

TO BECOME CHAPTER 14
OF THE CITY CODE OF
LEBANON, INDIANA

BE IT ORDAINED BY THE COMMON COUNCIL OF LEBANON, INDIANA, that the City Code of Lebanon, Indiana be amended by adding thereto Chapter 14 Sections 1 through 7 to regulate and license massage parlors, massage therapy clinics, massage therapy schools, and related enterprises, which Chapter and Sections shall read as follows:

SECTION 14-1: General Definitions--Whenever used in this Chapter, the following words or phrases shall have the following meaning:

(a) A Bath House is defined to include any building, room, place or establishment, other than a regularly licensed hospital, dispensary, personal exercise and weight reducing clinic, hotel, rooming house, or public lodging house, where members of the public are provided with baths, regardless whether steam, vapor, water, sauna or otherwise.

(b) A massage parlor is defined to include 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 with or without the use of mechanical or bath devices, by anyone not a physician, osteopath or chiropractor duly registered with and licensed by the State of Indiana.

(c) A massage is defined as any means of treating the superficial soft parts of the body for remedial or hygienic purposes, consisting of rubbing, stroking, kneading or tapping with the hands or instruments.

(d) Massage schools are defined to include any location defined in (a) or (b) above, where the act of massage as defined in (c) above is either taught or practiced.

(e) Massage therapy shall be defined as the act of body massage, either by mechanical or electrical apparatus for the purpose of reducing or contouring the body by the use of oil rub, salt, hot and cold packs, cold showers and cabinet baths.

(f) A massage therapist shall be deemed to be a person who practices, administers or teaches all or any of the subjects, or methods of treatment contained in subsection (e) above.

(g) A massage therapy clinic shall be construed and deemed to be any shop, establishment or place of business where any and all of the methods of massage therapy are administered or used.

(h) A massage therapy school shall mean any duly registered massage therapy establishment where a tuition is charged for the instruction of massage therapy techniques.

SECTION 14-2: License Required --

(a) Each person who operates, conducts, or maintains a school of massage, massage parlor, massage therapy clinic or bathhouse shall make application for an operators license to operate such school of massage, massage parlor, massage therapy clinic or bathhouse with the Clerk-Treasurer of the City of Lebanon on application forms prescribed by him. Such application for license shall contain the following information and should be individually signed by the applicant:

1. Name of applicant.
2. Residence address of applicant.
3. Business address of applicant.
4. Number of massage tables, shower stalls, bath stalls, or other such individual units.
5. The age and citizenship of the applicant, in the case of individuals, and of the manager and officers in the case of a corporation.
6. The names, addresses, ages, citizenship and designations of each person connected with the applicant's establishments.
7. Whether the applicant or its manager or officers have ever been previously engaged in operating a school of massage, massage parlor, massage therapy clinic or bathhouse.
8. Whether any applicant, or in the case of a corporation, its manager, officers, directors, or stockholders have ever been convicted of any act of violence, moral turpitude, sex offense, or prior violation of this ordinance.
9. An agreement by the operator permitting inspections.
10. Type of license being applied for by the applicant.

(b) Along with the operator's application for a license there should be filed a verified application for a massage therapist license by each individual who is employed in the establishment. The application should contain the following information:

1. Name
2. Age
3. Address
4. Citizenship
5. Whether convicted of any public offense concerning an act of violence, moral turpitude, sex offense, or prior violation of this ordinance.
6. Nature of work performed.

(c) Along with the aforesaid applications for license there should be a certificate from a duly licensed medical practitioner, on a form prescribed by the