

**City of San Leandro  
City Council Meeting  
September 2, 2014**

**Current Status of Massage  
Establishment Regulations**

**Presenter: Richard D. Pio Roda  
City Attorney**

# Introduction

- San Leandro Municipal Code Chapter 4-23 (2007)
  - Application and Permit Required for Businesses and Individual Masseuses
- SB 731 (2009)
  - California Massage Therapy Council
  - CAMTC certificate holders have the right to practice massage in any city and cannot be required to obtain any other authorization to practice or open an establishment
  - Cities cannot enact ordinances or other regulations on massage businesses unless the ordinance or other regulation applies to all other professional services.

# AB 1147 (2014)

- Cities could require sole proprietors and other message establishments to obtain a license, permit, certificate, or other authorization to provide massage for compensation.
- Deletes the provision in current state law that requires cities to enact land use regulations uniformly among all professional service businesses where the regulation relates to massage establishments with certified therapists.

## AB 1147 (cont.)

- Changes the law to provide that an owner or operator of a massage establishment is responsible for the conduct of all individuals providing massage on the premises.
- Massage Therapy Lobby proposal:
  - Preclude cities from requiring sole practitioners to obtain any other license, permit, certificate, or other authorization aside from a business license, to practice at the sole provider's residence or upon an outcall basis.

# Summary

- Under existing law, the City cannot enact a moratorium on the establishment of massage businesses that exclusively utilize certified massage therapists and practitioners.
- The City can enact a moratorium or any other ordinance restricting the establishment of massage businesses that do not utilize certified massage therapists and practitioners.