

## CHAPTER 130: MASSAGE THERAPISTS

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### 130.01 PURPOSE.

The City Council recognizes and declares that the business of massage therapy in the city is a part of its government and affairs and believes that it is in the best interests of the city that this business is regulated.

### 130.02 DEFINITION.

A massage therapist means an individual licensed to practice massage therapy as defined by Illinois state law.

### 130.03 LICENSE REQUIRED.

It shall be unlawful for any person to act as a massage therapist within the city without first having obtained a license therefore in accordance herewith.

### 130.04 APPLICATION FOR LICENSE.

Any person desiring a license as a massage therapist hereunder must first be licensed as such by the State of Illinois. After receiving the State license, they shall make application therefore under oath in writing to the City Clerk. Proof of the State license must be provided with each application. The application shall be made upon a form provided by the City Clerk which shall include the following information:

- (A) Name of applicant;
- (B) Present place of residence;
- (C) Business address, if other than residence;
- (D) Any address of residence or business during the past three years, if other than present addresses;
- (E) Social Security number or employer identification number;
- (F) Physical description and date of birth of applicant;
- (G) Name and address of the person whom the applicant is employed or which the applicant represents, and the length of time of the employment or representation;

(H) Name and address of any employer or employers of the applicant during the previous three years, if other than the present employer;

(I) Period of time for which a license is applied;

(J) Date, or approximate date, of the latest previous application for a license under this chapter, if any;

(K) A statement as to whether a license issued to the applicant under this chapter has ever been revoked;

(L) A statement as to whether the applicant has ever been convicted of a violation of any of the provisions of this chapter, or any regulations of any other municipality or other governmental unit regulating massage therapy;

(M) A statement as to whether the applicant has ever been convicted of the commission of any felony under the laws of the state or other state or of the United States of America; and

#### 130.05 LICENSE FEES.

(A) Fees. Massage therapists licensed in accordance with this chapter shall pay to the City Clerk, prior to the issuance of the license, the sum of \$25 annual for the license. All licenses shall expire on December 31 of each year. There shall be no proration for a license issued for part of a year.

(B) Charitable massage therapists. The City Council may, in its discretion, waive in whole or in part the payment of any license fees by any massage therapist for charitable purposes, provided an application for the waiver is submitted to the City Council at least 45 days prior to the commencement of any massage therapy. For purposes hereof, the term CHARITABLE means any activity represented as carried on from unselfish, civic or humanitarian motives, or for the benefit of others, and not for private gain, and may include, without limitation, patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, cultural, eleemosynary, scientific, historical, athletic or medical activities.

#### 130.06 ISSUANCE OF LICENSE.

(A) The City Clerk shall issue all licenses hereunder. When information on registration reveals violation of this type of ordinance in any city of the applicant has been convicted of a felony, then the application must also be first approved by the Chief of Police, or his or her designate. The Chief of Police, or his or her designate, shall have full discretion on whether to issue the license, subject only to review if appealed in the same manner as upon the revocation of the license.

(B) Any application filed shall be promptly processed and in no event more than five days after the application is filed with the City Clerk. When the applicant is found to be fully qualified, and the license fee hereunder paid, a license shall be issued by the City Clerk forthwith.

130.07 REVOCATION OF LICENSE.

Any license issued hereunder shall be revoked by the City Clerk if the holder thereof is convicted of a violation of any of the provisions of this chapter, or has made a false statement in the application, or has his or her state license revoked, or otherwise becomes disqualified for the issuance of a license hereunder. Immediately upon revocation, written notice thereof shall be given to the holder of the license in person, or by certified United States mail addressed to his, her or its residence or business address set forth in the application. The license shall be null and void from the receipt of the notice if personally served or from delivery to the address if mailed. Any revocation of a license may be appealed to the Mayor by doing so in writing addressed to the Mayor within seven calendar days after the effective time of the revocation. The Mayor shall promptly consider the revocation and either affirm or reverse the revocation.

130.08 IDENTIFICATION CERTIFICATE.

Every person issued a license here under shall carry the license or a true copy thereof at all times, which shall also serve as an identification certificate. Each license shall bear a number, the massage therapist's name, his or her firm or employer, the type of merchandise to be sold and the date of issuance of the license.

130.09 PENALTY.

Any person who violates any of the provisions of this chapter shall, in addition to any other relief as the law may afford, be punishable as set forth in § 10.99 of this code.

Section 2. All ordinances and parts of ordinances in conflict with the provisions of this ordinance shall be and the same are, to the extent of such conflict, hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.