

Ordinance No. 53464

AN ORDINANCE relating to the licensing and regulation of athletic massage operators and amending Sections 171, 172, 173 and 176 of Ordinance 48022 (License Code) and adding a new section designated Section 173.1 thereto.

2-14-68 Pass

COMPTROLLER
FILE NUMBER 219265

Council Bill No. 87995

INTRODUCED: FEB 13 1968	BY: <i>License</i>
REFERRED: FEB 13 1968	TO: <i>License</i>
REFERRED:	
REFERRED:	
REPORTED: FEB 19 1968	SECOND READING: FEB 19 1968
THIRD READING: FEB 19 1968	SIGNED: FEB 19 1968
PRESENTED TO MAYOR: FEB 19 1968	APPROVED: FEB 21 1968
REFD. TO CITY CLERK: FEB 21 1968	PUBLISHED: FEB 24 1968
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

OKA

SEE BACK COVER

Unanimous Vote
YES 9 NO 0

FUB (HC)
BLDG.
ENG.
E. C.
A. C.
S. E.
C. O.
LIGHT

ORD 101366 FURTHER AMENDS SECTIONS 172 & 173 TO REDUCE MINIMUM QUALIFYING AGE FROM 21 TO 18 YRS
& MODIFY REFERENCE REQUIREMENTS FOR MASSAGE OPERATORS' LICENSES.

*Health ✓
Police ✓
B.P.*

ORDINANCE 96464

AN ORDINANCE relating to the licensing and regulation of athletic massage operators and amending Sections 171, 172, 173 and 176 of Ordinance 48022 (License Code) and adding a new section designated Section 173.1 thereto.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 171 of Ordinance 48022 (License Code), as last amended by Ordinance 94625, is further amended to read as follows:

Section 171. (1) The term "Massage Parlor" means any place, except a home where only residents therein are treated, where massages or other treatment of the body by rubbing, kneading or manipulation are given or furnished.

(2) The term "Massage Operator" means any person, except those excluded by Section 176 hereof and except an athletic massage operator giving an athletic massage, who gives massages or other treatments of the body by rubbing, kneading or manipulation.

(3) The term "Public Bathhouse" shall mean any place open to the public where Russian, Turkish, Swedish, hot air, vapor, electric cabinet or other baths of any kind are given or furnished; provided that such term shall not include ordinary tub baths where an attendant is not required.

(4) The term "Reducing Salon" means any place which utilizes mechanical equipment as the exclusive means of treating the body as distinguished from treatment by rubbing, kneading, or manipulation by another person.

(5) The term "Athletic Massage Operator" means any person employed by a bona fide club or organization which has been in continuous existence and operation for a period of five (5) years or more and which caters only to club or organization members, and who in the course of such employment gives athletic massages to such members.

(6) The term "Athletic Massage" means a massage given for the purpose of maintaining general muscle tone and limited to rubbing and kneading the muscles of the arms, back and legs to promote relaxation of the muscles and to prevent muscle cramping and excluding any massage or manipulation given for the purpose of therapeutic treatment or alteration of any physical condition.

Section 2. That Section 172 of Ordinance 48022 (License Code), as last amended by Ordinance 94625, is further amended to read as follows:

Section 172. MASSAGE PARLOR, PUBLIC BATHHOUSE, AND REDUCING SALON LICENSE: It is unlawful to conduct, manage, operate or work in any massage parlor, public bathhouse, or reducing salon unless such establishment is licensed as herein provided.

(1) Original application for such licenses shall be made and original licenses issued in the manner provided in Sections 11, 12 and 13 of the License Code. All applications for renewal shall be filed with the City Comptroller on forms furnished by him for such purpose and he shall refer the same to the Chief of Police who shall within five (5) days furnish a written report to the City Comptroller containing the result of his investigation and any other matters which might aid the City Comptroller in determining whether or not such application for renewal should be granted.

(2) The fee for a Massage Parlor License or for a Reducing Salon License is hereby fixed in the sum of Twenty-five Dollars (\$25.00) per annum, and the fee for a Public Bathhouse License in the sum of Five Dollars (\$5.00) per annum.

(3) No such license shall be granted for any premise until inspection and report as to the sanitary condition thereof by the Director of Health to the City Council. Licensed premises must be similarly inspected at least once a year when renewal of a license is requested, and must at all times be open to inspection as to sanitary and moral conditions by the Police and Health Departments.

(4) It is unlawful for the owner, proprietor, manager or such person in charge of any massage parlor, public bathhouse or reducing salon to employ in such place any person who is not at least twenty-one (21) years of age and of good moral character; provided, eighteen (18) years shall be the minimum age for athletic massage operators and for an employee of reducing salons exclusively serving members of the same sex as the employee.

(5) It is unlawful to advertise the giving of massages or public baths in an establishment or by an operator not licensed pursuant to this ordinance.

(6) A record of all massage treatments showing the date given, the name and address of the recipient and the name and address of the operator shall be kept and be open to inspection by police officers and License and Health Department inspectors at all times.

Section 3. That Section 173 of Ordinance 48022 (License Code), as last amended by Ordinance 81479, is further amended to read as follows:

Section 173. MESSAGE OPERATOR, APPLICATION FOR LICENSE, CERTIFICATE OF COMPETENCY: No person, except as provided in Section 176 hereof and except for an athletic massage operator giving an athletic massage, shall give a massage or other treatment of the body by rubbing, kneading or manipulation, whether in a massage parlor or public bathhouse, or otherwise, without a license so to do, to be known as a Massage Operator's License, the fee for which is hereby fixed at Five Dollars (\$5.00) for the first year and at Two and 50/100 Dollars (\$2.50) per annum thereafter. All applications for renewal shall be filed with the City Comptroller who shall refer same to the Police Department for a report as to character and to the Health Department as to physical condition. If from said reports the Comptroller deems the applicant a fit and proper person he

shall issue the renewal license; otherwise he shall deny the application.

(1) Application for such license shall be made to the City Comptroller on forms furnished by him for such purpose. It shall state the true name of the applicant, who shall be not less than twenty-one (21) years of age, and shall be accompanied by references as to the moral character and ability of the applicant from four (4) reputable citizens of the City of Seattle.

(2) If the City Comptroller finds the application to be in proper form and upon investigation the references to be authentic, he shall transmit the same to the Chief of Police.

(3) The Chief of Police shall investigate the applicant's reputation and record and transmit his written report thereon, the application and all reports thereon, to the Director of Health, who shall examine the applicant physically to ascertain if said applicant is free from contagious or infectious disease in a communicable stage, and otherwise physically fit to give massage treatments, and shall make a written report thereon.

(4) If the Director of Health finds that the applicant is physically competent to give massage treatments he shall transmit the application, accompanied by all reports thereon, to the Examining Board hereinafter created, which shall examine the applicant to ascertain his experience and competency to give massage treatments.

(5) Application for the license shall be accompanied by an examination fee of Ten Dollars (\$10.00) which shall be placed in the City Treasury whether the applicant passes the examination or not. The Examining Board shall examine the applicant by a written, oral and demonstrative examination on anatomy, physiology, hygiene, the theory and practice of massage, and the principles of First Aid, and such other subjects as the Director of Health may deem advisable. If from such examination and the reports of the City Comptroller,

the Chief of Police and the Director of Health, the applicant in the judgment of the Examining Board is competent to be a massage operator, said Board shall issue to the applicant a certificate of competency, and remit the application, together with all reports thereon, to the City Comptroller who shall thereupon issue the required license.

Section 4. That Ordinance 48022 (License Code) is amended by adding a new section thereto designated Section 173.1 to read as follows:

Section 173.1 ATHLETIC MASSAGE OPERATOR'S LICENSE: It is unlawful for any person to be employed or work as an Athletic Massage Operator unless such person is licensed as provided in this section.

(1) The fees for an Athletic Massage Operator's license are hereby fixed in the sum of Five Dollars (\$5.00) for an original license and in the sum of Two and 50/100 Dollars (\$2.50) for each annual renewal thereof.

(2) Application for an Athletic Massage Operator's license or for any renewal thereof shall be made to the City Comptroller on forms furnished by him for such purpose. It shall state the true name of the applicant, who shall be not less than eighteen (18) years of age, and as to an original application shall be accompanied by references as to the moral character and ability of the applicant from four (4) reputable citizens of the City of Seattle.

(3) If the City Comptroller finds the application to be in proper form and upon investigation such references to be authentic, he shall transmit the same to the Chief of Police.

(4) The Chief of Police shall investigate the applicant's reputation and record and transmit such application, his written report, and all other reports thereon, to the Director of Health, who shall examine the applicant physically to ascertain if said applicant is free from contagious or infectious disease in a communicable

stage and otherwise physically fit to give athletic massages, and shall make a written report thereon.

(5) If the Director of Health finds that the applicant is physically competent to give athletic massages he shall transmit the application, accompanied by all reports thereon, to the City Comptroller. If from said reports the Comptroller deems the applicant a fit and proper person he shall issue such license or renewal thereof; otherwise he shall deny the application.

Section 5. That Section 176 of Ordinance 48022 (License Code), as last amended by Ordinance 75461, is further amended to read as follows:

Section 176. This ordinance shall not apply 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 licensed by the State of Washington to treat the sick, injured or infirm, or by any registered nurse under the direction of a person so licensed.

(To be used for all Ordinances except Emergency.)

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19 day of February, 1968,
and signed by me in open session in authentication of its passage this 19 day of
February, 1968.

Goyd C. Miller
President of the City Council.

Approved by me this 21 day of February, 1968.

J. J. Strama
Mayor.

Filed by me this 21 day of _____, 1968.

C. H. [Signature]
Attest: City Comptroller and City Clerk.

(SEAL)

Published FEB 24 1968

By *W. A. Perrie*
Deputy Clerk.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

FEB 19 1968

Your Committee on
to which was referred

License

C. B. 87995

Relating to the licensing and regulation of athletic massage operators
and amending Sections 171, 172, 173 and 176 of Ordinance 48022 (License
Code) and adding a new section designated Section 173.1 thereto,
recommends that

THE SAME DO PASS.

..... Chairman

..... Chairman

..... Committee

..... Committee

ORDINANCE NO. 96464

AN ORDINANCE relating to the licensing and regulation of athletic massage operators and amending Sections 171, 172, 173 and 178 of Ordinance 48022 (License Code) and adding a new section designated Section 173.1 thereto.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 171 of Ordinance 48022 (License Code) as last amended by Ordinance 94625 is further amended to read as follows:

Section 171. (1) The term "Massage Parlor" means any place, except a home where only residents therein are treated, where massages or other treatment of the body by rubbing, kneading or manipulation are given or furnished.

(2) The term "Massage Operator" means any person, except those excluded by Section 178 hereof AND EXCEPT AN ATHLETIC MESSAGE OPERATOR GIVING AN ATHLETIC MESSAGE who gives massages or other treatments of the body by rubbing, kneading or manipulation.

(3) The term "Public Bathhouse" shall mean any place open to the public where Russian, Turkish, Swedish, hot air, vapor, electric cabinet or other baths of any kind are given or furnished; provided that such term shall not include ordinary tub baths where an attendant is not required.

(4) The term "Reducing Salon" means any place which utilizes mechanical equipment as the exclusive means of treating the body as distinguished from treatment by rubbing, kneading or manipulation by another person.

(5) THE TERM "ATHLETIC MESSAGE OPERATOR" MEANS ANY PERSON EMPLOYED BY A BONA FIDE CLUB OR ORGANIZATION WHICH HAS BEEN IN CONTINUOUS EXISTENCE AND OPERATION FOR A PERIOD OF FIVE (5) YEARS OR MORE AND WHICH CATERES ONLY TO CLUB OR ORGANIZATION MEMBERS, AND WHO IN THE COURSE OF SUCH EMPLOYMENT GIVES ATHLETIC MESSAGES TO SUCH MEMBERS.

(6) THE TERM "ATHLETIC MESSAGE" MEANS A MESSAGE GIVEN FOR THE PURPOSE OF MAINTAINING GENERAL MUSCLE TONE AND LIMITED TO RUBBING AND KNEADING THE MUSCLES OF THE ARMS, BACK AND LEGS TO PROMOTE RELAXATION OF THE MUSCLES AND TO PREVENT MUSCLE CRAMPING AND EXCLUDING ANY MESSAGE OR MANIPULATION GIVEN FOR THE PURPOSE OF THERAPEUTIC TREATMENT OR ALTERATION OF ANY PHYSICAL CONDITION.

Section 2. That Section 172 of Ordinance 48022 (License Code) as last amended by Ordinance 94625 is further amended to read as follows:

Section 172. MESSAGE PARLOR, PUBLIC BATHHOUSE AND REDUCING SALON LICENSE: It is unlawful to conduct, manage, operate or work in any massage parlor, public bathhouse, or reducing salon unless such establishment is licensed as herein provided.

(1) Original application for such licenses shall be made and original licenses issued in the manner provided in Sections 11, 12 and 13 of the License Code. All applications for renewal shall be filed with the City Comptroller on forms furnished by him for such purpose and he shall refer the same to the Chief of Police who shall within five (5) days furnish a written report to the City Comptroller containing the result of his investigation and any other matters which might aid the City Comptroller in determining the fitness of the applicant.

ally competent to give massage treatments he shall transmit the application, accompanied by all reports thereon to the Examining Board hereinafter created, which shall examine the applicant to ascertain his experience and competency to give massage treatments.

(5) Application for the license shall be accompanied by an examination fee of Ten Dollars (\$10.00) which shall be placed in the City Treasury whether the applicant passes the examination or not. The Examining Board shall examine the applicant by a written, oral and demonstrative examination on anatomy, physiology, Hygiene, the theory and practice of massage, and the principles of First Aid, and such other subjects as the Director of Health may deem advisable. If from such examination and the report of the City Comptroller, the Chief of Police and the Director of Health, the applicant in the judgment of the Examining Board is competent to be a massage operator, said Board shall issue to the applicant a certificate of competency and remit the application, together with all reports thereon, to the City Comptroller who shall thereupon issue the required license.

Section 4. That Ordinance 48022 (License Code) is amended by adding a new section thereto designated Section 173.1 to read as follows:

Section 173.1. ATHLETIC MESSAGE OPERATOR'S LICENSE: It is unlawful for any person to be employed or work as an Athletic Massage Operator unless such person is licensed as provided in this section.

(1) The fees for an Athletic Massage Operator's license are hereby fixed in the sum of Five Dollars (\$5.00) for an original license and in the sum of Two and 50/100 Dollars (\$2.50) for each annual renewal thereof.

(2) Application for an Athletic Massage Operator's license or for any renewal thereof shall be made to the City Comptroller on forms furnished by him for such purpose. It shall state the true name of the applicant, who shall be not less than eighteen (18) years of age, and as to an original application shall be accompanied by references as to the moral character and ability of the applicant from four (4) reputable citizens of the City of Seattle.

(3) If the City Comptroller finds the application to be in proper form and upon investigation such references to be authentic, he shall transmit the same to the Chief of Police.

(4) The Chief of Police shall investigate the applicant's reputation and record and transmit such application, his written report, and all other reports thereon, to the Director of Health, who shall examine the applicant physically to ascertain if said applicant is free from contagious or infectious disease in a communicable stage and otherwise physically fit to give athletic massages, and shall make a written report thereon.

(5) If the Director of Health finds that the applicant is physically competent to give athletic massages he shall transmit the application, accompanied by all reports thereon, to the City Comptroller. If from said reports the Comptroller deems the applicant a fit and proper person he shall issue such license or renewal thereof; otherwise he shall deny the application.

Section 5. That Section 176 of Ordinance 48022 (License Code) as last amended by Ordinance 75461 is further amended to read as follows:

Section 176. This ordinance shall not apply to massage treatments or baths given in any hospital, or by physical therapists who treat patients only on written prescription of licensed physicians.

Notice of Publication

CITY OF WASHINGTON, KING COUNTY—SS.

I, _____, resigned, on oath states that he is an owner of The Daily Journal of Commerce, which newspaper is a legal newspaper and it is now and has been for more than 10 years to the date of publication hereinafter in the English language continuously in Seattle, King County, Washington, and during all of said time was printed in and from the aforesaid place of publication of the Daily Journal of Commerce was on the _____, approved as a legal newspaper by the City of King County.

A copy of the contract form annexed, was published in the Daily Journal of Commerce, which was read to its subscribers during the below

published notice, a _____ NO. 96464

February 24, 1968

[Signature]

subscribed and sworn to before me on _____ 1968

[Signature]

Notary Public for the State of Washington, residing in Seattle.

It shall not be necessary for a notary public in certifying to the courts in this state, to append an impression of his