FINAL DRAFT

ORDINANCE NO. 926

AN ORDINANCE PROVIDING FOR THE LICENSING OF MASSAGE PARLORS, PROPRIETORS, AND OPERATORS, PRESCRIBING REGULATIONS THEREFOR AND PROVIDING FOR REGISTRATION OF EMPLOYEES; PROVIDING FOR LICENSE FEES, INSPECTIONS, AND HEALTH CERTIFICATES, AND OTHER MATTERS RELATING THERETO; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

SECTION 1. MASSAGE PARLOR DEFINED. For the purpose of this ordinance a massage parlor is hereby defined to mean any building, room, place or establishment, other than a regularly licensed hospital or dispensary, where non-medical and non-surgical manipulative exercises are practiced upon the human body, for other than cosmetic or beautifying purposes, with or without the use of mechanical or bathing devices, by anyone not a physician or surgeon or of a similarly registered status and specifically exempting licensed practitioners.

SECTION 2. LICENSES REQUIRED. On and after passage of this ordinance no person, firm, or corporation, shall without a license as hereinafter provided, engage in the business, occupation, or practice of a massage operator or of hiring or employing any massage operator, or act as proprietor or manager of any place of business where one or more such operators are employed.

Each proprietor, operator, or owner of a massage parlor shall apply to the Supervisor of Licenses on a form provided by him containing such information as the Supervisor of Licenses shall deem necessary for the issuance of said license. Said application shall be referred to the Police Department for a report. No person, firm, or corporation, who does not meet the following requirements shall be granted a license:

(a) That the officers of a corporation, members of a firm or individual person or persons shall be of good moral character and never been convicted of a felony or misdemeanor involving moral turpitude.

(b) That no person, firm or corporation shall be entitled to a license issued hereunder who has been denied such license during the preceding twelve months.

(c) That the establishment meets the sanitary requirements established by the Clark County Health Officer.

The approval of the Board of Commissioners shall be secured by each applicant before the issuance of any license by the Supervisor of Licenses pursuant to this ordinance.

SECTION 3. LICENSE FEES. Every owner, proprietor, or operator of a massage establishment who applies manual massage to the human trunk or limbs for fee, hire, or reward, or without such fee, hire, or reward, applies such manual massage to members of the public generally shall obtain such license as a "massage parlor." The fee for such license shall be $20.00 semi-annually, plus $6.00 for each masseur or masseuse employed.

SECTION 4. INVESTIGATION FEES. Each applicant for a proprietor, owner, or operator's license of a massage establishment shall pay an investigation fee of $25.00 at the time of placing of an application for a license herein. Each officer of a corporation and member of a firm shall be investigated.

SECTION 5. EMPLOYEES. No proprietor, operator, or owner of a massage parlor shall employ any person within such establishment without such person having secured a Work Permit from the Chief of Police of the City of Las Vegas. No employee shall be granted a Work Permit under this ordinance unless he or she is a person of good moral character and never been convicted of a felony or a misdemeanor involving moral turpitude. Each person applying for a work permit shall pay an investigation fee in the sum of $15.00 at the time said application is filed.

SECTION 6. HEALTH PERMIT. No proprietor, operator, owner of a massage parlor, or employee, who manually massages a person shall be granted a license or a permit as required herein unless such person presents a certificate of a licensed physician, bearing date not more than thirty (30) days prior to the date of application, showing the applicant to be free of any contagious, infectious or communicable disease and said certificate from a doctor shall be renewed by each person annually.

SECTION 7. TREATING OPPOSITE SEX. No roprietor, operator, owner or employee of a massage parlor shall treat a person of the opposite sex, except upon the signed order of a licensed physician, osteopath, or other registered practitioner licensed in the State of Nevada.

SECTION 8. TREATMENT. No proprietor, operator, owner or employee of a massage parlor shall treat any person behind locked doors.

SECTION 9. LICENSE TO BE DISPLAYED. Every licensed massage business shall display a sign upon which the words "licensed masseur" or "licensed Masseuse", in accordance with the license as issued, shall be conspicuously and legibly set forth, in English; said sign shall be a part of or shall be attached to the business name sign and the letters shall be not less than three inches (3") in heighth; and shall be displaced in such manner that the words may be readily ascertained by persons entering the premises. No massage parlor shall operate under any name or conduct said business under any designation not specified in the license.

SECTION 10. FACILITIES AND EQUIPMENT. It shall be the duty of every person, firm or corporation conducting or operating a massage parlor to keep the premises at all times in clean and sanitary condition and all instruments, mechanical, therapeutic, and bathing devices, which come in contact with the body, shall be sterilized by a modern approved method, and any instruments or devices or parts thereof having been used on one person shall be sterilized before being used on another person. All towels and linens furnished for the use of one person shall be laundered or cleaned before their use on any other person. All masseurs, masseuses, operators and employees shall wash their hands thoroughly before administering massage treatments.

SECTION 11. TREATMENT OF PERSONS WITH COMMUNICABLE DISEASE. No person known to be suffering from a communicable disease shall be treated in any massage parlor within the City.

SECTION 12. RECORDS AND INSPECTION. Every proprietor, operator or owner of a massage parlor shall keep a record of the date and hour of each treatment together with the name of the patron and the name of the operator administering said treatment. Said records shall be subject to inspection by the Police Department at all times.

SECTION 13. TRANSFER OR SALE OF BUSINESS. Licensees shall be restricted in the exercise of their license to the place set forth in said license and no license shall be transferrable. No licensee shall remove his business to a place other than that licensed without the prior approval of the Board of Commissioners.

SECTION 14. From and after the adoption of this ordinance all persons or firms shall have a period of thirty (30) days to comply herewith.

SECTION 15. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 16. Any person violating the provisions of this ordinance shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than $500.00 and/or six (6) months in jail, or by a combination of both such fine and imprisonment.

SECTION 17. This ordinance shall be in full force and effect as in the next section provided, and final passage.

SECTION 18. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its first reading and adoption in a daily newspaper published in the City of Las Vegas.

APPROVED:

ATTEST:

Edwina M. Cole
EDWINA M. COLE, City Clerk

Oran K. Gragson
ORAN K. GRAGSON, Mayor

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 19th day of July, 1961, and referred to the following committee composed of Commissioners Levy and Mirabelli for recommendation; thereafter the said committee reported favorably on said ordinance on the 6th day of September, 1961, which was the regularly meeting, that at said regular meeting held on said day the proposed ordinance was read by title to the Board of Commissioners and adopted by the following vote:

VOTING "AYE": Commissioners Mirabelli, Levy, Fountain, Whipple and Mayor Gragson, voting aye.
VOTING "NAY": Commissioners None

ABSENT: None

APPROVED:

Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST:

Edwina M. Cole
EDWINA M. COLE, City Clerk

13231

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,)
COUNTY OF CLARK) ss

LOUIE MURATORE, being first duly sworn deposes and says That he is Foreman of the LAS VEGAS REVIEW-JOURNAL, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of TWO (2) insertions

from SEPTEMBER 10, 1961 to SEPTEMBER 17, 1961

inclusive, being the issues of said newspaper for the following dates, to-wit:

SEPTEMBER 10, 17, 1961

That said newspaper was regularly issued and circulated on each of the dates above named.

SIGNED L. Muratore
LOUIE MURATORE

Subscribed and sworn to before me this 17th day of SEPTEMBER 19 61

RECEIVED SEP 20 1961 CITY CLERK

Jean Collins
NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA
My Commission Expires
January 22, 1964

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APPROVED:

ORAN K. GRAGSON, Mayor

ATTEST:

EDWINA M. COLE, City Clerk

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VOTING "AYE": Commissioners Mirabelli, Levy, Fountain, Whipple and Mayor Gragson.

VOTING "NAY": Commissioners none.

ABSENT: none.

APPROVED:

ORAN K. GRAGSON, Mayor

ATTEST:

EDWINA M. COLE, City Clerk

Sept. 10, 17