

INTRADEPARTMENTAL CORRESPONDENCE

October 1, 2015

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TO: The Honorable Board of Police Commissioners

FROM: Executive Director, Board of Police Commissioners

SUBJECT: RECOMMENDATION TO REQUEST LOS ANGELES CITY COUNCIL TO REQUEST THE OFFICE OF THE CITY ATTORNEY TO MODIFY LOS ANGELES MUNICIPAL CODE (LAMC) SECTION 103.205, ET SEQ. TO ACCOMMODATE CURRENT BUSINESS PRACTICE

RECOMMENDED ACTION

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT this report to the City Council, Public Safety Committee requesting the City Council to request the City Attorney to prepare an ordinance amending Section 103.205, LAMC.

DISCUSSION

On July 25, 2015, Section 103.205, Los Angeles Municipal Code, relative to Massage Therapy amendments became effective. After review of the amendments and discussion with representatives of the massage industry it became apparent that some of the requirements in the amended ordinance did not reflect current business practices.

It is recommended that the Board request the City Council to request the City Attorney to prepare an amendment to reflect the below suggested changes to the ordinance.

1. The section on Additional Requirements for the Massage Establishment or Out-Call Massage Business—Permit LAMC 103.205(b)(2) except for item (x) be deleted. The standard application requirements for all police permits, listed in LAMC 103.02.1 are better suited for this permit.
2. The reference to California Penal Code 314 in LAMC 103.205(b)(2) be moved to the section on issuance and denial.
3. The requirement for a massage establishment to submit copies of each California Massage Therapy Council (CAMTC) certificate for every massage therapist be eliminated. The information that would have been provided from the certificates is available online through the CAMTC website.
4. Section 6 be amended to eliminate the requirement to provide a tub or shower. This was a provision in the previous version of the massage ordinance that was optional for the Board of Police Commissioners to require where needed. Many massage businesses have

opened in the City during the last five years when California cities could not make such a requirement. Reenacting this requirement would cause the closure of businesses that have leases in force and cannot comply. Additionally, no information has been provided by the public that such a requirement is beneficial at this time.

5. Section 6 be amended to eliminate the requirement to provide lockers for patrons, but instead to provide a safe place for valuables. Lockers may not be feasible for a kiosk-type setup in a mall, and a simple basket placed under a patron while on a massage table may be adequate while in an enclosed treatment room.
6. Section 6 be amended not to require separate massage rooms and dressing facilities where massage takes place without the disrobing of patrons. Maintaining this requirement in all situations would not allow kiosk-type setups in a mall.
7. The City Attorney consult with the Commission Investigation Division to prepare these amendments.

Should you have any questions, please contact Lieutenant Chris Waters, Commanding Officer, Commission Investigation Division at (213) 996-1230.



RICHARD M. STEFANK, Executive Director
Board of Police Commissioners

BOARD OF
POLICE COMMISSIONERS
Approved *October 6, 2015*
Secretary *Maria Silva*