

GENERAL ORDINANCE NO. 16, 2016

General Ordinance # 16, 2016 is an ordinance that amends Chapter 116 of the Code of ordinances for the City of Beech Grove concerning Massage Therapy.

WHEREAS, the City must monitor any and all businesses who conduct business as a Massage Therapy Clinic or provide such services to the general public; and

WHEREAS, the City of Beech Grove desires to license those who choose to conduct this type of business.

NOW THEREFORE BE IT ORDAINED that the Common Council desires to amend Chapter 116 of the Code of Ordinances for the City of Beech Grove.

NOW THEREFORE BE IT FURTHER ORDAINED that the Common Council desires the following amendment to Chapter 116 be placed in the Code of Ordinances.

DELETE Chapter 116 IN IT'S ENTIRETY AND REPLACE WITH THE FOLLOWING:

Chapter 116 Massage Therapy Businesses

Section 116.01 Definitions

For the purpose of this chapter, the following definitions shall apply:

Massage Therapy: The act of body massage by mechanical or electrical means or by therapist hands with or without towels.

Massage Therapist: A person who practices, administers, or teaches all or any of the subjects or methods of treatment defined as massage therapy.

Massage Therapy Clinic: Any establishment or place of business where any or all methods of massage therapy are administered.

Section 116.02 Business Licensing

(A) Each business, firm or corporation which operates a massage therapy clinic shall be licensed by the City of Beech Grove on an annual basis.

(B) Each business, firm or corporation shall be licensed each calendar year beginning January 1st of the year and concluding on December 31st of the same year.

(C) Prior to the issuance of a license, such business, firm or corporation shall be inspected by a representative of the City of Beech Grove. Such representative could be the Police Chief or his/her representative, the City of Beech Grove Fire Department's Fire Prevention Bureau and or the Department of Compliance. Such departments shall as often as necessary as part of the licensing process be allowed to conduct an inspection for compliance measures.

(D) Each and all massage therapy clinics application for license shall be approved by the Board of Public Works and Safety before a license is issued. The Board of Public Works and Safety shall base their recommendation on inspections conducted and previous history of the therapy clinic. The Board of Public Works and Safety has the right to refuse each license application and or revoke any license based on business history and nuisance problems.

(E) License application shall contain the following information.

1. Name of applicant.
2. Residential address of applicant.
3. Business address of applicant.
4. The age and citizenship of the applicant.

(F) Along with the operator's license application there should be filed a verified application for an operator's permit by each individual who practices massage technique or is employed in the establishment. The application should contain the following information:

1. Name.
2. Age.
3. Address.
4. Citizenship

Section 116.03 License Fees

(A) Each business, firm or corporation who operates a massage therapy clinic shall pay an annual licensing fee of \$250.00. No license fee is required per each individual therapist.

(B) Licensing fees are non refundable, should the Board of Public Works and Safety revoke or deny any license to operate.

Section 116.04 Penalty

In addition to rejection or revocation of license, any business, firm or corporation who violates any provision of this chapter, shall be fined not less that \$100.00 per day. Each day's violation shall constitute a separate offense.

('67 Code, § 115.02) (Ord. 3-1964, passed 5-4-64) Penalty, see § 116.99

NOW THEREFORE BE IT ORDAINED that the Common Council desires to amend Chapter 116 of the Code of Ordinances for the City of Beech Grove.

NOW THEREFORE BE IT FURTHER ORDAINED that this Ordinance only applies to Chapter 116 of the Code of Ordinances for the City of Beech Grove.

NOW THEREFORE BE IT FURTHER ORDAINED that this Ordinance shall go into effect on January 1, 2017, after passage by the Common Council, signed by the Council President Pro-Tem, attested by the Clerk Treasurer and signed by the Mayor.