

**CHARTER TOWNSHIP OF WEST BLOOMFIELD**

**ORDINANCE NO. C- 764**

**MASSAGE THERAPIST ORDINANCE AMENDMENT**

An Ordinance to amend the massage therapist permit requirements in the Code of Ordinances to conform with statutory massage therapist licensing requirements, and upon availability, to provide for and require State licensing of massage therapists engaged in the practice of massage in the Township.

**THE CHARTER TOWNSHIP OF WEST BLOOMFIELD ORDAINS:**

**Section 1 of Ordinance**

Section 14-1, Definitions, in Chapter 14, Massage, of the West Bloomfield Charter Township Code, is amended to add a new subsection (12) to read as follows:

**Sec. 14-1. Definitions.**

(12) *Therapist Act* means the massage therapy provisions in Part 179A of the Public Health Code as adopted by Public Act No 471 of 2008, as amended, MCL 333.17951 through 333.17969, which is hereby adopted by reference as a part of this chapter.

**Section 2 of Ordinance**

Section 14-2, License/permit required, in Chapter 14, Massage, of the West Bloomfield Charter Township Code, is amended by amending subsection (b), to read as follows:

**Sec. 14-2. License/permit required.**

(a) [Unchanged]

(b) No person shall practice massage as a massage therapist, employee or otherwise, unless he or she has a valid massage therapists permit issued to him or her by the Township of West Bloomfield pursuant to the provisions of this chapter, or a massage therapist license issued to him or her pursuant to the Therapist Act and certified administrative rules promulgated under the Therapist Act. A massage therapist permit shall not be required of a person that has a massage therapist license issued under the Therapist Act.

(c) [Unchanged]

(d) [Unchanged]

**Section 3 of Ordinance**

Section 14-5, Application for massage therapist permit, in Chapter 14, Massage, of the West Bloomfield Charter Township Code, is amended to read as follows:

#### **Sec. 14-5. Application for massage therapist permit.**

Every applicant for a permit as a massage therapist shall file an application under oath with the township clerk's office upon a form provided by the Township of West Bloomfield and pay a nonrefundable application investigation fee to be set by township board resolution.

The application shall contain the following information, all of which shall be provided at the applicant's expense:

- (1) The business address and all telephone numbers where the massage or massage related activity is to be practiced.
- (2) Name and permanent residence address, and all names, nicknames and aliases by which the applicant has been known, including the previous addresses immediately prior to the present address of the applicant for the last three (3) years.
- (3) Drivers license number, if any, and date of birth.
- (4) Applicant's height, color of hair and eyes, and sex.
- (5) Written evidence that the applicant is at least eighteen (18) years of age and has a high school diploma or the equivalent.
- (6) A complete statement of all convictions of the applicant for any felony or misdemeanor or violation of a local ordinance, except misdemeanor traffic violations not involving: (i) a controlled substance or alcohol, (ii) driving while license suspended, revoked or denied, (iii) fleeing and eluding a police officer, or (iv) providing false identification to a police officer.
- (7) Two (2) front-face current portrait photographs taken within thirty (30) days of the date of application and at least two inches by two inches (2" × 2") in size.
- (8) Evidence of the applicant's certification by the National Certification Board for Therapeutic Massage and Body Work (NCBTMB) or by the American Medical Massage Association - National Board Certification Examination (AMMA-NBCE) or applicant' eligibility to receive a license under the Therapist Act based on (i) successful completion of a supervised school curriculum of at least 500 hours of classroom instruction or of equivalent course and clinical massage education in another state or country of at least 500 hours, or (ii) current licensure as a massage therapist in another state or country with licensing standards substantially similar to those in the Therapist Act.
- (9) The massage or similar business history and experience ten (10) years prior to the date of application, including, but not limited to, whether or not such person has previously operated in this or another municipality or state under a massage license or permit and has had such license or permit denied, revoked or suspended and the reasons therefor, and the business activities or occupations subsequent to such action of denial, suspension or revocation.

- (10) Authorization for the township, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit including a LEIN records check.
- (11) Written declaration by the applicant, under penalty or perjury, that the foregoing information contained in the application is true and correct, said declaration being duly dated and signed in the township.
- (12) Evidence of the applicant's current valid general liability insurance in the amount of one hundred thousand dollars (\$100,000.00).

**Section 4 of Ordinance**

The sanction for a violation of Sections 14-2 and 14-5 as hereby amended is as a misdemeanor, punishable by imprisonment for not more than 90 days and/or a fine of not more than \$500.00 as provided in Sections 14-25 and 1-10(a) of the West Bloomfield Charter Township Code.

**Section 5 of Ordinance**

Should any section, subdivision, sentence, clause or phrase of this ordinance, be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

**Section 6 of Ordinance**

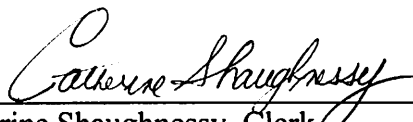
This Ordinance shall take effect immediately upon publication.

**CERTIFICATION**

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of West Bloomfield at a meeting duly called and held on July 16, 2012.

CHARTER TOWNSHIP OF WEST BLOOMFIELD

7-16-2012  
Date

By:   
Catherine Shaughnessy, Clerk

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Introduced: June 18, 2012  
Approved: July 16, 2012  
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