



City of Olathe

COUNCIL AGENDA ITEM

MEETING DATE: 10/15/2019

DEPARTMENT: Police, Legal, City Clerk

STAFF CONTACT: Mike Butaud, Ron Shaver, Dianna Wright

SUBJECT: Consideration of Ordinance 19-67 amending Chapter 5.36 of the Olathe Municipal Code pertaining to massage therapy.

ITEM DESCRIPTION:

Consideration of Ordinance 19-67 amending Chapter 5.36 of the Olathe Municipal Code pertaining to massage therapy.

SUMMARY:

This Ordinance was presented to the Council as a report on October 1, 2019. Staff has prepared updates to Olathe Municipal Code Chapter 5.36 (Massage Therapy) to assist with the regulation of, and license application and issuance process for, massage therapists and massage therapy establishments. Staff's objective with the revisions is to clarify the language of the Code and strengthen the City's ability to enforce violations.

The proposed amendments do the following:

- Combine the application provisions for both massage therapists and massage therapy establishments into one code section, and does the same for license issuance, denial, or voidance.
- Clarify the criminal background information required on a license application.
- Prohibit issuing licenses to persons charged with felonies, sexual misconduct crimes, or recent violations of massage therapy regulations where those charges resulted in a conviction for some criminal offense.
- Prohibit issuing licenses to persons previously holding a license or working for an adult business establishment or escort service in any city or state.
- Prohibit issuing licenses to people reasonably believed to be under the influence of another person who been denied, or is ineligible for, a massage therapy license, or had such a license revoked or suspended.
- Prohibit re-applying for one year after submitting a massage therapy license application with false, misleading, or fraudulent statements about misdemeanor convictions.
- Allow the City to void licenses which should not have been issued because of noncompliance with the issuance requirements.
- Require massage therapy operations to stop at 10:00 p.m. instead of midnight.
- Make other typographical and wording changes for clarity.

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Attachment A is the Ordinance with the proposed amendments to Chapter 5.36 of the Olathe Municipal Code.

FINANCIAL IMPACT:

None

ACTION NEEDED:

Approve Ordinance 19-67 amending Chapter 5.36 of the Olathe Municipal Code pertaining to massage therapy.

ATTACHMENT(S):

Attachment A: Ordinance 19-67 amending OMC Chapter 5.36
