



# Proposed Chapter 4.20 – Regulation of Massage Therapy Establishments

Presented by: Tracy Police Department & City Attorney's Office

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# Background & Purpose

## Background

- City first adopted massage regulations in 2005, amended in 2009, 2011, and 2015.
- The **California Massage Therapy Act (B&P Code §4600 et seq.)** governs state certification and allows local regulation of massage establishments.

## Purpose

Align City regulations with **state law** and enhance **public safety, professionalism, and accountability** within the industry.



# Key Ordinance Updates

- Amends and replaces **Chapter 4.20** in its entirety.
- Requires **massage establishment permits** issued by the **Tracy Police Department** prior to business operation.
- Mandates all massage therapists practicing in the City be **CAMTC-certified**.
- Establishes clear **operator responsibilities, inspection authority, and record-keeping** requirements.
- Coordinates reporting with **California Massage Therapy Council (CAMTC)**



# New Permitting Process

- **Application Required** from each establishment owner.
- Must include:
  - (a) Owner and business information.
  - (b) CAMTC certification verification for all massage therapists.
  - (c) Fingerprinting and background checks for non-CAMTC certified owners.
  - (d) Lease or property owner authorization.
- **Permit valid annually** (expires June 30).
- Must obtain permit **before** applying for City business license.

# New Permit Fees

- **Massage Establishment Permit Application Fee: \$ 86.17**
- **Background Investigation Fee (non-CAMTC certified business owners) \$ 312.07**
- Fees incorporated into the **Citywide Master Fee Schedule** by resolution.



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# Public Safety

- Applicants not certified by CAMTC will be required to pass background investigation
- California Penal Code § 11105(b)(11) authorizes cities, counties, and other local agencies to access state and local summary criminal history information, and in some cases, federal-level criminal history information for licensing, permitting or certification purposes. This access requires specific authorization from the City Council. The information obtained is confidential and can only be used for specified purposes.
- Proposed ordinance will prevent illegal activities
- Ensure practitioners are qualified
- Provide a framework for enforcement and closure of illicit businesses posing as legitimate massage therapy establishments in cases of violation.



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# Violations and Enforcement Remedies

## Violations may result in:

- Misdemeanor prosecution
- Administrative fines
- Criminal Citations
- Administrative Citations
- Each day a violation continues is a separate offense

## Enforcement Remedies:

- Civil remedies such as injunctions or enjoinderment of business
- Abatement of Public Nuisance
- Remedies are cumulative

# Public Outreach

- Massage establishment business owners will be given a period of 120 days to transition into compliance
- The proposed Ordinance will be published on the city's website
- After adoption of the Ordinance, the City will reach out to existing massage establishments to explain new requirements





# End of Presentation

