

APPLICATION FOR REGISTRATION TO OPERATE A MASSAGE ESTABLISHMENT

CITY OF BEAVERCREEK, OHIO

1368 Research Park Drive

Beavercreek, OH 45432

937-427-5512

FAX 937-427-5544

Date: _____

Permit: _____

Fee: **\$60 Initial - \$30 Renewal**

For the purposes of this application, the registrant shall be the owner of the business. Business owners must obtain a Registration to Operate a Massage Establishment, as such term is defined in Section 116.01 of the Beavercreek Code of Ordinances, for each Massage Establishment location situated within the City of Beavercreek that has anyone, other than Massage Therapist licensed by the State Medical Board of Ohio, who provides or will provide any massage-related services, including but not limited to Massage, Corporate Massage and/or Outcall Massage Services. Complete this application in its entirety and timely submit it to the Planning and Development Department.

NOTE: A COLOR COPY OF BUSINESS OWNER'S DRIVER'S LICENSE OR STATE IDENTIFICATION CARD MUST BE SUBMITTED WITH THIS APPLICATION.

1. Complete address of Massage Establishment _____
2. Current owner(s) of above-described real estate _____
3. Telephone numbers of above-described property owner(s) Home: _____ Cellular: _____
4. Email address(es) of above-described property owner(s) _____
5. Name/proposed name of Massage Establishment _____
6. Name of Business Owner/Registrant _____
7. All Nicknames and Aliases of Business Owner/Registrant _____
8. Complete Address of Business Owner/Registrant _____
9. Telephone Numbers of Business Owner/Registrant Home: _____ Cellular: _____
10. Email address(es) of Business Owner/Registrant _____
11. Business Owner/Registrant's complete addresses during preceding 3-year period (with the dates the Business Owner/Registrant resided at each location) _____

12. Provide the business names, complete addresses, and telephone numbers of each business involving massage-related services that the Business Owner/Registrant has been associated with, employed by, or been an independent contractor at during the preceding 10-year period, including the dates the Business Owner/Registrant was affiliated with or employed by each business. _____

13. List and describe any of Business Owner/Registrant's criminal convictions of record, other than minor misdemeanor traffic violations, in the preceding 5-year period, including the date of each conviction; the charge(s) for which Business Owner/Registrant was convicted; and the location (city, state and county) where each conviction occurred.

14. Provide a description of any licenses, certificates, permits, or other authorizations/registrations that Business Owner/Registrant currently holds, or has held in the past, to engage in the practice of any massage-related services or business ventures.

15. Have you, the Business Owner/Registrant, been employed by a Massage Establishment or other business engaged in any massage-related services that at any time in the preceding 10-year period had its license(s), permits and/or registration suspended or revoked, or was otherwise shut down by any legal authority?

Yes No

If yes, list the dates and reasons for such suspension, revocation and/or shut down and indicate the name and location (city, county and state) of the jurisdiction or agency that issued or caused the suspension, revocation, or shut down.

16. Describe the nature of the massage-related services to be administered at the Massage Establishment (e.g., Swedish massage, deep tissue, shiatsu, hot stone, reflexology, Thai massage, etc.).

I hereby certify and affirm that I currently have, and will continue to maintain, a database and/or roster of all employees and independent contractors working at my Massage Establishment that contains all information required pursuant to Section 116.03(b)(2) and (3) of the Beavercreek Code of Ordinances. I agree and understand that this database and/or roster shall be made available to City of Beavercreek officials and/or authorized agents upon request by the City. I also understand and acknowledge that I am required to update the database and/or roster to include all relevant and requisite information regarding any new Massage Therapists, Massage Practitioners, Employees, and/or Independent Contractors who work at the Massage Establishment within thirty (30) days of any new hire/association.

I further certify that I am the owner of the Massage Establishment and that all information and attachments submitted with this application are true and correct to the best of my information, knowledge, and belief.

Applicant's Printed Name _____

Applicant's Signature and Title _____

Date of Application _____

This application is _____ approved _____ disapproved _____

Planning Department

Date

Remarks: _____

Notice of approval/disapproval sent to Applicant via _____ on _____

Case No. _____

MESSAGE ESTABLISHMENT OPERATION REQUIREMENTS

In addition to all other applicable requirements prescribed by the Beavercreek Codified Ordinances, all Massage Establishments shall comply with the following operating requirements:

- Exterior Signs. A recognizable and legible sign shall be posted at the main entrance identifying the business as a Massage Establishment. In addition, the sign shall comply with Chapter 158 of the Beavercreek Zoning Code.
- Posting of Registration. A copy of each Registration and Massage Therapists' license(s) or license card from the State Medical Board of Ohio shall be posted in a conspicuous place in such a manner that it can easily be seen by Persons patronizing the Massage Establishment.
- Posting of Services Available and Fees. A list of all services available, the price thereof, and the length of time each service shall be performed shall be posted or available in a conspicuous place in such a manner that it can easily be seen by Persons entering the Massage Establishment. No other services, other than those posted, shall be provided.
- Maintain Written Records. Every Massage Establishment shall keep a written record of the date and hour of each service provided, the name and address of each patron and the service received, and the name of the Massage Therapist administering the service. These records may not be used for any other purpose than as records of service provided and may not be provided to other parties by the Massage Establishment unless otherwise required by law. Such records shall be retained on the premises of the Massage Establishment for a period of two (2) years.
- Standard of Dress for Massage Establishment Employees. All Massage Therapists, Massage Practitioners, Employees, and Independent Contractors of the Massage Establishment shall remain fully clothed in clean outer garments while on the premises of the Massage Establishment. At a minimum, such clothing shall be made of nontransparent material and shall not expose the buttocks, genital area or breasts of any employee at any time.
- Operating Hours. No Massage Establishment shall be kept open for business, and no Massage Therapist shall administer Massages after the hour of 10:00 p.m. or before the hour of 7:00 a.m.
- Lighting Required. Massage Establishments will be lighted at all times during business hours to clearly show the business is in operation. Rooms where Massage Services are provided will be adequately lit when occupied to meet all emergency exiting requirements.

MESSAGE ESTABLISHMENT CONDITIONS OF PREMISES

Required Maintenance of Massage Establishment. All premises and facilities of the Massage Establishment shall be maintained in a clean and sanitary condition at all times. The premises and facilities shall meet the applicable requirements of the City of Beavercreek Codified Ordinances, including but not limited to, those related to the safety of structures and building systems, property maintenance, zoning, and adequacy of the plumbing, heating, ventilation, and waterproofing of rooms in which showers, water or steam baths are used and maintained.

Linens. All Massage Establishments shall provide clean laundered sheets, towels, and other linen for use by clients. Such linens shall be laundered after each use and stored in a sanitary manner. Heavy white paper may be substituted for sheets on Massage tables, provided such paper is used only once for each Client and is then discarded into a sanitary receptacle.

Privacy Standards for Massage Rooms and Dressing Rooms. The Massage Establishment shall provide doors, curtains, or accordion-pleated enclosures for all dressing rooms and Massage rooms.

PROHIBITED ACTS

Touching of Sexual and Genital Parts of Client during Massage. No holder of a Registration or any Massage Therapists, Massage Practitioners, Employees or Independent Contractors of a Massage Establishment shall place either his or her hand(s) upon, or touch with any part of his or her body, or touch with a mechanical device, a sexual or genital part of any other Person in the course of a Massage, or Massage a sexual or genital part of any other Person. Sexual and genital parts shall include the genitals, pubic area, anus or perineum of any Person.

Uncovering and Exposure of Sexual and Genital Parts of Client Before, During, or After Massage. No holder of a Registration or any other Massage Therapists, Massage Practitioners, Employees, or Independent Contractors of a Massage Establishment shall uncover and expose the sexual or genital parts of a Client or themselves or any other person while engaged in the practice of Massage, or before or after a Massage.

Outcall Massage Services. It is unlawful for anyone other than a state certified Massage Therapists to provide Outcall Massage Services.

Transfer of Registration. No Registration issued pursuant to this chapter shall be transferred or assigned in any manner, whether by authorization of law or otherwise, from any location to another location or from Person to Person.

RENEWAL OF REGISTRATION

Any Registration issued in 2020 shall expire on December 31, 2021. In all other years a Registration/Renewal is issued, that Registration/Renewal shall expire on December 31st of that same year. Applications for Renewals of Registrations must be submitted to the City's Planning and Development Department no later than sixty (60) days prior to the expiration of the Registration/Renewal.