

11-0002-S3

RESOLUTION

JAN 18 2011

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed or pending before a local, state, or federal governmental body or agency must first have been adopted in the form of Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, as of September 1, 2009, local municipalities and counties are now prohibited by the State from enacting ordinances regulating massage parlors within their jurisdictions; and

WHEREAS, these restrictions on local oversight are enforced by the passage and ratification of Senate Bill 731, signed into law by the Governor on September 27, 2008; and

WHEREAS, SB731 instead established a new entity, the Massage Therapy Organization, to certify massage practitioners; and

WHEREAS, once certified by the Massage Therapy Organization, no local entity can deny a certified massage practitioner a business license or permit based on business use; and

WHEREAS, since the passage of SB731 the City of Los Angeles has seen a large increase in the number of massage parlor facilities, and

WHEREAS, cities and counties are unable to address neighborhood concerns about over concentration and proliferation, or fully enforce against complaints about illicit activity; and


WHEREAS, SB731 dictates that massage parlors are not a unique business entity and therefore must be treated as any professional or personal service businesses; and

WHEREAS, the Los Angeles Police Department's VICE unit has had cause to investigate numerous massage facilities in the past few years for unlawful acts, underlining a specific and unique problem not present in most other professional or personal service businesses; and

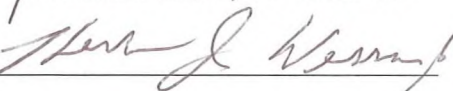
WHEREAS, cities and counties are denied the ability to objectively examine each certified massage parlor application individually;

NOW, THEREFORE BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2011-2012 State Legislative Program SPONSORSHIP of legislation to provide municipalities with greater flexibility and authority in dealing with the establishment of massage therapy facilities in their jurisdictions by amending the State law created by SB731 (2007-08 session) to allow cities and counties the ability to review, approve, and permit each massage therapy facility individually.

PRESENTED BY:

  
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**JOSE HUIZAR**  
Councilmember, 14<sup>th</sup> District

SECONDED BY:

  
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ORIGINAL

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