



136 North Monroe Street
Waterloo, WI 53594
Phone: (920) 478-3025
Fax: (920) 478-2021
www.waterloowi.us

**PUBLIC NOTICE OF A COMMITTEE MEETING
OF THE COMMON COUNCIL OF THE CITY OF WATERLOO**

Pursuant to Section 19.84 Wisconsin Statutes, notice is hereby given to the public & news media, that the following meeting will be held:

COMMITTEE: **PUBLIC SAFETY AND HEALTH COMMITTEE**
DATE: **June 5, 2025**
TIME: **6:00 p.m.**
LOCATION: **Municipal Building Police Training Room, 136 N. Monroe Street**

- 1) CALL TO ORDER AND ROLL CALL
- 2) APPROVAL OF MEETING MINUTES: April 3, 2025
- 3) PUBLIC COMMENT
- 4) NEW BUSINESS
 - a) Resolution 2025-27 Police Vehicle Bids
 - b) Massage Parlor Ordinance
 - c) Handicapped parking at 144 W Madison
 - d) WBA Night Market downtown Event Permit
- 5) BLIGHT REPORT
- 6) FUTURE AGENDA ITEMS, COMMUNICATIONS AND ANNOUNCEMENTS
- 7) ADJOURNMENT

Committee Members: Thomas, Cummings, Griffin

posted, e-mailed & distributed: 05/30/2025

PLEASE NOTE: IT IS POSSIBLE THAT MEMBERS OF AND POSSIBLY A QUORUM OF MEMBERS OF OTHER GOVERNMENTAL BODIES OF THE MUNICIPALITY MAY BE IN ATTENDANCE AT THE ABOVE MEETING(S) TO GATHER INFORMATION. NO ACTION WILL BE TAKEN BY ANY GOVERNMENTAL BODY OTHER THAN THAT SPECIFICALLY NOTICED. ALSO, UPON REASONABLE NOTICE, EFFORTS WILL BE MADE TO ACCOMMODATE THE NEEDS OF DISABLED INDIVIDUALS THROUGH APPROPRIATE AIDS AND SERVICES. FOR ADDITIONAL INFORMATION OR TO REQUEST SUCH SERVICES PLEASE CONTACT THE CLERK'S OFFICE AT THE ABOVE LOCATION.

PUBLIC SAFETY AND HEALTH COMMITTEE MEETING MINUTES
April 3rd, 2025

- 1. Call to Order:**
The Public Safety Committee meeting was called to order by Alderperson Thomas at 6:00PM
- 2. Roll Call:**
Committee members present – Alderperson Thomas, Cummings, Chief Sorenson, Lt. Warner, Mike Monger
- 3. Approval of Public Safety Committee Minutes of March 6th, 2025.** Motion by Alderperson Cummings to approve Prior minutes of March 6th, 2025, second by Thomas, motion carried. (see attached sign in sheet for meeting)
- 4. Public Comment:** None:
- 5. Unfinished Business**
 - a. USA Cycling Collegiate Race National Championships-Trek (5/2-5/3-2025), Trek representative Mike Monger advises that everything is in place, that all stake holders have been notified, permits and permissions have been received for 05/02/25 – 5/02/25 Collegiate race. Cumings Motion to send to council for their approval, Thomas Seconds, motion carried
 - b. Hiring of a new police officer. . . Chief Sorenson provided committee with specifics of Daniel Aguerro, Alder person Cumings made recommendation to send new hire (Daniel Aguerro) to council for approval, Alder person Thomas second motion, motion carried.
- 6. Blight Report – Chief Sorenson** update given to public safety committee
- 8. Future Agenda Items, Communications, and announcements:** None
- 9. Adjourn:** Motion to Adjourn by Alderperson Cummings, second by Thomas, motion carried.



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Resolution 2025-27

A Resolution of the City of Waterloo Authorizing the Purchase of a New 2025 Ford Police Vehicle

WHEREAS, the Waterloo Police Department needs a new Police Vehicle; and

WHEREAS, bids have been received from numerous dealers; and

WHEREAS, the Police Chief recommends the bid from _____ in _____, WI be accepted; and

WHEREAS, the total amount of the new 2025 Ford Police Vehicle is \$_____; and

WHEREAS, the funds for this purchase will come from 2025 Police Safety Outlay Equipment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Waterloo that:

1. The City Council approves bid from _____ in _____, WI. For the purchase price of _____.
2. This Resolution shall take effect immediately upon passage.

Passed and adopted this 5th day of June, 2025.

Signed: _____
Jenifer Quimby Mayor of Waterloo

Attest: _____
Jeanne Ritter, City Clerk/Deputy Treasurer

City of Waterloo, Wisconsin

Ordinance No. [2025-XX]

Regulation of Massage Parlors

SECTION 1. Purpose and Intent

The City of Waterloo enacts this ordinance to protect public health, safety, and welfare by ensuring that businesses offering massage services operate in a professional and legitimate manner, preventing illegal activities such as prostitution and human trafficking.

SECTION 2. Definitions

For the purposes of this ordinance:

- **“Massage”**: Any method of treating external parts of the human body for remedial, relaxation, or therapeutic purposes by rubbing, stroking, kneading, tapping, pounding, vibrating, or other similar methods.
- **“Massage Parlor/Establishment”**: Any business that advertises or offers massages for compensation, excluding licensed medical offices and physical therapy practices.
- **“Massage Establishment License”** means a license issued by the City under the authority of this ordinance, permitting the operation of a business where massage therapy services are offered or provided for compensation.
- **“Massage Therapist”**: An individual licensed by the State of Wisconsin under Wis. Stat. § 460.04 to engage in the practice of massage therapy or bodywork therapy.
- **“Massage Therapist License”** means a valid and active credential issued by the Wisconsin Department of Safety and Professional Services (DSPS) pursuant to Wis. Stat. § 460.04, authorizing an individual to practice massage therapy or bodywork therapy in the State of Wisconsin.
- **“Owner”** means any person or entity holding a legal or equitable interest in the massage establishment, including, but not limited to, any sole proprietor, partner, corporate officer, or limited liability company member.
- **“Table shower”** means a procedure in which a client lies on a table or platform while being sprayed or washed by a massage therapist or employee, often associated with spa-type water massages.
- **“Vichy shower”** means a system that sprays water over a client while they are lying down and may involve physical contact.
- **“Sexually Explicit Advertising”** means any written, visual, or oral communication that: Depicts or describes sexual conduct or nudity; Suggests, implies, or offers sexual activity, erotic services, or other acts not permitted by Wisconsin law; Includes terminology commonly associated with prostitution or escort services, such as “happy ending,” “sensual massage,” “erotic rub,” “sexy staff,” “special services,” or similar terms.
- **“Refusal to Allow Inspection”** means a licensee’s or employee’s denial, delay, obstruction, or limitation of lawful entry by authorized city officials during posted

or known business hours for purposes of conducting inspections as required by this ordinance.

- **“Business Hours”** means the posted hours during which the massage establishment is open to the public for the provision of massage services, but in no event earlier than 8:00 AM or later than 8:00 PM, unless a variance is granted by the City.
- **“Locked During Business Hours”** means any action by which the establishment’s main entrance door is physically secured against entry by customers or public safety officers during posted business hours, except during an emergency lockdown situation necessary for the immediate safety of those present.
- **“Premises”** means the physical location occupied by the massage establishment, including all rooms, hallways, restrooms, and storage areas used in the operation of the business.
- **“Prostitution”** means intentionally engaging in, offering to engage in, or requesting another to engage in sexual intercourse, sexual contact, or any lewd or lascivious act for anything of value, including money, goods, services, or other benefits.
- **“Solicitation of Prostitution”** means knowingly requesting, encouraging, inducing, or attempting to cause another person to engage in an act of prostitution, regardless of whether money or anything of value is exchanged, and regardless of whether the act actually occurs. Includes verbal or written offers, gestures, coded language, or online communication made for the purpose of arranging sexual activity in exchange for value. Applies to clients (“johns”), facilitators, or anyone attempting to procure sexual services.
- **“Law Enforcement Officer”** means any person employed by a city, county, or the State of Wisconsin who is vested by law with the duty to maintain public order or to make arrests for crimes, including but not limited to police officers, sheriff’s deputies, state patrol officers, and investigators from the Wisconsin Department of Justice.
- **“Authorized Inspector”** means any city, county or state official, employee, or agent who is designated by law to conduct inspections of massage establishments for compliance with this ordinance and state law, including but not limited to building inspectors, fire inspectors, zoning officials, public health officials, and business licensing personnel.

SECTION 3. License Required

(a) No person shall operate a massage parlor within the City of Waterloo without first obtaining a Massage Establishment License from the City Clerk.

(b) All persons providing massages must possess a valid Wisconsin Massage Therapist or Bodywork Therapist license.

SECTION 4. Application for Massage Establishment License

Applicants must submit to the City Clerk:

1. Completed application form with:
 - Legal name and any aliases.
 - Proof of ownership or leasehold interest in the business premises.
 - List of all owners, partners, members, or corporate officers.

2. Copy of a valid State of Wisconsin Massage Establishment license, if applicable.
3. Background check authorization for each owner/operator.
4. Nonrefundable application fee of \$[amount] set by the Common Council.
5. Floor plan of the premises showing all rooms and uses.

SECTION 5. Conditions of Operation

Massage establishments must:

- (a) Operate only between the hours of 8:00 AM and 8:00 PM, unless an extended-hours permit is issued.
- (b) Keep the premises clean, sanitary, and well-lit at all times.
- (c) Maintain a log of all massage services provided, including client names (or initials) and times, for a period of one year, available for inspection by law enforcement upon lawful request.
- (d) Ensure that massage therapists are properly clothed in professional attire and that no nudity or sexually explicit conduct occurs on premises.
- (e) Display each massage therapist's state license prominently.
- (f) No person shall reside, sleep overnight, or maintain living accommodations at the massage establishment, including but not limited to the use of beds, cots, mattresses, or sleeping bags.
- (g) All external doors to the massage establishment accessible to the public shall remain unlocked during regular business hours when services are being provided, unless the business is closed to the public.
- (h) Nothing in this subsection shall prevent the locking of doors during an emergency lockdown situation when necessary for safety.
- (i) No advertising, display, or promotion of sexually explicit conduct, acts, or services shall be permitted at the establishment or online.
- (j) The use of table showers, Vichy showers, or similar equipment that involves bathing or washing of clients by employees is strictly prohibited within the massage establishment.

SECTION 6. Prohibited Acts

No massage establishment or therapist shall:

- (a) Allow, offer, or engage in sexual activity or conduct of a sexual nature on the premises.
- (b) Employ anyone as a massage therapist who does not possess a valid state license.
- (c) Operate as a front for prostitution, human trafficking, or other illegal activities.

SECTION 7. Duty to Report Solicitation of Prostitution

(a) Mandatory Reporting Requirement

Any massage therapist, employee, or license holder of a massage establishment who is directly solicited for prostitution by a client or other individual on the premises shall immediately report the incident to the Waterloo Police Department or other law enforcement agency.

(b) Method of Reporting

Reports may be made verbally or in writing and must include, to the extent known:

1. The date and time of the incident;
2. A description of the individual making the solicitation;
3. Any identifying information (e.g., name, phone number, license plate, appointment record); and
4. A description of the conduct that constituted the solicitation.

(c) Employer Notification Not Required

Nothing in this section shall require a massage therapist or employee to notify an employer or supervisor before making the report. Reports may be made confidentially.

(d) Retaliation Prohibited

No owner, manager, or supervisor of a massage establishment shall discharge, discipline, or otherwise retaliate against any person for reporting a solicitation of prostitution in good faith.

(e) Failure to Report

Failure by a licensed massage therapist or employee to report a known act of solicitation may result in penalties under sections 8 and 9.

SECTION 7. Inspections

Any law enforcement officer, health department inspectors, and/or duly authorized officials may conduct reasonable inspections of licensed massage establishments during operating hours to ensure compliance with this ordinance.

It is unlawful for any licensee, employee, or agent to refuse, hinder, or interfere with any lawful inspection authorized by this section.

SECTION 8. Penalties

Violation of this ordinance shall subject the offender to:

- A municipal forfeiture not less than \$250 and not more than \$2,500 per violation.
- Refusal to permit a lawful inspection shall constitute a separate violation, subject to an additional forfeiture of not less than \$500 and not more than \$2,500.
- Possible suspension or revocation of the massage establishment license after notice and hearing.
- Violation of Section 5(f) (prohibition on living accommodations) shall be subject to an immediate fine of \$500 per violation and may result in emergency suspension of the massage establishment license.

SECTION 9. Reporting of Violations to State Authorities

(a) Mandatory Reporting:

The City Clerk or designee shall report any of the following to the Wisconsin Department of Safety and Professional Services (DSPS):

1. Any violation by a licensed massage therapist involving illegal sexual activity, controlled substances, fraud, or violations of professional licensing standards;
2. Any conviction of a massage therapist for a felony or misdemeanor related to their practice;
3. Any finding that a therapist has engaged in unlicensed practice of massage therapy or bodywork therapy.

(b) Notification Contents:

Reports to DSPS shall include:

- Name of the individual;
- Wisconsin license number (if applicable);
- Description of the violation or incident;
- Disciplinary actions taken by the City; and
- Any supporting documentation from investigations or hearings.

(c) Timing:

Reports shall be made within ten (10) business days after the City determines that a reportable violation has occurred.

SECTION 9. License Suspension and Revocation

(a) Grounds:

The City may suspend or revoke any Massage Establishment License for any of the following:

1. Violation of any provision of this ordinance or state law regulating massage establishments.
2. Conviction of any owner, manager, or employee for a crime involving prostitution, human trafficking, sexual misconduct, or controlled substances.
3. Refusal to allow a lawful inspection under Section 7.
4. Three or more ordinance violations occurring within a twelve (12) month period.

(b) Procedure:

Before suspension or revocation, the licensee shall be entitled to a hearing before the Common Council or its designated hearing officer.

- Written notice stating the grounds for suspension or revocation and the time and place of the hearing shall be served at least ten (10) days prior to the hearing.
- The licensee may appear at the hearing with or without legal counsel, present evidence, and cross-examine witnesses.
- The Common Council may suspend the license for a period not to exceed ninety (90) days or revoke the license entirely.

(c) Emergency Suspension:

If the City determines that the continued operation of a massage establishment presents an immediate threat to public health, safety, or welfare, the Chief of Police or City Clerk may issue a temporary suspension order pending a hearing, effective immediately.

SECTION 10. License Renewal

(a) Term and Expiration:

All Massage Establishment Licenses issued under this ordinance shall expire on December 31 of each year, regardless of the date of issuance.

(b) Renewal Application:

Licensees seeking renewal must submit a renewal application to the City Clerk no later than November 30 of each year, which shall include:

1. Updated ownership and operator information.
2. Proof of continued compliance with applicable state licensing requirements.
3. Certification that all massage therapists employed hold valid Wisconsin licenses.
4. Authorization for updated background checks on owners and operators.
5. Payment of a renewal fee as set by the Common Council.

(c) Grounds for Denial of Renewal:

Renewal may be denied for:

1. Failure to comply with the requirements of this ordinance.
2. Outstanding fines, forfeitures, or unpaid taxes owed to the City.
3. Pending or prior disciplinary action against the massage establishment or its employees.
4. A material misstatement or omission on the renewal application.

(d) Renewal Hearing:

If the City Clerk intends to deny renewal, the licensee shall be entitled to a hearing before the Common Council or designated hearing officer, following the same notice and hearing procedures described in Section 9(b).

SECTION 11. Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is held unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

SECTION 12. Effective Date

This ordinance shall take effect upon passage and publication according to law.

Appendix A – Penalties and Enforcement Summary Table

Violation Type	Penalty	Other Consequences
Operating without a Massage Establishment License	\$500 – \$2,500 per violation	Immediate cease-and-desist order; possible criminal charges under state law; License suspension or revocation
Employing unlicensed massage therapists	\$500 – \$2,500 per violation	Immediate cease-and-desist order; License suspension or revocation; possible criminal charges under state law
Violation of Conditions of Operation (e.g., hours, dress code, records)	\$250 – \$2,500 per violation	License suspension after 3 violations in 12 months
Refusal to allow lawful inspection	\$500 – \$2,500 per violation	Immediate license suspension pending hearing
Offering or allowing sexual activity on premises	\$1,000 – \$2,500 per violation	Immediate emergency suspension; probable license revocation; possible criminal charges under state law
Failure to renew license on time	\$100 late fee + renewal fee	Potential suspension of operating authority
Material misstatement on application or renewal	\$250 – \$2,500 per violation	Denial or revocation of license

Enforcement Actions Summary

Action	Trigger	Process
License Suspension	3 ordinance violations within 12 months; refusal to allow inspection; threat to public health/safety	Notice and hearing before Common Council or hearing officer
Emergency Suspension	Immediate threat to public health/safety	Temporary suspension issued by Chief of Police or City Clerk, effective immediately, followed by a hearing
License Revocation	Repeated or serious violations, criminal convictions tied to premises	Hearing with notice; revocation decision by Common Council
License Renewal Denial	Outstanding violations, unpaid fines, inaccurate renewal application, disqualification under state law	Notice and hearing before Common Council or hearing officer

City of Waterloo, Wisconsin

Massage Establishment License Application Form

City Clerk's Office

1. Business Information

- Legal Business Name: _____
 - Doing Business as: _____
 - Business Address: _____
 - Business Phone Number: _____
 - Business Email Address: _____
 - Business Entity Type: ☐ Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC
-

2. Applicant (Owner/Operator) Information

- Full Legal Name: _____
- Date of Birth: _____
- Home Address: _____
- Phone Number: _____
- Email Address: _____

(If multiple owners/partners, attach additional sheets with full information.)

3. Premises Information

- Property Owner Name (if leased): _____
 - Property Owner Contact Information: _____
 - Attach copy of lease agreement or proof of ownership.
 - Attach floor plan showing layout of business, including all rooms.
-

4. Massage Therapist Information

List all massage therapists employed or contracted (attach additional sheets if necessary):

Name Wisconsin License Number Expiration Date

5. Criminal History

Has any owner, operator, or managing employee been convicted of any crime involving prostitution, human trafficking, controlled substances, or any offense involving moral turpitude?

☐ Yes ☐ No

(If Yes, attach detailed explanation.)

6. Required Attachments

- ☐ Copy of all owners' photo IDs
 - ☐ Proof of valid massage therapist licenses for all employees
 - ☐ Authorization for Background Check (attached form)
 - ☐ Application Fee (\$[amount])
 - ☐ Signed Certification (below)
-

7. Certification

I hereby certify that the information contained in this application is complete and true. I understand that any false statement may result in denial, suspension, or revocation of any license issued. I authorize the City of Waterloo to conduct background checks as required.

Applicant Signature: _____ Date: _____

City of Waterloo, Wisconsin

Massage Establishment Inspection Checklist

Police Department

Business Name: _____

Address: _____

Date of Inspection: _____

Inspector Name: _____

Premises

- ☐ Business license displayed prominently.
 - ☐ Massage therapist licenses displayed for all practitioners.
 - ☐ Floor plan matches submitted plan.
 - ☐ Premises clean, sanitary, and well-lit.
 - ☐ All treatment rooms properly labeled and accessible for inspection.
 - ☐ No beds, cots, mattresses, sleeping bags, or evidence of overnight living on premises.
 - ☐ All doors accessible to the public remain unlocked during business hours (unless emergency).
 - ☐ No table showers, Vichy showers, or similar bathing equipment observed or in use.
 - ☐ No plumbing fixtures installed in massage rooms for client bathing purposes.
-

Personnel

- ☐ All individuals providing massage are licensed in Wisconsin.
 - ☐ Professional attire worn by all massage therapists.
 - ☐ Employees aware of and complying with hours of operation.
-

Records

- ☐ Client logbook maintained properly (client names/initials, date/time).
 - ☐ Logbook available for lawful inspection.
 - ☐ Retention of client records for one year.
-

Operations

- ☐ No sexually explicit materials or advertisements visible.
 - ☐ No evidence of sexual activity or solicitation.
 - ☐ No alcohol, illegal drugs, or unlicensed sales on premises.
 - ☐ No sexually explicit advertisements, flyers, or marketing materials displayed or distributed.
 - ☐ Refusal to inspect: ☐ Yes ☐ No
-

Final Notes/Violations:

Inspector's Recommendation:

☐ Approved ☐ Re-inspection required ☐ Violation Notice Issued

Inspector Signature: _____ Date: _____

NOTICE OF VIOLATION – MESSAGE ESTABLISHMENT

Date of Issue: _____

Time of Issue: _____

Business Name: _____

Business Address: _____

Owner/Manager (if known): _____

Phone Number: _____

Inspector/Officer Name: _____

Badge/Employee Number (if applicable): _____

Nature of Violation(s)

(Check all that apply)

- ☐ **Operating without a valid Massage Establishment License**
- ☐ Employing unlicensed massage therapist(s)
- ☐ Refusal to allow lawful inspection
- ☐ Providing massage services outside of permitted business hours
- ☐ Failure to maintain required client records
- ☐ Sleeping or living on premises (beds, cots, mattresses, etc.)
- ☐ Locked doors during regular business hours (non-emergency)
- ☐ Sexual activity or solicitation observed or reported
- ☐ Failure to display licenses properly
- ☐ Other (describe below)

Other / Description of Violation:

Required Corrective Action(s)

☐ | Cease and desist specific activity immediately | ☐ | Submit corrected documentation within ____ days | ☐ | Appear at hearing scheduled for: _____ | ☐ | Business ordered temporarily closed pending hearing | ☐ | Other corrective action (describe): _____ |

Penalty Information

- **Potential Fine:** \$_____ per violation.
 - **License Action:** May result in suspension, revocation, or non-renewal.
 - **State Reporting:** Violation may be reported to the Wisconsin Department of Safety and Professional Services (DSPS) if applicable.
-

Service of Notice

☐ | Delivered in person to owner/manager | ☐ | Posted conspicuously on premises | ☐ | Sent via certified mail to business address |

Recipient Name (printed): _____

Recipient Signature (if available): _____

Date: _____

Inspector/Officer Signature: _____

Date: _____

Important

Failure to correct the violations described herein may result in additional enforcement actions, including increased fines, suspension or revocation of the Massage Establishment License, or other legal remedies.

For questions, contact:

City Clerk's Office

Phone: [Insert City Phone Number]

Email: [Insert City Email Address]

City of (City), Wisconsin

NOTICE OF HEARING – MASSAGE ESTABLISHMENT LICENSE

Date of Issue: _____

Time of Issue: _____

Business Name: _____

Business Address: _____

Owner/Manager (if known): _____

Phone Number: _____

Hearing Date: _____

Time of Hearing: _____

Hearing Location: [Insert Location, e.g., City Hall, Council Chambers]

Notice of Hearing for Violation(s)

You are hereby notified that a hearing will be held to address the following violation(s) related to your Massage Establishment License:

- ☐ **Operating without a valid Massage Establishment License**
- ☐ Employing unlicensed massage therapist(s)
- ☐ Refusal to allow lawful inspection
- ☐ Providing massage services outside of permitted business hours
- ☐ Failure to maintain required client records
- ☐ Sleeping or living on premises (beds, cots, mattresses, etc.)
- ☐ Locked doors during regular business hours (non-emergency)
- ☐ Sexual activity or solicitation observed or reported
- ☐ Failure to display licenses properly
- ☐ Other (describe below)

Violation(s) Reported by:

Hearing Details

At the hearing, you may present evidence, testimony, and witnesses. You may also be represented by legal counsel. The purpose of the hearing is to determine if your license will be suspended, revoked, or if any fines will be assessed as a result of the violations listed above.

Your Rights:

- You have the right to attend the hearing and speak on your behalf.
 - You may present any documents, records, or other evidence.
 - You may be represented by an attorney, at your expense.
 - If you fail to attend the hearing, the hearing officer may make a decision based on available evidence.
-

Failure to Attend:

If you do not attend the hearing, the hearing officer may decide to proceed in your absence, and a ruling may be issued based on the information available. Failure to attend may result in suspension, revocation, or other enforcement actions.

Corrective Action:

If the hearing determines that violations have occurred, corrective actions may include:

- Fines (as specified in the ordinance).
 - Suspension or revocation of your Massage Establishment License.
 - Reporting of violations to the Wisconsin Department of Safety and Professional Services (DSPS) (if applicable).
 - Other enforcement actions authorized by City ordinance.
-

Appeals Process:

If you disagree with the outcome of the hearing, you may appeal the decision to the [City Board of Appeals or Common Council] within [time frame, e.g., 10 business days].

Contact Information:

If you have any questions or require additional information, please contact:

City Clerk's Office

Phone: [Insert City Phone Number]

Email: [Insert City Email Address]

Acknowledgment of Notice

I, the undersigned, acknowledge receipt of this Notice of Hearing and understand that I am required to attend or respond as directed above.

Recipient Name (printed): _____

Recipient Signature (if available): _____

Date: _____

City Clerk/Officer Signature: _____

Date: _____

To: Message Business Applicant

Subject: Message Business Application Forms

Thank you for your request for a massage business application. Enclosed is the Massage Business License application packet. Additionally, applicants should be aware of the following timeline/deadlines related to the application process:

- Get the Application Packet from the Clerk.
- Complete the application. Sign Application and get it sworn to. If an application is for a renewal, then the application must be submitted to the Clerk at least 30 days before the license expiration.
- An application for a license or a renewal of a license must be accompanied by the license fee. Fee amount is \$250.00. NOTE: If an application is rejected, the City will refund the license fee paid.
- An application for a license must be accompanied by one set of plans and specifications for the establishment. See specifications in application packet.
- An application for a massage business license will be referred to the police department for investigation of the facts set forth in the application. The police department will send a written recommendation regarding issuance of the license to Clerk.
- If a new application, the Common Council, upon recommendation from the clerk, will make the determination whether to approve or deny the initial license. A denial will be communicated to the applicant in writing specifying the reasons for denial. The applicant may appeal this denial to the common council within 10 days of the date of the denial by submitting a request in writing.
- If a renewal, the application must be submitted to the Clerk at least 30 days before the license expiration. All license renewals are subject to an administratively issued license renewal from the City. A denial must be communicated to the applicant in writing specifying the reasons for denial. The applicant may appeal the denial following the procedure in section 201-9 (3) of this code.

The licensing period for a Massage Business License is August 1 to July 31. If you have questions please contact me. Thank you.

Sincerely,

Becky Eggen
City Clerk
T: (715) 716-5748

MASSAGE BUSINESS LICENSE APPLICATION PACKET

This application form requests information which may be classified as not public under the Wisconsin Statutes. This information is required by state law or city ordinance. The information will be used to determine your eligibility for issuance of a license, permit, or identification card. Failure to provide the information will result in a denial of the license.

The following items must be submitted for a Massage License to be considered complete and cannot begin until all items listed below are received.

Application Fees	<div>\$250.00</div> <div>\$20.00 Police Department Background</div> <div>See Fee Schedule Plan Review for New</div> <div>See Fee Schedule Plan Review for</div>
Application	Completed application.
Property Info	Copy of lease, mortgage or property title
Narrative	Description of proposed business
Site Plans	An application for a license must be accompanied by one set of plans and specifications for the establishment
Corporate Documents, if applicable	<ul style="list-style-type: none"> ▪ Trade Name Certificate ▪ Certificate of Incorporation ▪ Articles of Incorporation ▪ By-Laws ▪ Foreign Corporation Certificate of Authority ▪ If private corporation, disclosure of all persons holding greater than 10% ownership ▪ If public corporation, Security and Exchange Commission forms 10K & 10Q ▪ Franchise Agreement
Liability Certificate	A massage business license may be granted only to an applicant that has insurance coverage of at least \$1,000,000 for personal liability in the practice of therapeutic massage, which provides coverage for all practitioners and associates working on the business premises. City of Hudson must be “additional insured”. A massage business may satisfy this requirement by requiring each practitioner and associate working on the business premises to provide a copy that person's own insurance coverage of at least \$1,000,000 for personal liability in the practice of therapeutic massage.
Consent for Release of Information	Included in application packet

If you have any questions, please call Becky Eggen, City Clerk, at 715-716-5748 or cityclerk@hudsonwi.gov.

This application form requests information which may be classified as non-public under the Wisconsin Statutes. This information is required by State law or City ordinance. The information will be used to determine your eligibility for issuance of a license, permit, or identification card. Failure to provide the information will result in a denial of the license.

This form must be filled out by an individual, if individually owned; if by a partnership, by one of the partners; if by a corporation, by an officer of the corporation; if by an unincorporated association, by the manager or managing officer.

Massage Business License Application

Part I — General Information

Section 1 — General Information			
Type of Applicant	<input type="checkbox"/> Individually Owned	<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership
New/Renewal Application	<input type="checkbox"/> New Application	<input type="checkbox"/> Renewal Application	
Legal Name of Establishment			
Establishment Name (Trade Name/DBA)			
Establishment Address			
Establishment Phone Number		Contact Name & Phone Number for application	
Are there any other properties within the City of Hudson that already hold a massage license that are owned or partially owned by you? <input type="checkbox"/> No <input type="checkbox"/> Yes	If yes, list the establishment name and address below.		
Section 2 — Type of Applicant			
<i>Complete only Individual, Partnership, or Corporation in this section.</i>			
Individual			
<i>If applicable, complete this question and a Part II Personal History Form</i>			
Full Name			
Residence Address & Phone No.			
Partnership			
If applicable, complete this question for general and limited partners. A Part II Personal History Form is required from each partner. Attach a copy of partnership agreement.			
Full Name		Managing Partner? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Residence Address & Phone No.			
Business Address & Phone No.			
Full Name		Managing Partner? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Massage Business License Application Part 1 – General Information

Residence Address & Phone No.					
Business Address & Phone No.					
Corporation/Other Organization					
Name		State of Incorporation/Association			
Corporate Address & Phone No.					
Officers of Corporation					
President Name, Address & Phone Number					
Vice President Name, Address & Phone Number					
Secretary Name, Address & Phone Number					
Treasurer Name, Address & Phone Number					
<i>List all persons who own or control an interest in said corporation/other organization in excess of five percent.</i>					
Name, Address & Phone Number				_____% Owner	
Name, Address & Phone Number				_____% Owner	
Name, Address & Phone Number				_____% Owner	
Are there any other properties within the City of Hudson that already hold a massage license that are owned or partially owned by you?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, list the establishment name and address below.			
Section 3 — Property Ownership Information					
Name, Address & Phone Number of building owner, if other than applicant (<i>attach lease agreement</i>).					
Date Purchased		Purchase Price	\$	Down Payment	\$
Purchased from Name and Address					
Mortgage or Contract for Deed (C.D.) Holder				Are mortgage payments current?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Term of Mortgage/C.D.		Interest Rate on Mortgage/C.D.		Amount of the monthly payment at which Mortgage/C.D. is being liquidated	

Massage Business License Application Part 1 – General Information

<p align="center">Massage Therapist Information</p>	
<p>List below the names of those individuals who will be working as Massage Therapists for the applicant.</p>	
<div style="height: 150px;"></div>	
<p>Is the applicant one of the Massage Therapists at this business?</p>	<p> <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, proof must be submitted with this application that they have met the requirements listed in City Code. </p>

APPLICANT'S STATEMENT

I hereby authorize the City of Hudson to have access to all sources of information which may be consulted to verify the information I have provided above. This includes authorization to check criminal history records if any have been asked to provide that information.

Signature of an Officer of the Applicant

Date _____

Printed Name and Title

Massage Business License Application

Part II — Personal History

To be completed by the sole owner, each partner, officer, director, or any person who by combined ownership or control has in interest in the business in excess of 10%. The data on this form will be used to approve your license. Some requested data is private. You are not legally required to provide this data, but the city may not be able to approve your license if you do not provide it.

Section 1: Applicant (self)							
Name							
Address (include city, state, & zip)							
Phone					County		
Legal, Maiden, or any other name other than the above name provided							
Date of Birth				Place of Birth			
Driver's License Number and State Issued							
Height		Weight		Color of Hair		Color of Eyes	
Are you a US Citizen?	<input type="checkbox"/> Yes <input type="checkbox"/> No If naturalized, date and place:						
Marital Status	<input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed						
Name of spouse, if applicable:							
Is the applicant licensed in any other community?		<input type="checkbox"/> Yes <input type="checkbox"/> No		If yes, where?			
Has the applicant been denied a massage license by any licensing authority?				<input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, give the name and location of the licensing authority, approximate time period of the denial, and the reason for the denial:							
Does the applicant have any training or experience in performing massage service?						<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, specify the training or experience:							
If you have ever used or been known by a name or names other than the true name given on the preceding page, list such name(s) and information concerning dates and places used:							

Address(es) at which you have lived during preceding five years (Begin with present or last address and work back.)
Kind, name and location of every business or occupation you have engaged in during preceding five years.
Names and addresses of your employers and partners, if any, for the preceding five years.
Have you ever been convicted for any crime other than a traffic offense during the past year? <input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, give information as to the time, place and offense for which convictions were held.

Any falsification of answers to this application will result in denial of the application.

APPLICANT’S STATEMENT

I hereby authorize the City of Hudson to have access to all sources of information which may be consulted to verify the information I have provided above. This includes authorization to check criminal history records if any have been asked to provide that information.

_____	_____
Signature of an Officer of the Applicant	Date

Printed Name and Title

SUBMITTAL REQUIREMENTS

This application form requests information which may be classified as not public under the Wisconsin Department of Justice. This information is required by state law or city ordinance. The information will be used to determine your eligibility for issuance of a license, permit, or identification card. Failure to provide the information will result in a denial of the license.

If you have any questions, please call Becky Eggen, City Clerk, at 715-716-5748 or cityclerk@hudsonwi.gov.

Massage Business License Application – Part II Personal History
CONSENT FOR RELEASE OF INFORMATION

The following named individual applied to the City of Hudson for a _____ license.

Last Name of Applicant (please print): _____

First Name (please print): _____

Middle (full) (please print): _____

Maiden, Alias or Former (please print): _____

Date of Birth: _____ **Sex** (M or F): _____
Month/Day/Year

Social Security Number (optional): _____

I authorize the city of Hudson to obtain all criminal history record information about myself, and authorize all holders of such information, including the Wisconsin Department of Justice to release such information to the City of Hudson, for the purpose of evaluating my eligibility and suitability for the license.

This authorization will be in effect for one year from the date of my signature.

Signature of an Officer of the Applicant Date

Printed Name and Title

FACILITY REQUIREMENTS

A plan to-scale site plan indicating the complete layout of the facility, including floors, walls, ceiling surfaces, and equipment specifications must be provided to the Clerk and approved before a license can be issued. *Allow at least 10 working days from the time the plans and necessary information are submitted for the plan review process. Structural work should not be initiated before the plans are approved.*

MASSAGE ROOMS

1. Floors must be of smooth, nonabsorbent, and easily cleanable materials with a coved base. Approved materials include ceramic tile, quarry tile, or commercial grade vinyl tile. Carpeting is not an approved surface.
2. Walls must be smooth, nonabsorbent and easily cleanable such as ceramic tile, fiberglass panels, or washable paint.
3. The ceilings must be capable of being cleaned.
4. Door may not be capable of being locked from either side.
5. Lighting must be adequate.

HANDSINKS

1. A separate hand wash sink must be available in the massage room or immediately adjacent outside the room (within 20 feet).
2. Mounted soap and paper towel dispensers must be installed.
3. The walls behind and immediately adjacent to the hand sink must be smooth, easily cleanable, and durable, such as ceramic tile or fiberglass reinforced panels.
4. Floors beneath hand sinks must be capable of being kept clean.

JANITOR FACILITIES

1. A janitor sink must be available at all times for cleaning.
2. Floors must be of approved materials such as ceramic tile or quarry tile with a coved base.
3. Walls must be of approved materials such as ceramic tile or reinforced fiberglass panels to a minimum height of 5 feet.
4. Mechanical ventilation must be installed in janitor's room.
5. Mop holders and chemical storage racks must be provided.

TOILET ROOMS, SHOWER ROOMS & LAUNDRY ROOMS

1. Floors must be approved materials such as ceramic tile, quarry tile, or terrazzo with a coved base.
2. Walls must be approved materials from the floor to a height of five (5) feet, such as ceramic tile, fiberglass reinforced panels, or similar.
3. Ceilings must be cleanable, such as washable paint or cleanable tiles.
4. Mechanical ventilation must be provided.
5. Toilet rooms must have self-closure devices.

Note: Linens and other cloths may be washed in a commercial laundromat instead of on-site laundering.

STORAGE & LOCKERS FACILITIES

1. Adequate shelving must be available to store linens, cloths, and other supplies at least six (6) inches off the floor.
2. Shelving must be cleanable and nonabsorbent such as stainless steel, plastic, laminated wood on all sides, or similar.
3. Chemicals must be stored separate and below other supplies.
4. Lockers or other secured facilities to store personal and customer belongings must be available.

FURNITURE

1. Massage furniture must be smooth, nonabsorbent and easily cleanable, such as vinyl or plastic coated items.

CITY OF HUDSON

Part II General Legislation Chapter 201 Massage Business

Section 201-1 Intent

The Common Council finds massage therapy and bodywork therapy businesses potentially provide an opportunity for the commission of crimes, including, but not limited to prostitution. The intent of the Chapter is therefore to prevent businesses from being used as facilities for commission of crimes and to assure that such businesses comply with basic consumer standards, thereby protecting the public health, welfare and safety of the citizens of the City.

Section 201-2 Findings

Section 201-3 Definitions

Unless the context clearly indicates otherwise, the words below are defined for the purpose of this section as follows.

1. “Operate” means to own, manage or conduct.
2. “Within the City” includes physical presence as well as telephone referral situations, in which the business premises, although not actually located within the City, serves as a point of assignment of employees who respond to requests for services from within the City.
3. “Massage therapy” or “bodywork therapy” means the science and healing art that uses manual actions and adjunctive therapies to palpate and manipulate the soft tissue of the human body in order to improve circulation, reduce tension, relieve soft tissue pain, or increase flexibility. “Massage therapy” or “bodywork therapy” includes determining whether manual actions and adjunctive therapies are appropriate or contraindicated, or whether a referral to another health care practitioner is appropriate. “Massage therapy” or “bodywork therapy” does not include making a medical, physical therapy, or chiropractic diagnosis.
4. “Manual Action” means the method of treating the superficial parts of the human body by rubbing, pressing, stroking, kneading, tapping, pounding, vibrating, or stimulating with the hands or an instrument for no other purpose than physical fitness, health-care referral, healing, relaxation, and beautification.
5. “Sanitary” means free from pathogenic microorganisms.
6. “Adequate” or “approved” means acceptable to the health authority following his/her determination as to conformance with public health practices and standards.
7. “Masseur” means a male person who practices massage therapy and bodywork therapy.
8. “Masseuse” means a female person who practices massage therapy and bodywork therapy.

9. “Massage business” means the offering of massage therapy or bodywork therapy to the general public, regardless of whether the offer is limited only to select invitees or organizational members.

10. “Health care facility” means a person, association, business, organization or institution providing medical, surgical, dental, chiropractic, osteopathic or physical therapy services where practitioners are licensed by the state of Wisconsin.

11. “Massage therapist” means a person administering massage therapy and bodywork therapy who meets either of the following sets of criteria:

a. practitioner:

(1) is a member in good standing of the American Massage Therapy Association, the Associated Bodywork and Massage Professionals, or other national organization of therapeutic massage professionals that has a similar written and enforceable code of ethics; and has either (a) a practitioner's degree with a minimum of 400 hours of class credits from a massage therapy school accredited by one of the national organizations listed in paragraph (1), or (b) at least two years of full-time experience working as a massage therapist at a licensed massage business.

b. associate:

(1) works in conjunction with and under the supervision of a person meeting the practitioner's requirement.

c. student of massage therapy.

(1) is a person enrolled in and attending an accredited institution as defined in 201-3 (11) of this chapter. This also includes students attending a post graduate continuing education class, provided it is an approved continuing education class with the National Certification Board for Therapeutic Massage and Bodywork or other nationally recognized certification licensing organization.

12. Accredited institution means an educational institution currently holding accredited status from a regional accrediting agency approved by the United States Department of Education or is licensed or registered by the state agency having jurisdiction over the school. The accredited institution must also be in compliance with the National Certification Board for Therapeutic Massage and Bodywork or other nationally recognized certification licensing organizations.

Section 201-4. Massage Business License Required.

1. A person must not operate a massage business within the City unless the business is currently licensed under this section.

2. A massage business license may be granted only to an applicant that has insurance coverage of at least \$1,000,000 for personal liability in the practice of therapeutic massage, which provides coverage for all practitioners and associates working on the business premises. A massage business may satisfy this requirement by requiring each practitioner and associate working on the business

premises to provide that person's own insurance coverage of at least \$1,000,000 for personal liability in the practice of therapeutic massage.

Section 201-5. Exceptions.

1. The following people and businesses are exempt from the provisions of this ordinance while performing activities covered by their professional licenses or professional affiliations:

a. people licensed by the state of Wisconsin to practice medicine, surgery, osteopathy, chiropractic, physical therapy, occupational therapy, podiatry, and nursing, and people working solely for and under the direction of those individuals;

b. athletic trainers, certified by the National Association of Athletic Trainers (NAAT), when working with an amateur, semiprofessional or professional athlete or athletic team;

c. beauty culturists and barbers licensed by the State of Wisconsin who do not hold themselves out to give massages, other than that customarily given in the field and limited to the face, neck and scalp for beautification purposes only;

d. health care facilities; and

e. an accredited institution which provides course work in massage, or massage therapy provided:

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

(ii) the massage therapy is provided during and as part of a course or clinical component of the school's program or course work; and

(iii) the person is supervised by an instructor while providing or performing massage therapy.

f. Any student of massage therapy meeting the definition as set forth herein and provided

(i) The massage therapy is provided during and as a part of a course or clinical component either (1) at an accredited institution as part of an accredited program or (2) during a continuing education claim, provided the class is approved by the National Certification Board for Therapeutic Massage and Bodywork; and

(ii) The massage therapy student is supervised by an instructor while providing or performing massage therapy. A notice advising the public that the person who may provide massage therapy services is a student of massage and is not licensed by the City shall be posted in a conspicuous location in the room in which the massage therapy is provided.

g. a person who has been granted a license under Wis. Stat. Chapter 460 by the affiliated credentialing board under that Chapter.

2. A person or organization providing temporary massage therapy such as "chair massage" is not required to obtain a massage business license if the following requirements are met:

- a. the massage is provided in a place of business where the massage can easily be seen by any employee or visitor on the premises;
- b. the location does not hold a license to sell alcoholic beverages;
- c. massages are offered at the location no more than ten days per calendar year;
- d. each recipient of a massage remains in an upright position, either sitting or standing; and
- e. each recipient of a massage remains in the normal, daytime attire worn when entering the business and does not remove any clothing except outerwear such as a coat or jacket.

Section 201-6. License Application Process.

1. An application for a massage business license under this section must be filed with the Clerk of the City. The application must be made on a form supplied by the City and contain the following information:

- a. whether the applicant is a natural person, a corporation, a partnership, or other form of organization;
- b. if the applicant is a natural person:
 - (1) the true name, place and date of birth, resident address and phone number of the applicant;
 - (2) whether the applicant has ever used or has been known by a name other than his/her true name; and if so, what was such name or names and information concerning dates and places where used;
 - (3) the name of the business if it is to be conducted under a name other than the applicant's name; in which case, a copy of the certificate required by state law must be attached to the application;
 - (4) the street address at which applicant has lived during the preceding five years;
 - (5) the kind, name and location of every business or occupation the applicant has been engaged in during the preceding five years;
 - (6) the names and addresses of the applicant's employer(s) and partner(s), if any, for the preceding five years;
 - (7) whether the applicant has ever been convicted of a felony or other crime. If so, the applicant must furnish information as to the time, place and offense for each conviction;
 - (8) the applicant's physical description; and

(9) whether the applicant has training or experience in performing massage therapy.

c. if the applicant is a partnership:

(1) the names and addresses of the partners and for each partner all information that is required of an individual applicant in subparagraph b, above;

(2) the name of the managing partner(s) and the interest of each partner in the business; and

(3) a true copy of the partnership agreement. If the partnership is required to file a certificate for a trade name under state law, a copy of that certificate must also be attached.

d. if the applicant is a corporation or other organization:

(1) the name; and if incorporated, the state of incorporation;

(2) a true copy of the certificate of incorporation, articles of incorporation or association agreement, and by-laws. If a foreign corporation, a certificate of authority to do business in Minnesota must also be attached; and

(3) the name of the manager or proprietor or other agent in charge of the business to be licensed and all information concerning this person(s) as is required in subparagraph b, above.

e. for all applicants:

(1) whether the applicant is licensed in other communities to run similar businesses, and if so, where;

(2) the names of the masseurs and masseuses who are or will be working for the applicant in the City of Hudson and certification that each meets the minimum requirements of a massage therapist contained in the definitions in section 201-3;

(3) whether the applicant has previously been denied a massage license;

(4) the location of the business premises;

(5) proof of the insurance required in section 201-4; and

(6) other information as the City may require.

2. A licensee must promptly notify the Clerk of the City of a change in the information or facts required to be furnished on the application for a license, even after the license has been issued.

3. An application for a license must be signed and sworn to. If the applicant is a natural person, the application must be signed and sworn to by that person; if a corporation, by an officer of the corporation; if a partnership, by one of the partners; and if an unincorporated association, by the manager or managing officer of the association.

4. An application for a license must be accompanied by one set of plans and specifications for the establishment.

a. The plans must be drawn to scale, accompanied by sufficient specifications to permit a comprehensive review of the plans, and must include:

(1). the proposed layout, mechanical schematics, construction materials, and finish schedules;

(2). the proposed products and equipment to be used; and

(3). other information that may be required for the proper review of the proposed application.

5. An application for a license or a renewal of a license must be accompanied by the license fee. Fee amount is determined by the Common Council, listed in City fee schedule and subject to annual review. If an application is rejected, the City will refund the license fee paid.

Section 201-7. Persons Ineligible for a License.

No license may be issued to an applicant who:

1. is under 18 years of age;

2. has been convicted of a crime directly related to the occupation and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties and responsibilities of a licensee as required by Wisc. Stat 111.335(4)(d);

3. is not a citizen of the United States or a resident alien;

4. is not of good moral character or repute;

5. owes taxes, assessments, or other financial claims to a governmental agency that are due and delinquent; or

6. is not the real party in interest of a massage business.

Section 201-8. Locations Ineligible for a License.

No massage business may be located on property that:

1. is zoned as a classification of residential property under the zoning ordinance, except that the Clerk may allow a person with a disability as defined by the federal Americans with Disability Act to offer massage therapy from a separate office in the person's home, subject to appropriate conditions and subject to compliance with zoning provisions; or

2. is subject to taxes, assessments, or other financial claims from a governmental agency that are due and delinquent, except if a suit has been commenced and is being diligently prosecuted to question the amount or validity of taxes.

Section 201-9. Granting of Licenses.

1. Investigation process.

a. An application for a massage business license will be referred to the police department for investigation of the facts set forth in the application. The police department must prepare a written recommendation regarding issuance of the license and provide to Clerk.

b. The Common Council will make the determination whether to approve or deny the initial license. A denial must be communicated to the applicant in writing specifying the reasons for denial. The applicant may appeal this denial to the City council within 10 days of the date of the denial by submitting a request in writing.

c. Applications for license renewals must be submitted to the Clerk at least 30 days before the license expiration. All license renewals are subject to an administratively issued license renewal from the City. A denial must be communicated to the applicant in writing specifying the reasons for denial. The applicant may appeal the denial following the procedure in section 201-9 (3) of this code.

2. Grounds for denial. A license may be denied for any of the following reasons:

- a. fraud or deception in the license application;
- b. history of violations of laws and ordinances that apply to health, safety or moral turpitude;
- c. bad repute;
- d. convictions of crimes or offenses involving sexual misconduct; and
- e. other matters deemed to be relevant by the Common Council.

3. Appeal procedure. The applicant or licensee, as applicable, may appeal the Clerk's decision to deny renewal of a license to the Common Council by filing a written appeal with the Clerk within 20 business days after the date of mailing of the written notice of the Clerk's decision denying the renewal. The Common Council shall conduct a due process hearing within 30 business days of the Clerk's receipt of the written appeal. The Clerk shall provide a minimum of 10 calendar days' notice to the appellant of the date, time, and location of the hearing. The Common Council shall issue a written decision on the appeal within 20 business days of the hearing. At the hearing, the appellant may produce and cross-examine witnesses, present relevant evidence, and be represented by counsel of the appellant's/licensee's choosing and at the appellant's/licensee's expense.

If the Common Council finds the reason(s) for the Clerk's decision to be sufficient, the decision shall be affirmed. If the Common Council finds the reason(s) for the Clerk's decision to be insufficient, the decision shall be reversed, and the license shall be granted and issued. If the appellant does not

appear at the hearing and the Common Council finds the reason(s) for the Clerk's decision to be sufficient, the decision shall be affirmed. The Common Council's written decision on the appeal must specify the reason(s) for its determination. The Clerk shall give written notice of the Common Council's decision to the applicant or licensee.

Section 201-9. License Not Transferable.

1. A license is issued to the applicant only and is not transferable to another holder. No licensee may loan, sell, give or assign a license to another holder.
2. The license issued for a massage business is only effective for the compact and contiguous space specified in the approved license application. If the licensed premises is to be enlarged, altered, or extended, the licensee must inform the issuing authority and receive approval before doing so.

Section 201-10. Conditions of Licenses.

1. A massage business must not employ or use a person as a masseur or masseuse unless that person meets the definition of a massage therapist in section 201-3.
2. A massage business must have its license or a true copy of it, displayed in a prominent place on the licensed premises.
3. A massage business must not discriminate on grounds of race, creed, color, sex, national origin or ancestry in performing services offered by the licensed establishment.
4. The person who is receiving the massage must at all times have his/her buttocks, anus and genitals covered with an appropriate non-transparent covering.
5. A masseur performing massages must at all times have his anus, buttocks and genitals covered with a non-transparent material.
6. A masseuse performing massages must at all times have her breasts, buttocks, anus and genitals covered with a non-transparent material.
7. In those instances when the license is under suspension or revocation, a licensee, or any employee of the licensee, must not solicit business or perform massage therapy, and must not allow, encourage or direct his/her employee to solicit business or perform massage therapy during that time.
8. A licensee must not permit the possession or consumption of alcoholic beverages or illegal controlled substances on the licensed premises.
9. A licensee must comply with all of the provisions of this Chapter 201.

Section 201-11. Suspension or Revocation of License.

- A. The City Clerk may suspend or revoke a license issued under this section. The City Clerk's decision to suspend or revoke a massage therapy license shall be in writing and shall specify the

reason(s) for such action. Prior to the time for the renewal of the license, the Clerk shall notify the licensee, in writing, of the City's intention suspend or revoke the license and notify the licensee of his or her right to an appeal hearing as provided in § 201-11B.

B. Appeal procedure. The applicant or licensee, as applicable, may appeal the Clerk's decision to suspend or revoke a license to the Common Council by filing a written appeal with the Clerk within 20 business days after the date of mailing of the written notice of the Clerk's decision suspending or revoking such license. The Common Council shall conduct a due process hearing within 30 business days of the Clerk's receipt of the written appeal. The Clerk shall provide a minimum of 10 calendar days' notice to the appellant of the date, time, and location of the hearing. The Common Council shall issue a written decision on the appeal within 20 business days of the hearing. At the hearing, the appellant may produce and cross-examine witnesses, present relevant evidence, and be represented by counsel of the appellant's/licensee's choosing and at the appellant's/licensee's expense.

If the Common Council finds the reason(s) for the Clerk's decision to be sufficient, the decision shall be affirmed. If the Common Council finds the reason(s) for the Clerk's decision to be insufficient, the decision shall be reversed, and the license shall not be suspended or revoked. If the appellant does not appear at the hearing and the Common Council finds the reason(s) for the Clerk's decision to be sufficient, the decision shall be affirmed. The Common Council's written decision on the appeal must specify the reason(s) for its determination. The Clerk shall give written notice of the Common Council's decision to the applicant or licensee.

C. Revocation. A license may be revoked during the term of a license year and following a due process hearing as described in § 201-11B for one or more of the following reasons. The following are grounds for suspension or revocation of a license:

1. failure to comply with City ordinances or state law;
2. control or possession by the owner, manager, lessee or an employee of the massage business of alcoholic beverages or illegal controlled substances on the premises;
3. conviction of the owner, manager, lessee, or an employee of the massage business of a violation of any ordinance or state statute, arising on the licensed premises;
4. conviction of the owner, manager, lessee or an employee of the massage business of prostitution or another crime involving moral turpitude; and
5. failure to promptly notify the community development director of a change in the information required to be submitted in a license application.

201-12. Duration of License.

1. Licenses issued under this chapter expire on July 31 of each year.
2. When a licensee applies for renewal license with the required fee by the deadline for submission, the licensee is authorized to operate until the license is either renewed or denied.

201-13. Construction and Maintenance of Premises.

1. Massage rooms, restrooms, bathrooms, janitor rooms, laundry facilities, and similar facilities used in connection with the massage business must be constructed of smooth and easily cleanable materials that are resistant to wear, moisture, bacteria, mold or fungus growth. The floor to wall and wall to wall joints must be constructed to provide a sanitary cove with a minimum radius of one inch.
2. Restrooms used in connection with the massage business must be provided with mechanical ventilation with 2 cfm per square foot of floor area, a minimum of 20-foot candles of illumination, a hand-washing sink equipped with hot and cold running water under pressure, single-use paper towels or other approved drying device and a soap dispenser.
3. A massage business must have a janitor's closet for the storage of cleaning supplies. This closet must have mechanical ventilation with 2 cfm per square foot of floor area and a minimum of 20 foot candles of illumination. The closet must include a mop sink.
4. Floors, walls, other structures, and equipment in massage rooms, restrooms and bathrooms used in connection with the massage business must be kept in a state of good repair and sanitary at all times. Linens and other materials must be stored at least 6 inches off the floor in areas protected from contamination. Sanitary towels, wash cloths, cleaning agents and toilet tissue must be made available for each customer.
5. Individual lockers or secure areas as set forth herein must be made available for use by patrons. These lockers must have separate keys for locking. Instead of individual lockers, massage therapist businesses may provide secure areas designated for storage of personal items belonging to employees and patrons while on the premises.
6. Doors on massage rooms must not have locks, latches or other devices that can secure a door to prevent its being opened. Massage rooms must be constructed with air space between partitions and the ceiling, and be clearly identified by signs. The requirement for an air space does not apply to massage therapist businesses.
7. A separate hand-sink must be accessible and used by a masseur, masseuse, and massage therapist before administering massage on each patron and when hands are soiled.
8. The furniture upon which the patron reclines while receiving a massage must either be covered with approved linen or be washed after each use with a cleaning agent sufficient to prevent the spread of disease. Linens and towels must be changed after each use and laundered by a commercial cleaning establishment or in approved laundry facilities on the premises. Single-use linens must be discarded after each use.

Section 201-14. Submission of Plans and Specifications.

A person who constructs, remodels or converts a building for use as a massage business must comply with this code. The person must submit plans and specifications for the layout, arrangement, and plumbing, and construction schedules to the Clerk of the City. A building permit may not be issued

for such construction, remodeling or alteration until the permit has been approved by the health authority.

Section 201-15. Inspection of Premises.

Massage businesses must be open to inspection by City health, building and license inspectors and police officers during business hours. Upon demand by a health inspector or police officer, a person engaged in providing services in a licensed premises must identify himself/herself giving his/her true legal name and his/her correct address.

Section 201-16. Hours of Operation.

No customers or patrons may be allowed to enter the licensed premises after 9:00 p.m. and before 7:00 a.m. daily. No customers or patrons may be allowed to remain on the licensed premises after 10:00 p.m. and before 7:00 a.m. daily.

Section 201-17. Prohibited business

No massage therapy business shall be used or operated as or in conjunction with a Sexually Oriented Business as defined in this Code.

Section 201-18. Penalty.

A person who commits or attempts to commit, conspires to commit or aids or abets in the commission of an act constituting a violation of this ordinance, whether individually or in connection with one or more other persons or as principal, agent, or accessory is guilty of a misdemeanor. A person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, permits or directs another to violate a provision of this ordinance is guilty of a misdemeanor.

ORDINANCE NO. 3-22

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF HUDSON, WISCONSIN

Upon review, recommendation, and consideration by the City of Hudson Common Council, the Common Council does ordain that Municipal Code Section 201 is hereby amended to read as follows.

Chapter 201 Massage Business

Section 201-1 Intent

The Common Council finds massage therapy and bodywork therapy businesses potentially provide an opportunity for the commission of crimes, including, but not limited to prostitution. The intent of the Chapter is therefore to prevent businesses from being used as facilities for commission of crimes and to assure that such businesses comply with basic consumer standards, thereby protecting the public health, welfare and safety of the citizens of the City.

Section 201-2 Findings

Section 201-3 Definitions

Unless the context clearly indicates otherwise, the words below are defined for the purpose of this section as follows.

1. "Operate" means to own, manage or conduct.
2. "Within the City" includes physical presence as well as telephone referral situations, in which the business premises, although not actually located within the City, serves as a point of assignment of employees who respond to requests for services from within the City.
3. "Massage therapy" or "bodywork therapy" means the science and healing art that uses manual actions and adjunctive therapies to palpate and manipulate the soft tissue of the human body in order to improve circulation, reduce tension, relieve soft tissue pain, or increase flexibility. "Massage therapy" or "bodywork therapy" includes determining whether manual actions and adjunctive therapies are appropriate or contraindicated, or whether a referral to another health care practitioner is appropriate. "Massage therapy" or "bodywork therapy" does not include making a medical, physical therapy, or chiropractic diagnosis.
4. "Manual Action" means the method of treating the superficial parts of the human body by rubbing, pressing, stroking, kneading, tapping, pounding, vibrating, or stimulating with the hands or an instrument for no other purpose than physical fitness, health-care referral, healing, relaxation, and beautification.
5. "Sanitary" means free from pathogenic microorganisms.

6. "Adequate" or "approved" means acceptable to the health authority following his/her determination as to conformance with public health practices and standards.

7. "Masseur" means a male person who practices massage therapy and bodywork therapy.

8. "Masseuse" means a female person who practices massage therapy and bodywork therapy.

9. "Massage business" means the offering of massage therapy or bodywork therapy to the general public, regardless of whether the offer is limited only to select invitees or organizational members.

10. "Health care facility" means a person, association, business, organization or institution providing medical, surgical, dental, chiropractic, osteopathic or physical therapy services where practitioners are licensed by the state of Wisconsin.

11. "Massage therapist" means a person administering massage therapy and bodywork therapy who meets either of the following sets of criteria:

a. practitioner:

(1) is a member in good standing of the American Massage Therapy Association, the Associated Bodywork and Massage Professionals, or other national organization of therapeutic massage professionals that has a similar written and enforceable code of ethics; and has either (a) a practitioner's degree with a minimum of 400 hours of class credits from a massage therapy school accredited by one of the national organizations listed in paragraph (1), or (b) at least two years of full-time experience working as a massage therapist at a licensed massage business.

b. associate:

(1) works in conjunction with and under the supervision of a person meeting the practitioner's requirement.

c. student of massage therapy.

(1) is a person enrolled in and attending an accredited institution as defined in 201-3 (11) of this chapter. This also includes students attending a post graduate continuing education class, provided it is an approved continuing education class with the National Certification Board for Therapeutic Massage and Bodywork or other nationally recognized certification licensing organization.

12. Accredited institution means an educational institution currently holding accredited status from a regional accrediting agency approved by the United States Department of Education or is licensed or registered by the state agency having jurisdiction over the school. The accredited institution must also be in compliance with the National Certification Board for Therapeutic Massage and Bodywork or other nationally recognized certification licensing organizations.

13. "Resident alien" means a person who a) is a permanent resident or a lawful permanent resident; b) has been legally and lawfully recorded as a resident of the United States of America; and c) has a permanent identification card (colloquially known as a green card).

Section 201-4. Massage Business License Required.

1. A person must not operate a massage business within the City unless the business is currently licensed under this section.
2. A massage business license may be granted only to an applicant that has insurance coverage of at least \$1,000,000 for personal liability in the practice of therapeutic massage, which provides coverage for all practitioners and associates working on the business premises. A massage business may satisfy this requirement by requiring each practitioner and associate working on the business premises to provide that person's own insurance coverage of at least \$1,000,000 for personal liability in the practice of therapeutic massage.

Section 201-5. Exceptions.

1. The following people and businesses are exempt from the provisions of this ordinance while performing activities covered by their professional licenses or professional affiliations:

a. people licensed by the state of Wisconsin to practice medicine, surgery, osteopathy, chiropractic, physical therapy, occupational therapy, podiatry, and nursing, and people working solely for and under the direction of those individuals;

b. athletic trainers, certified by the National Association of Athletic Trainers (NAAT), when working with an amateur, semiprofessional or professional athlete or athletic team;

c. beauty culturists and barbers licensed by the State of Wisconsin who do not hold themselves out to give massages, other than that customarily given in the field and limited to the face, neck and scalp for beautification purposes only;

d. health care facilities; and

e. an accredited institution which provides course work in massage, or massage therapy provided:

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

(ii) the massage therapy is provided during and as part of a course or clinical component of the school's program or course work; and

(iii) the person is supervised by an instructor while providing or performing massage therapy.

f. Any student of massage therapy meeting the definition as set forth herein and provided

(i) The massage therapy is provided during and as a part of a course or clinical component either (1) at an accredited institution as part of an accredited program or (2) during a continuing education claim, provided the class is approved by the National Certification Board for Therapeutic Massage and Bodywork; and

(ii) The massage therapy student is supervised by an instructor while providing or performing massage therapy. A notice advising the public that the person who may provide massage therapy services is a student of massage and is not licensed by the City shall be posted in a conspicuous location in the room in which the massage therapy is provided.

g. a person who has been granted a license under Wis. Stat. Chapter 460 by the affiliated credentialing board under that Chapter.

2. A person or organization providing temporary massage therapy such as "chair massage" is not required to obtain a massage business license if the following requirements are met:

a. the massage is provided in a place of business where the massage can easily be seen by any employee or visitor on the premises;

b. the location does not hold a license to sell alcoholic beverages;

c. massages are offered at the location no more than ten days per calendar year;

d. each recipient of a massage remains in an upright position, either sitting or standing; and

e. each recipient of a massage remains in the normal, daytime attire worn when entering the business and does not remove any clothing except outerwear such as a coat or jacket.

Section 201-6. License Application Process.

1. An application for a massage business license under this section must be filed with the Clerk of the City. The application must be made on a form supplied by the City and contain the following information:

a. whether the applicant is a natural person, a corporation, a partnership, or other form of organization;

b. if the applicant is a natural person:

(1) the true name, place and date of birth, resident address and phone number of the applicant;

(2) whether the applicant has ever used or has been known by a name other than his/her true name; and if so, what was such name or names and information concerning dates and places where used;

(3) the name of the business if it is to be conducted under a name other than the applicant's name; in which case, a copy of the certificate required by state law must be attached to the application;

(4) the street address at which applicant has lived during the preceding five years;

(5) the kind, name and location of every business or occupation the applicant has been engaged in during the preceding five years;

(6) the names and addresses of the applicant's employer(s) and partner(s), if any, for the preceding five years;

(7) whether the applicant has ever been convicted of a felony or other crime. If so, the applicant must furnish information as to the time, place and offense for each conviction;

(8) the applicant's physical description

(9) whether the applicant has training or experience in performing massage therapy; and

(10) if the individual is a resident alien applying for licensure, a copy of valid citizenship documentation showing permanent residence in the United States of America.

c. if the applicant is a partnership:

(1) the names and addresses of the partners and for each partner all information that is required of an individual applicant in subparagraph b, above;

(2) the name of the managing partner(s) and the interest of each partner in the business; and

(3) a true copy of the partnership agreement. If the partnership is required to file a certificate for a trade name under state law, a copy of that certificate must also be attached.

d. if the applicant is a corporation or other organization:

(1) the name; and if incorporated, the state of incorporation;

(2) a true copy of the certificate of incorporation, articles of incorporation or association agreement, and by-laws. If a foreign corporation, a certificate of authority to do business in Minnesota must also be attached; and

(3) the name of the manager or proprietor or other agent in charge of the business to be licensed and all information concerning this person(s) as is required in subparagraph b, above.

e. for all applicants:

(1) whether the applicant is licensed in other communities to run similar businesses, and if so, where;

(2) the names of the masseurs and masseuses who are or will be working for the applicant in the City of Hudson and certification that each meets the minimum requirements of a massage therapist contained in the definitions in section 201-3;

(3) whether the applicant has previously been denied a massage license;

(4) the location of the business premises;

(5) proof of the insurance required in section 201-4; and

(6) other information as the City may require.

2. A licensee must promptly notify the Clerk of the City of a change in the information or facts required to be furnished on the application for a license, even after the license has been issued.

3. An application for a license must be signed and sworn to. If the applicant is a natural person, the application must be signed and sworn to by that person; if a corporation, by an officer of the corporation; if a partnership, by one of the partners; and if an unincorporated association, by the manager or managing officer of the association.

4. An application for a license must be accompanied by one set of plans and specifications for the establishment.

a. The plans must be drawn to scale, accompanied by sufficient specifications to permit a comprehensive review of the plans, and must include:

(1). the proposed layout, mechanical schematics, construction materials, and finish schedules;

(2). the proposed products and equipment to be used; and

(3). other information that may be required for the proper review of the proposed application.

5. An application for a license or a renewal of a license must be accompanied by the license fee. Fee amount is determined by the Common Council, listed in City fee schedule and subject to annual review. If an application is rejected, the City will refund the license fee paid.

Section 201-7. Persons Ineligible for a License.

No license may be issued to an applicant who:

1. is under 18 years of age;
2. has been convicted of a crime directly related to the occupation and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties and responsibilities of a licensee as required by Wisc. Stat 111.335(4)(d);
3. is not a citizen of the United States (resident aliens, as defined in 201-3 (13), are exempt from this provision);
4. is not of good moral character or repute;
5. owes taxes, assessments, or other financial claims to a governmental agency that are due and delinquent; or
6. is not the real party in interest of a massage business.

Section 201-8. Locations Ineligible for a License.

No massage business may be located on property that:

1. is zoned as a classification of residential property under the zoning ordinance, except that the Clerk may allow a person with a disability as defined by the federal Americans with Disability Act to offer massage therapy from a separate office in the person's home, subject to appropriate conditions and subject to compliance with zoning provisions; or
2. is subject to taxes, assessments, or other financial claims from a governmental agency that are due and delinquent, except if a suit has been commenced and is being diligently prosecuted to question the amount or validity of taxes.

Section 201-9. Granting of Licenses.

1. Investigation process.
 - a. An application for a massage business license will be referred to the police department for investigation of the facts set forth in the application. The police department must prepare a written recommendation regarding issuance of the license and provide to Clerk.
 - b. The Common Council will make the determination whether to approve or deny the initial license. A denial must be communicated to the applicant in writing specifying the reasons for denial. The applicant may appeal this denial to the City council within 10 days of the date of the denial by submitting a request in writing.

c. Applications for license renewals must be submitted to the Clerk at least 30 days before the license expiration. All license renewals are subject to an administratively issued license renewal from the City. A denial must be communicated to the applicant in writing specifying the reasons for denial. The applicant may appeal the denial following the procedure in section 201-9 (3) of this code.

2. Grounds for denial. A license may be denied for any of the following reasons:

- a. fraud or deception in the license application;
- b. history of violations of laws and ordinances that apply to health, safety or moral turpitude;
- c. bad repute;
- d. convictions of crimes or offenses involving sexual misconduct; and
- e. other matters deemed to be relevant by the Common Council.

3. Appeal procedure. The applicant or licensee, as applicable, may appeal the Clerk's decision to deny renewal of a license to the Common Council by filing a written appeal with the Clerk within 20 business days after the date of mailing of the written notice of the Clerk's decision denying the renewal. The Common Council shall conduct a due process hearing within 30 business days of the Clerk's receipt of the written appeal. The Clerk shall provide a minimum of 10 calendar days' notice to the appellant of the date, time, and location of the hearing. The Common Council shall issue a written decision on the appeal within 20 business days of the hearing. At the hearing, the appellant may produce and cross-examine witnesses, present relevant evidence, and be represented by counsel of the appellant's/licensee's choosing and at the appellant's/licensee's expense.

If the Common Council finds the reason(s) for the Clerk's decision to be sufficient, the decision shall be affirmed. If the Common Council finds the reason(s) for the Clerk's decision to be insufficient, the decision shall be reversed, and the license shall be granted and issued. If the appellant does not appear at the hearing and the Common Council finds the reason(s) for the Clerk's decision to be sufficient, the decision shall be affirmed. The Common Council's written decision on the appeal must specify the reason(s) for its determination. The Clerk shall give written notice of the Common Council's decision to the applicant or licensee.

Section 201-9. License Not Transferable.

1. A license is issued to the applicant only and is not transferable to another holder. No licensee may loan, sell, give or assign a license to another holder.

2. The license issued for a massage business is only effective for the compact and contiguous space specified in the approved license application. If the licensed premises is to be enlarged, altered, or extended, the licensee must inform the issuing authority and receive approval before doing so.

Section 201-10. Conditions of Licenses.

1. A massage business must not employ or use a person as a masseur or masseuse unless that person meets the definition of a massage therapist in section 201-3.
2. A massage business must have its license or a true copy of it, displayed in a prominent place on the licensed premises.
3. A massage business must not discriminate on grounds of race, creed, color, sex, national origin or ancestry in performing services offered by the licensed establishment.
4. The person who is receiving the massage must at all times have his/her buttocks, anus and genitals covered with an appropriate non-transparent covering.
5. A masseur performing massages must at all times have his anus, buttocks and genitals covered with a non-transparent material.
6. A masseuse performing massages must at all times have her breasts, buttocks, anus and genitals covered with a non-transparent material.
7. In those instances when the license is under suspension or revocation, a licensee, or any employee of the licensee, must not solicit business or perform massage therapy, and must not allow, encourage or direct his/her employee to solicit business or perform massage therapy during that time.
8. A licensee must not permit the possession or consumption of alcoholic beverages or illegal controlled substances on the licensed premises.
9. A licensee must comply with all of the provisions of this Chapter 201.

Section 201-11. Suspension or Revocation of License.

A. The City Clerk may suspend or revoke a license issued under this section. The City Clerk's decision to suspend or revoke a massage therapy license shall be in writing and shall specify the reason(s) for such action. Prior to the time for the renewal of the license, the Clerk shall notify the licensee, in writing, of the City's intention suspend or revoke the license and notify the licensee of his or her right to an appeal hearing as provided in § 201-11B.

B. Appeal procedure. The applicant or licensee, as applicable, may appeal the Clerk's decision to suspend or revoke a license to the Common Council by filing a written appeal with the Clerk within 20 business days after the date of mailing of the written notice of the Clerk's decision suspending or revoking such license. The Common Council shall conduct a due process hearing within 30 business days of the Clerk's receipt of the written appeal. The Clerk shall provide a minimum of 10 calendar days' notice to the appellant of the date, time, and location of the hearing. The Common Council shall issue a written decision on the appeal within 20 business days of the hearing. At the hearing, the appellant may produce and cross-examine witnesses, present relevant

evidence, and be represented by counsel of the appellant's/licensee's choosing and at the appellant's/licensee's expense.

If the Common Council finds the reason(s) for the Clerk's decision to be sufficient, the decision shall be affirmed. If the Common Council finds the reason(s) for the Clerk's decision to be insufficient, the decision shall be reversed, and the license shall not be suspended or revoked. If the appellant does not appear at the hearing and the Common Council finds the reason(s) for the Clerk's decision to be sufficient, the decision shall be affirmed. The Common Council's written decision on the appeal must specify the reason(s) for its determination. The Clerk shall give written notice of the Common Council's decision to the applicant or licensee.

C. Revocation. A license may be revoked during the term of a license year and following a due process hearing as described in § 201-11B for one or more of the following reasons. The following are grounds for suspension or revocation of a license:

1. failure to comply with City ordinances or state law;
2. control or possession by the owner, manager, lessee or an employee of the massage business of alcoholic beverages or illegal controlled substances on the premises;
3. conviction of the owner, manager, lessee, or an employee of the massage business of a violation of any ordinance or state statute, arising on the licensed premises;
4. conviction of the owner, manager, lessee, or an employee of the massage business of prostitution or another crime involving moral turpitude; and
5. failure to promptly notify the community development director of a change in the information required to be submitted in a license application.

201-12. Duration of License.

1. Licenses issued under this chapter expire on July 31 of each year.
2. When a licensee applies for renewal license with the required fee by the deadline for submission, the licensee is authorized to operate until the license is either renewed or denied.

201-13. Construction and Maintenance of Premises.

1. Massage rooms, restrooms, bathrooms, janitor rooms, laundry facilities, and similar facilities used in connection with the massage business must be constructed of smooth and easily cleanable materials that are resistant to wear, moisture, bacteria, mold or fungus growth. The floor to wall and wall to wall joints must be constructed to provide a sanitary cove with a minimum radius of one inch.
2. Restrooms used in connection with the massage business must be provided with mechanical ventilation with 2 cfm per square foot of floor area, a minimum of 20-foot candles of illumination,

a hand-washing sink equipped with hot and cold running water under pressure, single-use paper towels or other approved drying device and a soap dispenser.

3. A massage business must have a janitor's closet for the storage of cleaning supplies. This closet must have mechanical ventilation with 2 cfm per square foot of floor area and a minimum of 20 foot candles of illumination. The closet must include a mop sink.
4. Floors, walls, other structures, and equipment in massage rooms, restrooms and bathrooms used in connection with the massage business must be kept in a state of good repair and sanitary at all times. Linens and other materials must be stored at least 6 inches off the floor in areas protected from contamination. Sanitary towels, wash cloths, cleaning agents and toilet tissue must be made available for each customer.
5. Individual lockers or secure areas as set forth herein must be made available for use by patrons. These lockers must have separate keys for locking. Instead of individual lockers, massage therapist businesses may provide secure areas designated for storage of personal items belonging to employees and patrons while on the premises.
6. Doors on massage rooms must not have locks, latches or other devices that can secure a door to prevent its being opened. Massage rooms must be constructed with air space between partitions and the ceiling, and be clearly identified by signs. The requirement for an air space does not apply to massage therapist businesses.
7. A separate hand-sink must be accessible and used by a masseur, masseuse, and massage therapist before administering massage on each patron and when hands are soiled.
8. The furniture upon which the patron reclines while receiving a massage must either be covered with approved linen or be washed after each use with a cleaning agent sufficient to prevent the spread of disease. Linens and towels must be changed after each use and laundered by a commercial cleaning establishment or in approved laundry facilities on the premises. Single-use linens must be discarded after each use.

Section 201-14. Submission of Plans and Specifications.

A person who constructs, remodels or converts a building for use as a massage business must comply with this code. The person must submit plans and specifications for the layout, arrangement, and plumbing, and construction schedules to the Clerk of the City. A building permit may not be issued for such construction, remodeling or alteration until the permit has been approved by the health authority.

Section 201-15. Inspection of Premises.

Massage businesses must be open to inspection by City health, building and license inspectors and police officers during business hours. Upon demand by a health inspector or police officer, a person engaged in providing services in a licensed premises must identify himself/herself giving his/her true legal name and his/her correct address.

Section 201-16. Hours of Operation.

No customers or patrons may be allowed to enter the licensed premises after 9:00 p.m. and before 7:00 a.m. daily. No customers or patrons may be allowed to remain on the licensed premises after 10:00 p.m. and before 7:00 a.m. daily.

Section 201-17. Prohibited business

No massage therapy business shall be used or operated as or in conjunction with a Sexually Oriented Business as defined in this Code.

Section 201-18. Penalty.

A person who commits or attempts to commit, conspires to commit or aids or abets in the commission of an act constituting a violation of this ordinance, whether individually or in connection with one or more other persons or as principal, agent, or accessory is guilty of a misdemeanor. A person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, permits or directs another to violate a provision of this ordinance is guilty of a misdemeanor.

Effective Date: This Ordinance shall be effective upon adoption and publication as required by law.

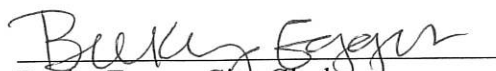
Passed and Adopted: February 7, 2022.

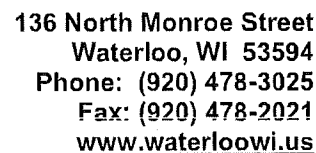
APPROVED:

A handwritten signature in blue ink, appearing to read "Rich O'Connor", written over a horizontal line.

Rich O'Connor, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Becky Eggen", written over a horizontal line.
Becky Eggen, City Clerk



HOLD HARMLESS CLAUSE:

The special event or entertainment sponsor hereby agrees to indemnify and hold harmless the City of Waterloo, Wisconsin, its agents, public officials, officers, employees and authorized volunteers, from and against any and all legal actions, claims, damages, losses, expenses arising out of the permitted event/activity or any activity associated with the conduct of the sponsor's operation of the event, including but not limited to, claims for personal or bodily injury, disease or death, or injury to or destruction of property, excluding claims caused by the willful commission or omission by employees of the City of Waterloo acting within the scope of their employment.

Further, the event sponsor agrees to indemnify the City of Waterloo and any of its agents, public officers, officials or employees and authorized volunteers for any attorneys fees and court costs incurred or to be incurred in defending any actions brought against them as a result of the sponsor's use of public property or operation of the event as set forth in the application for special permit.

INSURANCE REQUIREMENTS:

Proof of insurance is required of all Special or Entertainment Event Sponsors before the event. The attached list of insurance requirements should be reviewed immediately with your Insurance Agent to comply. Please provide a Certificate of Insurance with your completed application by, On File 20__ to the **City Clerk's Office 136 N. Monroe Street, Waterloo, WI. 53594**. Insurance coverage shall be from companies and in amounts acceptable to the City of Waterloo. Failure to provide said acceptable insurance coverage in a timely manner is grounds for non-issuance or revocation of the permit.

PERMITTED USE OF PUBLIC PROPERTY:

Whereas the Special or Entertainment Event Sponsor agrees to use the public property at Veterans park/Bandstand in Waterloo, Wisconsin, known as, for staging of, the City of Waterloo does hereby agree to permit for use, at no cost, these premises for the date(s) of June 7, 2025 Every other Tuesday through September 9 20²⁵. Sponsor does hereby agree to conduct only that business/activity which is described in the Special Event Permit Application, and agrees to all municipal requirements. Sponsor further agrees that within thirty (30) days of the conclusion of the event it will, at its own expense, provide for the repair, replacement or maintenance of any damaged, lost or stolen portions of the subject property including, but not limited to landscaping, street or buildings and/or pavement.

LIABILITY WAIVER:

The event sponsor agrees for itself and/or its employees, agents, or volunteers associated or to be associated with the activity for which the permit is being sought, to waive and relinquish all claims that may result in any manner against the City of Waterloo, its agents, public officers, officials or employees and authorized volunteers from said sponsored event or activity, except for acts caused by the willful and wanton misconduct by employees of the City of Waterloo acting within the scope of their employment.

AUTHORIZED SIGNATURES:

I hereby attest that I am authorized to bind the sponsor and/or its employees, agents, or volunteers associated or to be associated with the activity for which the permit is being sought, to the terms of this agreement. I have read and understand all regulations and requirements outlined herein. I/we do hereby agree to abide by all rules and regulations outlined herein. I/we hereby agree to meet all requirements for documentation, certification, licensing, financial responsibility and all other aspects of staging a Special Event in the City of Waterloo, as outlined herein. I/we understand that our lack of meeting all requirements outlined herein may result in the denial or cancellation of the proposed Special or Entertainment Event. **Permit applied for and all terms and stipulations agreed to by:**

Steve Parker

Name (please print)

WBA VP

Signatory Title (if applicable)

Signature

05-29-2025

Date

THIS APPLICATION, WITH A DETAILED SITE PLAN ATTACHED, AND ANY OTHER APPLICABLE DOCUMENTS AS OUTLINED HEREIN, MUST BE REMITTED TO THE CLERK'S OFFICE NO LATER THAN **NINETY DAYS (90)** PRIOR TO THE OPENING DAY OF THE EVENT. Application received late or incomplete may be denied. Direct mail to the **City Clerk, City of Waterloo, 136 N. Monroe Street**, Waterloo, WI. 53594. A copy of the application will then be forwarded to the appropriate committees and or Departments for consideration of approval, denial, and scheduling.

Date application received: _____ Received by: _____

Clerk's Office to complete the section below:

Cc:

_____ Police Department

_____ Council Approval _____
Date

_____ Fire Department

_____ Public Works

_____ Certificate of Insurance

_____ Waterloo Utilities

Fee for Profit Events = \$50.00 per event.

Fee is WAIVED for events held or sponsored by educational, charitable, nonprofit, or religious organizations when the proceeds are devoted to the purposes of such organization.

Fee Paid: _____

Date Paid: _____

Received by: _____

Attachment 1

CITY OF WATERLOO INSURANCE REQUIREMENTS FOR SPECIAL EVENTS

1. The City of Waterloo requires submission of a Certificate of Insurance along with the Special or Entertainment Events Application prior to review by the City's Government Operations Committee.

2. The Certificate of Insurance must include the following **minimum** limits of insurance coverage required for special events on City property:

\$300,000 Injury or death of one person; \$1,000,000 for any one accident; \$50,000 for Property Damage.

3. The City of Waterloo must be named on the Certificate of Insurance as **primary, non-contributory additional insured** under the general liability policy for the event.

4. The Certificate of Insurance must include the name of the special event, and the date, time and location of the event.

5. The City of Waterloo reserves the right to request a copy of the actual policy represented by the Certificate of Insurance.

6. No event will be allowed to proceed without receipt by the City of a valid Certificate of Insurance in full compliance with the above listed requirements.

Any questions regarding these insurance requirements should be directed to the City Clerk's Office at (920) 478-3025

SPECIAL EVENT or ENTERTAINMENT WORKSHEET

NAME OF EVENT: Waterloo Night Market

DATE (S) OF EVENT: June 17 through September 9, 2025 HOURS: 5pm - 8 pm

LOCATION/PROPERTY: Veterans Park/Bandstand

SAFETY PROCEDURES:

1) Will you be providing private on-site security? YES ☒ NO

If yes, list security company name. _____

Where will security be needed? _____

What times will security be needed? _____

Will WPD officers be required? YES ☒ NO

Municipal estimation of cost: _____ WPD Personnel @ \$ _____ /hour = \$ _____

2) What are your plans for medical assistance? Dial 911

Municipal estimation of cost: _____ WFD equipment/personnel @ _____ \$ hours = \$ _____

3) Will there be fireworks at your event? YES ☒ NO

Date of fireworks _____ Time of Fireworks _____

Name/Address of company supplying fireworks _____

Fire Marshall must be contacted for approval and consultation.

SET UP / CLEAN UP PROCEDURES:

1) Name of person in charge of set up: WBA member/Becky Armstrong phone # 608-575-9095

2) What time will set up begin: 4pm

3) Name of clean up contact person: Sam Hensler Cell Phone# 920-342-0840

4) Estimated time for clean up after event: 30-60 minutes

FEES AND PROCEEDS:

1) Will admission be charged for this event? YES ☒ NO

If yes, how much: Adult _____ Seniors _____ Students _____

Children 5 & under _____ Families _____

2) If a participant fee is charged, please indicate the amount: Booth: _____

Concessionaire: _____

3) Will alcoholic beverage(s) be sold?

YES

~~NO~~

If yes, what beverage and at what cost? _____

4) What does the Sponsor intend to do with any revenue over and above the expenditures? _____

Fund Community Events _____

(If this is a first year event, please provide a budget. If it is a repeat event, provide last year's financials.)

ENTERTAINMENT AND PROMOTIONS:

2) List names of performers and entertainment groups:

2) Describe other entertainment / activities planned for your event: _____

3) How will your event be promoted? Television Radio Newspapers Posters Flyers

other Social media, etc _____

PUBLIC PROPERTIES PROCEDURES:

If you are requesting city services, please complete the following area:

1) Will you need barricades?

YES

~~NO~~

Purpose of barricades: _____

Location of placement: _____ Amount needed _____

Date barricades needed _____ Time of placement _____

Name of company providing service if other than City _____

2) Will you require electrical service(s)

~~YES~~

NO

Entertainment: number of amps _____ = _____ lines @ \$20 Cost\$ _____

Equipment being used: lighting etc _____

Location _____ Entertainer name _____

Entertainment: number of amps _____ = _____ lines @ \$20 Cost \$ _____

Equipment being used: _____

Location: _____ Entertainer name _____

Waterloo, WI

Concessions: _____ amps= _____ lines @ \$20 Cost \$ _____

Equipment being used: _____

Location: _____

Concessions: _____ amps= _____ lines @ \$20 Cost \$ _____

Equipment being used: _____

Location: _____

Name of company providing service if other than City: _____

3) Will you need fencing installed? YES ☒ NO

Purpose of fencing: _____

Location: _____ Amount: _____

Date needed _____ Time needed _____

Estimated costs: _____ locations @ \$100. = \$ _____ Total costs

4) Will parking considerations be needed ☒ YES NO

Type(s) One designated stall for the sole food vendor (Local Shiver Shack)

Location: _____ Amount _____

Date: _____ Time: _____

5) Will picnic tables be needed? YES ☒ NO

Location _____ Amount _____

Date needed: _____ Time needed _____

Estimated cost(s) _____ Picnic tables @ \$5.00 per table = \$ _____

6) Is a street sweeper needed? YES ☒ NO

Location _____ Date _____ Time _____

Estimated cost(s) _____ hours @ _____ = \$ _____ total cost

Name of company providing service, if not City: _____

7) Will you need additional trash bins? YES NO

If yes how many requested? Cardboard trash bins _____ Barrels 2

Where do you want them placed? in Veterans Park

Name of disposal company if other than the City: Use of Private dumpsters located at end of Taylor Street

Where will dumpster be placed: _____

8) Will water connection be needed?

YES

~~NO~~

Location _____ Amount _____

Date _____ Time _____

Estimated costs: _____ connection(s) @ \$20.00 = \$ _____ Total water costs

BLIGHT LIST updated 06.02.2025

Street	Property #	Owner of Property	Who Complained /follow up with	Complaint	Filed date	WW issued	Warning Letter Sent	Citation issued
Mill Street	258	Hurley Storage	DPW/PD	Junk Cars	06.02.2025	Weed notice sent		
N Monroe St	808	Dayperry LLC	DPW/PD	Weeds	06.02.2025			
Sunrise	961	Jesse Gonzalez	DPW/PD	Junk Cars	06.02.2025			
Lum Ave	920	Kenneth Frandle	DPW/PD	Junk	06.02.2025			
Lexington Way	1160	Shelli Sprague	DPW/PD	Car	06.02.2025			
Bluegrass Trail	990	Mathew Grunewald	DPW/PD	Tree	06.02.2025			
Lexington Way	660	Orchard Storage LLC	DPW/PD	Tree	06.02.2025			
Portland Rd	230	James Steindorf	DPW/PD	Junk	06.02.2025			
Portland Rd	208	Joseph Wendt	DPW/PD	Junk	06.02.2025			
Portland Rd	213	Kameron Myers	DPW/PD	Junk	06.02.2025			
Jefferson St	144	Patricia Schickert	DPW/PD	Vehicle	06.02.2025			
Adams St	380	Jeanette Petts	DPW/PD	Vehicles	06.02.2025			
Jefferson St	363	Tracy Aide	DPW/PD	Junk	06.02.2025			
Washington St	209	Charles Fox	DPW/PD	Weeds	06.02.2025	Weed notice sent		
W Madison St	801	Trek Bicycle Corporation	DPW/PD	Trees	06.02.2025			
Fox Lane	674	Rachel Cass	DPW/PD	Weeds	06.02.2025	Weed notice sent		
Knowlton	557	James Assmann	DPW/PD	Wood	06.02.2025			
Taylor St	339	Dennis Johnson	DPW/PD	Vehicles	06.02.2025			
Herron Ct	735	Kerri Meyer	DPW/PD	Junk	06.02.2025			
Haiwatha Dr	620	Aaron Weiford	DPW/PD	Junk	06.02.2025			
Minnetonka	437	Bruce Braunschweig	DPW/PD	Junk	06.02.2025			
Crestview Dr	565	565 Crestview LLC	DPW/PD	Junk	06.02.2025			
Streator St	360	Denny Cunningham	DPW/PD	Tree	06.02.2025			
Cleveland St	425	Alex Morris	DPW/PD	Semi Tractor	06.02.2025			