

ORDINANCE NO. 962

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER AMENDING CHAPTER 5.34 (“MASSAGE ESTABLISHMENTS”) OF TITLE 5 (“BUSINESS LICENSES AND REGULATIONS”) OF THE LANCASTER MUNICIPAL CODE REGULATING MASSAGE ESTABLISHMENTS AND MASSAGE THERAPISTS

The City Council of the City of Lancaster does ordain as follows:

WHEREAS, on January 23, 2007, the City of Lancaster adopted Ordinance 868, relating to the licensing and regulation of massage establishments and massage therapists; and,

WHEREAS, on September 27, 2008, the State of California adopted Senate Bill 731, adding Chapter 10.5 of the California Business & Professions Code (commencing with Section 4600) relating to massage therapists and massage practitioners; and,

WHEREAS, B&P Code Chapter 10.5 provides a regulatory scheme for the issuance of State certificates to qualified massage therapists and massage practitioners commencing on September 1, 2009; and,

WHEREAS, Chapter 10.5 does not mandate or require that all massage therapists and/or massage establishments obtain State Massage Therapist Certificate, rather the acquisition of State Massage Therapist Certificate is voluntary;

WHEREAS, on May 10, 2010 the City of Lancaster became a Charter City; and,

WHEREAS, the City seeks to allow State-certified massage therapists and massage practitioners to operate in the City without undergoing duplicative pre-licensing screening procedures, yet still seeks to exercise local control over massage establishments, massage technicians, and massage practitioners;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER HEREBY ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council of the City of Lancaster hereby finds and determines that the above recitals are true and correct.

Section 2. Chapter 5.34 of the Lancaster Municipal Code is hereby repealed; provided, however, that such repeal shall not affect or excuse any violation of said Chapter occurring prior to the effective date of this ordinance. A new Chapter 5.34 of the Lancaster Municipal Code is hereby added as follows:

5.34.010 Title.

This chapter shall be known as the City of Lancaster's Massage Establishments and Massage Therapists Ordinance.

5.34.020 Findings and Purpose.

The City Council finds and declares as follows:

A. Massage is a viable professional field offering the public valuable health and therapeutic services.

B. Properly trained massage therapists are a professional group providing a service to the community while contributing financially to the city and enhancing the local business environment.

C. The City is authorized, by virtue of the State Constitution, and California Government Code Sections 51030 et seq., to regulate massage establishments by imposing reasonable standards relative to the skill and experience of massage operators, massage therapists, and massage therapist trainees and reasonable conditions on the operation of massage establishments.

D. It is the purpose and intent of this chapter to provide for the orderly regulation of massage establishments and massage therapists in the city by establishing certain minimum standards for the education and conduct of massage therapist and the business of massage, which will protect the public health, safety and welfare.

E. It is the purpose and intent of this chapter to allow State-certified massage therapists to operate in the City without undergoing duplicative pre-licensing screening procedures.

F. The restrictions and requirements contained in this chapter reduce the burdens on the sheriff's personnel and permit the deployment of the sheriff's personnel such that more serious crimes may be prevented and more important laws be enforced.

5.34.030 Definitions.

Unless the particular provision requires, the definitions and provisions contained in this section shall govern the construction, meaning, and application of words and phrases used in this chapter.

"Acupressure" means the stimulation or sedation of specific meridian points and trigger points near the surface of the body by the use or pressure applied by the acupressurist in order to prevent or modify the perception of pain or to normalize physiological functions, including pain control.

"Acupressurist" means a person who administers acupressure.

“Certificate of Therapist Compliance” shall mean a certificate issued by the Director upon submission of satisfactory evidence that a massage therapist has received State Massage Therapist Certificate and a general City business license.

“Certified massage therapist” shall mean any massage therapist or massage practitioner who has a current and valid a State Massage Therapist Certificate, and who is practicing consistent with the qualifications established pursuant to his or her State Massage Therapist Certificate.

“City” means the city of Lancaster.

“City Council” means the City Council of the city of Lancaster.

“City Manager” means the City Manager of the city of Lancaster, or a designee thereof.

“City-permitted massage therapist” shall mean a massage therapist, as defined herein, who has a current and valid City massage therapist’s permit.

“Code” means the Lancaster Municipal Code.

“Conviction” or “convicted” means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

“Customer area” means any area open to customers of the establishment.

“Department” means the department of housing and neighborhood revitalization.

“Director” means the director of the housing and neighborhood revitalization or designee thereof.

“Direct supervision” means supervision by a person such as a licensed professional who is present on the premises at all times the person being supervised is working. As used in this chapter, “direct supervision” does not necessarily mean that the supervisor must be present in the same room as the employee being supervised, but must be on the premises and able to make a determination whether or not the employee being supervised is complying with the supervisor’s instructions, required procedures and applicable standards.

“Disqualifying conduct” means conduct by any person who:

1. Within ten (10) years immediately preceding the date of filing of the application in question or, in the case of revocation proceedings, within ten (10) years of the date of notice of revocation, has been convicted in a court of competent jurisdiction of:

- (a) Any misdemeanor or felony offense not described in subsection (3) of this definition which related directly to the operation of a massage

establishment, whether as a massage establishment owner, operator or manager, or as a massage therapist, or as a massage therapist trainee, or

(b) Any misdemeanor or felony the commission of which occurred on the premises of a massage establishment; or

2. Within ten (10) years immediately preceding the date of the filing of the application in question or, in the case of revocation proceedings, within ten (10) years of the date of notice of revocation, whichever is applicable, has had any massage establishment, operator, therapist or trainee license or permit, which was issued by the state of California, or by any county or municipality, revoked; or

3. Has been convicted in a court of competent jurisdiction of:

(a) Any violation of Sections 220, 243.4, 261, 264.1, 266e, 266h, 266i, 315, 316, 318, or subdivision (b) of Section 647 of the California Penal Code, or when the prosecution accepted a plea of guilty or nolo contendere to a charge of a violation of California Penal Code Section 415 or any lesser included or lesser related offense, in satisfaction of, or as a substitute for, any of the crimes listed in this subsection, or

(b) Conspiracy or attempt to commit any such offense, or

(c) Any offense in a jurisdiction outside the state of California which is the equivalent of any of the offenses stated in this subsection, or

(d) Any felony offense involving the sale of a controlled substance specified in Sections 11054, 11055, 11056, 11057 or 11058 of the California Health and Safety Code; or

4. Is required to register under the provisions of Section 290 of the California Penal Code; or

5. Has been subjected to a permanent injunction against the conducting or maintaining of a nuisance pursuant to Sections 11225 through 11235 of the California Penal Code, or any similar provisions of law in a jurisdiction outside the state of California; or

6. Has engaged in conduct which would constitute an offense as described in subsection (1), or (3) of this definition, within ten (10) years immediately prior to the filing of any application, or within ten (10) years of the date of notice of revocation, whichever is applicable, irrespective of whether the person was charged or convicted of such an offense.

“Employee” means any person, including a manager, massage therapist or massage therapist trainee, who may render any service to or for the massage establishment permit holder or receives compensation from the massage establishment permit holder or his or her agent.

“Health department” means the Los Angeles County Department of Health Services.

“Manager” means the person(s) designated by the operator of the massage establishment to act as the representative and agent of the operator in managing day-to-day operations with the same liabilities and responsibilities. Evidence of management includes, but is not limited to, evidence that the individual has power to direct or hire and dismiss employees, control hours of operation, create policy or rules or purchase supplies. A manager may also be an owner. A manager must meet the standards and qualifications for a massage therapist license to qualify as a manager and obtain a massage therapist license.

“Massage” means any method of treating the external parts of the body for remedial, hygienic, relaxation or medical purposes, whether by means of pressure on, friction against or kneading, tapping, pounding, vibrating, rubbing, or other manner of touching external parts of the body with the hands, or with the aid of any mechanical or electrical apparatus or appliance with or without supplementary aids such as rubbing alcohol, liniment, antiseptic, oil, powder, cream, ointment, or other similar preparations commonly used in this practice. Such services shall include, but are not limited to, any bath, electric or magnetic treatment, acupressure, shiatsu, alcohol rubs, facial massage, fomentations massage, and Russian, Swedish or Turkish baths and other similar actions.

“Massage establishment” means any establishment having a fixed place of business where any individual, firm, association, partnership, corporation, joint venture or combination of individuals engages in, conducts, carries on or permits to be engaged in, conducted or carried on, for consideration, massages, as regular functions, including any establishment involving the provision of off-premises massage services, whether or not massage is performed on the premises. For purposes of this chapter, the term “massage establishment” may be applied to include establishments which offer or advertise themselves as providing “relaxation” or “tanning” where the essential nature of the interaction between the operator or employee and the customer involves “massage” as defined herein. The terms, names or phrases listed on business license or fictitious name application forms are not necessarily conclusive as to the nature of the business.

“Massage therapist” or “massage therapist trainee” means any person who administers to another person a massage in exchange for anything of value whatsoever. For purposes of this chapter, an acupressurist shall be deemed a massage therapist.

“Massage therapist permit” means the permit required pursuant to this chapter to act as a massage therapist.

“Operator” means all persons who have an ownership interest, in any manner whatsoever, in the massage establishment and shall include, without limitation, corporations, and each of its officers, directors and stockholders holding more than ten (10) percent of the stock of said corporation; partnerships and each of its partners; limited liability companies and each of its officers, directors and members as well as any other entity by which a massage establishment is operated.

“Operator’s permit” means the permit required pursuant to the provisions of this chapter to operate or manage a massage establishment.

“Owner” means the individual(s) whose name appears on the city business permit.

“Person” means any individual, or corporation, partnership, association or other group or combination of individuals acting as an entity.

“Professional massage/somatic association” means an association meeting each of the following requirements:

1. Has tax-exempt status pursuant to Section 501(c) of the Internal Revenue Code;
2. Requires that its members meet minimum education requirements, including participation in at least five hundred (500) classroom hours in the study of anatomy, physiology, hygiene, sanitation, massage theory and practice and ethics of massage practices;
3. Offers and encourages participation in continuing education programs;
4. Has an established Code of Ethics and has enforcement procedures for the suspension and revocation of membership of persons violating the Code of Ethics; and,
5. Is open to members of the general public meeting the requirements for membership on a national basis and, in fact, maintains a membership which reflects substantial national participation by persons engaged in the practice of therapeutic massage and is devoted to serving the interests of its members, the public, and the profession.

“Professional or personal service business” shall mean any business conducted in the City of Lancaster that involves the physical touching of a patron’s body at any point between the mid-thigh to three inches below the collar bone.

“Public safety officer” means any sheriff deputy, community service officer or code enforcement officer.

“Recognized school of massage” means an educational institution which is accredited by a recognized state or national accrediting body, and which requires at least four hundred (400) hours of nonrepetitive instruction in the study of anatomy, physiology, hygiene, sanitation, massage theory and practice, and ethics of massage practice, and at least one hundred (100) hours of demonstration and practice of massage techniques before a student is issued a diploma or certification of graduation. Any school or institution of learning offering or allowing correspondence course credit not requiring actual attendance at class, or courses of a massage therapist not approved by the California Department of Education shall not be deemed a “recognized school of massage.”

“Sheriff” means the sheriff of the county of Los Angeles, or designee thereof.

“Sheriff’s department” means the Los Angeles County Sheriff’s Department.

“State massage therapist certificate” shall mean a certificate issued pursuant to Chapter 10.5 (“Massage Therapists”) of the California Business & Professions Code.

5.34.040 Operator Permit.

A. It shall be unlawful and a misdemeanor for any person to own, operate, engage in, conduct, advertise, or carry on, or permit to be operated, engaged in, conducted, or carried on, a massage establishment within the City without first obtaining an operator permit pursuant to this chapter. An owner and/or operator shall maintain a current and valid operator permit at all times. A separate operator permit shall be required for each separate massage establishment operated by such person.

B. A massage establishment owner and/or operator must comply with all operating, and massage services requirements, inspection provisions, and advertising regulations set forth in this chapter.

5.34.050 Application for Operator Permit.

A. Any person seeking an operator permit, or renewal of an existing operator permit, shall submit an application, in writing on a City-approved form, to the Director, who shall refer the application to the Department and the Sheriff’s department for investigation. An application shall be accompanied by the appropriate filing fee established by resolution of the City Council. An application for permit does not authorize operating a massage establishment until such permit has been approved and issued.

B. The application shall contain or be accompanied by the following information:

1. The precise name under which the massage establishment will be conducted;
2. The address where the massage establishment will be conducted;
3. A detailed description of the exact nature of massage services to be administered;
4. Hours of operation;
5. Full complete name and all aliases used by the applicant;
6. Current residential address and telephone number, and all previous residential addresses for ten (10) years preceding the date of the application;

7. Documentation sufficient to prove that the applicant is at least eighteen (18) years of age;

8. The applicant's height, weight, color of hair and eyes, gender, and date and place of birth;

9. Social Security Card, and Driver's License or Identification card issued by a State or Federal governmental agency;

10. Two (2) front-facing photographs of the applicant, at least two inches by two inches in size;

11. The applicant's complete business, occupation or employment history for ten (10) years preceding the date of the application;

12. The complete massage permit history of the applicant, as an operator and/or a massage therapist, including the dates of such permits and the agency, board, city, county, territory or state that issued such permits; and whether any such permit was denied, revoked or suspended, and the reason(s) therefor;

13. All criminal convictions, including pleas of nolo contendere, within the ten (10) years preceding the date of the application, including those dismissed or expunged pursuant to Section 1203.4 of the California Penal Code, but excluding minor traffic violations; the date and place of each such conviction; identification and description of the offenses for which the applicant was convicted; identification and description of such offenses that related directly to the operation of a massage establishment or administration of massage services, or which occurred on the premises of a massage establishment;

14. A statement of whether the applicant is required to register under the provisions of Section 290 of the California Penal Code;

15. A receipt evidencing that the applicant has obtained an electronic fingerprint scan, also known as Livescan, and paid any and all fees required to conduct a criminal history check;

16. Written authorization for the City to utilize data retrieved pursuant to a criminal history check completed by the Sheriff's department; such data shall be presumed valid;

17. A written statement, signed and dated by the applicant, certifying under penalty of perjury that he/she has:

a. Read this chapter and understands its contents;

b. Understands the duties and responsibilities of an operator;

18. A description of any other business owned and/or operated by the applicant, whether on the same premises, or elsewhere in the City or the state of California or in another state;

19. A complete list of the names and residence addresses of the manager(s) or managing employee(s) designated to be principally in charge of the massage establishment and to provide direct supervision over all massage therapists and other employees;

20. A written statement, signed and dated by the applicant's manager(s), certifying under penalty of perjury that he/she has:

- a. Read this chapter and understands its contents;
- b. Understands the duties and responsibilities of a manager;

21. The name and address of each person having an ownership interest in the real property at which the massage establishment is to be operated. If the applicant is not the legal owner of the property, the applicant must submit a copy of the lease, and a notarized acknowledgement from the property owner(s), or his/her authorized agent, that a massage establishment will be operated on the premises;

22. Description of the type of ownership of the business. If the owner is a partnership, limited partnership, corporation, limited liability company, or other business entity, a copy of the document establishing or creating the entity shall be submitted with the application. The application shall be completed and signed by the following person(s):

- a. If the owner is a sole proprietor, that owner shall complete and sign the application;
- b. If the owner is a partnership, one general partner shall complete and sign the application;
- c. If the owner is a corporation, one officer or director shall complete and sign the application;
- d. If the owner is a joint venture, one participant shall complete and sign the application.

23. A written, signed and dated by the applicant, authorizing the City, its agents and employees to seek verification of the information contained in the application and any supporting documents;

24. A written statement, signed and dated by the applicant, certifying under penalty of perjury that all information contained in the application, and any supporting documents, is true and correct;

25. Such other information and/or documentation as the City may require to ascertain the truth of the contents of the application and whether the business, operator, manager(s), massage therapist(s), employee(s), premises and services offered are in full compliance with all applicable city, county, state and federal laws.

5.34.060 Massage Therapist Permit or Certificate of Therapist Compliance Required; Permissible Activities.

A. It shall be unlawful and a misdemeanor for any person to perform or administer a massage for compensation of any kind, or to advertise to provide massage services within the City, without either of the following:

1. A current and valid city massage therapist permit; or,
2. A current and valid State massage therapist certificate, general City business license, and Certificate of Therapist Compliance.

B. A massage therapist must provide massage services in compliance with all operating and massage services requirements and advertising regulations set forth in this chapter.

C. A massage therapist shall not provide, offer or administer massage services at any location or premises other than that specified on the massage therapist permit.

D. Notwithstanding any other provisions of this chapter, a massage therapist may perform off-premises massage as provided in, and subject to the requirements of, Section 5.34.130 of this chapter.

5.34.070 Application for Massage Therapist Permit.

A. Any person seeking a massage therapist permit, or renewal of an existing massage therapist permit, shall submit an application, in writing on a City-approved form, to the Director, who shall refer the application to the Department and the Sheriff's department for investigation. An application shall be accompanied by the appropriate filing fee established by resolution of the City Council. An application for permit does not authorize providing, offering or administering massage services until such permit has been approved and issued.

B. The application shall contain or be accompanied by the following information:

1. Full complete name and all aliases used by the applicant;
2. Current residential address and telephone number, and all previous residential addresses for ten (10) years preceding the date of the application;
3. Documentation sufficient to prove that the applicant is at least eighteen (18) years of age;

4. The applicant's height, weight, color of hair and eyes, gender, and date and place of birth;
5. Social Security Card, and Driver's License or Identification card issued by a State or Federal governmental agency;
6. Two (2) front-facing photographs of the applicant, at least two inches by two inches in size;
7. One of the following:
 - a. A certified copy of a graduation certificate, diploma, transcript or other similar proof of completion of minimum education requirements, from a recognized school of massage, as defined in this chapter; or
 - b. Proof of current and valid membership in a professional massage/somatic association, as defined in this chapter;
8. A detailed description of the exact nature of massage services to be administered;
9. License or other certificate as may be required under state or other law to administer any massage service specified in the application;
10. A statement of the massage establishment(s) at which the applicant will be providing massage services, including the name, street address and all telephone numbers of each massage establishment, and the full name of every person having an ownership interest in the massage establishment;
11. The applicant's complete business, occupation or employment history for ten (10) years preceding the date of the application;
12. The complete massage permit history of the applicant, as an operator and/or a massage therapist, including the dates of such permits and the agency, board, city, county, territory or state that issued such permits; and whether any such permit was denied, revoked or suspended, the date of such action, and the reason(s) therefor;
13. All criminal convictions, including pleas of nolo contendere, within the ten (10) years preceding the date of the application, including those dismissed or expunged pursuant to Section 1203.4 of the California Penal Code, but excluding minor traffic violations; the date and place of each such conviction; identification and description of the offenses for which the applicant was convicted; identification and description of such offenses that related directly to the operation of a massage establishment or administration of massage services, or which occurred on the premises of a massage establishment;

14. A statement of whether the applicant is required to register under the provisions of Section 290 of the California Penal Code;

15. A receipt evidencing that the applicant has obtained an electronic fingerprint scan, also known as Livescan, and paid any and all fees required to conduct a criminal history check;

16. Written authorization for the City to utilize data retrieved pursuant to a criminal history check completed by the Sheriff's department; such data shall be presumed valid;

17. A written statement, signed and dated by the applicant, certifying under penalty of perjury that he/she has:

- a. Read this chapter and understands its contents;
- b. Understands the duties and responsibilities of a massage therapist;

18. A written, signed and dated by the applicant, authorizing the City, its agents and employees to seek verification of the information contained in the application and any supporting documents;

19. A written statement, signed and dated by the applicant, certifying under penalty of perjury that all information contained in the application, and any supporting documents, is true and correct;

20. Such other information and/or documentation as the City may require to ascertain the truth of the contents of the application and whether the massage therapist, the massage services offered, and the massage establishment where the therapist will provide such services are in full compliance with all applicable city, county, state and federal laws.

5.34.080 Application for Certificate of Therapist Compliance.

A. A person with a current and valid State massage therapist certificate, who wishes to provide massage services in the City, shall obtain a Certificate of Therapist Compliance from the Director.

B. The Director shall issue a Certificate of Therapist Compliance to any massage therapist within fifteen (15) days of submission of the following:

1. Current and valid State massage therapist certificate;
2. Current and valid driver's license and/or identification card issued by a State or Federal governmental agency, or other photographic identification bearing a bona-fide seal by a foreign government;
3. Current and valid general City business license;

4. Name, address and telephone number of each massage establishment at which the massage therapist will be providing massage services.

5.34.090 Permit Review, Approval, Denial, Conditional Approval; Notice.

A. Upon receipt of an application for an operator or massage therapist permit, the Director shall, within ten (10) days of such receipt, ascertain whether the applicant has submitted a complete application. An application is complete if it has been fully and properly completed, and is accompanied by all requisite documentation and the nonrefundable fee. If the Director determines that an application is not complete, the Director shall promptly notify the applicant and shall allow the applicant not more than ten (10) days to complete the application fully and properly. Failure to submit a complete application within the ten (10) day period shall be grounds for denial of said application. In the alternative, an applicant may request to withdraw an incomplete application within the ten (10) day period, in which event any subsequent submittal shall be processed as a new application, and shall require tender of the nonrefundable application fee.

B. Upon receipt of a complete application, as defined herein, the Director shall conduct an investigation to ascertain whether such permit should be issued. Investigation related to application for an operator permit shall include an inspection of the premises at which the massage establishment is to be operated. The investigation shall be completed within sixty (60) days from date of application, however the period may be extended for an additional thirty (30) days if necessary to complete the investigation. At the completion of the investigation, the Director may approve, conditionally approve, or deny an application.

C. The Director shall deny an application based upon any of the following grounds:

1. The applicant, any partner, limited partner, shareholder, member, or officer of the owner/operator, any manager(s), any massage therapist(s), has, within ten (10) years preceding the date of application, engaged in any act or offense that constitutes disqualifying conduct, as defined in this chapter;

2. The applicant has made a false, misleading or fraudulent material statement or omission of fact in the application and/or supporting documentation. An applicant who is denied on this basis may not reapply for a period of six (6) months from the date the application is denied;

3. The application is incomplete, following notice by the Director that additional information, documentation and/or payment of the application fee is required to complete the application;

4. In the case of an application for an operator permit, the building, structure, premises, fixtures, installations and/or equipment used in the operation of the massage establishment does not comply with all applicable laws, including but not limited to, health, zoning, fire, safety, and building and technical codes, requirements and standards;

5. In the case of an application for a massage therapist permit, the applicant does not comply with all applicable laws, including but not limited to failure to possess a current and valid state license as may be required for the type of massage services to be offered as specifically described in the application;

6. The applicant has, within ten (10) years preceding the date of application, violated any provision of this chapter, or any similar ordinance, law, rule, or regulation of any public or governmental agency that regulates massage establishments and/or massage therapists, or has had a permit or license issued by any such agency revoked or suspended;

D. The Director may conditionally approve an application if imposing such conditions will eliminate any basis for denial, or will prevent the applicant from operating a massage establishment and/or administering massage services in a manner which would be detrimental to public health, safety or welfare, as determined by the Director.

E. When the Director determines that an application shall be denied or conditionally approved, he or she shall serve the applicant with a notice of intent to deny or conditionally approve the application. This notice shall state the reasons for the proposed action, the effective date of the decision, the right of the applicant to appeal the decision, and that the decision will be final if no appeal is filed within the time permitted. Service of the notice shall be by personal service or certified mail addressed to the business or residence address of the applicant. The date of service via mail shall be the date the notice is placed in a U.S. Postal Service mail receptacle.

F. Appeals shall be filed and appeal hearings shall be conducted in accordance with the procedures set forth in Section 5.34.160 of this chapter.

5.34.100 Massage Establishment Operating Requirements; Massage Therapist and Massage Services Regulations.

A. Massage establishments shall only be located in a zoning district in which a professional or personal service business, as defined in this chapter, is a permissible use.

B. It shall be unlawful for an owner, operator, manager or massage therapist in control of a massage establishment to employ or allow a person to act as a massage therapist or administer a massage who is not in possession of a current and valid City therapist permit or current and valid Certificate of Therapist Compliance, as defined in this chapter.

C. The owner and/or operator of a massage establishment shall be responsible for the conduct of each employee, independent contractor, or other person acting as a massage therapist on the premises of the establishment. The owner and/or operator shall be responsible for ensuring that each employee, independent contractor, or other person acting as a massage therapist provides massage services in compliance with the regulations of this Section. Any act or omission of any employee, independent contractor, or other person acting as a massage therapist constituting a violation of the provisions of this chapter shall be deemed the act or omission of the owner and/or operator for purposes of determining whether the operator's permit shall be suspended or revoked, or its renewal denied.

D. The owner and/or operator of a massage establishment shall not administer, offer, provide or advertise, or permit any massage therapist, manager or other employee to administer, offer, provide or advertise any form of massage that is not specifically identified on the operator's permit application.

E. The possession of a current and valid operator's permit does not authorize the possessor to perform work as a massage therapist.

F. Massage establishments shall have a manager on the premises at all times the massage establishment is open. The owner and/or operator of each massage establishment shall file a written statement with the Department, on a city-approved form, designating the person or persons with power to act as a manager. Each designated manager must meet the standards and qualifications for a massage therapist permit, and must maintain a valid massage therapist permit at all times. The owner, operator and/or manager shall be responsible for ensuring compliance with this chapter. All operators and/or managers must be able to communicate effectively with city regulatory officials.

G. An owner, operator, manager and/or massage therapist shall, at all times he/she is on the premises of the massage establishment, be in possession of photographic identification, sufficient to confirm that he/she is the person to whom an operator permit, massage therapist permit or Certificate of Therapist Compliance was issued. Such identification shall be in the form of a driver's license or identification card issued by a State or Federal governmental agency or other photographic identification bearing a bona-fide seal by a foreign government.

H. Each owner and/or operator shall post and maintain, in compliance with existing state and city laws, a readable sign identifying the premises as a massage establishment. The sign and the front of the business shall not be illuminated by strobe or flashing lights.

I. Each owner, operator and/or manager shall file a written report with the Department, on a city-approved form, any change of employees, whether by new or renewed employment, discharge or termination, within ten (10) calendar days from the date of such change. The owner, operator and/or manager shall submit the massage therapist permit of each terminated or discharged massage therapist with the report.

J. The owner, operator and/or manager shall maintain a written register of all employees, showing the name, nicknames, and aliases used by the employee, home address, age, birth date, sex, height, weight, color of hair and eyes, phone numbers, social security number, date of employment and termination, if applicable, and duties of each employee. The required information in the register shall be in English. The above information on each employee shall be maintained in the register on the premises for a period of two years following termination of employment. The owner, operator and/or manager shall make the register of employees available immediately for inspection by any law enforcement, code enforcement or public safety officer, upon demand, during business hours.

K. The operator permit and the City massage therapist permit or Certificate of Therapist Compliance for each therapist providing massage services at an establishment shall be displayed in an open and conspicuous place on the premises where visible to patrons.

L. Massage establishment operations shall be conducted or carried on, and the premises open only between the hours of 5:00 a.m. and 10:00 p.m. No person shall administer or permit another to administer a massage between the hours of 10:00 p.m. and 5:00 a.m. All customer and patrons shall be excluded from the massage establishment during these hours. A massage begun before 10:00 p.m. shall nevertheless terminate at 10:00 p.m. The hours of operation shall be displayed in a conspicuous public place in the lobby within the massage establishment and at the front entrance clearly visible from the outside.

M. A list of services available and the cost of such services shall be posted in a conspicuous public place within the premises, and shall be described in readily understandable terms. No owner, operator, and/or massage therapist shall allow, and no massage therapist shall offer or perform any service other than those posted and permitted under this chapter.

N. All arrangements for massage services to be performed shall be made in a room in the massage establishment which is not used for administration of massage services, such as a reception area.

O. Arrangements shall be made for all massage services prior to the performance of any service.

P. A massage therapist shall not administer, offer, provide or advertise any form of massage that is not specifically identified on the massage therapist's permit application.

Q. All persons employed in the massage establishment shall be fully and professionally clothed at all times. Clothing shall be of a fully opaque, non-transparent material and provide complete coverage from mid-thigh to three inches below the collar bone.

R. A massage shall not be given unless the patron's genitals are fully covered and, in addition, a female patron's breasts are fully covered. No massage therapist shall, in the course of administering any massage service, expose his or her genitals, pubic region, private parts or female breasts below a point immediately above the areolas. No massage therapist shall, in the course of administering any massage service, bath or health treatment, make physical contact with the genitals, pubic region, or female breasts below a point immediately above the areolas of any other person. No massage therapist shall allow any person in the course of receiving any massage, bath or health treatment, to expose to the view of other persons his or her genitals, pubic region, or female breasts below a point immediately above the areolas.

S. No owner, operator or massage therapist shall permit the storage of controlled substances in any portion of a massage establishment, except pursuant to a prescription for such substances. No person shall enter, be or remain in any part of a massage establishment while in possession of, consuming, or using any controlled substance, except pursuant to a prescription

for such substances. The owner, operator or massage therapist shall not permit any such person to enter or remain on such premises.

T. No owner, operator or massage therapist shall permit the storage of any of the following: condoms; sexual lubricants; instruments, devices or paraphernalia which are designed for use in connection with sexual activities including, but not limited to, intercourse, oral copulation or sodomy; or magazines or other printed matter, films, video cassettes, digital video discs or other visual representations which are distinguished by an emphasis upon the depiction of sexual activities including, but not limited to those described in this subsection, or upon the depiction of anatomical areas, including less than completely and opaquely covered human genitals or pubic region, buttocks, female breast below a point immediately above the top of the areola, or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

U. No electrical, mechanical or artificial device shall be used by the owner, operator or any employee of a massage establishment for audio and/or video recording or for monitoring the performance of a massage, or the conversation or other sounds in a massage room without the knowledge and written consent of the patron.

V. Massage establishments shall at all times be equipped with an adequate supply of clean towels, coverings and linens, which shall be stored in cabinets with doors. Towels and linens shall not be used on more than one patron, unless they have first been laundered and disinfected. Disposable towels and coverings shall not be used on more than one patron. Soiled linens and towels shall be deposited in separate, approved receptacles.

W. Bathrooms shall be thoroughly cleaned and disinfected with a disinfectant as needed and at least once each day the premises are open. All walls, ceilings, floors, and other physical facilities for the establishment must be in good repair and maintained in a clean and sanitary condition.

X. Instruments for performing massage shall not be used on more than one patron unless they first have been properly sanitized.

Y. No massage as defined in this chapter may be carried on within any cubicle, room, booth, or any area within a massage establishment, which is not immediately accessible to supervisory, safety, or inspection personnel during all hours of operation.

Z. All exterior doors shall remain unlocked from the interior side during business hours.

AA. Doors to room, cubicles, booths, or other areas in which massage services are being performed shall be non-lockable and shall not be equipped with a "peep hole," camera, or any other device that allows one to see into or out of the room when the door is closed.

BB. The owner, operator and/or manager of each massage establishment shall keep a written record of the date and hour of each treatment administered, the name and address of each

patron, the name of the massage therapist administering treatment, and the type of treatment administered. This required information shall be in English. These records shall be open to immediate inspection, during business hours, upon request only by law enforcement, code enforcement or public safety officers or by emergency medical personnel. Information within these records shall only be used to ensure compliance with this chapter, or any other applicable state or federal laws, or as necessary in providing emergency medical treatment, and shall remain confidential. Such records shall be kept on the premises of the massage establishment for a period of two years.

CC. No part of a massage establishment shall be used for residential or sleeping purposes. No cooking or food preparation shall be allowed on the premises unless a full service kitchen is installed, with all requisite permits, inspections and approvals. Such a kitchen shall be for the sole use of employees and shall be installed in an “employee only” area. The full service kitchen shall have a minimum of a sink with hot and cold running water, a refrigerator, a microwave or stove and sufficient cabinets to store cooking utensils.

DD. The massage establishment shall comply with all applicable laws, including but not limited to, health, zoning, fire and safety requirements and standards.

EE. A massage establishment must comply with all state and federal laws and regulations for handicapped customers.

FF. All massage therapists, managers, owners and/or operators shall comply with all applicable ordinances, laws, rules and regulations.

GG. No owner, operator and/or manager of a massage establishment shall place, publish or distribute, or cause or allow to be placed, published or distributed, any advertising matter that depicts any portion of the human body that would reasonably suggest to prospective patrons that any service is available other than those services described in this chapter. No owner, operator and/or manager shall employ or allow language in the text of such advertising that would reasonably suggest to a prospective patron that any service is available other than those services authorized by this chapter.

HH. No person shall engage in, conduct or carry on the business of a massage establishment unless there is on file with the Director, in full force and effect at all times, documents issued by an insurance company authorized to do business in the state of California evidencing that the massage establishment is insured under a liability insurance policy providing minimum coverage of one million dollars (\$1,000,000.00) for injury or death to one person arising out of the operation of any massage establishment and the administration of a massage.

5.34.110 Massage Establishment Facility Requirement.

Every massage establishment shall maintain facilities meeting the following requirements:

A. Minimum lighting shall be provided in accordance with the Lancaster Electrical Code, and in addition, at least one artificial light of not less than 25 watts shall be provided in

each room or enclosure where massage services are performed on patrons. The artificial light shall be on at all times the room or enclosure is occupied by a patron.

- B. Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided.
- C. Hot and cold running water shall be provided at all times.
- D. Cabinets shall be provided for storage of clean linens.
- E. Adequate dressing and toilet facilities shall be provided for patrons.
- F. Pads used on massage tables shall be covered with durable washable plastic or other waterproof material.

5.34.120 Massage Establishment Inspections.

The Director, City Code Enforcement officers and Building & Safety inspectors, as well as personnel from the Los Angeles County Sheriff's, Fire and Health Departments, and any other official designated with enforcement of this chapter, shall have the right to enter the premises of any massage establishment during hours of operation. The purpose of such inspections is to determine that the premises, and the operations therein, comply with the provisions of this chapter and other applicable regulations, ordinances and laws; this includes, without limitation, compliance with city, county or state licenses and/or permits required for the physical facilities and/or the massage services offered. The right to conduct inspections pursuant to this section shall include the right to inspect and request photocopies of all records required to be prepared and retained by a massage establishment pursuant to this chapter and any or all other city, county, state or federal ordinances, laws, regulations and statutes.

5.34.130 Off-Premises Massage.

- A. A person who has a current and valid massage therapist permit or Certificate of Therapist Compliance may conduct off-premises massage, subject to the requirements in this Section.
- B. A massage therapist engaging in the business of off-premises massage shall comply with all applicable operating, massage therapist and massage services requirements set forth in this chapter.
- C. The practice of off-premises massage shall not be conducted between the hours of ten (10) p.m. and five (5) a.m.
- D. Any persons performing off-premises massage services as authorized by this chapter shall maintain written record, at the massage therapist's principal place of business, of all off-premises massage services performed. These records shall be retained for at least two years beyond the date services were provided. Record shall be made of each appointment at which massage services were provided and shall include the following:

- 1. Date and time;

2. Patron's full name and address;
3. Address where services were provided; and
4. Name of the massage therapist providing services;

E. These records shall be open to inspection upon request only by officials charged with enforcement of this chapter or emergency medical personnel. Information within these records shall only be used to ensure compliance with this chapter, or any other applicable state or federal laws, or as necessary in providing emergency medical treatment, and shall remain confidential;

F. Any massage therapist engaged in performing off-premises massage shall, upon demand, produce satisfactory evidence to any public safety officer that his or her massage therapist permit or Certificate of Therapist Compliance is current;

G. Off-premises massage services shall not be provided at any location owned, leased, rented or under the control of the massage therapist, including residential dwellings and business offices, unless that location has an operator permit or is otherwise exempted as provided in this chapter;

H. Off-premises massage, for purposes of this chapter, shall be construed to include massages performed in or at malls, in private offices or other places of business for the employees of that business, or in a private residence for the occupants of said residence. For purposes of this Section, a hotel room or motel room is not considered an office, place of business, or residence.

5.34.140 Advertisement.

Any advertisement, including, but not limited to, business cards, print, television, radio or electronic media, for a massage establishment, off-premises massage services, or the business or performance of massage services shall include the operator permit number, massage therapist permit number and/or certificate of therapist compliance number, the massage therapist(s) who will be performing the massage services being advertised, and for the massage establishment at which the advertised massage services will be administered.

5.34.150 Revocation, Suspension, Refusal to Renew Permit or Certificate of Therapist Compliance.

A. The Director may revoke, suspend or refuse to renew an operator or massage therapist permit or a Certificate of Therapist Compliance when the Director has made one or more of the following determinations:

1. The permit holder has violated any permit conditions;
2. The permit holder has engaged in any act or conduct that constitutes disqualifying conduct as defined in this chapter;

3. The permit holder has failed to comply with one or more of the applicable massage establishment operating requirements, massage therapist and massage services regulations, massage establishment facility requirements, off-premises massage regulations, and/or advertising regulations, as set forth in Sections 5.34.100, 5.34.110, 5.34.130, and 5.34.140 of this chapter;

4. The permit holder has engaged in fraud, misrepresentation, or false statements in operating the massage establishment and/or administering massage services, or in obtaining any permit, license or other approval associated with issuance of the operator or massage therapist permit;

5. The permit holder has continued to operate a massage establishment and/or administer massage services after the permit has been suspended;

6. In the case of a holder of an operator permit, the permit holder has caused or allowed a person to administer massage services who:

a. Does not have a valid permit; or

b. Has engaged in any act or conduct that constitutes disqualifying conduct as defined in this chapter, where the permit holder has or should have actual or constructive knowledge of such act or conduct;

7. In the case of a massage therapist, the permit holder has failed to comply with the requirement for conducting off-premises massage services, as set forth in Section 5.34.130 of this chapter;

8. The permit holder has violated any other provision of this chapter or city, state or federal law;

9. In the case of a holder of a Certificate of Therapist Compliance, the certificate holder is no longer in possession of a current and valid state massage therapist certificate;

10. In the case of a holder of a Certificate of Therapist Compliance, the certificate holder has engaged in conduct that violates Chapter 10.5 of the Cal. Business & Professions Code.

B. Where a permit or certificate is suspended, in lieu of revocation, the Director may suspend the permit or certificate for a period of thirty (30) days for each occurrence, act, or condition that constitutes grounds for revocation, such suspension periods to run consecutively.

C. When the Director determines that permit or certificate shall be revoked or suspended or shall not be renewed, he or she shall serve the permit or certificate holder with a notice of intent to revoke, suspend, or deny renewal. This notice shall state the reasons for the proposed action, the effective date of the decision, the right of the permit-holder to appeal the decision, and that the decision will be final if no appeal is filed within the time permitted.

Service of the notice shall be by personal service or certified mail addressed to the business or residence address of the applicant. The date of service via mail shall be the date the notice is placed in a U.S. Postal Service mail receptacle.

D. Appeals shall be filed and appeal hearings shall be conducted in accordance with the procedures set forth in Section 5.34.160 of this chapter.

5.34.160 Appeal.

A. Any appeal of a notice of denial, conditional approval, revocation, suspension or renewal denial of an operator or massage therapist permit or Certificate of Therapist Compliance shall be filed, in writing, on a fully completed City-approved form, within ten (10) days after the date of service of the notice. In the event of a timely appeal of revocation, suspension or renewal denial, such action is stayed and shall not be effective until a final decision has been rendered by a hearing officer. If no appeal is timely filed, the right to appeal is waived, and the Director's decision is final and binding.

B. Subject to a timely appeal request, an appeal of a notice of denial, conditional approval, revocation, suspension or renewal denial of an operator or massage therapist permit or Certificate of Therapist Compliance shall be conducted by a hearing officer.

C. At the place and time set forth in the notice of appeal hearing, the hearing officer shall hear the testimony of the appealing person(s), the Director or designee thereof, and/or their witnesses, as well as any documentary evidence presented by these persons concerning the grounds for revocation, refusal to renew or denial.

D. Appeal hearings are informal, and formal rules of evidence and discovery do not apply. Unless otherwise specifically provided by law, the burden is on the appellant to prove that the determination of the Director, which he or she is appealing, is contrary to the provisions of this chapter or clearly abusive of discretion. The appellant, and the Director or designee thereof, shall have the opportunity to present evidence and to cross-examine witnesses. The appellant may represent himself/herself or be represented by anyone of his/her choice. The appellant may bring an interpreter to the hearing at his/her sole expense.

E. If the appellant fails to appear, the hearing officer shall cancel the hearing and send a notice thereof to the appellant by first class mail to the address(es) stated on the appeal form. A cancellation of a hearing due to non-appearance of the appellant shall constitute the appellant's waiver of the right to appeal. In such instances, the revocation, refusal to renew or denial is final and binding.

F. Within a reasonable time, not to exceed fifteen (15) calendar days following conclusion of the hearing, the hearing officer shall, in a written decision, uphold or overturn the denial, conditional approval, revocation, suspension or renewal denial of a operator or massage therapist permit or Certificate of Therapist Compliance. The written decision shall include findings that formed the basis of the decision. The decision of the hearing officer is final and conclusive. The decision shall also contain the following statement: "Judicial review of the hearing officer's decision is subject to the time limits set forth in California Code of Civil

Procedure, Section 1094.6.” A copy of the decision shall be served on the appellant by first class mail to the address(es) stated on the appeal form. Failure of an appellant to receive a properly address decision shall not invalidate any action or proceeding taken by the City under this Chapter.

5.34.170 Term of Validity; Renewal.

A. Operator and massage therapist permits and Certificates of Therapist Compliance shall be valid for a period of one (1) year from date of issuance. However, a permit or certificate that has been revoked is null and void and invalid effective on the date of final decision concerning such revocation, whether through appeal or waiver of appeal. No Certificate of Therapist Compliance shall be valid beyond the term of the certificate holder’s state massage therapist certificate.

B. Applications for renewal of an operator or massage therapist permit or certificate shall be filed with the Director no later than sixty (60) days prior the expiration of the existing permit or certificate. Temporary permits or certificates will not be issued should a permit or certificate lapse due to the permit or certificate holder’s failure to timely submit an application for renewal.

5.34.180 Change of Business; Certificates and Permits Not Assignable; Change of Location or Name.

A. Change of business. Every holder of an operator permit shall report immediately to the Director any and all changes of ownership or management of the massage establishment or business, including, but not limited to, changes of manager or other person principally in charge, shareholders holding more than five percent of the outstanding stock of the corporation, officers, directors and partners in any and all changes of name, style or designation under which the business is to be conducted, and all changes of address or telephone numbers of the massage establishment.

B. No operator permit may be sold, transferred or assigned by the holder of said permit, or by operation of law, to any other person or persons. Any such sale, transfer or assignment, or attempted sale, transfer or assignment, shall be deemed to constitute a voluntary surrender of such permit and such permit shall thereafter be null and void; provided and excepting, however, that if the permit is a partnership and one or more of the partners should die, one or more of the surviving partners may acquire, by purchase or otherwise, the interest of the deceased partner or partners without effecting a surrender or termination of such permit, and in such case, the permit, upon notification to the director, shall be placed in the name of the surviving partners. An operator permit issued to a corporation shall be deemed terminated and void when either any outstanding stock of the corporation is sold, transferred or assigned after the issuance of the permit, or any stock authorized but not issued at the time of the granting of a permit is thereafter issued or sold, transferred or assigned.

C. No massage therapist permit or Certificate of Therapist Compliance may be sold, transferred or assigned by a massage therapist, or by operation of law, to any other person or persons.

D. A change of location or name may occur subject to the following:

1. A change of location of any massage establishment or massage therapist must first be approved by the Director who must determine, prior to approval, that all ordinances and regulations of the City be complied with at any proposed new location. A change of location shall require the filing of a new business license;

2. No holder of any operator or massage therapist permit or Certificate of Therapist Compliance shall operate under any name not specified in the respective Certificate of Compliance or City permit;

3. Any application for an extension or expansion of a building or other place of business of a massage establishment shall require compliance with Section 5.34.110 of this Chapter and all applicable building and development/zoning code provisions;

4. A separate operator permit shall be required for each location of a massage establishment, but separate massage therapist permits or Certificates of Therapist Compliance need not be obtained by a massage therapist operating in more than one location within the City for each such location; provided, however, that the application for said permit or certificate shall disclose each location at which the massage therapist may operate, and the Director has determined that each location has a current and valid operator permit.

5.34.190 Notice of Changes.

A. Unless otherwise provided in this Chapter, if, during the term of any permit issued by the Director pursuant to the provisions of this Chapter, the permit holder has any change of information concerning the original application, notification must be made to the Director, in writing, within fifteen (15) calendar days of the change. Such changes of information shall include, but shall not be limited to, intent to rename the massage establishment, or changes of ownership or management of any massage establishment, change of residential address of the permit holder or certificate, or any conduct or proceedings that would deem the holder of a City permit a person who has engaged in disqualifying conduct as defined by Section 5.34.030 of this Chapter, or that would deem any holder of a Certificate of Therapist Compliance a person who has engaged in conduct that violates Chapter 10.5 of the Cal. Business & Professions Code.

B. Any holder of a Certificate of Therapist Compliance issued by the Director pursuant to the provisions of this Chapter, shall notify the Director, in writing, within five (5) calendar days of the commencement of any allegations, charges, or proceedings that could result in disciplinary action against the holder's State Massage Therapist Certificate or the suspension or revocation of the Certificate of Exemption.

5.34.200 Exemptions.

A. The provisions of this chapter shall not apply to the following classes of individuals while engaged in the performance of the duties of their respective professions:

1. State licensed physicians, surgeons, chiropractors, acupuncturists, acupressurists, physical therapists or osteopaths;
2. Barbers who are duly permitted under the laws of the state of California while engaging in the practices within the scope of their permits, except that this exemption shall apply solely to the massage of the neck, face, scalp, and hair of a fully clothed customer or client;
3. Hospitals, nursing homes, or sanatoriums duly permitted by the state;
4. Coaches and trainers of amateur, semi-professional or professional athletes or athletic teams acting within the scope of their employment;
5. Coaches and trainers acting within the scope of their employment by accredited high schools, junior colleges, and colleges and universities;
6. Manicurists, pedicurists, cosmetologists acting within the scope of their employment, except that this exemption shall apply solely to the massaging of the hands or feet of a fully clothed customer or client;
7. Teachers and students performing massage as part of the official curriculum of a recognized school of massage, while present at such school, and provided the director has verified its status as a recognized school of massage. This exemption applies only to massage for which no direct or indirect fee or cost is charged or incurred, and/or for which no donation is required or accepted.

B. A bona fide health club, athletic club, gym, hotel with fifty (50) or more rooms, beauty salon, barber shop or other similar establishment, may offer massage services as an accessory use and is exempt from the requirements of Section 5.34.040, subject to the following conditions and restrictions:

1. The massage service shall be clearly incidental to the operation of the business and shall not occupy more than twenty 20 percent of the gross floor area. In no case shall massage services occupy more than one thousand 1,000 square feet;
2. The massage services shall constitute no more than twenty 20 percent of the gross business income of the establishment;
3. The establishment must have any required zoning approval and must identify massage services as a part of the business;
4. Any massage therapist who provides massage services must register his or her name and a copy of his/her massage therapist permit or Certificate of Therapist Compliance with the owner or manager of the establishment;
5. All massage therapists must hold a current and valid massage therapist permit or Certificate of Therapist Compliance pursuant to Section 5.34.00.

5.34.210 Application to Existing Business.

The provisions of this chapter shall be applicable to all persons and businesses described herein whether the herein described activities were established before or after the effective date of this chapter.

5.34.220 Fees.

The City Council shall establish by resolution, and from time to time may amend, the fees for the administration of this chapter. Fees required by this chapter shall be in addition to any required under any other chapter of this code.

5.34.230 Violation and penalty.

A. Violations of this chapter shall constitute a misdemeanor and shall be punishable in the manner provided in Section 1.12.020(A).

B. Any massage establishment operated, conducted or maintained contrary to the provisions of this chapter shall be, and the same is hereby declared to be, unlawful and a public nuisance. The city attorney or the district attorney may, in addition to or in lieu of prosecution in a criminal action hereunder, commence an action or actions, proceeding or proceedings for the abatement, removal and enjoinder thereof, in the manner provided by law, and shall take such other steps, and shall apply to such courts or court as may have jurisdiction to grant such relief as will abate or remove such massage establishments and restrain and enjoin any person from operating, conducting or maintaining a massage establishment contrary to the provisions of this chapter.

5.34.240 Severability.

This chapter and the various parts, sections and clauses thereof are declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid, the remainder of this chapter shall not be affected thereby. The City Council declares that it would have passed this chapter and each part thereof, regardless of the fact that one or more parts thereof be declared unconstitutional or invalid.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the _____ day of _____, 2011, and placed upon its second reading and adopted at a regular meeting of the City Council on the _____ day of _____, 2011 by the vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 962, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)
