City of
St. Paul Park
600 Portland Avenue
St. Paul Park MN 55071
651-459-9785
city@stpaulpark.org

MASSAGE THERAPIST LICENSE APPLICATION

License Fee: $50 per year **plus**
$50 investigation fee per year; $100 initial investigation fee
License expires 12/31 of each year

Date: _____

Applicant's Full Name: _____

Home Address: _____

Home Phone: _____ Cell Phone: _____

___ Male ___ Female Height _____ Weight _____ Eye Color _____ Hair Color _____

Applicant shall provide a color photocopy of his/her driver's license or state issued I.D., front and back, or any other government issued I.D., including proof the applicant is at least 18 years of age or older.

Have you ever been convicted of any felony, crime, or violation of any ordinance other than a minor traffic offense?

☐ No

☐ Yes _____
Date Place Nature of such crime or offense

Have you had an interest in, as an individual or as part of a corporation, partnership, association, enterprise, entity, business or firm, a massage license that was revoked or suspended with the last five years of the date the license application is submitted to the issuing authority?

☐ No

☐ Yes _____
Date Place Reason for revocation/suspension

Are you currently licensed in other communities to perform massage therapy?

☐ No

☐ Yes _____
Address City, State, Zip

_____
Address City, State, Zip

Have you ever been engaged in the operation of massage services?

☐ No

☐ Yes _____

Name Place Date/Length of time

_____

Name Place Date/Length of time

_____

Name Place Date/Length of time

LIST OF EDUCATION, CREDENTIALS, MEMBERSHIPS, QUALIFICATIONS TO INCLUDE, BUT NOT LIMITED, TO:

High School Diploma or Equivalent.

Current Cardiopulmonary Resuscitation and First Aid Certifications.

Successful completion of a curriculum from an approved education provider and successful completion of a competency exam.

Current professional liability insurance coverage with a minimum of $1,000,000 of coverage per occurrence.

Description of all professional disciplinary action initiated against the applicant in any jurisdiction.

Such other information as the City Council shall require.

Office Use Only

Background Check _____ Approved

City Council Approval _____ Approved

City of St. Paul Park
600 Portland Avenue
St. Paul Park MN 55071

Date: _____

The following named individual has made application with the City of St. Paul Park for a Therapeutic Massage Business and/or Massage Therapist license.

Last Name of Applicant (please print): _____

First Name (please print): _____

Middle (full) (please print): _____

Maiden, Alias or Former (please print): _____

Date of Birth: _____ Sex: ____M ____ F
Month/Day/Year

Social Security Number (optional): _____

I authorize the Minnesota Bureau of Criminal Apprehension to disclose all criminal history record information to the St. Paul Park Police Department for the purpose of a Therapeutic Massage Business/Massage Therapist license in the City of St. Paul Park.

The expiration of this authorization shall be one year from the date of my signature.

Signature of Applicant: _____ Date: _____

Print

Certificate of Compliance
Minnesota Workers' Compensation Law

THIS FORM MUST BE COMPLETED BY THE BUSINESS LICENSE APPLICANT

PRINT IN INK or TYPE

Minnesota Statutes §176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes Chapter 176. If the required information is not provided or is falsely stated it shall result in a $2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

License or certificate number (if applicable)	Business telephone number	Alternate telephone number

Business name (Provide the legal name of the business entity. If the business is a sole proprietor or partnership, provide the owner's name(s), for example John Doe, or John Doe and Jane Doe.)

DBA ("doing business as" or "also known as" an assumed name), if applicable

Business address (must be physical street address, no P.O. boxes)	City	State	ZIP code

County	Email address

YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. *You must complete number 1 or 2 below.*

Number 1 – Workers' compensation insurance policy information

Insurance company name (not the insurance agent)		NAIC number
Policy number	Effective date	Expiration date

Number 2 – Reason for exemption from workers' compensation insurance

If you have questions regarding the need to obtain workers' compensation coverage, including exemptions, call (651) 284-5032 or 1-800-342-5354.

☐ I have no employees. (See Minnesota Statute § 176.011, subd. 9 for the definition of an employee.)

☐ I am self-insured for workers' compensation (attach a copy of the authorization to self-insure from the Minnesota Department of Commerce).

☐ I have employees but they are not covered by the workers' compensation law. (See Minnesota Statute § 176.041 for a list of excluded employees.) Explain why your employees are not covered:

_____

_____

I certify the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify I am authorized to sign on behalf of the business.

Print name

Applicant signature (required)	**Title**	**Date**

NOTE: You must notify the authority issuing your license if there is any change to your workers' compensation insurance information or an employee status change by resubmitting this form. This material can be made available in different forms, such as large print, Braille or audio.

CITY OF ST. PAUL PARK
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 725

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE XIII RELATED TO THE LICENSING OF MASSAGE THERAPY

WHEREAS, the City of St. Paul Park, Minnesota, wishes to amend Chapter 22, Article XIII in the Code of Ordinances, City of St. Paul Park, Minnesota, relating to massage therapy;

NOW THEREFORE, the City Council of the City of St. Paul Park, County of Washington, State of Minnesota, does hereby ordain as follows:

Section 1. The City Council of the City St. Paul Park hereby replaces Chapter 22, Article XIII, Sections 42-431 through 42-439 of the City Code and amends to read as follows:

ARTICLE XIII. - MASSAGE THERAPY
Sec. 22-431. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Massage means any method of pressure on, or friction against, or the rubbing, stroking, kneading, tapping, pounding, vibrating, stimulating, or rolling of the external parts of the human body with the hands or with the aid of any mechanical or electrical apparatus, or other appliances or devices, with or without such supplementary aids as rubbing alcohol, liniment, antiseptic, oil, powder, cream, lotion, ointment, or other similar preparations.

Massage therapist means an individual who practices or administers massage to the public who can demonstrate to the issuing authority that he or she is affiliated with, employed by, or owns a therapeutic massage business licensed by the city.

Therapeutic massage business means an entity which operates a business which hires only massage therapists licensed by the city to provide therapeutic massage to the public. The owner/operator of a therapeutic massage business need not be licensed as a therapeutic massage therapist if he or she does not at any time practice or administer massage to the public. A therapeutic massage business may employ other individuals such as cosmetologists and estheticians, and these individuals are not required to have a massage therapist license as long as they are not providing therapeutic massage to the public.

Sec. 22-432. Licenses—Required.

(a) Therapeutic massage business license. It shall be unlawful for any person or entity to own, operate, engage in, or carry on, within the city, any type of massage services to the public for compensation without first having obtained a therapeutic massage business license from the city pursuant to this section.

(b) Massage therapist license. It shall be unlawful for any individual to practice, administer, or provide massage services to the public for compensation within the city without first having obtained a personal massage therapist license from the city pursuant to this section.

Sec. 22-433. Therapeutic Massage Business License Application.

(a) Application for a license under this article shall be made at the office of the city administrator. All applications shall be sworn to be true and correct by the applicant, under oath made to a notary public or other person authorized to administer oaths in the state, and shall contain the following information:

(1) A description of the location of the premises to be licensed. If the premises are not constructed and furnished at the time the application is completed, the detailed plans of the premises or furnishings shall be attached to the application;

(2) Names and addresses of the property owner, the business owner, the lessee, the manager, and operator;

(3) Names, residences and addresses of two persons, residents of the state, who may be referred to as to the applicant's, manager's or operator's character;

(4) Whether the applicant's manager or operator has ever been convicted of a crime or offense, other than a traffic offense within the last ten years and, if so, information as to the time, place and nature of such crime or offense, together with such other information as the council may require; and

(5) Names and addresses of all employees of the business and a statement as to whether any of such employees have ever been convicted of a crime or offense, other than a traffic offense, and if so, information as to the name of any such employee, the time, place and nature of such crime or offense, together with such other information as the council may require.

(6) Proof of commercial general liability insurance coverage with a minimum of $1,000,000 of coverage per occurrence.

(b) It shall be the obligation of the licensee to maintain the information required under subsection (a) of this section on a current basis and if there are any changes as to the property owner or the business owner or the lessee, the manager, operator or any of the employees of the licensee, the licensee shall immediately certify any such changes to the city.

Sec. 22-434. Therapeutic Massage Business Restrictions and regulations.

(a) Licenses under this article may be granted only in a district zoned for business.

(b) It shall be grounds for denial of the application for a license under this article if there is any fraud or deception involved in the license application.

(c) It shall be grounds for denial of the application for a license under this article if the applicant or persons in his employ are not complying with or have a history of violations of the laws that apply to health, safety, or moral turpitude.

(d) All establishments licensed under this article shall be maintained in a sanitary and clean condition and shall be well lighted.

(e) Individual lockers shall be made available for use by patrons of establishments licensed under this article, and such lockers shall have separate keys for locking.

(f) No therapeutic massage business shall employ or use any person to perform massage who is not licensed as a massage therapist under this section.

(g) No license shall be granted for operation on any premises on which taxes, assessments, or other financial claims of the city, county or state are delinquent or unpaid.

Sec. 22-435. Therapeutic Massage Business hours. No customers or patrons shall be allowed to enter the premises of any establishment licensed under this article after 10:00 p.m. and before 7:00 a.m. daily, and no customers or patrons shall be allowed to remain upon such licensed premises after 10:30 p.m. and before 7:00 a.m. daily.

Sec. 22-436. Massage therapist license application. An application for a massage therapist license shall be made on a form supplied by the city clerk and shall request the following information:

(a) The applicant's home telephone and cell phone number.

(b) The applicant's physical description, including weight, height, color of eyes, and color of hair. The applicant shall provide a color photocopy of the applicant's driver's license or state-issued I.D. front and back, or any other government-issued I.D. Including proof the applicant is at least 18 years of age or older

(c) Whether the applicant has ever been convicted of any felony, crime, or violation of any ordinance other than a minor traffic offense and, if so, the time, place, and offense for each conviction.

(d) Whether the applicant has had an interest in, as an individual or as part of a corporation, partnership, association, enterprise, entity, business or firm, a massage license that was revoked or suspended within the last five years of the date the license application is submitted to the issuing authority.

(e) Whether the applicant is currently licensed in other communities to perform massage therapy, and if so, where.

(f) Whether the applicant has ever been engaged in the operation of massage services, and if so, information as to the name, place, dates and length of time of the involvement in such an establishment.

(g) Lists of education, credentials, memberships and/or qualifications the applicant has in the field of massage therapy to include but not limited to:

1. High School Diploma or its equivalent
2. Current Cardiopulmonary Resuscitation and First Aid Certifications
3. Successful completion of a curriculum from an approved education provider and successful completion of a competency exam.

(h) Current professional liability insurance coverage with a minimum of $1,000,000 of coverage epr occurrence.

(i) Description of all professional disciplinary action initiated against the applicant in any jurisdiction.

(j) Such other information as the city council shall require.

Sec 22-437. Massage therapist license restrictions and regulations.

(a) A massage therapist shall be employed by, affiliated with, or own a massage business licensed by the city.

(b) A person licensed as a massage therapist shall post the massage therapist license, along with a color photo, in a conspicuous place on the premises at which the therapist is associated. A massage therapist shall have readily available at all times that therapeutic massage services are rendered a government-issued photo identification card.

(c) A license for a massage therapist may be denied by the City in cases where

(1) There is any fraud or deception involved in the license application.

(2) The applicant is not complying with or have a history of violations of the laws that apply to health, safety, or moral turpitude.

(3) The applicant had a massage therapist- or massage therapy business-related license in another jurisdiction that was suspended or revoked within ten (10) years preceding the date of application;

(4) The applicant is not 18 years of age or older;

(5) The applicant has not demonstrated the education, credentials, and/or qualifications necessary to conduct massage therapy, in the judgement of the City Council.

(6) The applicant has been denied a license under this Article within the preceding 12 months.

Sec 22-438. Licenses and Inspections.

(a) Fees. The fees for therapeutic massage business and massage therapist licenses shall be as set forth by City Code Chapter 42. An investigation fee shall be charged for therapeutic massage business licenses and individual massage therapist license. Each application for a license shall be accompanied by payment in full of the required license and investigation fees. An application shall be deemed incomplete unless it is accompanied with the required fees, all documentation required by this Article, and is completed in its entirety.

(b) License application investigation. An investigation is required prior to the issuance of any license. No investigation fee in part of whole shall be refunded. Out of state investigations shall require the applicant to pay actual out-of-pocket expenses. A deposit of $500 for an out-of-state investigation shall be required in advance, the applicant shall be refunded any unused deposit upon completion of the investigation. The city council may order and conduct such additional investigation as it deems necessary. Upon completion of the investigation by the police department, the Council shall approve or deny the license.

(c) Inspections. In light of the high risk of involvement with illegal conduct an establishment providing massage therapy poses to the general public, city staff and/or the police department shall have the right to enter, inspect, and search the licensed premises during the hours in which the licensed premise is open for business to ensure compliance with all provisions of this Article. Any search of the licensed premises is subject to reasonableness standards as recognized by the courts. With reasonable notice, the business records of the licensee, including income tax returns, shall be available for inspection during the hours in which the licensed premise is open for business.

(d) A separate license shall be obtained for each place of business.

(e) The licensee shall display the license in a prominent place on the licensed premises at all times.

(f) Each license shall expire on December 31 of the year for which issued.

Sec. 22-439. Suspension or revocation of license.

(a) The city council may suspend any license granted under this article for a period not exceeding 15 days upon the recommendation of the findings of the chief of police that any licensee is conducting

operations in the licensed premises in violation of any provision of this article or of any statute of the state.

(b) Every license granted under this article may be revoked by the city council for a violation of any provision of this article; provided, however, no such revocation shall become effective until the licensee has been given ten days' notice of the council's intent to revoke such license. If within such ten-day period the licensee shall request a hearing on the proposed revocation, the revocation shall not become effective unless and until the city council shall affirm such revocation after hearing. Any license granted under this article shall be revoked if the license of any person in the licensee's employ is convicted of any violation of any ordinance of the city or statutes of the state arising within the business establishment to which the license was granted.

Section 2. The City Council of the City of St. Paul Park hereby deletes Section 42 (b) 2 in the City Code related to "Saunas/Massage Parlors" and adds:

Therapeutic Massage Business, per year.....$200.00
Plus $50 investigation fee/year (2 hr max). Additional investigation fee of $25 per hour charged for investigations exceeding 2 hours. $500 maximum.
Massage Therapist.....$50
Plus $50 investigation fee/year. Initial investigation fee of $100.

Section 3. The City Council of the City of St. Paul Park hereby amends Section 22-3 by replacing the words "Saunas and massage parlor licenses" with "Therapeutic Massage Business and Massage Therapist licenses"

Section 4. This ordinance shall be in full force and effect from and after its passage and publication according to law.

ADOPTED by the City Council of the City of St. Paul Park, Minnesota this 16th day of February 2016.

Keith Franke, Mayor

ATTEST:

Sharon Ornquist, City Clerk