



Lafayette Police Department

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Massage Establishments

The City of Lafayette recognizes the practice of massage as a valid profession and wishes to enable customers to identify legitimate massage workers and businesses. On June 28, 2012, new regulations governing massage establishments will become effective in this city. The new regulations comply with California law and also provide certain minimum health and safety standards for the operation of massage establishments, their managing employees, and massage practitioners. The City looks forward to helping you comply with these new rules. This handout lists the key regulations and provides a link to the full massage establishment ordinance.

What does the ordinance require of massage practitioners and establishments?

It requires all massage therapists and massage practitioners operating within the city to be state certified and all massage businesses to obtain a certificate of registration from the city.

“State certified” means possessing a valid and current certification issued to a certified massage practitioner by the California Massage Therapy Council pursuant to California Business and Professions Code §§ 4600, *et seq.*, as amended.

“Certificate of registration” means a certificate issued annually by the Lafayette police department upon submission of evidence that a massage business employs or uses only massage therapists or practitioners possessing valid and current state certifications, and has satisfied all other requirements of the massage establishment ordinance.

What does the ordinance prohibit?

The ordinance states that it is unlawful for owners of massage establishments or certified massage practitioners to conduct or allow any of the following activities to be conducted by a massage establishment:

- (a) Engagement in any specified sexual activities in the course of administering massage.
- (b) The exposure of specified anatomical areas in the presence of any patron, customer or guest.
- (c) Intentional physical contact with the specified anatomical areas of any customer, patron, or guest in the course of administering a massage.
- (d) Any violation of state law, including without limitation, engaging in conduct prohibited by Penal Code Section 647(b) or Business and Profession Code Section 4603.

Violators of this ordinance will be prosecuted to the fullest extent of the law.

How do I obtain the annual certificate of registration?

By filing an application with the Lafayette police department located at 3675 Mt. Diablo Blvd., Suite 130; (925) 283-3680. You will need to provide the name and contact information for your massage

establishment and business owner, the names and copies of the state certification for each employee who will offer massage, a description of the services that they offer and a recent passport size photo of that person, and a statement certifying that the operation of the massage establishment complies with all applicable state and local laws, rules and regulations. There is no fee for a certificate of registration.

However, if you are an owner or operator of a massage establishment who is not a certified massage practitioner, you must apply to the Lafayette police department for a background check. A processing fee will be charged for all background checks.

How else does the ordinance regulate massage establishments?

Some of the other regulations are:

1. A massage establishment or a practitioner cannot provide services between 10:00 p.m. and 7:00 a.m.
2. The hours of operation and a list of services available and the cost of such services must be posted in a conspicuous place within the establishment.
3. Instruments used for massage must be disinfected before each use.
4. Hot and cold running water must be available at all times.
5. A daily register of each client, the certified massage practitioner who treated the client, a description of services performed and the time of the appointment must be maintained for at least two years.

I am a massage practitioner but do not have state certification. How do I obtain certification?

To obtain state certification, please contact the California Massage Therapy Council (“CAMTC”) at <https://www.camtc.org/> or (916) 669-5336.

Will I be in violation of the ordinance if I am not state certified by June 28, 2012, the date that this ordinance will become effective?

The City recognizes that it takes time to process an application with the CAMTC. Therefore, a massage establishment that is open for business and operating in the city on June 28, 2012 and that is diligently pursuing CAMTC certification for all persons that provide massage services shall have one hundred and twenty days from that date to receive state certification. It is important to note that all other provisions of the ordinance will apply starting June 28, 2012.

How do I open a new massage establishment in Lafayette?

Massage establishments that open after June 28, 2012 must comply with all the regulations of the massage establishment ordinance. From a zoning standpoint, massage therapy is considered a general personal service which is a permitted use in most of the downtown. However, before signing a lease, please contact the planning services division at (925) 284-1976 or planner@lovelafayette.org to determine if massage therapy is a permitted use in your building and if there is sufficient parking to meet City codes.

How do I obtain a copy of the massage establishment ordinance?

The ordinance can be downloaded from the City’s website at www.lovelafayette.org. Additionally, you can obtain a copy from the police department at 3675 Mt. Diablo Blvd. Suite 130, or the City offices at Suite 210.