

Councilman  
Ordinance:

Lenderman

introduced the following

ORDINANCE NO. 54

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF WILSONVILLE  
Alabama, as follows:

Section 1. MASSAGE PARLOR DEFINED. For the purposes of this Ordinance a massage parlor is hereby defined to mean any building, room, place, or establishment, other than a regularly license hospital or dispensary, where non-medical, non-surgical, non-osteopathi and non-chiropractic manipulative exercises, massages or procedures are practiced upon the human body, or any part thereof, for other than cosmetic or beautifying purposes, with or without the use of mechanical or other devices, by anyone not a physician, surgeon, osteopath, or chiropractor or of a similarly registered status.

Section 2. LICENSE REQUIRED. No massage parlor shall be opened to members of the public or operated for any other purpose w the owner thereof first having obtained a license therefore from the TOWN of WILSONVILLE as herein provided.

Section 3. LICENSE FEES. Every owner, proprietor or operator of a massage parlor which applied manual, mechanical or other massage to the human body, trunk or limbs for a fee, hire, reward, or without such fee, hire or reward and applies or administers such manual mechanical or other massages to members of the public generally, shall obtain a license therefore from the TOWN of WILSONVILLE based upon gross receipts as follows:

(a) On annual gross receipts of Eight Thousand Dollar or less (\$8,000.00), the sum of One Hundred Dollars (\$100.00) per year.

(b) On annual gross receipts in excess of Eight Thousand Dollars (\$8,000), the sum of One Hundred Dollars (\$100) plus

(d) For all massage parlors licensed prior to the effective date of this Ordinance, the applicable license schedule in effect at the time of the issuance of said license shall continue to be applicable for the remainder of the current license year which expires on the \_\_\_\_\_ day of \_\_\_\_\_, 1977. For all licenses obtained from the City subsequent to the date of publication of this Ordinance, license schedule set forth in subsection (a) and subsection (b) of this section shall be applicable; all other provisions and requirements of this Ordinance shall become effective upon publication thereof as now required by law.

Section 4. REVOCATION OF LICENSE. Any license issued hereunder by the Town of Wilsonville \_\_\_\_\_ may be revoked by the City upon the violation of any section, requirement or provision of this Ordinance by the licensee or any agent, attendant or other employee of said licensee, provided the licensee shall first be notified of said violation and be afforded a hearing before the City Council of the TOWN of \_\_\_\_\_ Wilsonville \_\_\_\_\_. Written notice of any violation hereunder and any hearing thereon before the City Council may be given to licensee by delivering said notice by hand to licensee, or in his absence, to any adult person employed by licensee at the licensed premises or the deposit of said notice postage prepaid with the United States Postal Service and addressed to licensee at the licensee's premises not less than ten (10) days prior to such hearing before the City Council and the licensee may present such evidence as he shall wish to said City Council. In the event of any revocation of a license for the operation of a massage parlor in accordance with this section, said licensee shall not be entitled to the issuance of a subsequent license for the operation of a massage parlor in the Town of Wilsonville or its police jurisdiction within twelve (12) months following the date of said revocation.

employ any operator, attendant or other employee to perform or administer massages who has within the past twenty-four (24) months been convicted for prostitution, which said conviction is not at the time of said employment pending final adjudication on appeal.

Section 6. HEALTH AND SANITARY REQUIREMENTS. Any massage parlor licenses under the provisions of this Ordinance shall at all times comply with all health regulations, rules and requirements as shall now or hereafter be promulgated by the Shelby County Health Department, and any premises used for the purposes of a massage parlor shall during all hours of operation be made open and available to inspection by the Shelby County Department of Health for the purpose of assuring compliance with said health rules, regulations and requirements.

Section 7. HEALTH EXAMINATION. No applicant for a license to conduct or operate a massage parlor shall be granted same for such purpose unless he shall first present to the Town of Wilsonville a written verification by a licensed physician, bearing a date not more than twenty (20) days prior to the date of application evidencing that the applicant and those persons to be employed by the applicant in and about the operation of the massage parlor are free of any contagious, infectious or communicable disease. No masseur, masseuse or other employee or attendant applying or administering massage shall be employed in any massage parlor subsequent to the issuance of the license applied for hereunder without having first obtained a written verification from a licensed physician bearing a date not more than twenty (20) days prior thereto, that the said person or employee is free of any contagious, infectious or communicable disease, and said masseur, masseuse or other employee or attendant of any massage parlor shall at all times while on duty or working in any massage parlor shall at all times while on duty or working in any massage parlor have

Section 9. SIGN TO BE DISPLAYED. Every massage parlor shall display a legible sign not larger than permitted by the Zoning Ordinance of the Town of Wilsonville , upon which the words "licensed masseur" shall conspicuously appear thereon. Said sign shall contain letters no less than three inches (3") in height and shall be displayed in such a manner that the words "licensed masseur" or "licensed masseuse" may be readily observed or read by persons upon entering the premises occupied by any massage parlor. No massage parlor shall operate under any name or conduct its operation under any designation not specified in its license issued by the of Wilsonville in accordance with this Ordinance.

Section 10. CLEANLINESS OF EQUIPMENT.

(a) No towels, wash clothes, or other linen items shall come in contact with the body or any part thereof of any customer or patron at a massage parlor that has not been boiled and laundered since last used.

(b) Every person applying or administering massage shall cleanse his or her hands thoroughly by washing same with soap and hot water before attending any person.

(c) Any person while applying or administering massage shall be clothed from the shoulders to the knees by a robe, smock or other opaque apparel so that the patron or customer shall be protected from bodily contact with the person applying or administering said massage.

(d) Any massage parlor licensed pursuant to this Ordinance shall be equipped with running hot and cold water, and with all appliances, furnishings, and materials as may be necessary to enable persons employed in and about said massage parlor to comply with the provisions of this Ordinance.

Section 12. MESSAGES AT LICENSED LOCATION ONLY. No massages shall be administered or applied by any licensee hereunder or any employee, operator or attendant while working for such licensee, except in or upon the premises or regular place of business of said licensee where said license is regularly displayed and at the place and location designated for the operation of said massage parlor in said license.

Section 13. POLICE INSPECTION. Each massage parlor as herein defined shall be open for inspection by the *Wilsonville* Police Department at all times.

Section 14. PENALTIES. Any person who shall violate any provision of this Ordinance or who shall do any act made unlawful by this Ordinance shall, upon conviction thereof be subject to a fine of not less than \$ 100.00 and not more than \$ 200.00 and may be imprisoned or sentenced to jail or hard labor for a period not exceeding 6 months, or both, at the discretion of the Recorder

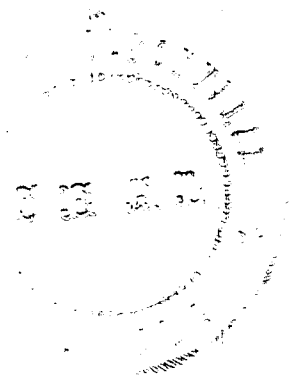
Section 15. SEVERABILITY CLAUSE. It is hereby declared to be the intention of the Town Council of the Town of Wilsonville that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of same shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 16. This Ordinance shall become effective upon

I, Robert L. Lankford Clerk for the  
Town of Wilsonville, Alabama, do hereby certify that I have  
posted a copy of the foregoing Ordinance in the following places within  
Town of Wilsonville :

- Wilsonville Food Center
- Wilsonville Post Office
- Wilsonville Town Hall

This the 13<sup>TH</sup> day of JULY, 1977.



Robert L. Lankford  
Clerk