

ORDINANCE NO. 2105

AN ORDINANCE OF THE CITY OF KIRKLAND REGULATING THE LICENSING AND CONDUCT OF MASSAGE PARLORS AND PUBLIC BATHHOUSES WITHIN CORPORATE LIMITS OF THE CITY OF KIRKLAND, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED, by the City Council of the City of Kirkland as follows:

Section 1. Purpose and Scope of Ordinance

It is the purpose of this Ordinance to establish standards for the licensing of massage parlors and public bathhouses within the City of Kirkland and to proscribe activities which may be detrimental to the public health, welfare and morals of the citizens of the City of Kirkland, and to set forth licensing fees and penalties relative to the operation of said activities.

Section 2. Definitions

For the purpose of this Ordinance, the following terms, words, and phrases shall have the following meanings:

(a) "Massage Parlor" shall mean any place where massages or other treatment to the body of another by rubbing, kneading, hitting or any other manipulation are given or furnished;

(b) "Person" shall mean any individual firm, partner-association, corporation, company or organization of any kind.

(c) "Public Bathhouse" shall mean any place where baths or facilities for baths of any kind whatever are given or furnished and the term shall include but not be limited to: Finnish baths; Russian baths; Sauna Baths; Swedish baths; Turkish baths; baths by hot air, steam, vapor water or electric cabinet: PROVIDED, that such term shall not include ordinary tub or shower baths where an attendant is not required.

(d) The term "Masseur" shall also mean "Masseuse".

Section 3. Exemptions

This ordinance shall not apply to massage treatments or both given in a family home where only members of the family are treated, or to massage treatments or baths given in any hospital, or by physical therapists who treat patients only on written prescription of licensed physicians, or by any person so licensed by the State of Washington to treat the sick, injured or infirm, or by any nurse under the direction of a person so licensed, or to massage treatments or bath given in any bona fide club or organization which has been in continuous existence and operation for a period of two (2) years or more and which caters only to club or organization members.

Section 4. License Required - Massage Parlor - Public Bathhouse

It shall be unlawful to conduct, operate or maintain a massage parlor or public bathhouse unless such establishment or premises be licensed by the City of Kirkland. The application, issuance, renewal, and revocation of such licenses shall be governed by Sections 3, 4 and 8, of Ordinance No. 1057 of the City of Kirkland.

The fee for a massage parlor license or public bathhouse shall be and is hereby fixed in the sum of \$ 75.00 per annum.

Section 5. Inspection of Premises

Any massage parlor or public bathhouse as licensed herein, shall be at all times open to inspection as to sanitary and moral conditions by the City of Kirkland and the Seattle King County Health Department. All doors in such premises, excluding doors in office and storage rooms shall be so equipped that they may not be fastened shut so as to prevent immediate access by such authorities.

Section 6. Unlawful to Employ Person Under Twenty-One Years.

It shall be unlawful for the owner, proprietor, manager or person in charge of any massage parlor or public bathhouse to employ in such establishment any person who is not twenty-one years of age and of good moral character.

Section 7. Unlawful to Advertise without License

It shall be unlawful to advertise the giving of massage treatments or public baths by a person or in an establishment not licensed or otherwise qualified pursuant to this Ordinance.

Section 8. Unlawful to Admit Certain Persons

It shall be unlawful for the owner, proprietor, manager or person in charge of any massage parlor or public bathhouse, or for any employee of said establishment, to knowingly harbor, admit receive or permit to be or remain in or about such premises, any prostitute, lewd or dissolute persons, any drunken or boisterous person or any person under the influence of intoxicating liquor or narcotic drugs, or any person whose conduct tends in any way to corrupt the public morals.

Section 9. Business Hours

No massage parlor or public bathhouse shall be allowed to conduct business after the hour of 12:00 o'clock P.M. or prior to the hour of 8:00 o'clock A.M. Lighting in all areas used by the public shall be sufficiently bright during business hours.

Section 10.

No Masseur shall perform any massage or physical service for any person of the opposite sex.

Section 11. License Required - Massage Operator

It shall be unlawful for any person to give a massage or other treatment to the body of another by rubbing, kneading, hitting or any other manipulation in any massage parlor or public bathhouse unless said person has been granted a license as a Masseur pursuant to the King County Resolution requiring licenses for the same and said person is currently licensed in said capacity by King County, Washington. In addition thereto, said person must have a Massage Operator's License issued by the City of Kirkland, the fee for which is hereby fixed in the amount of \$ 25.00 per annum.

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Section 12. License Required - Massage Parlor Attendant

It shall be unlawful for any person to operate, to assist in the operation of, to start or stop any mechanical device used by another for the health, physical well-being or weight reducing purposes, or to position another using such a device in any massage parlor or public bathhouse unless said person shall have been granted a Massage Parlor Attendant's License by King County, Washington, which license shall be current and in effect. In addition thereto, said person shall obtain a Massage Parlor Attendant's License from the City of Kirkland the fee for which is hereby fixed in the sum of \$ 25.00 per annum.

Section 13. Massage Operator and Massage Parlor Attendant Licensing Procedure

The application, issuance, renewal or revocation of massage operator's license and massage parlor attendant's license shall be governed by Sections 3, 4 and 8 of Ordinance No. 1057 of the City of Kirkland.

Section 14. Expiration of Licenses

All licenses issued or renewed pursuant to this Ordinance shall expire on the 31st day of December of each calendar year.

Section 15. Violation - Penalties

Every person as principal, agent or otherwise, failing, neglecting or refusing to comply with any provision of this Ordinance, or violating the same, shall be guilty of a misdemeanor.

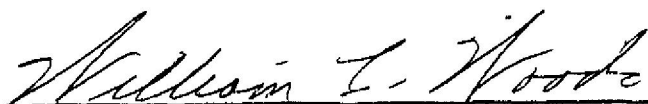
Section 16. Severability

If any section of this Ordinance, or any portion of any section of this Ordinance, or its application to any person or circumstances held invalid, the remainder of the Ordinance, or the application of the provision to other persons and circumstances, shall not be affected.

Section 17. This Ordinance shall be in force and take effect five days from and after its passage by the Council and publication as required by law.


PASSED by the City Council at regular meeting on the 4th day of May, 1970.

SIGNED in authentication thereof on the 4th day of May, 1970.




Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:



City Attorney

Ordinance No. 2105