



Office of the City Clerk  
11155 Robinson Drive  
Coon Rapids MN 55433-3761  
763-767-6432

APPLICATION FORM FOR  
MESSAGE THERAPIST LICENSE

Dear Applicant:

Thank you for your interest in obtaining a therapeutic massage therapist license in Coon Rapids. All application materials must be completed and fees paid before your application will be processed. Upon receipt of your completed application, the Police Department will conduct a background investigation.

After the investigation is completed, the application and background investigation will be reviewed by the City Clerk. Depending on the length of the investigation and review, the process may take up to fourteen business days to complete.

Attached are the forms you will need to complete. A copy of the City Code regarding therapeutic massage (5-2900) and general licensing provisions (5-100) is also provided.

All fees are due when the application is submitted. The 2012 fee for a Massage Therapist license is \$44, however an application submitted after July 1 is 50 % of the annual fee. There is a non-refundable investigation fee of \$44 for a new massage therapist license. Checks should be made payable to City of Coon Rapids. In the event a license is denied, only the license fee will be refunded.

If you have questions about the forms, regulations or the process, please feel free to contact this office at 763-767-6432.

Kris Linquist, CMC  
Deputy City Clerk



MASSAGE THERAPIST
MASSEUR; MASSEUSE
LICENSE APPLICATION

For Office Use Only
License #
Receipt #
Date:
Amt. Pd.

- Masseur - \$160; Masseur - \$160; Investigation Fee - \$385
Massage Therapist - \$44; Investigation Fee - \$44

- Photo ID Attached
Training Cert Attached

Applicant's First Middle Last Date of Birth Place of Birth

Street Address Day Telephone U.S. Citizen Yes; No

City State Zip Business Name where you will practice therapeutic massage.

Have you ever used or been known by a name other than your true name? Yes; No. If yes, list the name or names and information concerning dates and places where used:

List all street addresses at which you have lived during the preceding five (5) years:

List the names and addresses of your employers and/or partners, if any, for the preceding five (5) years:

Have you ever been convicted of a crime? Yes; No. If yes, give details as to the offense, date of occurrence and location:

Physical description of Applicant: Height Weight Hair Color Eye Color

Name and address of training institutions attended: Dates of attendance:

List previous massage related employers:

Are you a licensed masseur, masseuse or massage therapist in other communities? Yes; No. If yes, please list city, license number and effective period of license:

Have you ever been denied a license or had a license revoked? Yes; No. If yes, please explain:

List three metropolitan area residents who are of good moral character, not related to you, without a financial interest in the premises or business and who would provide a reference as to your character:

Name: Home Address:

Name: Home Address:

Name: Home Address:

Date: Signature:

## AUTHORIZATION OF RELEASE OF DATA

In order to comply with State and Federal Data Privacy Acts, the City of Coon Rapids is required to ask the following information. This authorization expires one year from date of application.

PLEASE PRINT:

\_\_\_\_\_  
Full First                      Middle                      Last

\_\_\_\_\_  
Driver's License Number

\_\_\_\_\_  
Home Street Address

\_\_\_\_\_  
Date of Birth (MM/DD/YY)

\_\_\_\_\_  
City                              State                              Zip

\_\_\_\_\_  
Day Phone Number

\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Evening Phone Number

Have you ever been convicted of any crime, either felony or misdemeanor?  Yes;  No. If yes, state nature and location of offense(s): \_\_\_\_\_

Have you ever been convicted of any traffic offense?  Yes;  No. If yes, state nature and location of offense(s): \_\_\_\_\_

I, the undersigned, have made application with the City of Coon Rapids for a **MASSAGE THERAPIST LICENSE; MASSEUR LICENSE; MASSEUSE LICENSE** (Circle one). Realizing the City has need to investigate my background and history in order to better evaluate my application, I hereby authorize and request every law enforcement official and every other person, firm, officer, corporation, association, organization or institution having control of any documents, records or other information pertaining to me to furnish the original or copies of any such documents, records and other information to the City, and to permit said City or any of its representatives to inspect and make copies of any such documents, records and other information. I further authorize any such persons to answer any inquiries, questions or interrogatories concerning the undersigned which may be submitted to them by the City or its authorized representative. I fully understand that the information so obtained by the City may be used in the evaluation of my application.

I hereby release and exonerate any person who shall comply with the authorization and request made herein from any and all liability of every nature and kind growing out of and in any ways pertaining to the furnishing or inspection of such documents, records or other information.

I am a resident of the State of Minnesota  Yes;  No

If not a Minnesota resident, I authorize the appropriate authorities to conduct a background investigation in the state of residence listed on the valid identification card provided as part of this application.

Date: \_\_\_\_\_ Applicant Signature: \_\_\_\_\_

- Attached is a copy of a valid Driver's License or State issued ID**
- Attached is a copy of Training Certificate**



SUPPLEMENTAL INVESTIGATION INFORMATION

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Print Full Name

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Date of Birth

The following information is necessary for the Police Department to properly identify the applicant for purposes of the required background investigation. This information will be retained only by the Police Department as required by law and will not be included in any investigative report submitted to the City Council and will not become a part of the public record or released to the public except as authorized by law.

Sex:  Male;  Female

Race: \_\_\_\_\_

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 5-100

GENERAL PROVISIONS

5-101 Powers of City Council. The City Council shall have all the legislative and discretionary powers of the City to regulate and issue licenses and permits.

5-102 Authority of City Clerk to Issue. Except as may be otherwise provided in Titles 5 and 6, the City Clerk is authorized to approve or deny applications for all licenses and permits provided for therein and, upon approval, to issue the appropriate licenses and permits. Applications shall be made in writing on such forms as the Clerk may from time to time designate and shall contain such information as may be required by the Clerk. Applications shall be made by the proposed licensee or permittee or the applicant's designated authorized agent. Unless otherwise provided, the decision of the Clerk must be made within 14 business days following receipt of a completed application. For reasonable cause, the Clerk may, by providing written notice before the end of the initial review period, extend the review period one time for an additional period of up to 14 business days. All decisions of the Clerk must be in writing and any denial must state the reasons therefor. The issuance of a license or permit will constitute written approval of an application. Failure of the Clerk to act on an application within the allotted time period, or any extension thereof, will constitute approval of the application.[Revised 3/1/05, Ordinance 1869]

5-103 Referral to Council. The City Clerk will refer any application to the City Council whenever the applicable City Code provisions require Council action.[Revised 3/1/05, Ordinance 1869]

5-104 Appeal to City Council. Within 10 calendar days after written notice of the City Clerk's decision, any aggrieved party may appeal that decision to the City Council by submitting a written notice of appeal with the Clerk stating the grounds for the appeal. The Clerk will cause the appeal to be placed on the next available City Council agenda that is scheduled not less than 10 nor more than 30 calendar days following receipt of the appeal notice. The Clerk will, in writing, notify the applicant, and such other appropriate parties as determined by the Clerk, of the date, time and place of the meeting at which the appeal will be heard. If the Clerk has issued a license or permit and an aggrieved party appeals that action, the license or permit shall remain in effect until the Council has acted upon the matter. The Council may affirm or deny the issuance of the license or permit in accordance with the appropriate Code section. The decision of the Council may be subject to judicial review upon written notice thereof provided to the City Clerk within 10 calendar days after the Council's decision. If no appeal is taken as provided for herein, a license or permit issued by the Clerk, or by the Council on appeal, shall be deemed valid and may be revoked only after a hearing and for cause shown, as provided for in Section 5-108.[Revised 3/1/05, Ordinance 1869]

5-105 License Period and Fee. Each license issued pursuant to this Chapter shall run from January 1 through December 31 of each year, unless otherwise stated, and the required fee shall be prorated on a monthly basis unless specifically provided otherwise. If the fee is prorated, the City Clerk or the Council may stay commencement of the license period until the purpose for which the license is granted begins. The license fee shall accompany each application and shall be returned to the applicant if the application is denied, unless specifically provided otherwise.

5-106 Posting. Any license or permit that is issued pursuant to this Chapter shall be posted in a conspicuous place on the licensed premises for its duration.

5-107 Transfer of License. No license or permit shall be transferable as to holder or location without the consent of the City Clerk, if the license was issued by the Clerk, or by the City Council if issued by the Council.

5-108 Revocation or Suspension. The City Council may, for cause, revoke or suspend any license or permit

issued pursuant to this Chapter. Before revocation or suspension, the licensee or permittee shall be provided with written notice setting forth the nature of the charges and setting a date and time for the hearing before the City Council, which hearing shall not be less than 10 nor more than 30 calendar days following the date of service of such notice upon the licensee or permittee by registered mail or personal service. The licensee or permittee shall have the right to appear with counsel, and to present such evidence and make such argument as the Council may deem appropriate. The Council shall have the discretion and authority to suspend the license or permit pending the hearing.[Revised 3/1/05, Ordinance 1869]

5-109 Retail Liquor License Revocation or Suspension; Civil Penalty. Notwithstanding the provisions of Section 5-108 the City Council may suspend, revoke, impose a civil penalty, or impose a combination of these sanctions with respect to a retail liquor license, but only in conformance with Minnesota Statutes Section 340A.415.[Revised 9/3/96, Ordinance 1573]

5-110 Criminal History Background Investigations. When required by law or ordinance as a condition of the issuance of a license, the Police Department is hereby required as the exclusive entity within the City, to conduct criminal history background investigations on applicants for City licenses under Title 5 of the City Code or any other Chapter requiring a criminal history background investigation as a condition of granting a license.

In conducting the criminal history background investigation in order to screen license applicants, the Police Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system in accordance with the Bureau of Criminal Apprehension policy. Any data that is accessed and acquired shall be maintained at the Police Department under the care and custody of the chief law enforcement official or his or her designee. A summary of the results of the Computerized Criminal History data may be released by the Police Department to the licensing authority, including the City Council, the City Manager, City Clerk, or other city staff involved in the license approval process.

Before the investigation is undertaken, the applicant must authorize the Police Department by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minn. Stat. Chap. 13 regarding the collection, maintenance and use of the information. Except in the case of exceptions set forth in Minnesota Statutes Section 364.09, as may be amended from time to time, the City will not reject an applicant for a license on the basis of the applicant's prior conviction unless the crime is directly related to the license sought and the conviction is for a felony, gross misdemeanor, or misdemeanor for which a jail sentence was, or could have been, imposed. If the City rejects an applicant's request for a license on this basis, the City will notify the applicant in writing of the following:

- (1) the grounds and reasons for denial;
- (2) the applicant complaint and grievance procedure set forth in Minnesota Statutes Section 364.06, as may be amended from time to time;
- (3) the earliest date the applicant may reapply for a license; and
- (4) that all competent evidence of rehabilitation will be considered upon re-application. [Adopted 5/6/03, Ordinance 1799][Revised 7/7/09, Ordinance 2016]

5-111 Notice. For the purposes of Titles 5 and 6, any required written notice will be considered completed at such time as it is deposited in the United States mail. Unless the City Clerk is advised otherwise, notices relating to licenses and permits under Title 5 will be addressed to the applicant and sent to the address provided on the application form. The issuance of a license or permit will be considered written notice of approval of an application.[Revised 3/1/05, Ordinance 1869]

5-112 Time Extensions. Unless otherwise provided in State law or elsewhere in this Title 5, the City Clerk may, for cause, extend the time for approving or denying an application for license or permit. The extension may not exceed 14 calendar days and the Clerk must notify the applicant of the extension and the reasons therefor before the end of the initial approval period.[Revised 3/1/05, Ordinance 1869]

5-113 Definitions. For purposes of this Title 5, the following terms will have the meanings provided in this section unless specifically stated otherwise.

- (1) "Business Days" mean those days when the offices of the City of Coon Rapids are open for normal business.
- (2) "City Clerk" means the duly appointed City Clerk or the Clerk's designee.
- (3) "Mail" means the deposit in the United States mail.[Revised 3/1/05, Ordinance 1869]

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 5-2900

THERAPEUTIC MASSAGE

5-2901 Purpose. The City Council finds that persons who have received recognized and standardized training in therapeutic massage, health, and hygiene provide a legitimate and necessary service to the citizens of the community. The Council further finds that health and sanitation regulations governing therapeutic massage enterprises and massage therapists will minimize the risk of the spread of communicable diseases and will promote health and hygiene. The Council has therefore determined that it is in the best interests of the City and its citizens to provide for the licensing of therapeutic massage enterprises and massage therapists in order to protect the public health, safety, and general welfare by minimizing the risk that massage enterprises and their employees will facilitate unlawful activities, and that persons without recognized and standardized massage training will endanger citizens by the transmission of communicable diseases, by exposing persons to unhealthy and unsanitary conditions, and by increasing the risk of personal injury.

5-2902 Application of Chapter 5-100. All applicable provisions of Chapter 5-100 will apply to the issuance and enforcement of licenses granted under this Chapter, provided that any conflicts between the provisions of Chapter 5-100 and this Chapter will be resolved in favor of the provisions contained in this Chapter.

5-2903 Definitions. As used in this Chapter, the following terms will have the meanings ascribed to them:

- (1) "Clean" means the absence of dirt, rubbish, garbage, and other offensive, unsightly, or extraneous matter.
- (2) "In good repair" means free of corrosion, breaks, cracks, chips, pitting, excessive wear and tear, leaks, obstructions, and similar defects.
- (3) "Massage" means the rubbing, stroking, kneading, tamping, or rolling of the body of another person with the hands or any instrument for the purpose of tension, stress, or pain relief, physical fitness, increased range of motion, muscle tone improvement, beautification, health-care referral, relaxation, and for no other purpose.
- (4) "Operate" means to own, manage, or conduct, or to have control, charge, or custody over.
- (5) "Therapeutic massage enterprise" means a place of business providing massage services to the public for consideration. The term does not include a hospital, medical clinic, medical doctor's office, sanitarium, rest home, nursing home, boarding home, or other institution for the hospitalization or care of human beings which is duly licensed under the provisions of Minnesota Statutes, Sections 144.50 through 144.69, as may be amended from time to time, or an adults only massage parlor defined in Section 5-2202 of this Title.
- (6) "Therapeutic massage therapist" means a person who practices or administers massage to the public for consideration. The term does not include a state licensed medical doctor, chiropractor, osteopath, podiatrist, nurse, or physical therapist, or an assistant who works solely under the direction of one or more of the above-described professionals. The term also does not apply to a state licensed beautician or barber who confines their treatments to the scalp, face, and neck.
- (7) "In the City" means physical presence as well as telephone or electronic referrals in which the business, although not physically located within the City, serves as a point of assignment of employees who respond to requests for services in the City.
- (8) "Person" means one or more individuals, a partnership, including a limited partnership, a corporation, including a foreign, domestic, non-profit, or limited liability company or corporation, a trust, or any other business organization.

5-2904 Licenses Required.

- (1) Therapeutic Massage Enterprise. No person may operate, offer, engage in, or carry on massage services in the City without first obtaining a therapeutic massage enterprise license.

(2) Massage Therapist. No person may provide, offer, engage in, or carry on massage services in the City, and no therapeutic massage enterprise may employ a person to provide massage services, unless the person is a licensed massage therapist.

5-2905 Exceptions. A therapeutic massage enterprise or massage therapist license is not required for the following:

(1) Persons licensed by the state to practice medicine, surgery, osteopathy, chiropractic, physical therapy, or podiatry, provided that the massage is administered in the regular course of a medical treatment and not as part of a separate and distinct massage business.

(2) Persons licensed by the state as beauticians or barbers, provided the persons do not hold themselves out as providing massage treatments, and provided that any massage by a beautician is limited to the head, hands, neck, and feet, and any massage by a barber is limited to the head and neck.

(3) Persons working solely under the direction or control of a person described in subsection (1) above.

(4) Enterprises licensed or operating as a hospital, nursing home, hospice, sanitarium, medical clinic, medical doctor's office, or a group home established for hospitalization or medical care.

(5) Athletic coaches, directors, and trainers employed by public or private schools.

(6) The owner or operator of a licensed therapeutic massage enterprise need not be licensed as a massage therapist unless the owner or operator personally provides massage services.

5-2906 License Applications. Applications for licenses under this Section must be made to the City Clerk on forms provided by the City and must, at a minimum, include the following information:

(1) Therapeutic Massage Enterprise:

(a) All applicants:

(i) Whether the applicant is an individual, corporation, partnership, or other form of organization.

(ii) Street address of the proposed location.

(iii) If the enterprise will be conducted in a portion of a building, identification of the exact portion of the building being used.

(iv) Whether all real estate and personal property taxes due and payable for the premises to be licensed have been paid, and if not, the years and amounts unpaid.

(v) Official, full name of the enterprise.

(vi) Evidence of the insurance required under section 5-2909.

(vii) Whether the applicant is licensed to provide similar massage services in other communities and, if so, where.

(viii) Whether applicant has ever been denied a massage license, or had such a license revoked, and, if so, the pertinent information including the community and circumstances.

(ix) Names, residence addresses, and business addresses of two residents of the metropolitan area who are of good moral character, are not related to the applicant, and do not have a financial interest in the enterprise being licensed or the proposed premises of the operation who may provide the City with information regarding the applicant or any owner, manager, or other person with an interest in the applicant.

(x) Such other information as the City may require to properly review the application.

(b) Applicants who are individuals:

(i) Name, date of birth, and current residential address of applicant.

(ii) Whether the applicant has ever used or been known by a name other than the one provided under (i) above and, if so, the name or names used and information relative to the dates and places where used.

(iii) Residence addresses of the applicant during the immediately preceding five years if different than provided under (i) above.

(iv) Type, name, and location of every business or occupation engaged in by the applicant within the immediately preceding five years.

- (v) Names and addresses of applicant's employers during the immediately preceding five (5) years.
- (vi) Whether applicant has ever been convicted of a criminal offense or local ordinance, other than a minor traffic offense, and, if so, the nature, place, and date of the offense.

(vii) Whether applicant has previously engaged in a massage services operation and, if so, the name and location of the operation and the dates of the involvement.

(c) Applicants that are partnerships:

(i) Names and addresses of all general and limited partners and the information required for individual applicants under (b) above for all general partners.

(ii) Designation of managing partners and the respective interests of each general and limited partner.

(iii) Copy of the partnership agreement and copy of certificate of trade name if such certificate is required under state law.

(d) Applicants that are corporations or other organizations:

(i) Name of the corporation or organization and, if a corporation, the state where incorporated.

(ii) Copies of the Certificate of Incorporation, Articles of Incorporation or Association Agreement, and Bylaws of the organization. If the applicant is a foreign corporation, a state Certificate of Authority.

(iii) Names of the general manager, corporate officers, proprietor, and other person or persons to be in charge of the premises to be licensed, and all the information required for individual applicants under (b) above regarding such persons.

(iv) List of names and residence addresses of all persons who have a controlling interest, or more than five percent interest in a corporation or other organization applying for a license.

(v) If the applicant is a nonprofit corporation, include a complete membership list for the corporation.

(2) Therapeutic Massage Therapist:

(a) Applicant's name, current residential address, date of birth, and residential telephone number.

(b) Applicant's residential addresses for the previous five years if different than provided under (a) above.

(c) Name and address of applicant's current employer.

(d) Names and current addresses of applicant's employers for the previous five years and the dates of such employments.

(e) Names and addresses of training institutions attended and dates of such attendance.

(f) Whether applicant is licensed in other communities to provide similar services and, if so, where.

(g) Whether applicant has previously been denied a similar license, or had a license revoked, and, if so, provide information regarding where, when, and the circumstances.

(h) Whether applicant has ever been convicted of a criminal offense, or the violation of a local ordinance, other than a minor traffic offense, and, if so, provide information regarding the place, date, and nature of the offense.

(i) Whether the applicant has ever used or been known by a name other than the one provided under (a) above and, if so, the name or names used and information relative to the dates and places where used.

(j) Evidence of the following:

(i) Applicant is affiliated with, employed by, or owns a City licensed therapeutic massage enterprise.

(ii) Applicant has completed 400 hours of certified therapeutic massage training from recognized school approved by the City, or has at least one year of experience in therapeutic massage in association with a therapeutic massage enterprise and will complete 400 hours of certified training within two years after being issued a massage therapist license under this Chapter, or has at least five years experience as a therapeutic massage therapist in association with a therapeutic massage enterprise. Evidence of prior experience will be in a form acceptable to the City.

(k) Provide a valid state issued driver's license or identification card.

(l) Names and addresses of two persons of good moral character and not related to the applicant who

reside in the metropolitan area and who can provide the City with information regarding the applicant.

(m) Such other information as may be required by the City.

#### 5-2907 Fees.

(1) License and investigation fees will be established from time to time by City ordinance.

(2) All required fees must accompany an application for a new or renewal license.

(3) Each license renewal is subject to the annual license fee.

(4) An investigation fee will be required only for a new license application. An applicant whose most recent City license expired one year or more before the date of an application will be considered a new applicant requiring an investigation fee.

(5) The license fee, but not the investigation fee, for an application received after July 1 in any year will be 50 percent of the annual license fee for the remainder of the first year of the license.

(6) Upon rejection of an application, the license fee, but not the investigation fee, will be refunded to the applicant.

#### 5-2908 Issuance of Licenses.

(1) Therapeutic Massage Enterprise. Within 45 days after receipt of a complete application and payment of all required fees, the City Clerk will verify the information provided, will investigate, or cause the investigation of, the background of the applicant, including the criminal background, to assure compliance with this Section, and submit a written recommendation to the City Council relative to the issuance or non-issuance of the license. The City Council may request additional information, but must grant or deny the application within 90 days after receipt of the complete application by the City. Failure to act on the application within the time provided will constitute approval of the license.

(2) Massage Therapist. Within 14 days after receipt of a complete application and payment of all required fees, the City Clerk must grant or deny the application for a massage therapist license. Failure of the Clerk to act upon the application within the time provided will constitute approval of the license. Notice of denial, along with the reasons therefor, will be sent to the applicant. Such notice must be delivered to the applicant or placed in the U.S. mail within the 14 day time limit. The decision of the Clerk may be appealed to the City Council in accordance with Section 5-104.

5-2909 Insurance. No person may operate a therapeutic massage enterprise without maintaining a public liability insurance policy with limits of not less than \$1,000,000 issued by a company authorized to do business in the state of Minnesota. The policy must insure the enterprise, its owners, agents, and employees against any and all loss arising out of the use, operation, or maintenance of the enterprise. A certificate evidencing such insurance must be filed with the City before a license will be issued. Failure to maintain such insurance in full force and effect constitutes grounds for suspension or revocation of a therapeutic massage enterprise license.

#### 5-2910 Persons Ineligible for License.

(1) Therapeutic Massage Enterprise. A therapeutic massage enterprise license may not be issued to a person under any one of the following circumstances:

(a) The applicant is a minor at the time the application is filed.

(b) The applicant has been convicted of a crime related to the licensed occupation as prescribed by Minnesota Statutes, section 364.03, subdivision 2, and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties and responsibilities of a licensee as prescribed by Minnesota Statutes, section 364.03, subdivision 3.

(c) The applicant is not of good moral character and repute.

(d) The applicant is not the real party in interest of the enterprise.

(e) The applicant has misrepresented or falsified information on the application.

(f) For the purposes of this subsection, the term "applicant" includes individuals, general partners of a partnership, and general managers, corporate officers, proprietors, and shareholders with more than a five

percent interest in a corporation or other organization.

(2) Therapeutic Massage Therapist. A therapeutic massage therapist license may not be issued to a person who could not qualify for a therapeutic massage enterprise license under subsection (1) above, except for paragraph (d), or who is not affiliated with or employed by a therapeutic massage enterprise, or who does not hold a therapeutic massage enterprise license.

5-2911 Locations Ineligible for License. A therapeutic massage enterprise license may not be issued to the following locations:

- (1) The operation would not conform to the requirements of the Zoning Code of the City.
- (2) The proposed location is property on which taxes, assessments, or other financial claims of the state, county, school district, or City are due and delinquent provided, however, that the City Council may waive this requirement if litigation challenging the amount or validity of taxes has been commenced under state law and no such taxes, or any portion thereof, remain unpaid for a period exceeding one year after becoming due.
- (3) The property is not in conformance with all other state and local laws and ordinances.

5-2912 General License Restrictions.

(1) Therapeutic massage enterprises must display a current, valid license in a conspicuous place on the premises.

(2) Therapeutic massage therapists must have a current, valid license in the therapist's possession at all times that massage services are being provided.

(3) A therapeutic massage enterprise license is effective only for the location and space specified in the approved license application. The licensee must advise the City Clerk of any enlargement, alteration, or expansion of the licensed area. A change of location must be approved by the City Council.

(4) A therapeutic massage therapist license is effective only for the location of the therapeutic massage enterprise with which the therapist is affiliated or employed unless otherwise specifically approved in the license.

(5) No license of any type may be transferred to another licensee.

(6) The buttocks and genitals of the person receiving the massage services must be totally covered with non-transparent material at all times.

(7) A therapist must be fully clothed with non-transparent clothing at all times the therapist is with a client.

(8) A therapist may not intentionally massage or offer to massage the genital areas of clients.

(9) Licensees must comply with all other state and local laws and ordinances.

5-2913 Sanitation and Health.

(1) Therapeutic massage enterprises must be fully illuminated and well ventilated and maintained in good repair and in a sanitary condition.

(2) Therapeutic massage enterprises must be equipped with adequate and conveniently located restrooms as required by law for use by patrons and employees. The restrooms must be enclosed with a door, fully illuminated with at least 30 foot candles of illumination, and ventilated by natural or mechanical methods to at least three cfm per square foot of floor area.

(3) All rooms used for massage services and all restrooms must be constructed of materials that are impervious to moisture, bacteria, mold, or fungus growth.

(4) Doors to rooms used for massage services must not be locked in any manner while a patron is in the room.

(5) Single-service disposable paper or clean linens must be provided to cover the table, chair, furniture, or other area on which a patron receives a massage.

(6) The surface of tables, chairs, furniture, or other areas on which a patron receives a massage must be constructed of materials impervious to moisture and must be sanitized after each massage.

(7) Cleaning supplies must be stored in a separate closet or room intended for that purpose.

(8) Adequate refuse receptacles must be provided and emptied regularly.

(9) Massage therapists must wear clean clothing while performing massage services.

(10) Massage therapists must wash their hands and arms with water and soap, anti-bacterial scrubs, alcohol, or other disinfectants both prior to and following each massage service provided.

(11) Therapeutic massage enterprises and therapists must take all reasonable steps to prevent the spread of infections and communicable diseases.

(12) Therapeutic massage enterprises must comply with the requirements of the Minnesota Indoor Clean Air Act, as that law may be amended from time to time.

5-2914 Changes in License Application Information. Each licensee must immediately notify the City Clerk of any change in the information or facts furnished to the City as part of the application. Failure to comply with this Section constitutes cause to suspend or revoke the license.

5-2915 Business Hours. Therapeutic massage enterprises may not provide massage services between the hours of 10:00 p.m. and 8:00 a.m.

5-2916 Inspection. Any duly authorized law enforcement officer, health officer, or building inspector of the City, or any other agency having jurisdiction, may enter the premises of a therapeutic massage enterprise at any time a person is present therein to inspect the premises for compliance with the provisions of this Chapter.

5-2917 License Term. All licenses issued under this Chapter expire at 12:00 o'clock midnight on December 31 of each year.

5-2918 License Renewal. Application for renewal of any license issued under this Chapter must be made in the same manner as an application for an original license. The license fee for a renewal license will be the same as for an original license except that no investigation fee is required unless otherwise provided in this Chapter.

5-2919 Suspension or Revocation. Any license issued pursuant to this Chapter may be suspended or revoked in accordance with the provisions of Section 5-108.

5-2920 Violations and Penalties. Any person who violates or attempts to violate any provision of this Chapter, aids or attempts to aid another in a violation of any provision of this Chapter, or causes or attempts to cause another to violate any provision of this Chapter is guilty of a misdemeanor. Each violation of a provision of this Chapter constitutes a separate offense. The conviction of any person licensed under this Chapter for a violation of a provision of this Chapter constitutes grounds for suspension or revocation of the license.[Adopted 3/1/05, Ordinance 1875]