

0020.08006
DAS/crd
05/24/89
R:06/27/89

Replace term "Massage Parlor"
with "Massage Establishment"

ORDINANCE No. 1496

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON,
AMENDING CHAPTER 5.52 OF THE REDMOND MUNICIPAL
CODE TO REPLACE THE TERM "MASSAGE PARLOR" WITH
THE TERM "MASSAGE ESTABLISHMENT".

WHEREAS, the City Council of the City of Redmond,
Washington, having determined that the term "massage parlor" as
used in the City's licensing ordinances may have an unfair
connotation when applied to legitimate massage therapists doing
business in the City and accordingly that the City's ordinances
should be revised to use a more appropriate term, now, therefore,

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

Section 1. The following sections and subsections of
Chapter 5.52 of the Redmond Municipal Code are hereby amended to
read as follows:

MASSAGE THERAPY AND PUBLIC BATHHOUSES

. . . .

5.52.010 Purpose and Scope. The purpose of
this chapter is to establish minimum standards
for the regulation and licensing of public
massage establishments, 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.

. . . .

- (c) "Public massage establishment" means any
place within the city where massages are
given or furnished for, or in expectation
of, any fee, compensation or monetary
consideration.

. . . .

- (f) "Public massage attendant" means any
person who administers to, or performs
services to, patrons of a public massage
establishment or who supervises the work
of a masseur or masseuse or other person
administering to, or performing services
to such patrons.

. . . .

- (h) (3) Act as a public massage attendant;
or

. . .

- (h) (6) Operate a public massage
establishment.

. . .

5.52.040 License--Required.

- (a) No person shall conduct, operate or maintain a public massage establishment or a public bathhouse without first obtaining a license therefor as hereinafter provided.
- (b) No person shall act as a masseur or masseuse or as a public massage attendant or as a public bathhouse attendant without first obtaining a license as hereinafter provided.

5.52.050 License--Fees.

- (a) The fee for a public massage establishment license and 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 application for either of such licenses.
- (b) The fee for a license as a masseur, masseuse, public massage attendant, or a public bathhouse attendant shall be fixed by Council resolution.

. . .

5.52.080 License--Application. No license or renewal of license to conduct a public massage establishment or 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 massage establishment or a public bathhouse. Such application shall contain the following information:

. . .

5.52.090 License--Issuance and Renewal. Upon the filing of an application for issuance or renewal of a license for a public massage establishment or a 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 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 council 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. Upon receipt of the foregoing reports, the city clerk shall submit the application and the reports with his recommendation to the city council. If from the reports and other information, the city council deems the applicant and premises to be fit and proper, the city clerk shall issue or renew the license applied for.

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

5.52.110 Premises--Condition. The premises and equipment of all public massage establishments and 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:

. . .

5.52.130 Employee--Age Restriction. It is unlawful for the owner, proprietor, manager or person in charge of any public massage establishment or any public bathhouse to employ in such establishment any person who is not eighteen 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 massage establishment or 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 lewd or dissolute person, any drunken or boisterous person, or any person under the influence of intoxicating liquor or narcotic drugs.

5.52.150 Unlawful to Advertise Without License. It is unlawful to advertise the giving of massage treatments or 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 massage establishment or 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 massage establishment or public bathhouse shall be allowed to conduct business after twelve midnight or prior to eight a.m. Lighting in all areas used by the public shall be sufficiently bright during business hours.

. . .

5.52.190 Masseur, Masseuse, Attendant License--Application. No license or renewal

of license to act as a masseur or masseuse, or public massage attendant, or 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:

. . .

- (i) The applicant's previous experience, if any, as a masseur, masseuse, public massage attendant or public bathhouse attendant, as the case may be;

. . .

5.52.200 Masseur, Masseuse, Attendant License--Issuance and Renewal. Upon the filing of an application for a license to act as a masseur, masseuse, public massage attendant, or 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. The applicant shall then be required to obtain a physical examination by a licensed and properly qualified and trained physician to ascertain if the applicant is free from contagious or infectious disease. The physician shall complete a written report which shall be returned to the city clerk.

All applicants for a license as a masseur or masseuse under this chapter must have been granted a masseur's license by the State of Washington, which license shall be current and in effect.

If, from the reports and other information available, it appears that the applicant is fit and proper and possesses the proper qualifications, is free from infectious or contagious disease, has not been convicted of a crime of moral turpitude or attempt to defraud, and has complied with all of the requirements of this chapter, the city clerk shall issue or renew the license applied for; otherwise, the license application shall be denied.

Section 2. 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. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not

subject to referendum, and shall take effect five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title.

APPROVED:

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY James C. Martin

FILED WITH THE CITY CLERK:	June 15, 1989
PASSED BY THE CITY COUNCIL:	June 20, 1989
PUBLISHED:	June 25, 1989
EFFECTIVE DATE:	June 30, 1989
ORDINANCE NO. <u>1496</u>	