



City Clerk

CITY OF SAN JOSE, CALIFORNIA

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STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
CITY OF SAN JOSE

I, Toni J. Taber, City Clerk and Municipal Office Clerk of the County and for the City of San Jose, in said County of Santa Clara, State of California, do hereby certify that Ordinance No. 29662, the original copy of which is attached hereto, was published for publication on the 8th day of December 2015, was published in accordance with the provisions of the Charter of the City of San Jose and was given final reading and adopted on the December 15, 2015, by the following vote:

- AYES: CARRASCO, HERRERA, BONES, KAHAMAS, KHAN, LUIS, EM. TIN, NGUYEN, OLIVERO, OLIVERO, HERRERA, ROCHA, LICCARDO.
- NOS: NONE.
- ABSENTE: NONE.
- ABSTAINING: NONE.

Dicha ordenanza rige a partir del 15 de enero de 2016.

I, TONI J. TABER, City Clerk, do hereby certify and attest that I have signed and affixed the corporate seal of the City of San Jose, California, on this 17th day of December, 2015.

(SEAL) 
 TONI J. TABER, CMC
 SECRETARY & MUNICIPAL CLERK
 SECRETARY OF THE CITY COUNCIL

actividad administrativa que no resulte en un impacto físico potencialmente significativo en el medio ambiente;

ORDENANCE CONCERNING THE CITY OF SAN JOSE:

Chapter 6 of Article 6 of the San José Municipal Code is hereby amended to read as follows:

Part 1

General Provisions

6.44.010 Purpose

- A. The City of San José is authorized to regulate massage establishments pursuant to the provisions of Sections 51030 and 51031, et seq., Business and Professions Code Sections 460 and 460.5, and Article XI of the California Constitution, and the City Charter and general police powers under the California Constitution.
- B. In enacting these regulations the City of San José ("City Council") recognizes that massage is a viable profession that offers the public valuable health and therapeutic services.
- C. It is the purpose and intention of the City Council that the operation of massage establishments and persons who offer massage be regulated in the interests of the public health, safety, and welfare by establishing minimum building, sanitation, and health standards and to ensure that persons offering massage shall possess the minimum qualifications necessary to operate such businesses and to perform such services offered.
- D. It is the intent of this Chapter to enact regulations to insure that those offering massage services are well trained and can be expected to conduct their services in a professional manner. The City Council finds that existing

controlarse o no satisfactoriamente, o regulados satisfactoriamente los problemas graves de
health problems; criminal levels existentes regulados por la profesión para
sufficiently y/o en tiempo de las leyes estatales y locales.

6.44.020 Definiciones

The definiciones establecidas en esta parte regirán la aplicación e interpretación de este
Capítulo.

6.44.030 Comisión de Masaje de Masaje de California o CAMTC

"California Massage Therapy Council" o "CAMTC" se refiere a la organización sin fines de lucro
por esta organización establecida de conformidad con la Sección 4602 del Código de Negocios y
#602, si es necesario enmendado.

6.44.040 Jefe de Policía

"Jefe de Policía" significa el Jefe de Policía de la Ciudad de San José o sus agentes
autorizados.

6.44.050 Cliente

"Cliente" significa cualquier persona que recibe un masaje a cambio de dinero o cualquier
otra cosa de valor por cheques, crédito o cualquier otra representación de valor.

6.44.060 Masaje

"Masaje" significa cualquier método de tratamiento de las partes externas del cuerpo
health, bienestar, de salud y de bienestar por medio de presión o fricción con la
acupuncture, massage, tapping, golpeo o estímulos en las partes externas del cuerpo con

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hands or other parts of the body with or without the aid of any supplementary aids, such as alcohol, ginger, alcohol, antiseptics, oils, powders, lozenges, unguents, ointments or other substances commonly used in this practice; or by baths, not limited to Turkish, Russian, Japanese, vapor, electric, mineral, fomentation, or any other type of bath.

6.44.070 Negocio de Masajes

"Massage Business" significa el negocio de proporcionar Masajes a un Cliente.

6.44.080 Terapeuta de masaje

"Massage Therapist" se refiere a cualquier persona que es certificada como masajista certificado o Terapeuta de masaje certificado de conformidad con el Código de Negocios y Profesionales de California, Sección 4600 et seq.

6.44.090 Off-Premises Massage Business

"Off-Premises Massage Business" means any massage Business that is conducted at locations other than a specified business premises maintained by the business operator for the purpose of providing a massage at the premises.

6.44.100 Permisario

"Permisario" significa el titular de un permiso de negocio de masajes emitido por el Jefe de Policía.

6.44.110 Escolarización de Masaje Reconocida

"Reconocida Masaje Reconocida" significa cualquier escuela o institución de aprendizaje que sea reconocida como una escuela aprobada de conformidad con la Sección 4601 del Código de Negocios y Profesionales de California, según pueda ser enmendado.

6.44.120 Permisos Comerciales Requeridos

Es ilegal que cualquier persona mantenga, administre, opere, conduzca, controle o sea propietaria de un negocio de Masajes Off-Propios de Masajes fuera de las instalaciones de un negocio, si el negocio se mantenga o opere en un espacio con un permiso de negocio comercial válido emitido por el Jefe de Policía. Se requiere un permiso comercial por separado para cada ubicación, si una persona propietaria, administradora, operadora o propietaria posee o controla o posee múltiples negocios de diferentes ubicaciones.

6.44.130 Licencia de Propiedad Administrativa Requerida

- A. Es ilegal que cualquier persona trabaje como gerente o tenga algún interés de propiedad en un negocio de Masajes Off-Propios de Masajes fuera de las instalaciones si no ha obtenido primero una licencia de propiedad/administración del Jefe de Policía.
- B. Es ilegal que cualquier persona que opere un negocio de Masajes de un negocio o en un negocio, o cualquier otro negocio que opere, refresco, de crédito, o cualquier otra representación de la Empresa del individuo que emplea, o sea empleado, Business Independent Massage, o que sea un empleado, analista, contratista, sole proprietorship, or otherwise, are certified Massage Therapists.
- C. Se requiere una licencia de propiedad/administración por separado para cada ubicación si una persona posee, administra, opera o controla múltiples negocios de masajes en diferentes ubicaciones.

6.44.140 Certificación de la Terapia de Masaje

It shall be the law of the person who performs a massage in exchange for money or any other thing of value, or for checks, credit or any other representation of value unless that individual is a certified Massage Therapist.

6.44.150 Exemptions

The dispositions of this Chapter shall not apply to the following classes of persons while engaged in the performance of the duties of their respective professions:

- A. **Médicos, cirujanos, quiroprácticos, osteópatas, acupunturistas, o fisioterapeutas debidamente autorizados para ejercer sus respectivas profesiones en el Estado de California.**
- B. **Enfermeras registradas bajo las leyes del Estado de California.**
- C. **Baños y centros de estética que estén debidamente autorizados conforme a las leyes del Estado de California en sus respectivas prácticas dentro del alcance de sus licencias, limitadas solo al masaje del cuello, el rostro, el cabello, los pies hasta los tobillos o las manos de la parte inferior del cliente.**
- D. **Hospitals, nursing homes, sanitariums or other health care facilities duly licensed by the State of California.**
- E. **Accredited high schools, junior colleges, and colleges or universities where the training is being provided within the scope of their employment.**
- F. **Entrenadores de atletas, semiprofesionales o atletas profesionales o equipos deportivos.**

Parte 2

Reglamento de Regulaciones de Funcionamiento

6.44.200 Regl. Operativ. Regulaciones de Funcionamiento de Permisos Comerciales

- A. The dispositions of this Part shall constitute the terms and conditions of the commercial permit applicable to each business permit issued by the Chief of Police.
- B. In addition, dispositions of this Part shall constitute operative regulations that shall be unlawful for any person to violate these provisions.

6.44.210 Horario de Funcionamiento

- A. Massage in exchange for money or any other thing of value, or for checks, credit or other representations of value shall be provided or given only between the hours of 7:00 a.m. and 10:00 p.m.
- B. The premises on which a Massage Business is operated or conducted shall be open only between the hours of 7:00 a.m. and 10:00 p.m.

6.44.215 Entrada y Salida

All Clients shall enter exclusively through the principal door of the Business. The principal door of the entrance shall be located on the street, or if no such door exists, the door that is most visible to the members of the public passing by the Massage Business.

6.44.220 Lista de Servicios

- A. Una lista de los servicios disponibles se exhibirá de manera abierta y visible en un lugar público dentro de la tienda de una manera sencilla.
- A list of services available shall be displayed in an open and conspicuous manner in a public place within the premises and shall be described in readily

language comprehensible. Ninguna persona realizará u ofrecerá realizar ningún servicio que no sea el publicado.

- B. An Massage Therapist for an Off-Premises Massage Business shall provide to Clientes y al público cuando solicite la lista de servicios descritos en Subsección A.

6.44.230 Records of Massage Services

- A. The Permittee shall keep a written record of the date and hour of each Massage service, the name and address of each Client, the name of the Massage Therapist who administered the service, the address in which the service was provided, and any other information as the Chief of Police considers necessary on a form of release approved by the Chief of Police.
- B. Such written records shall be open to inspection by City officials including the Police Department and the City Attorney's Office for the administration and enforcement of the Municipal Code or State law.
- C. Such records shall be maintained in the premises of the massage business for a period of two years.
- D. In the case of an Off-Premises Massage Business, the Permittee shall maintain the above specified records at the business address provided by the Permittee on the premises permit application.
- E. Cada Permisario tendrá:

1. Proporcione al Jefe de Policía una copia del certificado CAMTC válido de cada persona que esté empleada o retenida por el Permisario para brindar Masajes antes del comienzo de los servicios de Masaje de dicha persona. Massage service.
2. Exponer en el área de recepción o en un lugar público abierto similar en las instalaciones una copia de cada certificado CAMTC para todas las personas empleadas o retenidas para brindar Masajes. Los certificados de CAMTC de una empleada o contratista se eliminarán de inmediato tan pronto como el terapeuta de masajes empleado esté brindando servicios de masaje a través del negocio de masajes.
3. Requerir que cada Masagista de Masaje use de manera clara y destacada una CAMTC de certificación CAMTC en todo momento cuando el Terapeuta de Masaje esté brindando Masajes en un sitio fuera del sitio.

6.44.240 Notificaciones

A. El Permisario deberá notificar inmediatamente al Jefe de Policía de cualquiera de los siguientes sucesos:

1. Arrestos de propietarios, gerentes, empleados o masagistas de masaje por un delito que sea un delito menor de tránsito;
2. Resignaciones, cesaciones o transferencias del propietario/gerente/licenciario o masagista de masaje empleado o retenido por el Permisario para proveer masajes;
3. Cualquier otro suceso que involucre a la Empresa de masajes, el Permisario, el propietario/licenciario o el Masagista de masajes que constituya o pueda constituir una violación de este Capítulo, el Código Municipal o la ley estatal o federal.

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- B. Esta disposición requiere reportar a la Oficina de Policía Permisaria si el Permisario cree que la Oficina de Policía ha o recibirá la información de otro source.

6.44.250 Ropa Limpia Requerida

- A. El Permisario deberá, en todo momento, tener un suministro adecuado de toallas sanitarias limpias, cubiertos y paños.
- B. Clean towels, coversings and linens shall be stored in cabinets.
- C. No se utilizarán toallas y cubiertos en más de un cliente, a menos que tengan first been disinfected and disinfected.

No se depositarán toallas y cubiertos desechables en más de un cliente.

- E. Seiro de papel y toallas de papel se depositarán en recipientes separados reemplazables.

6.44.260 Instalaciones Separadas Requeridas

- A. El Permisario debe proveer separadas salas de masaje separadas y vestidores separados si facilities if male and female clients are to be treated simultaneously on the same Massage Business premises, unless there is consent from the male and female clients to receive Massage on separate Massage tables in the same room.
- B. Massage Business shall not maintain sleeping quarters on the premises. No habrá ninguna habitación o espacio utilizado para dormir, vivir o usos residenciales en las instalaciones del Massage Business premises.

6.44.2770 Requisito de vestimenta

- A. The Permittee, proprietor, employee, or Massage Therapist, when present in the installation of a Massage Business or when working or providing services for an Off-Premises Massage Business, shall be clean and shall wear clean and externally impervious and transparent garments that shall not expose their genitalia, pubic areas, buttocks or breasts and shall be in compliance with the California Business and Professions Code, Section 400, as it may be amended.
- B. No Massage Business shall give or allow the client's genitals and female client's breasts to be fully covered.

Co Un Terapeuta de Masaje no deberá, en el curso de la administración de un Masaje, hacer contacto físico con los genitales de una persona sin importar si el contacto es por encima o por debajo de la ropa de la persona.

6.44.280 Prohibición de drogas y alcohol

- A. No person shall enter or remain in any part of the premises of a Massage Business or realize, operate, be employed by or provide a Massage for an Off-Premises Massage Business while in the possession of, consuming, or using any alcoholic beverage except for medication provided pursuant to a prescription issued by a physician duly licensed to practice in the State of California. The Permittee, proprietor, operator, manager or Massage Therapist shall not permit any other person to enter or remain on such premises.
- B. No alcoholic beverage or drug, other than a prescription medication in the possession of the prescriber from whom the prescription was written shall be stored or kept on the premises of a Massage Business.

6.44.290 Preservativos Prohibidos

- A. **No** persona shall enter or remain in any part of the premises of a Massage Business, or realize, operate, be employed by or provide massage for an off premises Massage Business, while in the possession of or while using a condón.
- B. No shall condón shall be stored on the premises of a Massage Business.

6.44.300 Escuela de Masaje Prohibida

- A. **No** Massage Business or negocio de masaje fuera de las instalaciones operará como una Escuela de Masaje utilizara ninguna de las instalaciones o instalaciones de una escuela de masaje excepto las especifica en la subsección B.
- B. A school of massage may be operated simultaneously in the same or en un edificio contiguo a building with a Massage Business, provided that the facilities of the escuela are, physically separated, y clearly demarcated and there is not a sharing of espacios of those respective facilities.

6.44.310 Restricciones de publicidad

No persona shall publicará distribuirá ni hará que se publique o distribuya, ningún material publicitario including on the internet or una tarjeta de identificación comercial, que sugiera razonablemente a los posibles Clients que cualquier servicio está disponible **Message for Masaje**, Por ejemplo, ninguna publicidad debe contener desnudez o sugerir sexo services está available.

- 3. Siempre que no ocurra ninguna cancelación, cambio en la cobertura o by the insurance company of the company of insurance during the term of the business permit, without that thirty days notice to the Chief of Police of the date of such cancellation or reduction in coverage.

B. El comprobante de seguro shall be provided to the Office of the Risk Manager.

6.44.350 Nombre comercial

Ninguna persona shall realizar operara Massage Business under any name not specified in said business permit issued by the Chief of Police.

6.44.360 Local de masajes requisitos físicos requirements

The installations of every Massage Business shall be maintained and shall at all times abiertas al público shall comply with the following requirements:

- A. Siempre que lighting shall be provided conformada con el artículo 220 de la Ley Nacional Código Eléctrico, and, además, se proveerá por lo menos una luz artificial de no menos de cuarenta vatios en cada habitación o recinto donde se realicen servicios performed on the site;
- B. Reparo de drainage water shall be provided at all times on the premises;
- C. Se proveerá shall be provided for storage of clean linens;
- D. Se proveerá bathing, dressing, locker and toilet facilities shall be provided for clients;

- E. ~~Send~~ **Send** ~~the~~ **the** ~~proportion~~ **proportion** ~~separate~~ **separate** ~~minimum~~ **minimum** ~~de~~ **de** ~~un~~ **un** ~~labor~~ **labor** ~~separated~~ **separated** ~~para~~ **para** ~~los~~ **los** ~~empleados~~ **empleados** ~~en~~ **en** ~~todo~~ **todo** ~~tiempo~~ **tiempo**. ~~The~~ **The** ~~basin~~ **basin** ~~shall~~ **shall** ~~be~~ **be** ~~located~~ **located** ~~within~~ **within** ~~one~~ **one** ~~to~~ **to** ~~two~~ **two** ~~feet~~ **feet** ~~of~~ **of** ~~the~~ **the** ~~ceiling~~ **ceiling** ~~as~~ **as** ~~close~~ **close** ~~as~~ **as** ~~practicable~~ **practicable** ~~to~~ **to** ~~the~~ **the** ~~area~~ **area** ~~devoted~~ **devoted** ~~to~~ **to** ~~the~~ **the** ~~performance~~ **performance** ~~of~~ **of** ~~services~~ **services** ~~as~~ **as** ~~per~~ **per** ~~the~~ **the** ~~code~~ **code**. ~~Sanitary~~ **Sanitary** ~~towels~~ **towels** ~~shall~~ **shall** ~~also~~ **also** ~~be~~ **be** ~~provided~~ **provided** ~~at~~ **at** ~~each~~ **each** ~~basin~~ **basin**;
- F. ~~Each~~ **Each** ~~massage~~ **massage** ~~table~~ **table** ~~shall~~ **shall** ~~be~~ **be** ~~covered~~ **covered** ~~with~~ **with** ~~a~~ **a** ~~usable~~ **usable** ~~washable~~ **washable** ~~plastic~~ **plastic** ~~cover~~ **cover** ~~of~~ **of** ~~at~~ **at** ~~least~~ **at** ~~one~~ **one** ~~inch~~ **one** ~~thick~~ **thick** ~~material~~ **material** ~~which~~ **which** ~~shall~~ **shall** ~~be~~ **be** ~~cleaned~~ **cleaned** ~~and~~ **and** ~~disinfected~~ **disinfected** ~~with~~ **with** ~~a~~ **a** ~~disinfectant~~ **disinfectant** ~~at~~ **at** ~~least~~ **at** ~~once~~ **once** ~~each~~ **each** ~~day~~ **day** ~~the~~ **the** ~~premises~~ **premises** ~~are~~ **are** ~~open~~ **open**;
- G. ~~We~~ **We** ~~shall~~ **shall** ~~dry~~ **dry** ~~clean~~ **clean** ~~rooms~~ **rooms** ~~and~~ **and** ~~steam~~ **steam** ~~saunas~~ **saunas** ~~or~~ **or** ~~cabinets~~ **cabinets** ~~of~~ **of** ~~vapor~~ **vapor** ~~rooms~~ **rooms** ~~and~~ **and** ~~showers~~ **showers** ~~and~~ **and** ~~other~~ **other** ~~bathrooms~~ **bathrooms** ~~including~~ **including** ~~tanning~~ **tanning** ~~booths~~ **booths** ~~whirlpool~~ **whirlpool** ~~baths~~ **baths** ~~and~~ **and** ~~pools~~ **pools** ~~shall~~ **shall** ~~be~~ **be** ~~thoroughly~~ **thoroughly** ~~cleaned~~ **cleaned** ~~and~~ **and** ~~disinfected~~ **disinfected** ~~as~~ **as** ~~needed~~ **needed** ~~and~~ **and** ~~at~~ **at** ~~least~~ **at** ~~once~~ **once** ~~each~~ **each** ~~day~~ **day** ~~the~~ **the** ~~premises~~ **premises** ~~are~~ **are** ~~open~~ **open** ~~with~~ **with** ~~a~~ **a** ~~disinfectant~~ **disinfectant**.
- H. ~~All~~ **All** ~~walls~~ **walls** ~~ceilings~~ **ceilings** ~~floors~~ **floors** ~~and~~ **and** ~~other~~ **other** ~~physical~~ **physical** ~~facilities~~ **facilities** ~~for~~ **for** ~~the~~ **the** ~~establishment~~ **establishment** ~~must~~ **must** ~~be~~ **be** ~~kept~~ **kept** ~~and~~ **and** ~~maintained~~ **maintained** ~~in~~ **in** ~~an~~ **an** ~~clean~~ **clean** ~~and~~ **and** ~~sanitary~~ **sanitary** ~~condition~~ **condition**.
- I. ~~All~~ **All** ~~massage~~ **massage** ~~tables~~ **tables** ~~shall~~ **shall** ~~be~~ **be** ~~at~~ **at** ~~least~~ **at** ~~two~~ **two** ~~feet~~ **feet** ~~away~~ **away** ~~from~~ **from** ~~any~~ **any** ~~wall~~ **wall** ~~at~~ **at** ~~all~~ **all** ~~times~~ **times**.
- J. ~~Comply~~ **Comply** ~~with~~ **with** ~~all~~ **all** ~~relevant~~ **relevant** ~~building~~ **building** ~~and~~ **and** ~~other~~ **other** ~~applicable~~ **applicable** ~~codes~~ **codes** ~~and~~ **and** ~~regulations~~ **regulations**.

6.44.370 Presencia de Terapeuta de Masaje

~~No~~ **No** ~~massage~~ **massage** ~~business~~ **business** ~~shall~~ **shall** ~~be~~ **be** ~~open~~ **open** ~~if~~ **if** ~~it~~ **it** ~~does~~ **does** ~~not~~ **not** ~~have~~ **have** ~~at~~ **at** ~~least~~ **at** ~~one~~ **one** ~~licensed~~ **licensed** ~~massage~~ **massage** ~~therapist~~ **therapist** ~~present~~ **present** ~~at~~ **at** ~~all~~ **at** ~~times~~ **at** ~~the~~ **the** ~~business~~ **business** ~~is~~ **is** ~~open~~ **open** ~~to~~ **to** ~~the~~ **the** ~~public~~ **public** ~~during~~ **during** ~~business~~ **business** ~~hours~~ **hours**.

6.44.380 Massage Tables at Hotels/ Motels

Is illegal que una persona realice masajes en un hotel o motel que no tenga un
permiso comercial en el caso de conformidad con este Capítulo.

6.44.390 Masaje en el Lugar de Negocios

Is illegal realizar masajes o un Massage on any client lugar de negocios que no tenga un
de permiso comercial business permit unless:

- A. El lugar de negocios in a oficina ocupada y regulada por el Cliente para negocios
propósitos;
- B. El Cliente Client dueño del negocio owner, operador o un empleado of the business; and
- C. El Masaje es performed by a Massage Therapist who es employed by an Ofi-
cina de Masajes Business que holds a valid business permit.

6.44.400 Pantalla de Identificación

- A. Is illegal que un funcionario de masaje is present en las instalaciones de una empresa de
Masaje o un negocio de masaje fuera de las instalaciones de Masaje Business, o de otro
otro proveedor de masaje or a Client without having prominently displayed su tarjeta de
certificación CAMTC CAMTC issued by the CAMTC.
- B. La tarjeta de identificación shall be prominently displayed on the outermost garment
aproximadamente chest level.
- C. La tarjeta de identificación personal shall be in good and readable condition at all
times.

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D. Al ~~Terapeuta de Masajes~~ ~~only~~ ~~debe~~ ~~proporcionar~~ ~~Masaje~~ ~~bajo~~ ~~el~~ ~~nombre~~ ~~especificado~~ ~~en~~ ~~su~~ ~~certificado~~ ~~del~~ ~~CAMTC~~ ~~date~~.

6.44.490 Signs

All ~~Massage~~ ~~Business~~ ~~signs~~ ~~shall~~ ~~be~~ ~~in~~ ~~conformance~~ ~~with~~ ~~the~~ ~~current~~ ~~ordinances~~ ~~and~~ ~~regulations~~ ~~of~~ ~~the~~ ~~City~~, la Ciudad.

**Part 3
Permits and Licenses**

6.44.500 Procedures and Determinations

The ~~procedimientos~~ ~~establecidos~~ ~~en~~ ~~el~~ ~~Capítulo~~ ~~6.02~~ ~~para~~ ~~permits~~ ~~and~~ ~~licenses~~ ~~shall~~ ~~govern~~ ~~the~~ ~~application~~, ~~investigation~~, ~~approval~~, ~~denial~~, ~~suspension~~ ~~and~~ ~~revocation~~ ~~of~~ ~~any~~ ~~business~~ ~~permit~~, ~~license~~, ~~ownership~~, ~~partnership~~, ~~partnership~~, ~~license~~, ~~or~~ ~~Massage~~ ~~Therapist~~ ~~license~~ ~~issued~~ ~~in~~ ~~accordance~~ ~~with~~ ~~the~~ ~~provisions~~ ~~of~~ ~~this~~ ~~Chapter~~, ~~except~~ ~~as~~ ~~specifically~~ ~~provided~~ ~~in~~ ~~this~~ ~~Part~~.

6.44.510 Additional Requirements for Permits and Licenses

In ~~addition~~ ~~to~~ ~~the~~ ~~procedures~~ ~~established~~ ~~in~~ ~~Chapter~~ ~~6.02~~, ~~a~~ ~~person~~ ~~applying~~ ~~for~~ ~~a~~ ~~permit~~ ~~or~~ ~~license~~ ~~under~~ ~~the~~ ~~provisions~~ ~~of~~ ~~this~~ ~~Chapter~~ ~~shall~~ ~~provide~~ ~~to~~ ~~the~~ ~~Chief~~ ~~of~~ ~~Police~~:

A. ~~Prove~~ ~~that~~ ~~the~~ ~~applicant~~ ~~is~~ ~~at~~ ~~least~~ ~~eighteen~~ ~~years~~ ~~of~~ ~~age~~.

B. ~~Para~~ ~~permisos~~ ~~especiales~~ ~~el~~ ~~aplicante~~ ~~deberá~~ ~~proporcionar~~:

1. ~~Prove~~ ~~of~~ ~~zoning~~ ~~approval~~ ~~for~~ ~~the~~ ~~business~~ ~~premises~~;

- 2. Proof of professional liability or malpractice insurance as specified in Part 2 of this Chapter;
 - 3. The name and address of each Massage Therapist employed by the Permittee who works on the Permittee's business premises.
- C. Para una licencia de propiedad/administración, cuando el solicitante es o será gerente de la empresa, el solicitante deberá proporcionar prueba de un diploma o certificado de graduación de una Escuela de Masaje Reconocida después de completar con éxito el curso de instrucción de 60 horas. .

6.44.520 Inspección para Determinar Cumplimiento

The City officials charged with investigating and enforcing this Chapter and the Municipal Code, including, but not limited to, the Police Department, Fire Department, Building and Code Enforcement Department, are authorized to inspect the premises and all business records of each massage business during business hours for the purposes of determining compliance with the provisions of this Chapter.

6.44.530 New Managers and Massage Therapists - Notification

- A. The Permittee shall notify the Chief of Police, in writing, of the name and residence and business premises address of each person employed as a Massage Therapist or a manager prior to the start of employment.
- B. An Massage Therapist shall not commence employment or providing Massage services unless the following has been provided to the Chief of Police:
 - 1. Proof of insurance; and

2. Una copia de la GANTC o el CAJTC.

6.44.540 Cambio de Nombre o Ubicación

Any change of location name of a Massage Business shall be subject to the approval of the Chief of Police. Any new location shall comply with each and every requirement of this Chapter.

6.44.550 Tarifas de permisos y licencias

Fees for the massage business permit and ownership/management license applications and renewal applications shall be as set forth in the Schedule of Fees established by Resolución del Concejo Municipal.

6.44.560 Plazo de permisos y licencias

- A. Cada permiso comercial y licencia de propiedad/administración emitido de conformidad con este Capítulo vencerá dos años después de la fecha de emisión.
- B. Ningún permiso comercial o licencia de propiedad/administración emitido por el jefe de Policía de conformidad con este Capítulo puede ser vendido, transferido o asignado por el Permitido o licenciado, o por el representante de la ley, a cualquier otra persona o personas; cualquier transferencia, asignación, o intento de venta, transferencia o asignación, shall be deemed to constitute a voluntary surrender of such permit or license and such permit or license shall be thereafter be deemed terminated and void.
- C. Además de las disposiciones establecidas en el Capítulo 6.02 del Código Municipal, se puede designar a un propietario o gerente un permiso comercial o una licencia de propietario/gerente emitido de conformidad con este Capítulo si el Permitido o el licenciado cometieron cualquier delito que involucre, in decent exposure, indecent exposure, prostitution, human trafficking,

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trafico sexual, tráfico laboral y otros delitos similares o los empleados, contratistas independientes, propietarios de uniones o de otro modo del Masaje Massage Business have committed a similar offense during the course of employment or services.

6.44.570 Cumplimiento de todas las leyes

All Massage Businesses, including Permittee, owner, manager, operator, or Massage Therapist, shall comply with all local, state, and federal laws and regulations.

6.44.580 Molestas Públicas y Remedios

It shall be unlawful and a public nuisance for a Massage Business to be operated, in violation of the provisions of this Chapter. The City may exercise its discretion and commence any criminal or civil actions or proceedings available under the Municipal Code, state or federal law against any person or entity in violation of this Chapter or any other applicable law. All remedies under Chapter 6.02, this Chapter, the Municipal Code and state and federal law are cumulative.

6.44.590 Conflicto

In the case of any conflict or inconsistency between the provisions of this Chapter and the provisions of any other chapter(s) of the Municipal Code, the provisions of this Chapter shall prevail, insofar as it does not be inconsistent with the stated purpose of this Chapter.

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RESOLUCION PARA LA PASEO DE LA CIUDAD DE SAN JUAN DEL DIA DE DICIEMBRE 2015, POR EL SIGUIENTE VOTO:

AYES: CARRASCO, HERRERA, JONES, KALIRA, KHAMIS, M. NGUYEN, TIN NGUYEN, NOLOVERI, OPERARAZ, ROCHA, LICCARDO.

NOES: NONE.

ABSENTE: NONE.

DISQUALIFIEDS: NONE.



SAM LICCARDO
Mayor

DAREFE:



TONI J. TABERCOVIC
City Clerk
Secretario de la Ciudad