

CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA, AMENDING
CHAPTER 123 OF THE CITY CODE REGULATING MASSAGE THERAPY
ESTABLISHMENTS AND THERAPISTS

The City Council of Apple Valley ordains:

Section 1. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.03(C)(2)(a) to read as follows:

(a) The school, college, university, or institution meets the criteria set forth in the definition of student of massage therapy herein; and

Section 2. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.03(D)(2) to read as follows:

(2) The completed renewal application, along with the license fee, shall be filed with the City Clerk no later than May 15 ~~April 30~~ of the renewal year;

Section 3. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.03(D)(4) to read as follows:

(4) When a licensee fails to file the application for a renewal or to pay the required license fee on or before May 15 ~~April 30~~, the license renewal application will not be accepted or considered until or unless the licensee submits payment of a late fee of 130% of the amount of the license fee for the annual license term, not to exceed \$30 more than the license fee; and

Section 4. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.04(A) to read as follows:

(A) *Massage therapy business license application.* An application for a license to operate a massage therapy business shall be filed, along with all required fees, with the City Clerk. The application investigation fee is applied to the city's costs of the background investigation of the massage therapy business and all persons or entities that have a 5% financial interest in the massage therapy business. An investigation by the building inspector may be required ~~shall be conducted~~ of all premises proposed to be licensed before consideration by the city. The Police Department shall conduct the background investigation before consideration by the City. All applications shall thereafter be considered and approved or denied by the City Clerk. The application shall provide:

Section 5. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.04(A)(1)(e) to read as follows:

(e) The name of the business if the business is to be operated under a name or designation other than the name of the applicant. This shall be accompanied by a ~~certified~~ copy of the certificate required by M.S. §§ 333.01 and 333.02;

Section 6. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.04(A)(1)(k) to read as follows:

(k) Such other information as the city shall require or as required by state law.

Section 7. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.04(A)(2)(g) to read as follows:

(g) Such other information as the city shall require or as required by state law.

Section 8. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.04(A)(3)(d) to read as follows:

(d) Such other information as the city shall require or as required by state law.

Section 9. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.04(A)(4)(e) to read as follows:

(e) Such other information as the city shall require or as required by state law.

Section 10. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.04(B)(11) to read as follows:

(11) Such other information as the ~~C~~city shall require or as required by state law.

Section 11. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.06(A) to read as follows:

(A) Massage therapy business licenses granted for massage therapy services or operation at a fixed location or premises does not permit the business to provide massage therapy services at any location other than the premises identified on the license, except a licensed massage therapist employed or contracted by the massage therapy business licensee may provide massage therapy services;

* * * *

Section 12. Chapter 123 of the Apple Valley City Code is hereby amended by revising Section 123.06(N) to read as follows:

(N) No license issued under this chapter may be transferred. Massage therapy business licenses shall terminate upon any change in officers or ownership interests of the licensee, unless the change is approved by the City Clerk ~~Council~~ in which case the license shall only continue in force until the end of the license term.

Section 13. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. ____" a copy of which is attached hereto clearly informs the public of the intent and effect of the ordinance. The City Council further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance.

Section 14. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any persons during regular office hours.

Section 15. Publication. The City Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the City with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the Office of the City Clerk.

Section 16. Effective Date. This ordinance shall take effect upon its passage and publication.

PASSED by the City Council this ____ day of _____, 2018.

Mary Hamann-Roland, Mayor

ATTEST:

Pamela J. Gackstetter, City Clerk

CITY OF APPLE VALLEY
ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA, AMENDING
CHAPTER 123 OF THE CITY CODE REGULATING MASSAGE THERAPY
ESTABLISHMENTS AND THERAPISTS

The following is the official summary of Ordinance No. ____ passed by the City Council
of Apple Valley on _____, 2018:

Chapter 123, governing massage therapy establishments and therapists, is amended to
correct miscellaneous typographical errors; revise the renewal application filing deadline;
and add application information required or as may be required by state law.

A printed cop of the ordinance is available for inspection by any person during regular
office hours in the office of the City Clerk at the Apple Valley Municipal Center, 7100 147th
Street W., Apple Valley, Minnesota 55124.