

ORDINANCE NO. 0-15137  
(New Series)

DEC 17 1979

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 35, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 33.3513(r), RELATING TO THE REGULATION OF MASSAGE BUSINESS AND MASSAGE TECHNICIANS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter III, Article 3, Division 35, of the San Diego Municipal Code be and the same is hereby amended by amending Section 33.3513(r), to read as follows:

SEC. 33.3513 MASSAGE ESTABLISHMENTS--OPERATING REQUIREMENTS

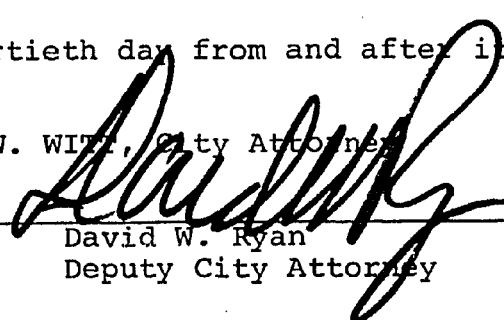
Subsections (a) through (q) remain the same.

(r) With the exception of bathrooms, showers and dressing rooms, no owner, operator, responsible managing employee, manager, or permittee in charge of or in control of any massage establishment shall permit any person in any area within the massage establishment which is used by the patrons or which can be viewed by patrons from such an area, unless the person's specified anatomical areas are fully covered.

Subsections (s) and (t) remain the same.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By  David W. Ryan  
Deputy City Attorney

DWR:rc:503.8  
10/23/79  
Or. Dept.: Police

Passed and adopted by the Council of The City of San Diego on DEC 17 1979,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

(Seal)

By Rita Andrews, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 3 1979

DEC 17 1979

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

(Seal)

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-15137 Adopted DEC 17 1979

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK  
170 JAN -3 11 0 31  
SAN DIEGO, CALIF.

San Diego, City of  
12th Floor, City Admin. Bldg.  
202 C Street  
San Diego, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3,  
DIVISION 35, OF THE SAN DIEGO MUNICIPAL CODE

I, Camille Simpson, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. 0-15137 (New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

December 31, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 31st day of Dec., 1979.

Camille Simpson

(Signature)

4 1/2" - \$30.02

**ORDINANCE NO. 0-15137**  
**(New Series)**  
AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 35, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 33.3513(r), RELATING TO THE REGULATION OF MASSAGE BUSINESS AND MASSAGE TECHNICIANS.  
This ordinance deletes a requirement of San Diego Municipal Code Section 33.3513 which could be interpreted as preventing two persons of the same sex to be in restrooms, showers or dressing rooms of a massage parlor and therefore is overbroad legislation and not necessary for enforcement of the massage parlor ordinance.  
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.  
Introduced on December 3, 1979.  
Passed and adopted by the Council of The City of San Diego on December 17, 1979.  
AUTHENTICATED BY:  
PETE WILSON,  
Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR,  
City Clerk of the City of San Diego, California.  
(SEAL)  
By RITA ANDREWS, Deputy  
Published December 31, 1979. 60-3587-1