



Administration Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7023

Massage Therapy Establishment License Application

[] New License [] Renewal For License Year Ending June 30, _____

Business Name _____

Business Address _____

Business Phone _____

Email Address _____

Tax ID _____ Federal Tax ID _____

Attach Proof of Minnesota Tax Identification form

Person to Contact in Regard to Business License:

Full Legal Name (Please Print) _____ (Last) (First) (Middle)

Home Address _____ (Street) (City) (State) (Zip)

Telephone _____ [] Cell [] Home [] Work

Date of Birth (mm/dd/yyyy) _____

Drivers License Number _____ State of Issuance _____

Sex: [] Male [] Female

Have you ever used or been known by any name other than the legal name given above?

[] Yes [] No If Yes, List each full name along with dates and places where used.

Has the business held any previous massage therapy establishment licenses in the past five years? If yes, in which city was it licensed?

[] Yes _____

[] NOTE: Failure to disclose previous licenses will result in an automatic denial of your application.

Falsification of answers given or material submitted will result in denial of application.

The information that you are asked to provide on the application is classified by State law as either public, private or confidential. All data, with the exception of driver's license numbers and social security numbers, will constitute public record if and when the license is granted. Our intended use of the information is to perform the background check procedures required prior to license issuance. If you refuse to supply the information, the license application may not be processed.

CONSENT TO BACKGROUND CHECK I hereby consent to and authorize the Roseville Police Department to use the information I have provided to check criminal histories, arrest and driving records, and warrant information; and for the Police Department to consider these records to determine my eligibility for a License. I understand that the information contained in the criminal background investigation is not public, except that it may be conveyed to other law enforcement or licensing agencies.

By signing below you certify that the above information is correct and authorize the City of Roseville Police Department to run your information for the required background checks. In addition, you acknowledges that you are responsible for reviewing the background and work history of your employees, including those that have received a massage therapist license from the City.

(Note: Background checks and application processing may take up to 60 days to complete).

Signature_____

Date_____

Payment due at the time of application:

First time applicants: Background Investigation Fee	\$150
Annual License Fee (prorated quarterly)	\$300
October-December	\$150
January-March	\$75
April-June	\$37

Make checks payable to: City of Roseville

Ordinance Notification for Business License Form

Under Minnesota state law, cities must provide a 10-day notice of proposed ordinances. The law applies to new proposed ordinances and proposed amendments to existing ordinances. A recent change in the law further requires cities that have an electronic notification system to inform prospective business license applicants that they can opt-in to receive these notifications. If you opt-in, you will receive notifications of all proposed ordinance changes regardless of whether or not they impact your business.

To receive email and/or text notification of proposed ordinances and proposed amendments to existing ordinances, visit the City's Notify Me page at <http://www.cityofroseville.com/List.aspx>. Sign in with a valid email address and click one or both of the notification icons next to Proposed Ordinances to begin receiving notifications.

CHAPTER 309

MASSAGE THERAPY

SECTION:

- 309.01: Definitions
- 309.02: License for Massage Therapy Establishment
- 309.03: Granting, Denying or Rescinding of Licenses
- 309.04: Practice of Massage Therapy Only by Licenses Persons
- 309.05: Revocation or Suspension of License
- 309.06: Restrictions and Regulations
- 309.07: Violations, Penalty

309.01: DEFINITIONS:

As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

CHAIR MASSAGE: A massage provided to a fully-clothed individual, and limited to the neck, shoulders, arms, and back, where the massage is not provided in a massage therapy establishment; and provided the individual giving the massage meets the requirements specified in Section 309.04 (A). (Ord. 1329, 11-14-05)

MASSAGE THERAPIST: A person who practices massage therapy.

MASSAGE THERAPY: The rubbing, stroking, kneading, tapping or rolling of the body with the hands or other parts of the body for the exclusive purposes of relaxation, physical fitness or beautification and for no other purpose.

The practice of massage therapy is hereby declared to be distinct from the licensed practice of medicine, osteopathy, chiropractic, physical therapy, podiatry and nursing, as well as athletic coaches and trainers. Persons engaged in those professions are exempt from the provisions of this Chapter.

MASSAGE THERAPY ESTABLISHMENT: Any room, or premise wherein a person may receive a massage from a massage therapist for a fee; where massages are given on more than 14 calendar days in any given calendar year. (Ord. 1329, 11-14-05)

SANITARY: Free from the vegetative cells of pathogenic microorganisms. (Ord. 1142, 6-13-1994)

309.02: LICENSE FOR MASSAGE THERAPY ESTABLISHMENT:

- A. **License Required:** No person shall engage in the business of operating a massage therapy establishment within the City without first having obtained the required license.
- B. **Application Fee:** The initial application for a license shall be made by completing an application form provided by and containing such information as required by the City Manager and by paying a nonrefundable application fee, as established by the City Fee Schedule in Section 314.05. (Ord. 1329, 11-14-05)
- C. **Separate License Required Fee:** A separate license shall be obtained for each place of business, the fee for which shall be as established by the City Fee Schedule in Section 314.05. (Ord. 1329, 11-14-05)

309.03: GRANTING, DENYING OR REVOKING OF MASSAGE THERAPY ESTABLISHMENT LICENSES:

- A. Zoning Compliance: Massage Therapy Establishment licenses may be granted only to establishments associated with and operating within the confines of and incidental to a properly zoned beauty parlor (salon), health club, office, shopping mall, or similar areas open to the public. (Ord. 1329, 11-14-05)
- B. Building, Safety and Sanitation Regulations: Licenses may be denied, revoked, or not renewed if the premises of the massage therapy establishments do not meet the requirements of the City Council, and of the building, safety and sanitation regulations of the City and State.
- C. Fraud or Deception: Licenses may be denied, revoked, or not renewed if there is any fraud or deception involved in the license application.
- D. History of Violations: Licenses may be denied or rescinded if the applicant, licensee or employee of the same fails to comply with, or have a history of violations of the laws or ordinances which apply to health, safety or moral turpitude.
- E. Additional Conditions: The City Council may attach such reasonable conditions to the license as it, in its sole discretion, deems to be appropriate. (Ord. 1142, 6-13-1994) (Ord. 1283, 6-16-03)

309.04: LICENSE FOR MASSAGE THERAPISTS:

- A. Application for License: Any person desiring to be licensed as a massage therapist shall file an application on forms provided by the City Manager. The application shall contain such information as the City Manager may require, including: (Ord. 1329, 11-14-05)
 - 1. The applicant's full name, address, social security number and written proof of age.
 - 2. The name and address of the licensed massage therapy establishment by which the applicant expects to be employed.
 - 3. A statement concerning whether the person has been convicted of or entered a plea of guilty to any crime or ordinance violation and, if so, information as to the time, place and nature of such crime or offense.
 - 4. Proof that the applicant meets the following educational requirements:
 - a. A diploma or certificate of graduation from a school approved by the American Massage Therapist Association or other similar reputable massage association; or
 - b. A diploma or certificate of graduation from a school which is either accredited by a recognized educational accrediting association or agency or is licensed by the State or local government agency having jurisdiction over the school.
 - c. Each applicant shall also furnish proof at the time of application of a minimum of 600 hours of successfully completed course work in the following areas:
 - (1) The theory and practice of massage, including, but not limited to, Swedish, Esalen, Shiatsu and/or foot reflexology techniques; and
 - (2) Anatomy, including, but not limited to, skeletal and muscular structure and organ placement; and
 - (3) Hygiene.
- B. Fee: The annual license fee for a massage therapist is as established by the City Fee Schedule in Section 314.05. Ord. 1329, 11-14-05)
- C. Review of Application: Notwithstanding Section 301.02 of City Code, License applications shall be reviewed and decided upon by the City Manager or designee and shall include a review by the Police Department.
- D. Denial of Application: The license application may be denied for any of the following reasons:
 - 1. Fraudulent Statements: The application contains false, fraudulent, or deceptive statements.
 - 2. Prior Conviction: The applicant has been convicted of or entered a plea of guilty

within the previous three years to a violation of this Chapter or of any other law regulating the practice of massage, or of any law prohibiting criminal sexual conduct, prostitution, pandering, indecent conduct or keeping of a disorderly house.

3. Noncompliance: The applicant has not complied with a provision of this Chapter.

4. Underage: The applicant is less than eighteen (18) years of age. (Ord. 1142, 6-13-94)

5. Prior Denial, Revocation, or Suspension: The applicant has had a massage therapist license denied, revoked, or suspended in another jurisdiction.

309.05: DENYING, OR REVOCATION OF MASSAGE THERAPIST LICENSES:

A massage therapist license may be denied or revoked for any of the following reasons:

- A. Application Fraud: Fraud, deception or misrepresentation in connection with the registration application.
- B. Violation of Chapter: A violation of any provision of this Chapter.
- C. Criminal Conviction: Conviction of a criminal sexual conduct, prostitution, pandering, indecent conduct or keeping a disorderly house.
- D. Conviction Arising out of Practice of Massage Therapy: Conviction of any crime or ordinance violation arising out of the practice of massage therapy.
- E. Lack of Skill: Exhibition of a demonstrable lack of skill in the practice of massage therapy. (Ord. 1142, 6-13-94)

309.06: RESTRICTIONS AND REGULATIONS:

- A. Display of License: Any person registered as a massage therapist hereunder shall display such license, or a true copy thereof, in a prominent place at such person's place of employment.
- B. Identification: Upon demand of any police officer at the place of employment, any person licensed hereunder shall produce correct identification, identifying himself/herself by his/her true legal name and correct address.
- C. Inspection: During business hours, all massage therapy establishments shall be open to inspection by City Building and License Inspectors, Health Officers and police officers.
- D. Therapist, Change of Location: Any person licensed hereunder shall practice massage only at such location or locations as are designated in the license. Any person registered hereunder shall inform the City Manager, in writing, of any change in location prior to its occurrence.
- E. Hours: No customers or patrons shall be allowed to enter or remain on the licensed premises after 9:00 P.M. or before 8:00 A.M. daily.
- F. Alcohol or Drugs Prohibited: No beer, liquor, narcotic drug or controlled substance, as such terms are defined by State statutes or the City Code shall be permitted on licensed premises.
- G. Violation of Building, Safety or Health Regulations: Violation of any law or regulation relating to building, safety or health shall be grounds for revocation or any license.
- H. Locks on Doors: There shall be no locks on doors of massage rooms.
- I. Appropriate Covering Required:
 - 1. Patron: Whenever a massage is given, it shall be required by the massage therapist that the person who is receiving the massage shall have her breasts and his/her buttocks and genitals covered with a nontransparent material. For purposes of receiving a chair massage, patrons must stay fully-clothed at all times. (Ord. 1329, 11-14-05)
 - 2. Therapist: Any massage therapists performing any massages shall at all times have her breasts and his/her buttocks and genitals covered with a nontransparent material. (Ord. 1142, 6-13-94)

- J. With the exception of chair massages, all other types of massages shall take place in a private room subject to the conditions and restrictions noted above. (Ord. 1329, 11-14-05) (Ord. 1529, 6/19/2017)

309.07: VIOLATIONS, PENALTY:

Every person who violates this Chapter is guilty of a misdemeanor. (Ord. 1142, 6-13-94)