Consideration of Massage Ordinance Amendments and LiveScan Resolution

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Executive Summary/Background

- In March of 2025, Council adopted Ordinance ORD-2025-004 modernizing massage establishment regulations and enhancing public safety.

- Criminal background checks via Live Scan required for owners and employees not certified by the CAMTC.

- Use of LiveScan:
  - Expectations vs Reality
  - Solution

- Ordinance amendment and Resolution satisfies DOJ requirements and additionally allows opportunity to "fine tune" the ordinance after the first year of use.

Amendment Detail

- Adds the following defined terms: "Owner," "Ownership," Partner," and "Partnership";

- Adds clarifying language pertaining to lease agreements;

- Adds clarifying language pertaining to Zoning Clearances as they apply to cooperative business arrangements;

- Adds clarifying language pertaining to approval, denial and revocation of applications;

- Adds clarifying language pertaining to registration renewal; and

- Adds clarifying language pertaining to General Operational Requirements.

Analysis

- Aligns City Code to FBI PL92-544 criteria, a federal prerequisite for sharing criminal records with local governments.

- Formalizes the link between background checks and permit eligibility while simplifying the application path via Zoning Clearances.

- Establishes transparent, objective criteria for the approval or denial of massage establishment permits.

- Adds specific health and safety requirements for the use and storage of liquids, creams, and preparations.

Recommendation

The Planning and Economic Development Department recommends that the Planning Commission, by resolution, recommend that the City Council Introduce an ordinance amending Chapter 20-49 of the Santa Rosa City Code entitled Massage Regulation and Massage Establishment Registration

Questions

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