



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Details (With Text)

File #: ORD 15-2312 **Version:** 4 **Name:** Massage Therapist/Enterprise Ordinance
Type: Ordinance **Status:** Passed
File created: 6/18/2015 **In control:** City Council
On agenda: 6/18/2015 **Final action:** 6/18/2015
Title: SECOND READING

LICENSING AND REGULATION OF THERAPEUTIC MASSAGE

Sponsors: Catherine Sorensen

Indexes:

Code sections:

Attachments: 1. SECOND READING.pdf

Date	Ver.	Action By	Action	Result
6/18/2015	4	City Council	Adopted	Pass
6/4/2015	3	City Council Workshop		
4/2/2015	2	City Council	Introduced, Read, and Placed on File for Second Reading	
3/12/2015	1	City Council Workshop	Discussed and Forwarded	

ADMINISTRATION - *Cathy Sorensen, City Clerk*

SECOND READING

LICENSING AND REGULATION OF THERAPEUTIC MASSAGE

Workshop	03/12/15
First Reading	04/02/15
Workshop	06/04/15
Second Reading	06/18/15

After discussion at the 2015 Council retreat, Council directed staff to bring forward a code amendment that would limit the number of massage enterprise licenses in the City to one (1) license for every 2,500 in population. First reading of this ordinance was held on April 2 and included other minor amendments with regard to hours of operation, accredited institutions, and violations as summarized below:

- Expanding the Accredited Institutions to include those holding accredited status with the Minnesota Officer of Higher Education
- Clarification on issuing authority
- Number of licenses allowed

- Clarification on location addresses to include suite numbers
- Clarifying any past license revocations or suspensions
- Removing 2012 license fee language that is no longer relevant
- Clarification regarding compliance with State Building Code, Fire Code, and Code of Ordinances
- Hours of operation including location(s) within Northtown Mall to coincide with mall hours
- Clarification regarding annual inspections and hearings in the event of a revocation and/or suspension

Staff had forwarded the proposed language to current enterprise license holders. Gary Meyers, owner of Massage Envy, and Danielle Holten, licensed massage therapist and owner of Essentially Massage, both shared concerns regarding limiting the hours of operation and have requested expanding the hours to accommodate clients by appointment early in the morning to accommodate their work schedules and requested the hours be expanded to begin at 7:00 a.m. Staff has no objection to this revision and has included this change with second reading. Ms. Holten also shared concerns about the need to license all massage therapists, including those who are currently exempt under the current ordinance.

Jason Erickson, President of the Minnesota Chapter of American Massage Therapy Association, contacted staff with concerns that limiting the number of enterprise licenses may result in unintended consequences such as unlicensed operations and said background checks and proof of identity and qualifications are more effective ways of differentiating between legitimate and illegitimate practitioners. He also shared concerns about potentially restricting license holders the ability to expand by adding new locations.

At first reading Council had some questions with the regard to license exceptions so at the June 4 workshop a brief discussion was held regarding the current exceptions as well as a request to include athletic training as an additional exception. Council directed staff to include athletic training as an allowed exception but after further review staff is recommending expanding that language to include other professional practices licensed or registered by the State as these practices would be regulated by another governmental body with a board where concerns and complaints could be directed.

Council also confirmed their direction to limit the number of enterprise licenses to one per 2,500 in population, which based on the latest Metropolitan Council estimate would limit the number of enterprise licenses to 24. Any approved license holders, currently at 27, would be grandfathered in until the ordinance is put into effect.

Hold second reading and adopt the proposed ordinance amending licensing and regulation of therapeutic massage. If adopted, staff is also recommending adoption of a companion resolution providing for publication of a summary of this ordinance.