

CITY OF NORTH ST. PAUL

ORDINANCE NO. 785

AN ORDINANCE AMENDING THE
NORTH SAINT PAUL CITY CODE OF ORDINANCES
TITLE XI, BUSINESS REGULATIONS,
CHAPTER 110, GENERAL LICENSING PROVISIONS AND REGULATIONS AND
CHAPTER 113, MASSAGE ENTERPRISE

THE CITY COUNCIL OF THE CITY OF NORTH ST. PAUL, MINNESOTA
ORDAINS:

SECTION 1. Section 110 of the North St. Paul City Code is hereby amended by deleting the strikethrough language and adding the underlined language as follows:

GENERAL REGULATIONS

§110.26 RESERVED THERAPEUTIC MASSAGE

(A) Definitions. For the purposes of this section, the following words and terms shall have the meaning given herein.

THERAPEUTIC MASSAGE. The method of treating the superficial parts of the human body by rubbing, pressing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands or any instrument for the exclusive purposes of relaxing, physical fitness or beautification and for no other purposes.

MASSAGE ENTERPRISE. Any establishment or place providing to the public at large therapeutic massage services, other than a hospital, sanatorium, rest home, nursing home, boarding home or other institution for the hospitalization and care of human beings duly licensed under the provisions of Minnesota Statute.

MASSAGE SERVICE. A business offering or providing massages to others where a fee is charged and whether or not the massage services are rendered at the licensed location.

MASSAGE THERAPIST. A person who practices therapeutic massage. Every applicant for a massage therapist license under this division shall furnish a certified copy of the applicant's diploma or certificate of graduation from an accredited institution.

B. License Required. No person or business shall engage in the business of therapeutic massage in the city without a license.

C. License Fee. The license fee shall be set by Council ordinance.

D. Educational requirements. Persons applying for a license under this Chapter shall provide, in addition to the general application described later in this Chapter, a copy of a diploma or certificate of graduation from a school approved by the state or local government agency having jurisdiction over the school. The minimum acceptable level of training shall be one hundred fifty (150) practitioner hours. Additionally, each practitioner must be currently certified in the administration of Cardiopulmonary Resuscitation (CPR).

E. Minnesota Statute Chapter 146A. Each business as an entity and each practitioner individually shall additionally comply with all of the requirements and regulations established by Minnesota Statute Chapter 146A. This chapter establishes the State Office of Unlicensed Complementary and Alternative Health Care Practice and establishes additional regulations and requirements for businesses governed by this section.

F. Appointment Record Requirement. All licensees shall be responsible for keeping appointment records of all off-site massage/bodywork services provided. The records shall be sequential and shall include the name of the therapist conducting the service, the name and signature of the client, the address where the service was provided, and the date and time of the service. Licensed therapists shall have appointment records in possession at all off-site locations. Appointment records shall be kept for a period of twelve (12) months from the date of service.

G. Current License. The applicant shall state whether they hold a current massage therapy license from any other governmental unit.

H. License Denied. The applicant shall state whether they have previously been denied a massage therapy license from any other governmental unit.

SECTION 2. Section §113 of the North St. Paul City Code is hereby amended by deleting the strikethrough language and adding the underlined language as follows:

MASSAGE ENTERPRISE

§ 113.02 EXCEPTIONS.

A ~~therapeutic~~ massage enterprise or therapist may exist for the following persons and places:

- A. Persons duly licensed by this state to practice medicine, surgery, osteopathy, chiropractic, physical therapy, or podiatry, provided the massage is administered in the regular course of the medical business and not provided as part of a separate and distinct massage business.
- B. Persons duly licensed by this state as beauty culturists or barbers, provided such persons do not hold themselves out as giving massage treatments and provided the massage by beauty culturists is limited to the head, hand, neck and feet and the massage by barbers is limited to the head and neck.
- C. Persons working solely under the direction and control of a person duly licensed by this state to practice medicine, surgery, osteopathy, chiropractic, physical therapy, or podiatry.
- D. Places duly licensed or operating as a hospital, nursing home, hospice, sanitarium, or group home established for the hospitalization or care of human beings.

- E. Persons or places duly licensed according to this chapter to practice therapeutic massage.
- F. Students of an accredited institution who are performing massage services in the course of a clinical component of an accredited program of study, provided that the students are performing the massage services at the location of the accredited institution and provided the students are identified to the public as students of massage therapy. Students of an accredited institution who are performing massage services at clinics or other facilities located outside of the accredited institution must have at least 150 hours of certified therapeutic massage training at the accredited institution prior to performing the therapy outside of the institution and must be identified to the public as a student of massage therapy.

SECTION 5: This ordinance shall take full effect and be in force from and after its adoption. The City Clerk is hereby directed to publish this ordinance as required by law.

ADOPTED this 18th day of June, 2019, by the City Council of the City of North St. Paul, Minnesota.

Motion by Council Member Thorsen
Second by Council Member Sonnek

Voting: Aye: Council Member Thorsen
 Council Member Petersen
 Council Member Walczak
 Council Member Sonnek
 Mayor Furlong
 Nay: None
 Abstain: None
 Absent: None

/s/ Terrence J. Furlong, Mayor

Attest:

/s/ Scott A. Duddeck, City Manager

Summary published in Review: June 26, 2019