or for any employee of the establishment, to knowingly harbor, admit, receive or permit to be or remain in or about such premises, any person under the influence of intoxicating liquor or narcotic drugs, or to knowingly permit any person to engage in any criminal offense thereon.

5.52.150 Unlawful to advertise without license. It is unlawful to advertise the giving of public baths by a person or in an establishment not licensed or otherwise qualified pursuant to this chapter.

5.52.160 Consumption of liquor on premises--Unlawful. Liquor, as defined in RCW 66.04.010, as now existing or hereafter amended, shall not be distributed or consumed on the premises of any public bathhouse, unless the premises are licensed to serve the same by the Washington Liquor Control Board.

5.52.170 Business hours. No public bathhouse shall be allowed to conduct business after twelve midnight or prior to eight a.m.

5.52.180 List of services required. A list of all services offered with a brief description of what the service entails, along with the cost of such service, must be posted in a prominent place on the premises licensed. All business transactions with customers must be conducted in accordance with the posted list of services.

5.52.190 Public bathhouse attendant license --Application. No license or renewal of license to act as a public bathhouse attendant shall be issued or renewed except upon written application filed with the city clerk upon forms furnished by the city, which shall be signed and sworn to by the applicant. Such application shall include the following:

(a) The full name, home address and telephone number of the applicant;

(b) At least three references as to the good character of the applicant;

(c) How long applicant has resided in King County and the state of Washington;

(d) All assumed names and aliases which have been or are used by the applicant;

(e) One two inch by two inch black and white photograph of the applicant, taken within six months of the date of the application, showing only the full face of such applicant. The one two inch by two inch black and white photograph shall be provided at the applicant's expense. The license, when issued, shall have affixed to it such photograph of the applicant, and such license shall be posted and displayed in a conspicuous place in the establishment where such licensee is employed, at all times, and such license shall not be tampered with in any manner;

(f) The applicant's previous occupations and employers for the past five years;

(g) The applicant's previous experience, if any, as a public bathhouse attendant;

(h) Such other relevant and pertinent information as the city clerk may reasonably require in connection with such application.

5.52.200 Public bathhouse attendant license --Issuance and renewal. Upon the filing of an application for a license to act as a public bathhouse attendant, the city clerk shall refer the application to the police department with the request to investigate the statements contained in the application, and to furnish a written report within thirty days containing the results of the investigation, and any other matters pertinent to the application.

If, from the reports and other information available, it appears that the applicant possesses the proper qualifications and has complied with all of the requirements of this chapter, and has not been convicted of soliciting for, or engaging in prostitution within the preceding five years, the city clerk shall issue or renew the license;

otherwise, the license application shall be denied.

5.52.210 License--Application fee nonrefundable. Any application for issue or renewal of a license pursuant to this chapter shall not be accepted by the city clerk unless accompanied by the appropriate license fee. In the event an application for a license is refused, the amount tendered as the application fee shall not be returned to the applicant but shall go to the city to defray the cost of examination and investigation.

5.52.220 License--Expiration. All licenses issued or renewed pursuant to this chapter shall expire on December 31st of each calendar year.

5.52.230 License--Suspension or revocation.
(a) In addition to other penalties provided herein or by law, the city hearing examiner, after providing the licensee with ten (10) days notice and conducting a hearing thereafter, shall have the right to suspend or revoke any license issued pursuant to this chapter upon a showing that any establishment or premises licensed hereunder has violated the provisions of this chapter, the provisions of a conditional license, or the provisions of state law.

(b) In addition to other penalties provided herein or by law, the city hearing examiner, after providing the licensee with ten (10) days notice and conducting a hearing thereafter, shall have the right to suspend or revoke any public bathhouse attendant's license issued pursuant to this chapter upon a showing that the attendant licensed hereunder has violated the provisions of this chapter, the provisions of a conditional license or has been convicted of engaging in or soliciting for prostitution within five years of the date of such suspension or revocation.

5.52.240 License--Denial--Hearing. Any applicant whose application has been denied may, within ten days following notification of the denial, file a petition for a hearing with the city Hearing Examiner. The Hearing Examiner shall set a hearing date within thirty days of receiving such request to determine whether the denial of a license is justified.

5.52.250 Penalty for violation. Every person as principal, agent or otherwise, failing, neglecting or refusing to comply with any provision of this chapter, or violating the same, shall be guilty of a misdemeanor and shall be punished as provided by Redmond Municipal Code Section 1.01.110.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary which is hereby approved.

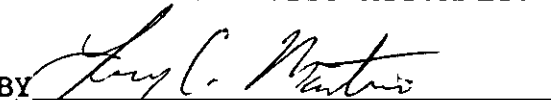
APPROVED:


MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: 4-26-90
PASSED BY THE CITY COUNCIL: 5-01-90
PUBLISHED: 5-06-90
EFFECTIVE DATE: 5-11-90
ORDINANCE NO. 1562