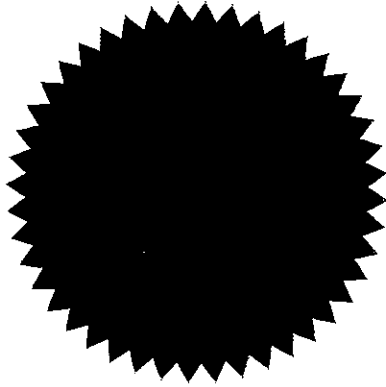


REVISED 1/21/05

ORDINANCE 5551

PAMPHLET

AN ORDINANCE AMENDING TITLE 11, CHAPTER 122,
IN REGARD TO MASSAGE ESTABLISHMENTS



PUBLISHED IN PAMPHLET FORM THIS 21ST DAY OF January, 2005
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.

Barbara A. Johnson
Deputy Village Clerk

AN ORDINANCE AMENDING TITLE 11, CHAPTER 122,
OF THE LOMBARD VILLAGE
CODE IN REGARD TO MASSAGE ESTABLISHMENTS

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard,

DuPage County, Illinois, as follows:

SECTION 1: That, effective January 1, 2005, Title 11, Chapter 122, Section 122.01 of the

Lombard Village Code is amended so that the definitions of CERTIFIED MASSAGE THERAPIST,

MASSAGE, and MASSAGE ESTABLISHMENT shall be deleted and replaced by definitions which

shall read in their entirety as follows:

"LICENSED MASSAGE THERAPIST. An individual who holds a valid, current, State of Illinois license as a massage therapist to practice massage/massage therapy as defined herein and who is thereby entitled to exclusive use of the terms "massage," "massage therapy," and "massage therapist" in advertising and printed promotional material.

MASSAGE/MASSAGE THERAPY. A system of structured palpation or movement of the soft tissue of the body. The system may include, but is not limited to, techniques such as effleurage or stroking and gliding, petrissage or kneading, tapotement or percussion, friction, vibration, compression, and stretching activities as they pertain to massage therapy. These techniques may be applied by a licensed massage therapist with or without the aid of lubricants, salt or herbal preparations, hydromassage, thermal massage, or a massage device that mimics or enhances the actions possible by human hands.

MASSAGE ESTABLISHMENT. Any establishment having a fixed place of business within the Village of Lombard where any person, firm, association, or corporation engages in, or carries on, or permits to be engaged in or carried on, massage or massage therapy as defined herein by one or more persons licensed by the State of Illinois as massage therapists."

SECTION 2: That, effective January 1, 2005, Title 11, Chapter 122, Section 122.10 (C) of

the Lombard Village Code is amended to read in its entirety as follows:

"(C) The application for a permit to operate a massage establishment shall state the name of all of the licensed massage therapists who are employed to provide

massage or massage therapy at the massage establishment. Said application shall be accompanied by copies of the licenses issued to said massage therapists."

SECTION 3: That, effective January 1, 2005, Title 11, Chapter 122, Sections 122.20 through 122.23 of the Lombard Village Code are repealed in their entirety.

SECTION 4: That, effective January 1, 2005, Title 11, Chapter 122, Section 122.31 of the Lombard Village Code is amended to add a first paragraph to read in its entirety as follows:

"All individuals in the Village of Lombard who are employed as a massuer or masseuse by a massage establishment or who otherwise administer massages or massage therapy as defined in this Chapter, except where exempt under State law, shall, at all times, have a current, valid massage therapist license from the State of Illinois and all massage establishments within the Village of Lombard shall, comply with the following requirements:"

SECTION 5: That, effective January 1, 2005, Title 11, Chapter 122, Section 122.31(M) of the Lombard Village Code is amended to add a first paragraph to read in its entirety as follows:

"(M) Within thirty days of employment, massage establishments shall, for as long as they continue in business within the Village of Lombard provide the Village's Finance Director with copies of the licenses of all massage therapists employed subsequent to the date on which application was made for the massage establishments first issued permit."

SECTION 6: That, effective January 1, 2005, Title 11, Chapter 122, Section 122.35 of the Lombard Village Code is repealed in its entirety.

SECTION 7: That, effective January 1, 2005, Title 11, Chapter 122, Section 122.37 of the Lombard Village Code is amended to read in its entirety as follows:

§ 122.37 EXEMPTIONS

A massage establishment license shall not be required of establishments where persons engage in massage, massage therapy or similar practices but are not required to obtain a massage therapist license under Illinois law . "

SECTION 8: That, effective January 1, 2005, Title 11, Chapter 122, Section 122.39 of the

Lombard Village Code is amended to read in its entirety as follows:

§ 122.39 PENALTY

Any person who conducts a massage establishment without first obtaining a permit and paying a license fee to do so from the Village, or who shall violate any of the provisions of this Chapter, shall be guilty of a misdemeanor. Upon conviction, such person shall be punished by a fine of not to exceed \$750, or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. Anyone who knowingly aids and abets one or more persons not authorized to use the professional term "massage therapist" or employs persons not authorized to use the title "massage therapist" in the course of employment or who uses the term "massage," "massage therapy" or "massage therapist" in advertising or printed promotional material without authorization to do so under Illinois law shall be prosecuted for violation of the Massage Licensing Act (225 ILCS 57/1 *et seq.*) for which the first offense is a Class "A" misdemeanor and a second and any subsequent offense is a Class 4 felony."

SECTION 9: That this Ordinance shall be in full force and effect from and after its passage,

approval and publication in pamphlet form as provided by law.

Passed on first reading this 2nd day of September, 2004.

First reading waived by action of the Board of Trustees this _____ day of _____,

2004.

Passed on second reading this 16th day of September _____, 2004, pursuant to

a roll call vote as follows:

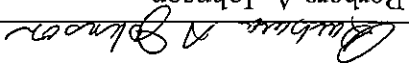
AYES: Trustees Tross, Koenig, Sebby, Florey and Soderstrom

NAYS: None


ABSENT: Trustee Destephano

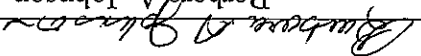
APPROVED by me this 16th day of September, 2004.

ATTEST:


Barbara A. Johnson
Acting Village Clerk

Published by me in pamphlet form this 21st day of January, 2005.


William J. Mueller
Village President


Barbara A. Johnson
Acting Village Clerk