



CITY OF CAMBRIDGE

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October 19, 1977

Councillor David Clem
City Hall
Cambridge, Massachusetts

Dear Councillor Clem:

I am forwarding to you a proposed draft of massage service regulations which were submitted to me by Attorney Robert Keane whom I believe represents one of the massage establishments in the City of Cambridge. Mr. Keane has expressed a sincere interest in instituting some form of regulations for the practice of massage in the City of Cambridge. You will note that his draft represents regulations which would be promulgated by the Health Commissioner.

At your convenience we can meet to discuss this proposed draft as well as any other suggestions you might have pertaining to a massage service ordinance or regulation.

Very truly yours,

Robert F. Sydney
Legal Counsel

RFS:jl
Enc.

MESSAGE SERVICE REGULATIONS
OF THE CITY OF CAMBRIDGE COMMISSIONER OF HEALTH AND HOSPITALS

These Regulations are promulgated under the provisions of M.G.L.A Chapter 140 Section 51.

SECTION I MEANING OF PARTICULAR WORDS AND PHRASES.

For the purpose of this ordinance and unless otherwise required by the context:

(a) The phrase "health club" shall mean any establishment which offers service in the form of massage, baths, exercises, or similar services in combination to club members, or to the public for a charge.

(b) The term "health club" does not include: (1) hospitals, nursing homes, medical clinics, or the office or quarters of a physician, or surgeon, or an osteopath; or (2) exercise clubs exclusively for members or clientele of one sex alone where the services are performed by persons of the same sex as the members or clientele; or (3) barber shops and beauty parlors.

(c) The term "massage" shall mean any one or more of the arts of rubbing, stroking, kneading or otherwise touching the human body by the use of hand or other bodily parts, or by mechanical apparatus, including, but not limited to the use of oil rubs, corrective gymnastics, hot packs, tub, shower, vapor, steam or any other special type of bath.

(d) The term "masseur" (male) and "masseuse" (female) shall mean a person who performs any one or more of the arts of body massage.

SECTION II PERMITS REQUIRED FOR HEALTH CLUBS.

(a) On and after the effective date of this ordinance, it shall be unlawful for any person, partnership, or corporation to engage in the business of a health club without first obtaining a permit from the Commissioner of Health and Hospitals of the City of Cambridge.

(b) No health club shall begin operations until the building occupied or to be occupied shall have been issued a Certificate of Occupancy.

(c) Health, plumbing, buildings, and police inspectors shall be given access to any part of the quarters of a health club for the purpose of inspection at all reasonable times. All massage room doors must have transparent windows with a minimum size of 5" x 5". All massage rooms must be illuminated by a white light with a minimum intensity of sixty (60) watts.

(d) Every person conducting or engaging in the business of a "Health Club" as defined by this ordinance shall pay an annual license tax of fifty dollars (\$50.00). The license shall be transferable only with the prior approval of the Commissioner of Health and Hospitals of the City of Cambridge.

(e) The license shall be posted conspicuously in the massage parlor or health club.

(f) No "massage" services as defined herein shall be performed other than at the place of business as stated on the permit.

(g) No more than twenty persons shall be allowed to offer "massage" services under any one Health Club permit.

SECTION III. PROCEDURE

(a) A "Person" applying for a permit hereunder shall include a partnership or association or a corporation.

(b) Any person desiring a permit herein shall make application to the Commissioner of Health and Hospitals on forms provided by him. Each permit application shall be accompanied by an application fee of (\$50.00) dollars, payable to the City Treasurer. Each application shall state the name, address, social security number, telephone number, last previous address, date of birth, height, weight, and last previous employment of the applicant. The application shall state thereon that "it is unlawful for any person to make a false statement on this application, and discovery of a false statement shall constitute grounds for denial of an application or revocation of a permit." The permit shall be signed under the pains and penalties of perjury.

If the applicant is a partnership or association he or she shall provide the above information for each and every partner or member thereof.

If the applicant of a corporation it shall provide the above information for the President and Principal shareholder of said Corporation and the Director or Manager of the proposed Health Club or Massage Parlor.

There shall be a maximum of Five Licenses granted under these regulations and preference in the granting of licenses shall be given to existing establishments which meet the requirements of these regulations.

The Commissioner of Health and Hospitals, after hearing may revoke any license granted by it under these regulations.

SECTION IV. PENALTIES

(a) Any person, firm or business association who violates Section II(a) of these regulations shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed \$100 or imprisonment in jail not exceeding six months, or by both such fines and imprisonment.

In City Council,

October 24, 1977

10/24/77

Referred to the

Comm. on Ordinances

Copies sent to Ordinance

Committee 10/25/77 dl.