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RESOLUTION
FIXING FEES
FOR MASSAGE/
OUTCALL MASSAGE
SERVICE

RES. NO. 84-112

Following introduction of the matter by City Attorney Stein, with questions regarding the subject being posed by the Council, Council, on motion of Council Member Rrid, Hinchman second, adopted Resolution No. 84-112 - Resolution of the Lodi City Council Fixing Fees for Application for Permit for Lodi Municipal Code Chapter 13B Relating to Massage Establishments and/or Outcall Massage Service setting such fees at:

- a) For each permit, the sum of \$50.00;
- b) Plus \$24.50 for each person, other than an individual applicant and/or massage technician to be employed by massage establishment and/or outcall massage service;
- c) For outcall massage service only, where there is no business establishment site, the sum of \$24.50 for each person to be employed in outcall massage service.

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL FROM: THE CITY MANAGER'S OFFICE	DATE July 5, 1984	NO.
SUBJECT: RESOLUTION FIXING FEES FOR MASSAGE/OUTCALL MESSAGE PERMITS		

The City Council having adopted Ordinance No. 1325 updating Chapter 13B of the Municipal Code relating to massage/outcall massage businesses, should now decide whether it wishes to retain the fees outlined in the 1973 ordinance, or if Council wishes to revise said fees by resolution action. The 1973 fees were as follows:

At the time of filing an application for a permit, the applicant shall pay a fee in accordance with the following:

- (a) For each permit, the sum of fifty dollars;
- (b) Plus fifteen dollars for each person, other than an individual applicant, to be employed by the massage establishment.

Attached hereto is a resolution which reflects the current verbage of the amendments to Chapter 13B and affords the Council the opportunity to set by resolution fees for applicants for permits for same.



RONALD M. STEIN
CITY ATTORNEY

vc

attachment

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL

DATE

NO.

FROM: THE CITY MANAGER'S OFFICE

JULY 11, 1984

SUBJECT:

RESOLUTION FIXING FEES FOR MASSAGE/OUTCALL MASSAGE SERVICE

Council has asked staff to bring back to this meeting more information on fees for massage/outcall massage service applications for permits. In this regard, staff has reported that investigation for massage establishment on-site is more costly than for card room investigations, since more than one department must inspect the site, and more investigative time is spent by staff.

A suggested fee which would cover the costs of said investigation and processing of the filing of an application for permits, has been suggested as follows:

- (a) For each permit, the sum of \$50.00;
- (b) Plus \$24.50 for each person, other than an individual applicant and/or massage technician to be employed by the massage establishment and/or outcall massage service;
- (c) For outcall massage service only, where there is no business establishment site, the sum of \$24.50 for each person to be employed in outcall massage service.



RONALD M. STEIN
CITY ATTORNEY

vc

RESOLUTION NO. _____

RESOLUTION OF THE LODI CITY COUNCIL FIXING FEES FOR
APPLICATION FOR PERMIT FOR LODI MUNICIPAL CODE
CHAPTER 13B RELATING TO MASSAGE ESTABLISHMENTS AND/
OR OUTCALL MASSAGE SERVICE.

BE IT RESOLVED, that the following are the fees
fixed by the Lodi City Council under Section 13B-4 of
Chapter 13B, relating to massage establishments and/
or outcall massage service:

At the time of filing an application for a permit,
the applicant and/or massage technician shall pay a
fee in accordance with the following:

- (a) For each permit, the sum of _____ dollars;
- (b) Plus, _____ dollars for each person, other
than an individual applicant and/or massage
technician, to be employed by the massage establish-
ment and/or outcall massage service.

DATED:

Draft

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING CHAPTER 13B (MESSAGE ESTABLISHMENTS, OUTCALL MESSAGE
SERVICE AND MESSAGE TECHNICIANS).

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI
AS FOLLOWS:

SECTION 1. Each and every reference in each and every Article, Section, and/or Subsection of Chapter 13B "Massage Establishments and Massage Technicians", which refers to "Massage Establishments", is hereby amended to read "Massage Establishment and/or Outcall Massage Service".

SECTION 2. Each and every reference in each and every Article, Section, and/or Subsection of Chapter 13B "Massage Establishments and Massage Technicians", which refers to "Applicant" and/or "Operator", is hereby amended to read "Applicant and/or Massage Technician", or "Operator and/or Massage Technician".

SECTION 3. Chapter 13B, Article I, In General, § 13B-1 Definitions is hereby amended as follows:

() (New Section) "Outcall massage service. Any business, not licensed as a massage establishment under the provisions of this article, wherein the principal function is such that massage is given, engaged in, or

carried on, or permitted to be given, engaged in, or carried on."

SECTION 4. Chapter 13B, Article II, Establishment Permits Generally, is hereby amended to read as follows:

"§ 13B-2. Permit Required.

"It shall be unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted, or carried on, in or upon any premises in the City of Lodi, the operation of a massage establishment and/or outcall massage service as herein defined, without first having obtained a permit from the Police Department issued pursuant to the provisions of this Chapter."

"§ 13B-3. Application.

"() (New Section) "Business, occupation, or employment of the applicant for the three (3) years immediately preceding the date of the application."

"() (New Section) "The massage or similar business license history of the applicant; whether such person, in previously operating in this or another city or state under license, has had such license revoked or suspended, the reason therefor, and the business

activity or occupation of applicant subsequent to such action or suspension or revocation."

"() (New Section) "All criminal convictions and the reasons therefor."

"§13B-4. Application Fee.

"At the time of filing an application for a permit, the applicant and/or massage technician shall pay a fee in accordance with the following:

"For each permit a sum as adopted from time to time by resolution of the City Council, plus a sum as adopted from time to time by resolution of the City Council, for each person, other than an individual applicant and/or massage technician, to be employed by the massage establishment and/or outcall massage service."

"§13B-6. Premises Inspected; Applicant Investigated, etc. by Police."

(Amended to include additional sections of State Penal Code and Health and Safety Code under which Government Code § 51032 authorizes denial of massage establishments and/or outcall massage service licenses, as follows):

"Penal Code Section 266(1), Health and Safety Code Sections 11054 through 11058, or whether convicted in any other state of any offense, which if committed or attempted in this state, would have been punishable as one or more of the above-mentioned offenses of this subdivision."

"§13B-8. Term.

"A massage establishment license and/or outcall massage service permit shall be issued on a permanent basis, subject to revocation or suspension for cause. Upon transfer of a business by a licensed applicant, the transferee must secure a new license or permit pursuant to this chapter."

SECTION 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 6. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation, printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

RESOLUTION NO. 84-112

RESOLUTION OF THE LODI CITY COUNCIL FIXING FEES FOR
APPLICATION FOR PERMIT FOR LODI MUNICIPAL CODE
CHAPTER 13B RELATING TO MASSAGE ESTABLISHMENTS
AND/OR OUTCALL MASSAGE SERVICE

BE IT RESOLVED that the following are the fees fixed by the Lodi City Council under Section 13B-4 of Chapter 13B, relating to massage establishments and/or outcall massage service.

At the time of filing an application for a permit, the applicant and/or massage technician shall pay a fee in accordance with the following:

- (a) For each permit, the sum of \$50.00;
- (b) Plus \$24.50 for each person, other than an individual applicant and/or massage technician, to be employed by the massage establishment and/or outcall massage service;
- (c) For outcall massage service only, where there is no business establishment site, the sum of \$24.50 for each person to be employed in outcall massage service.

Dated: July 18, 1984

I hereby certify that Resolution No. 84-112 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 18, 1984 by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid,
and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - Pinkerton


Alice M. Reimche
City Clerk