

The City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1976-7

No. 84 **AN ORDINANCE** CONTROLLING AND REGULATING MASSAGE PARLORS AND HEALTH CLUBS.

Approved March 12, 1976

Be it ordained by the City of Providence:

SECTION 1. No person, firm or corporation shall practice or conduct an establishment for giving of massage, vapor, pool, or other baths for hire, reward or compensation, nor shall any person, firm or corporation advise or hold himself, itself or themselves out as being engaged in the business of massage or the giving of said baths in the City of Providence without receiving a license therefor from the Bureau of Licenses.

SECTION 2. The City Council is hereby authorized to formulate rules and regulations governing the practice of massage and the operation of establishment for the giving of massage, vapor, pool, shower or other baths and to establish fees for the issuance of licenses thereunder.

SECTION 3. Regulations governing the practice of massage and the conduct of establishment for the giving of massage, vapor, pool, shower, or other baths.

A. LICENSES REQUIRED AND FEE: Each person, firm or corporation intending to practice massage, or conduct an establishment for the giving of massage, or vapor, pool, shower or other baths for hire, compensation or reward, shall first obtain a license therefor from the Bureau of Licenses. The license fee for each establishment shall be One Hundred (\$100) Dollars and for each masseur or masseuse shall be Twenty-Five (\$25) Dollars. A license issued to an establishment, masseur or masseuse is not transferable.

SECTION 4. DEFINITIONS: For the purpose of these regulations:

A. Massage shall mean manipulation or conditioning of part or parts of the body by manual, mechanical or other means as a beauty treatment, for the purported health or medical treatment, or for the purpose of invigoration.

- B. Establishment for giving massage, vapor, pool, shower or other baths shall mean the office, place of business, or premises where massage is practiced or where therapeutic or conditioning baths of water, vapor, mud and oil or other substance are given.
- C. Approved shall mean approved by the Providence Bureau of Licenses in accordance with accepted standards.
- D. Approved course of massage shall mean a course in the art and science of massage which includes both theory and practice and is approved by the Providence Bureau of Licenses.
- E. Masseur shall mean a male who practices massage; Masseuse shall mean a female who practices massage.

SECTION 5. EXCEPTIONS AND EXCLUSIONS: For the purpose of these regulations:

- A. Persons excepted: Physicians, nurses, physical therapists, school athletic trainers, chiropodists (podiatrists), and/or chiropractors duly licensed by the State of Rhode Island.
- B. Establishment Exceptions: hospitals, nursing and convalescent homes and other similar licensed institutions where massage and baths may be given, are excluded from the definition of an establishment. Also, any facility conducting the services of a hospital, nursing and convalescent home, or other similar institutions as determined by the Providence Bureau of Licenses, but due to some limiting factor is not subject to licensing, shall be similarly excluded from the definition of an establishment.

SECTION 6. EXPIRATION DATE OF LICENSE: Licenses shall automatically expire on the first day of July of each year. Applications for renewal must be submitted at least thirty (30) days prior to expiration date.

SECTION 7. REQUIREMENTS FOR PERSONAL LICENSURE: No person shall be licensed to practice massage, vapor, pool, shower, or other baths unless they (male or female) meet the following requirements:

- A. Be eighteen (18) years of age or older.
- B. Submit to the Providence Bureau of Licenses a completed application form containing all information requested on said form.
- C. Have completed an approved course of massage.

- D. Have had a physical examination including serological examination and chest x-ray and is certified as free of communicable disease by a licensed physician within fifteen (15) days prior to application for licensing or relicensing.

SECTION 8. REQUIREMENT FOR LICENSING OF AN ESTABLISHMENT:

Every Establishment for the giving of massage or vapor, pool, shower or other baths shall meet the following standards:

- A. It shall be connected to the public sewerage system, or an approved private sanitary sewage system in the event public sewerage is not available.
- B. It shall be well lighted, well ventilated and properly heated when seasonally indicated.
- C. No room used by the licensee in conduct of his business shall be used as a bedroom.
- D. There shall be an adequate supply of hot and cold running water at all times.
- E. There shall be approved toilet and washing facilities within the premises, readily available to the patrons and affording sufficient privacy.
- F. Adequate dressing rooms, toilets and washing facilities shall be provided.
- G. All rooms of the establishment and furniture and equipment therein shall be kept clean at all times.
- H. The door of each room or enclosure used for massage purpose shall have an unobstructed window large enough to permit visual observation of the entire room or enclosure from the outside of such room or enclosure.
- I. There shall be installed a heat and smoke detecting system approved by the Fire Marshall of the Fire Department of Providence.
- J. There shall be adequate facilities for the cleaning and sterilizing to prevent infectious organisms.
- K. All rooms in the establishment shall be arranged so as to afford adequate fire protection and shall have satisfactory means of egress in case of fire as approved by the Building Inspector and Fire Marshall.
- L. All equipment, instruments, devices, robes, sheets, blankets, pillow cases, wearing apparel, towels and other materials which may come in direct contact with the body shall be properly cleaned and sterilized.

SECTION 9. SANITARY CODE

- A. All individuals who are engaged in the practice of massage shall be properly clothed within the bounds of decency and propriety.
- B. No instruments or devices designed or used for direct application to the skin shall be applied directly to the skin unless sterilized. The part of the body being treated shall be covered with a clean towel or else the instrument shall be covered in a similar manner.
- C. Treatment of wounds prohibited: No sponge, stick, alum or other article liable to convey infection shall be used to make application directly to the skin or any cut or wound, except for administering First Aid.
- D. No person licensed shall treat any person afflicted with any skin disease unless such person shall have furnished written certificate from a physician to the effect that the disease is not of contagious or transmissible character.
- E. Cleaning of hands: Every person licensed to practice massage shall thoroughly cleanse his hands by washing with soap and hot water immediately before serving a patron.
- F. Working Hours: No establishment for the practice of massage or baths as defined herein shall be kept open between the hours of 1:00 o'clock A.M. and 9:00 o'clock A.M.
- G. Display of License: Every license establishment must display in a conspicuous location the licenses of all the licensees operating in the establishment.
- H. Designation of Name: No licensed person shall operate under any name or conduct his business under any designation not specified in his license.
- I. Change of Address: Every licensed Massuer or Masseuse shall notify the Bureau of Licenses not longer than ten (10) days of any change of address, home or business, or name. Any new license or amendment to an existing license required because of the foregoing be issued with a set fee charge at the discretion of the Bureau of Licenses.
- J. Inspections: Every licensee shall permit the Bureau of Licenses or its agents or other Providence City Authorities acting in an official capacity to inspect his work or place of business during regular business hours.

K. Every license issued under the provisions of this Ordinance shall be subject to suspension or revocation by the Bureau of License of its own motion after a Hearing on Sworn Testimony for Breach by the holder thereof of any rule or regulation applicable thereto or for Breach of any Provision of this Ordinance.

L. Invalidation: If any section, paragraph, sentence, clause or phrase of these rules and regulations shall be decided invalid for any reason whatsoever, such decisions shall not affect the remaining portions of these regulations which shall remain in full force and effect, and to this end the provisions of these regulations are hereby declared severable.

SECTION 10. This Ordinance shall take effect upon its passage.

IN CITY COUNCIL

FEB 5 1976
FIRST READING
READ AND PASSED

Vincent Cespe
CLERK

IN CITY COUNCIL

FEB 19 1976
FIRST READING
READ AND PASSED
AS AMENDED

Vincent Cespe
CLERK

IN CITY COUNCIL

MAR 4 1976

FINAL READING
READ AND PASSED, AS AMENDED

Ralph J. Fagnoli
PRESIDENT
Vincent Cespe
CLERK

APPROVED
Vincent Cespe
MAYOR

MAR 12 1976
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COMMITTEE
IN CITY CO.

THE COMMITTEE ON
PUBLIC WELFARE

Approves Passage of
The Within Ordinance

Winnant Cooper

Jan. 22, 1910 Clerk