

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 575

AN ORDINANCE, regulating and providing for the licensing of public massage parlors, bathhouses, saunas and similar facilities; requiring licenses for the operators and employees thereof; defining unlawful practices; and providing penalties for violations.

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Section 1. Purpose and Scope. The purpose of this ordinance is to establish minimum standards for the regulation and licensing of public massage parlors, 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 of Redmond; and to proscribe activities and practices which may be detrimental.

Section 2. Definitions.

(a) Massage: The method, art or science of treating the human body for hygienic, remedial or relaxational purposes by rubbing, stroking, kneading, tapping, rolling or manipulating the human body of another with the hands, or by any other agency or instrumentality. The term "massage" as used herein includes the use, in connection with massage treatment, of such appliances, equipment and aids as heat lamps, electric cabinets designed to produce heat, steam baths given by cabinet or any other method, mineral baths either as complete or partial baths, baths by tub or shower or otherwise, baths administered hot or cold, using water, natural mineral water, a formula, or other liquid, and including colonic irrigation.

Manipulation of the human body in the course of the practice of medicine, surgery, osteopathy, chiropractic, chiropody, naturopathy, dentistry, nursing, physical therapy, optometry, or any other of the healing arts by persons licensed by the State of Washington to practice such healing arts is not included in the term massage as used herein.

(b) Person: Any individual, firm, partnership, association, corporation, company or organization of any kind.

(c) Public Massage Parlor: Any place within the City of Redmond where massages are given or furnished for, or in expectation of, any fee, compensation or monetary consideration.

(d) Public Bathhouse: Any place within the City of Redmond 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; PROVIDED, that "public bathhouse" for the purpose of this ordinance, does not include such baths or facilities for baths where no attendant or other person administers, or holds himself out as administering, massage treatment as herein defined, either by physical manipulation of the body or by the use of equipment.

(e) Masseur, Masseuse: A person, who practices massage, or holds himself or herself out as practicing massage, for, or in expectation of, any fee, compensation or monetary consideration.

(f) Public Massage Parlor Attendant: Any person who administers to, or performs services to, patrons of a public massage parlor

or who supervises the work of a masseur or masseuse or other person administering to, or performing services to such patrons.

(g) Public Bathhouse Attendant: Any person who administers to, or performs 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.

(h) License: A certificate issued by the City of Redmond authorizing a holder thereof to (1) act as a masseur; or (2) to act as a masseuse; or (3) to act as a public massage parlor attendant; or (4) to act as a public bathhouse attendant; or (5) to operate a public bathhouse; or (6) to operate a public massage parlor.

Section 3. Exemptions. This ordinance shall not apply to massage treatments or both given in a family home where only members of the family are treated, or to massage treatments or baths given in any hospital, or by physical therapists who treat patients only on written prescription of licensed physicians, or by any person so 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; provided, that those now in existence in Redmond shall have one year in which to comply with the provisions of this ordinance.

Section 4. License Required.

(a) No person shall conduct, operate or maintain a public massage parlor 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 parlor attendant or as a public bathhouse attendant without first obtaining a license as hereinafter provided.

Section 5. License Fees.

(a) The fee for a public massage parlor license is hereby fixed at \$50.00 per annum, and the fee for a public bathhouse license is hereby fixed at \$50.00 per annum. An additional nonrefundable application fee of \$20.00 shall accompany each application for such a license.

(b) The fee for a license as a masseur, masseuse, public massage parlor attendant, or a public bathhouse attendant is hereby fixed at \$10.00.

Section 6. License to be Displayed. The licenses required by this ordinance must be prominently displayed for public inspection at the business establishment of the licensee.

Section 7. Probationary License. The City Council 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 Council deems necessary to provide reasonable safeguards for the public against misuse of such license.

Section 8. Application For and Renewal of License -- Massage Parlor -- Public Bathhouse. No license or renewal of license to conduct a massage parlor or 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 massage parlor or public bathhouse. Such application shall contain the following information:

(a) The true 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 applicant is a sole proprietorship, partnership

or corporation. If partnership, giving names of all persons sharing in the profits of said business; if corporation, giving the names of its officers, directors and shareholders, giving title, 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 of legal age.

(f) Whether the applicant or anyone owning an interest in the business, or proposed business, has ever been convicted of any crime. If so, stating what crime, when and where.

(g) Such other information as the City Council may require.

Section 9. Issuance and Renewal of License -- Massage Parlor -- Public Bathhouse. Upon the filing of an application for issuance or renewal of a massage parlor license or public bathhouse license, 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 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 said 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.

Section 10. Inspection of Premises. Any massage parlor or public bathhouse as licensed herein shall be at all times open to reasonable inspection as to sanitary and safety conditions by the City of Redmond health officers and building department.

Section 11. Condition of Premises. The premises and equipment of all public massage parlors and 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 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 shall allow the presence of coliform bacteria in any of the 5 ten ml. portions examined. Chlorine residual of .4 ppm. in all parts of pool while in use will assure acceptable bacteriological standards.

(d) Chlorine and Ph test kit should be used routinely to check the chemical make up of pool water and results to be recorded on a daily log sheet and to be kept current at all times.

(e) Any stools or benches in any bath facility should be easily cleanable and soundly constructed. They should 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.

Section 12. Unlawful to Employ Unlicensed Person. It shall be 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 ordinance.

Section 13. Unlawful to Employ Person Under Eighteen Years. It shall be unlawful for the owner, proprietor, manager or person in charge of any massage parlor or public bathhouse to employ in such establishment any person who is not eighteen years of age.

Section 14. Unlawful to Admit Certain Persons. It is unlawful for the owner, proprietor, manager or person in charge of any massage parlor or 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 persons, any drunken or boisterous person, or any person under the influence of intoxicating liquor or narcotic drugs.

Section 15. Unlawful to Advertise Without License. It shall be 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 ordinance.

Section 16. Unlawful to Consume Liquor on Premises. Liquor (as that term is defined in the Washington State Alcoholic Beverage Control Act) shall not be distributed or consumed on the premises of any public massage parlor or public bathhouse, unless the premises are licensed to serve the same by the Washington Liquor Control Board.

Section 17. Business Hours. No massage parlor or public bathhouse shall be allowed to conduct business after the hour of 12:00 o'clock P.M. or prior to the hour of 8:00 o'clock A.M. Lighting in all areas used by the public shall be sufficiently bright during business hours.

Section 18. 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.

Section 19. Application For or Renewal of License - Masseur - Masseuse - Attendant. No license or renewal of license to act as a masseur or masseuse, or public massage parlor 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 of Redmond, which shall be signed and sworn to by the applicant. Such application shall include the following:

(a) The true 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) Whether the applicant has ever been convicted of a crime. If so, stating the nature of the crime, the date of conviction, the name and location of the convicting court, and the disposition thereof.

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

(f) Two 2" x 2" black and white photographs of the applicant, taken within six months of the date of the application, showing only the full face of such applicant. The two 2" x 2" black and white photographs 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.

(g) Such applicant may also be required to submit to fingerprinting by the police department, and such fingerprints shall be retained in the applicant file, a copy of which will be forwarded to the Federal Bureau of Investigation, Identification Division.

(h) The applicant's previous occupations and employers for the past five years.

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

(j) Such other relevant and pertinent information as the City Council may reasonably require in connection with such application.

Section 20. Issuance and Renewal of License - Masseur - Masseuse - Attendant. Upon the filing of an application for a license to act as a masseur, masseuse, public massage parlor attendant, or public bathhouse attendant, the city clerk shall refer the same to the police department with the request to investigate the statements contained in said application, and to furnish a written report within 30 days containing the results of the investigation, and any other matters pertinent to said application. The city clerk

shall refer the application to Seattle-King County Health Department, with a request to examine the applicant physically to ascertain if said applicant is free from contagious or infectious disease and to make a written report thereon.

All applicants for a license as a masseur or masseuse under this ordinance must have been granted a masseur's license by King County, 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 ordinance, the city clerk shall issue or renew the license applied for; otherwise, the license application shall be denied.

Section 21. Application Fee - Non-refundable. Any application for issue or renewal of a license pursuant to this chapter shall not be accepted by the county license director unless accompanied by the appropriate license fee. In the event an application for a license is refused, the amount tendered as the license fee shall not be returned to the applicant but shall go to the City to defray the cost of examination and investigation.

Section 22. Expiration of Licenses. All licenses issued or renewed pursuant to this ordinance shall expire on the 31st day of December of each calendar year.

Section 23. Suspension or Revocation of License.

(a) In addition to other penalties provided herein or by law, the City Council, after due notice of hearing is given to the licensee and a hearing is conducted, 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 operated in violation of the provisions herein.

(b) In addition to other penalties provided herein or by law, the City Council, after due notice of hearing is given to the licensee and a hearing is conducted, shall have the right to suspend or revoke any masseur's license issued pursuant to this chapter for reasons of health, incompetency, immoral conduct or intemperance.

Section 24. Denial of License -- 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 Council. The Council shall set a hearing date within thirty days of receiving such request before the Council as a whole or a committee thereof, to determine whether the denial of a license is justified.

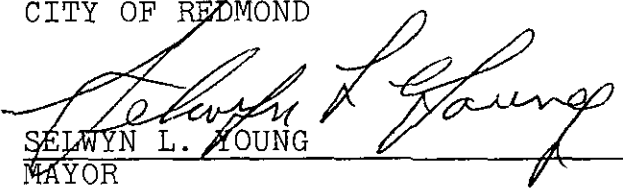
Section 25. Violation -- Penalties. Every person as principal agent or otherwise, failing, neglecting or refusing to comply with any provision of this ordinance, or violating the same, shall be guilty of a misdemeanor and shall be punished as provided by section 1.01.110 of the Redmond Municipal Code.

Section 26. Severability. If any section of this ordinance, or any portion of any section of this ordinance, or its application to any person or circumstances held invalid, the remainder of the ordinance, or the application of the provision to other persons and circumstances, shall not be affected.


Section 27. Effective Date. This ordinance shall take effect and be in force five (5) days after the date of its publication in the manner provided by law.

PASSED by the Council of the City of Redmond, Washington,
at a regular meeting thereof, and APPROVED by the Mayor
this 21st day of March, 1972.

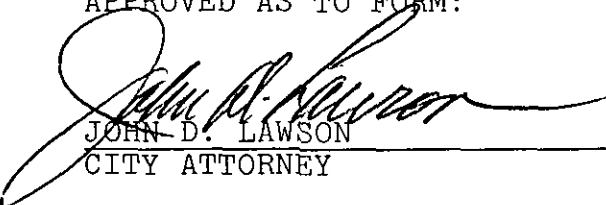
CITY OF REDMOND


SELWYN L. YOUNG
MAYOR

ATTEST:


ELEANOR J. HAYDEN
CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY

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