



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Details (With Text)

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Sponsors: Catherine Sorensen
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WORKSHOP - *Cathy Sorensen, City Clerk*

REVIEW OF THERAPEUTIC MASSAGE ORDINANCE

Staff has been reviewing the current therapeutic massage ordinance and after much research and collaboration is recommending amendments that we believe will both continue recognizing and supporting industry standards of massage therapy and the business enterprises in our City while ensuring public safety.

A summary of the proposed amendments are outlined below:

- *Definitions* - provides mechanism for proof of recognized training by graduates of an accredited institution that may no longer be in existence (MN School of Business)
- *License required; number of licenses* - recommends reduction in the number of enterprises from current ratio of 1/2500 of population to 10 with all existing licenses remaining until released through attrition
- *Exceptions*
 - creates additional requirements for students of massage therapy including proof of increased education hours, photo identification cards, and limits how long a student can work
 - creates an exception for individuals performing therapy at a wellness/expo type event
- *License application*
 - provides ability to charge an applicant with forgery in the event an application is intentionally falsified

- designates a responsible party similar to the liquor licensing ordinance
 - clarifies current application to include whether an applicant has operated an enterprise in another city/state
 - requires submission of tax returns
 - extends disclosure by applicant of previous home, business, employer and any massage license suspensions/revocations from 5 to 10 years as well as disclosure if the subject of any investigation regarding massage therapy
- *License application verification and consideration*
 - extends background capabilities of police to include other state agencies
 - requires enterprise to provide national background investigation results of therapists
 - clarifies that photo ID cards be made readily available
- *Persons ineligible for license*
 - includes previous license denials as reason for ineligibility and extends timeframe of previous license denials, revocations or suspensions from 5 to 10 years for both applicant and spouse
 - allows City to require a new license and review process for a person who either surrendered or allowed their license to expire
- *Locations ineligible for therapeutic massage enterprise license*
 - requires separate entrance for all enterprises
 - creates mechanism for license denial if enterprise has employed a therapist with 2 or more license suspension/revocations
- *License restrictions -*
 - requires that massage therapy be performed at the enterprise location; no off-site therapy allowed
 - prohibits any type of “mobile” therapy
 - expands language in illegal activities
 - prohibits enterprise from potential use as living quarters and from use of alcohol onsite
- *Restrictions regarding sanitation, health and safety -* limits type of equipment and modalities allowed at an enterprise
- *Term, renewal of license*
 - clarifies that hearing officer is acting on behalf of City Council and provides for potential fines to enterprise should a violation occur
 - prohibits ability to reapply for 5 years in event of misrepresentation
 - allows for postponement of license renewal in event of pending citation
- *Suspension of license for violations -* allows for immediate suspension pending a hearing in the event of a public safety concern

Staff will present additional information at the workshop meeting. Staff will be working with

industry representatives to address any areas of concern.

Review the proposed amendments and provide staff feedback.