

## ORDINANCE

WHEREAS, the Secretary of State's Office now regulates the practice of massage therapy except for those individuals who were in practice prior to July 1, 2005 and do not desire a State license;

WHEREAS, because of the State regulation, Douglas County may no longer regulate the practice of massage therapy for those individuals licensed by the State;

NOW THEREFORE BE IT ORDAINED by the Douglas County Board of Commissioners that Chapter 12 of the Douglas County Code of Ordinances relating to the regulation of massage therapy is amended to provide for regulation of only those individuals who do not have a current State license and were in practice prior to July 1, 2005 as follows:

1.

Section 3 of Chapter 12 relating to the administrative and regulatory fee structure for occupation tax is amended by deleting subsection (c) and inserting in lieu thereof the following:

“Sec. 12-3 Administrative and regulatory fee structure; occupation tax structure.

(c) The regulatory fee schedule for persons in occupations and professions is set forth as follows:

- (1) Vehicles for hire, \$35.00 per registered operator.
- (2) Private ambulance, \$50.00 per provider.
- (3) Dealers in precious metals, \$35.00 per applicant.
- (4) Pawnbrokers, \$50.00 per applicant.
- (5) Massage therapists parlors, \$50.00 per applicant who was engaged in massage therapy practice prior to July 1, 2005 and is not currently licensed by the State pursuant to O.C.G.A. § 43-24A-1 et seq..
- (6) Fortunetellers, \$50.00 per applicant.
- (7) Flea markets, \$50.00 per location
- (8) Amusement centers, \$100.00 per location.
- (9) Door-to-door solicitors, \$25.00 per salesperson.
- (10) Peddler, \$35.00 per location.
- (11) Adult entertainment, \$5,000.00 per location.
- (12) Building and construction contractors, subcontractors, roofers, siding, security and fire alarm installers, and workers; permits fees shall be as provided in a schedule adopted by the board of commissioners and on file in the office of the building official.”

2.

Section 81 of Article V of Chapter 12 of the Douglas County Code relating to licenses for massage parlors is amended by deleting subsection (a) and inserting in lieu thereof the following:

“Sec. 12-81. License--Required; contents of application.

(a) Any person who was engaged in massage therapy practice prior to July 1, 2005 and is not currently licensed by the State pursuant to O.C.G.A. § 43-24A-1 et seq. who is

desiring to engage in the business, trade or profession of a masseuse or masseur, before engaging in such business, trade or profession, shall obtain a business license and pay all required fees. The application shall be in writing and shall set forth the following:

- (1) Name and address of applicant.
- (2) Name and address of any person having previously employed the applicant for a space of two (2) years or longer.
- (3) If such applicant is a partnership or corporation, the address of the partnership or corporation, as well as the names and addresses of the agents and employees of the partnership or corporation for a period of two (2) years immediately prior to the filing of the application.
- (4) A certificate certifying as to the good moral character of the applicant, signed by three (3) currently qualified and registered voters of good moral character of the county. The letters shall not be required for annual renewals of licenses issued hereunder.
- (5) Should the applicant be a partnership or corporation, the partnership or corporation shall also submit with the application a certificate on the good moral character of each employee and agent of the partnership or corporation who is actually engaged in such business for the partnership or corporation.”

3.

The title of Article V of Chapter 12 shall be changed from “MASSAGE, MASSAGE PARLORS” to “MASSAGE THERAPISTS.”

This ordinance shall become effective on the date of its adoption.

So ordained this 18<sup>th</sup> day of March, 2008.

**DOUGLAS COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Tom Worthan, Chairman

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Freddie Ashmon, Jr., District I

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Charles Camp, District II

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Michael Mulcare, District III

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David Latham, District IV

Attest:

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Lisa Watson, County Clerk