

Oklahoma City Code

ARTICLE I. IN GENERAL

§ 28-1. **Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Employee* means any person over 18 years of age, other than an operator, who renders any service in connection with the operation of a massage business and receives compensation from the manager of the business or patrons.
- (2) *Licensee* means the person to whom a license has been issued to own or operate a massage establishment.
- (3) *Manager* means the person owning, controlling, conducting, operating or managing a massage establishment, but shall not include the operator, as defined in this section.
- (4) *Massage* means any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external parts of the human body with the hands or with the aid of any mechanical electrical apparatus or appliances with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointment or other such similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or any gratuity therefor.
- (5) *Massage establishment* means any establishment having a source of income or compensation derived from the practice of massage as defined in Paragraph (4) and which has a fixed place of business where any person engages in or carries on any of the activities as defined in Paragraph (4).
- (6) *Operator* means any person who, for any consideration whatsoever, engages in the practice of massage as defined in Paragraph (4).
- (7) *Outcall massage service* means any business, the functioning of which is to engage in or carry on massages at a location designated by the customer or client rather than at a massage establishment.

(8) *Patron* means any person over 18 years of age who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefore.

(9) *Permittee* means the person to whom a permit has been given to act in the capacity of a massage establishment manager or to engage in massaging.

(10) *Person* means any individual, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form and character.

(11) *Sexual or genital areas* means genitals, pubic area, buttocks, anus, or perineum of any person, or the vulva or breasts of a female.

(Code 1970, § 9-163; Code 1980, § 28-1)

Cross references: Definitions and rules of construction generally, § 1-2.

§ 28-2. **Inspections authorized.**

Any department of the City may inspect any massage establishment or operator. The Chief of Police or his authorized representatives shall from time to time make inspection of each massage business establishment for the purposes of determining that the provisions of this chapter are fully complied with. It shall be unlawful for any person to fail to allow such inspection officer access to the premises or hinder such officer in any manner.

(Code 1970, §§ 9-169(b), 9-176(j); Code 1980, § 28-2)

Cross references: Inspections generally, § 2-66 et seq.

§ 28-3. **Exemptions.**

The provisions of this chapter shall not apply to the following while they are engaged in the personal performance of the duties of their respective professions:

(1) physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in this state.

(2) nurses who are registered under the laws of this state.

(3) barbers and beauticians who are duly licensed under the laws of this state, except that this exemption shall apply solely to the massaging of the neck, face, scalp and hair of the customer or client for cosmetic or beautifying purposes.

(4) any organization which is exempt from taxation as a bona fide fraternal, charitable, religious, benevolent or nonprofit organization under the internal revenue laws of the United States.

(Code 1970, § 9-166; Code 1980, § 28-3)

§ 28-4. Penalty.

Every person, except those persons who are specifically exempted by this chapter, whether acting as an individual owner, employee of the owner, operator or employee of the operator, or whether acting as a mere agent or independent contractor for the owner, employee or operator, or acting as a participant or worker in any way directly or indirectly who gives massages or operates a massage establishment or any of the services defined in this chapter without first obtaining a license or permit and paying a fee to do so from the City or who shall violate any provisions of this chapter shall be guilty of a Class "a" offense and, upon conviction, such person shall be punished by a fine not to exceed \$200.00, excluding costs, or by imprisonment for a period not to exceed six months in the City Jail or by both such fine and imprisonment.

(Code 1970, § 9-176(m); Code 1980, § 28-4; Ord. No. 20457, § 1, 10-24-95)

State law references: Penalty for ordinance violations, 11 O.S. § 14-111.

§§ 28-5--28-15. Reserved.

ARTICLE II. LICENSES AND PERMITS*

***Cross references:** Licenses and permits generally, Ch. 26.

DIVISION 1. GENERALLY

§ 28-16. Term.

Every license or permit issued pursuant to the provisions of this article shall terminate at the expiration of one year from the date of its issuance unless sooner suspended or revoked.

(Code 1970, § 9-173; Code 1980, § 28-16)

§ 28-17. Approval or denial.

The City shall act to approve or deny an application for a license or permit under this article within a reasonable period of time and in no event shall the City act to approve or deny said license or permit later than 90 days from the date that the application was accepted by the Health Department.

(Code 1970, § 9-173; Code 1980, § 28-17)

§§ 28-18--28-25. Reserved.

DIVISION 2. OWNER'S LICENSE

§ 28-26. **Required.**

No person shall own, control, lease, act as agent for, conduct, operate, or manage an establishment for massaging any person without first securing a license and paying the fee therefor. A separate license shall be required for each office or place of business.

(Code 1970, § 9-164; Code 1980, § 28-26)

§ 28-27. **Application.**

(a) Any person desiring a license for a massage establishment shall file a written application with the Health Department. The applicant shall furnish the following information:

- (1) the type of ownership of the business, i.e., whether individual, partnership, corporation, or otherwise.
- (2) the name, style, and designation under which the business or practice is to be conducted.
- (3) the business address and all telephone numbers where the business is to be conducted.
- (4) a complete list of the names and residence addresses of all operators and employees in the business and the name and residence addresses of the manager or other person principally in charge of the operation of the business.
- (5) the following personal information concerning the applicant, if an individual; and concerning each stockholder holding more than ten percent of the stock of the corporation, each officer and each director, if the applicant is a corporation; and concerning the partners, including limited partners, if the applicant is a partnership; and the holder of any lien, of any nature, upon the

business and/or the equipment used therein; and concerning the manager or other person principally in charge of the operation of the business:

- a. name, complete residence address and residence telephone numbers.
- b. the two previous addresses immediately prior to the present address of the applicant.
- c. written proof that the applicant is at least 18 years of age.
- d. height, weight, color of hair and eyes, and sex.
- e. two front-face portrait photographs taken within 30 days of the date of the application and at least two inches by two inches in size.
- f. the message or similar business history and experience ten years prior to the date of application, including, but not limited to, whether or not such person in previously operating in this or another City or State under license or permit has had such license or permit denied, revoked, or suspended and the reason therefore, and the business activities or occupations subsequent to such action of denial, suspension or revocation.
- g. a complete set of fingerprints taken and to be retained on file by the Police Chief or his authorized representatives.

(6) such other information, identification, and physical examination of the applicant as shall be deemed necessary by the Police Chief to discover the truth of the matters hereinbefore required to be set forth in the application.

(7) authorization for the City, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit.

(8) the names and addresses of three adult residents of the county who will serve as character references. These references must be persons other than relatives and business associates.

(9) a written declaration by the applicant, under penalty of perjury, that the information contained in the application is true and correct, said declaration being duly dated and signed in the City.

(b) Along with the written application, the applicant shall obtain from the Oklahoma State Bureau of Investigation and provide to the Supervisor of Licenses a current Oklahoma criminal history information report. The criminal record is considered current if it is dated no more than 30 days prior to the date on which the applicant submits a completed application to the Supervisor of Licenses.

(Code 1970, § 9-167; Code 1980, § 28-27; Ord. No. 21689, § 3, 3-27-01)

§ 28-28. Inspection of premises.

Before a license is granted for any massage establishment, the Health Department shall cause an inspection to be made of the location of the establishment, and of the equipment, and the sanitary conditions, and toilet and lavatory facilities for guests and operators. The inspector shall make a report thereof in writing, which shall be filed with and become a part of the application.

(Code 1970, § 9-170; Code 1980, § 28-28)

Cross references: Inspections generally, § 2-66 et seq.

§ 28-29. Facilities necessary for license.

(a) No license to conduct a massage establishment shall be issued if an inspection by the City reveals that the establishment did not comply with each of the following minimum requirements:

- (1) Construction of rooms used for toilets, tubs, steam baths and showers shall be made waterproof with approved waterproofed materials and shall be installed in accordance with the building code. Plumbing fixtures shall be installed in accordance with the plumbing code.
- (2) steam rooms and shower compartments shall have waterproof floors, walls and ceilings approved by the City.
- (3) Floors of wet and dry heat rooms shall be adequately pitched to one or more floor drains properly connected to the sewer; provided, that dry heat rooms with wooden floors need not be provided with pitched floors and floor drains.
- (4) A source of hot water must be available within the immediate vicinity of dry and wet heat rooms to facilitate cleaning.
- (5) The premises shall have adequate equipment for disinfecting and sterilizing nondisposable instruments and materials used in administering massages. Such nondisposable instruments and materials shall be disinfected after use on each patron.
- (6) Closed cabinets shall be provided and used for the storage of clean linen, towels and other materials used in connection with administering massages. All soiled linens, towels and other materials shall be kept in properly covered

containers or cabinets, which containers or cabinets shall be kept separate from the clean storage areas.

(7) Toilet facilities shall be provided in convenient locations. When employees and patrons of different sexes are on the premises at the same time, separate toilet facilities shall be provided for each sex. A single toilet per sex shall be provided for each 20 or more employees or patrons of that sex on the premises at any one time. Urinals may be substituted for toilets after one toilet has been provided. Toilets shall be designated as to the sex accommodated therein.

(8) Lavatories or washbasins provided with both hot and cold running water shall be installed in either the toilet room or a vestibule. Lavatories or washbasins shall be provided with soap and a dispenser and with sanitary towels.

(9) All electrical equipment shall be installed in accordance with the requirements of the City's electrical ordinances.

(b) Nothing contained herein shall be construed to eliminate other requirements of statute or ordinance concerning the maintenance of premises, nor to preclude authorized inspection thereof, whenever such inspection is deemed necessary by the Police or Health Department.

(Code 1970, § 9-176(d); Code 1980, § 28-28.1)

§ 28-30. **Issuance.**

If the Health Department approves the issuance of a massage establishment license, it shall cause such approval to be delivered to the Supervisor of Licenses who shall issue the license unless he finds:

(1) The correct license fee has not been tendered to the City, and, in the case of a check or bank draft, not honored with payment upon presentation.

(2) The operation, as proposed by the applicant, if permitted, would not comply with all applicable laws, including, but not limited to, the City's building, zoning and health ordinances.

(3) The applicant, if an individual; or any of the stockholders holding more than ten percent of the stock of the corporation, or any of the officers and directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; or the holder of any lien, of any nature, upon the business and/or the equipment used therein; and the manager or other person principally in charge of the operation of the business, have been convicted of any of the following offenses or convicted of an offense without the state that would have constituted any of the following offenses if committed within the state:

- a. an offense involving the use of force and violence upon the person of another that amounts to a felony.
- b. an offense involving sexual misconduct.
- c. an offense involving narcotics, dangerous drugs or dangerous weapons that amounts to a felony.

The City may issue a license to any person convicted of any of the crimes described above if it finds that such conviction occurred at least five years prior to the date of the application and the applicant has had no subsequent felony convictions of any nature and no subsequent misdemeanor convictions for any such crime mentioned above.

(4) The applicant has knowingly made any false, misleading, or fraudulent statement of fact in the application or in any document required by the City in conjunction therewith.

(5) The applicant has had a massage business, operator's, or other similar permit or license denied, revoked, or suspended by the City or any other State or local agency within five years prior to the date of the application.

(6) The applicant, if an individual; or any of the officers and directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; and the manager or other person principally in charge of the operation of the business, is not over the age of 18 years.

(7) The applicant's facility has not met the requirements of Section 28-29.

(Code 1970, §§ 9-172, 9-176; Code 1980, § 28-29)

§ 28-31. Fee.

A person who is required by the provisions of this division to obtain a license shall pay to the City the fee established in Chapter 60, the General Schedule of Fees.

(Code 1970, § 9-176; Code 1980, § 28-30)

Cross references: License fee for massage establishment owner, operator or manager, § 60-28-6.

§ 28-32. Transfer prohibited.

A license for the operation of a massage establishment at a particular location shall never be transferred.

(Code 1970, § 9-171; Code 1980, § 28-31)

§ 28-33. Use of false name or improper location.

No person granted a license pursuant to this division shall operate the massage establishment under a name not specified in his license, nor shall he conduct business under any designation or location not specified in his license.

(Code 1970, § 9-176(e); Code 1980, § 28-32)

§ 28-34. Display.

Every person licensed under this division shall display such license in a prominent place on the licensed premises.

(Code 1970, § 9-175(b); Code 1980, § 28-33)

§ 28-35. Revocation or suspension.

Any license issued for a massage establishment may be revoked or suspended by the City after notice and hearing, for good cause, or in any case where any of the provisions of this chapter are violated or where any employee of the manager licensee, including an operator, is engaged in any conduct which violates any of the State or local laws or ordinances at said licensee's place of business and the manager licensee has actual or constructive knowledge by due diligence. Such license may also be revoked or suspended by the City upon a finding by the Director of the Health Department that such business is being managed, conducted or maintained without regard to proper sanitation and hygiene. Upon notice of any of such violations, the Health Department shall suspend the license and report the same together with all the facts to the Council, who may, after notice to the holder and a hearing, revoke the license. The Health Department shall make a report to the Council as speedily as possible after the suspension of the license for the purpose of permitting a final hearing thereon.

(Code 1970, § 9-176(a), (c); Code 1980, § 28-34)

§§ 28-36--28-45. Reserved.

DIVISION 3. PERMIT FOR MANAGERS OR PERSONS ENGAGED IN MASSAGING

§ 28-46. **Required.**

(a) Every individual operator engaged in massaging and every individual manager operating a massage establishment shall be required to obtain a permit from the Supervisor of Licenses before engaging in the practice of massaging or operating an establishment.

(b) If the manager is also an operator the manager shall be required to obtain a permit both as manager and operator.

(Code 1970, § 9-165; Code 1980, § 28-46)

§ 28-47. **Application.**

(a) Any person desiring the permit required by the provisions of this division shall file a written application with the Health Department. The applicant shall furnish the following information:

- (1) the business address and all telephone numbers where the massage is to be practiced.
- (2) the following personal information concerning the applicant:
 - a. name, complete residence address and residence telephone numbers.
 - b. the two previous addresses immediately prior to the present address of the applicant.
 - c. written proof that the applicant is at least 18 years of age.
 - d. height, weight, color of hair and eyes, and sex.
 - e. two front-face portrait photographs taken within 30 days of the date of application and at least two inches by two inches in size.
 - f. the massage or similar business history and experience ten years prior to the date of application, including but not limited to whether or not such person in previously operating in this or another City or State under license or permit has had such license or permit denied, revoked, or suspended and the reason therefor, and the business activities or occupations subsequent to such action of denial, suspension or revocation.
 - g. a complete set of fingerprints taken and to be retained on file by the Police Chief or his authorized representatives.

h. a photocopy of the applicant's grade record, reflecting successful completion of at least three semester hours of applied anatomy and physiology at an institution of higher learning accredited by the Oklahoma State Regents for Higher Education, or satisfactory evidence that he attended not less than three semester hours of instruction in a school within or without this State or in any foreign country that provides education substantially equal to or in excess of such educational requirements.

(3) such other information, identification, and physical examination of the person deemed necessary to discover the truth of the matters required above.

(4) authorization for the City, its agents and employees, to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit.

(5) a written declaration by the applicant, under penalty of perjury, that the information contained in the application is true and correct, said declaration being duly dated and signed in the City.

(6) a statement showing the name and address of the person by whom the operator is employed, and such operator shall file successive statements if a change or changes are made in the employment of the operator during the existence of the permit.

(b) Along with the written application, the applicant shall obtain from The Oklahoma State Bureau of Investigation and provide to the Supervisor of Licenses a current Oklahoma criminal history information report. The criminal record is considered current if it is dated no more than 30 days prior to the date on which the applicant submits a completed application to the Supervisor of Licenses.

(Code 1970, §§ 9-168, 9-174; Code 1980, § 28-47; Ord. No. 21689, § 3, 3-27-01)

§ 28-48. **Issuance standards.**

No permit shall be issued pursuant to the provisions of this division if:

(1) The correct permit fee has not been tendered to the City, and, in the case of a check or bank draft, not honored with payment upon presentation.

(2) The applicant has been convicted of any of the following offenses or convicted of an offense without the State that would have constituted any of the following offenses if committed within the state:

- a. an offense involving the use of force and violence upon the person of another that amounts to a felony.
 - b. an offense involving sexual misconduct.
 - c. an offense involving narcotics, dangerous drugs or dangerous weapons that amounts to a felony. The City may issue a permit to any person convicted of any of the crimes described above if it finds that such conviction occurred at least five years prior to the date of the application and the applicant has had no subsequent felony convictions of any nature and no subsequent misdemeanor convictions for any such crime mentioned above.
- (3) The applicant has knowingly made any false, misleading, or fraudulent statement of fact in the permit application or in any document required by the City in conjunction therewith.
- (4) The applicant has had a massage business, operator's, or other similar permit or license denied, revoked, or suspended by the City or any other State or local agency within five years prior to the date of the application.
- (5) The applicant is not over the age of 18 years.

(Code 1970, § 9-172; Code 1980, § 28-48)

§ 28-49. Fee.

A person who is required by the provisions of this division to obtain a permit shall pay to the City the fee established in Chapter 60, the General Schedule of Fees.

(Code 1970, § 9-176; Code 1980, § 28-49)

Cross references: Permit fee for massage establishment manager or individual operator engaged in massaging, § 60-28-7.

§ 28-50. Posting.

Every operator or manager shall post the permit required by this division in his work area.

(Code 1970, § 9-175(a); Code 1980, § 28-50)

§ 28-51. Revocation or suspension.

The Supervisor of Licenses shall suspend a permit issued pursuant to this division where it appears that the permittee has been convicted of any offense which would be cause for denial of a permit upon an original application, has made a false statement on an application for a permit, or has committed an act in violation of this chapter. The Supervisor of Licenses shall report such action to the Council, which, after notice and hearing, shall determine whether the permit should be reinstated or revoked. No operator shall massage any person, nor shall any manager conduct any such massage establishment business, after the permit has been suspended unless the Council has reinstated the permit.

(Code 1970, § 9-176(b), (c); Code 1980, § 28-51)

§§ 28-52--28-65. Reserved.

ARTICLE III. OPERATING REQUIREMENTS

§ 28-66. **Sanitation generally.**

Every portion of a massage establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.

(Code 1970, § 9-176(e); Code 1980, § 28-66)

§ 28-67. **Posting of prices.**

Price rates for all services at a massage establishment shall be prominently posted in the reception area in a location available to all prospective customers.

(Code 1970, § 9-176(e); Code 1980, § 28-67)

§ 28-68. **Employee register.**

The licensee or person designated by the licensee of a massage establishment shall maintain a register of all persons employed at any time as operators and their permit numbers. Such register shall be available at the massage establishment to representatives of the City during regular business hours.

(Code 1970, § 9-176; Code 1980, § 28-68)

§ 28-69. Employment of operators.

No person shall employ as an operator any person unless said employee has obtained and has in effect a permit issued pursuant to this chapter.

(Code 1970, § 9-176(e); Code 1980, § 28-69)

§ 28-70. Employees with contagious diseases.

Except as otherwise provided, no manager of any massage establishment shall employ or permit any operator to work, and no operator shall work in any establishment, who is affected with any infectious, contagious or communicable disease or any disease which may, by law, be required to be reported to the Health Department of the City or of the State.

(Code 1970, § 9-169(a); Code 1980, § 28-70)

§ 28-71. Employee dress and dressing rooms.

All employees at a massage establishment, including operators, shall be clean and wear clean, nontransparent outer garments, covering the sexual and genital areas; use of said garments is restricted to the massage establishment. A separate dressing room for each sex must be available on the premises with individual lockers for each employee. Doors to such dressing rooms shall open inward and shall be self-closing.

(Code 1970, § 9-176(e); Code 1980, § 28-71)

§ 28-72. Sheets and towels.

All massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity which shall be laundered after each use thereof and stored in a sanitary manner.

(Code 1970, § 9-176(e); Code 1980, § 28-72)

§ 28-73. Operating hours.

No massage establishment shall be kept open for any purpose between the hours of 10:00 p.m. and 8:00 a.m.

(Code 1970, § 9-176(h); Code 1980, § 28-73)

Cross references: Sunday closing law, § 30-111 et seq.

§ 28-74. Advertising.

No massage establishment shall place, publish or distribute or cause to be placed, published or distributed any advertisement, picture, or statement which is known or through the exercise of reasonable care should be known to be false, deceptive or misleading in order to induce any person to purchase or utilize any professional massage services.

(Code 1970, § 9-176(e); Code 1980, § 28-74)

§ 28-75. Persons under 18 prohibited on premises.

No person shall permit any person under the age of 18 years to come or remain on the premises of any massage establishment, as operator, employee, patron, or in any other capacity, unless such person is on the premises on lawful business.

(Code 1970, § 9-176(f); Code 1980, § 28-75)

§ 28-76. Alcoholic beverages.

No person shall sell, give, dispense, provide or keep, or cause to be sold, given, dispensed, provided or kept, any alcoholic beverage on the premises of any massage establishment.

(Code 1970, § 9-176(e); Code 1980, § 28-76)

Cross references: Alcoholic beverages, Ch. 5.

§ 28-77. Treatment of persons of opposite sex.

(a) It shall be unlawful for any person holding a permit under this chapter to treat a person of the opposite sex, except upon the signed order of a licensed physician, osteopath, chiropractor, or registered physical therapist, which order shall be dated and shall specifically state the number of treatments, not to exceed ten. The date and hour of each treatment given and the name of the operator shall be entered on such order by the establishment where such treatments are given and shall be subject to inspection by the police pursuant to this chapter. The requirements of this subsection shall not apply to treatments given in the residence of a patient, the office of a licensed physician, osteopath or registered physical therapist, chiropractor, or in a regularly established and licensed hospital or sanitarium.

(b) It shall be unlawful for any person owning, operating or managing a massage establishment, knowingly to cause, allow or permit in or about such massage establishment, any agent, employee, or any other person under his control or supervision to perform acts prohibited in Subsection (a) of this section.

(Code 1970, § 9-176(e); Code 1980, § 28-77)

§ 28-78. **Indecent conduct.**

(a) It shall be unlawful for any person, in a massage establishment, to place his hand or hands upon, to touch with any part of his body, to fondle in any manner, or to massage, a sexual or genital part of any other person.

(b) It shall be unlawful for any person, in a massage establishment, to expose his sexual or genital parts, or any portion thereof, to any other person. It shall also be unlawful for any person, in a massage establishment, to expose the sexual or genital parts, or any portions thereof, of any other person.

(c) It shall be unlawful for any person, while in the presence of any other person in a massage establishment, to fail to conceal with a fully opaque covering, the sexual or genital parts of his body.

(d) It shall be unlawful for any person owning, operating or managing a massage establishment, knowingly to cause, allow or permit in or about such massage establishment, any agent, employee, or any other person under his control or supervision to perform such acts prohibited in Subsection (a), (b) or (c) of this section.

(Code 1970, § 9-176(e); Code 1980, § 28-78)

§ 28-79. **Outcall service.**

It shall be unlawful for any permittee under this chapter to administer massage on an outcall basis. Such person shall administer massage solely within an establishment licensed to carry on such business under this chapter. Any violation of these provisions shall be deemed grounds for revocation of the permit granted hereunder. The restriction on outcall massage shall not apply to a permittee who performs outcall massage as defined herein upon a customer or client who, because of reasons of physical defects or incapacities or due to illness is physically unable to travel to the massage establishment. If any outcall massage is performed under this exception, a record of the date and hour of each treatment, and the name and address of the customer or client, and the name of the employee administering such treatment and the type of treatment administered, as well as the nature of the physical defect, incapacity or illness of said client or customer, shall be kept by the licensee or person or employee designated by the licensee. Such records shall be open to inspection by officials charged with the enforcement of public health laws. The information furnished or secured as a result of any such inspection shall be

confidential. Any unauthorized disclosure or use of such information by an employee of the business or the City shall be unlawful.

(Code 1970, § 9-176(e); Code 1980, § 28-79)

§ 28-80. Requirements for cubicles, booths, etc.

It shall be unlawful for any massage service to be carried on within any cubicle, room, booth, or any area within a massage establishment which is fitted with a door capable of being locked. All doors or doorway coverings within a massage establishment shall have an unobstructed opening six inches by six inches in size capable of clear two-way viewing into and out of all cubicles, rooms, or booths. The opening shall be not less than 4 1/2 feet from the floor of the establishment nor more than 5 1/2 feet from the floor. Toilets and cubicles used solely for the application of liquid and vapor baths shall have no such opening in the covering door or curtain, but shall be clearly marked as to purpose on the exterior door or curtain of said cubicle, room or booth. Nothing contained herein shall be construed to eliminate other requirements of statute or ordinance concerning the maintenance of premises, nor to preclude authorized inspection thereof, whenever such inspection is deemed necessary by the Police or Health Department.

(Code 1970, § 9-176(e); Code 1980, § 28-80)

§ 28-81. Treatment of diseased persons.

No person affected with any contagious disease or with any disease of the skin shall be treated in any massage establishment.

(Code 1970, § 9-176(e); Code 1980, § 28-81)