

O. 81-93

ORDINANCE NO. 0-15413  
(New Series)

JAN 5 1981

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 35, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 33.3506.1 AND AMENDING SECTION 33.3516, RELATING TO THE REGULATION OF MASSAGE ESTABLISHMENTS 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 adding Section 33.3506.1 and amending Section 33.3516, to read as follows:

SEC. 33.3506.1 MASSAGE ESTABLISHMENT LICENSE--HEALTH DEPARTMENT INSPECTION AND INVESTIGATION

In addition to the requirements of Section 33.3506, any person, association, partnership, or corporation desiring to operate a massage establishment shall make an application to the County of San Diego, Department of Health Services, for a Health Permit. An annual nonrefundable fee, the exact amount of which shall be determined and kept on record by the County Department of Health Services, shall accompany the submission of each application to the Department of Health Services to defray the cost of investigation, inspection and enforcement of the health aspects of this Division.

Any massage establishment licensee failing to renew the Health Permit within thirty (30) days after

expiration shall be assessed a ten percent (10%) penalty for each month of failure to renew added to the cost of the renewal of the Health Permit fee, and this sum shall be paid to the Department of Health Services. In no case shall the penalty exceed sixty percent (60%) of the renewal fee. The imposition and/or payment of the penalty imposed by this Section shall not prevent the imposition of any other penalties prescribed by this Chapter or prosecution for violation of this Chapter.

SEC. 33.3516 CHANGE OF LOCATION

A change of location of a licensed massage establishment shall be approved by the Chief of Police provided all applicable provisions of this Division are complied with, the San Diego County Department of Health Services and the Department of Building Inspection have inspected the new location and have advised the Chief of Police that it complies with the requirements of this Division and all other applicable laws, a nonrefundable Health Permit fee has been paid to the County of San Diego for inspection of the new location, and a nonrefundable change of location fee has been paid to the Chief of Police. The Chief of Police shall not approve any change of location until the massage establishment licensee has complied with all applicable provisions of this Division and all other applicable laws.

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 Stuart H. Swett  
Stuart H. Swett  
Chief Deputy City Attorney

SHS:rc:503.8  
10/17/80  
Or. Dept.: Financial Management

**0-15413**

Passed and adopted by the Council of The City of San Diego on JAN 5 1981,  
 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"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <i>vacant</i>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Ellen Board, 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 8 1980, and on JAN 5 1981.

~~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 Ellen Board, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number	<u>0-15413</u> Adopted <u>JAN 5 1981</u>

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
1981 JAN 22 AM 9:59  
SAN DIEGO, CALIF.

San Diego, City of  
202 C St., 12th Floor  
San Diego, Calif. 92101  
ATTN: Ellen Bovard

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 35, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 33.3506.1 AND AMENDING SECTION 33.3516, ETC.

0-15413 NS

Camille Simpson

I, \_\_\_\_\_, 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. O-15413 (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:

January 19, 1981

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

Dated at San Diego, California this 19th day of Jan., 1981

*Camille Simpson*

(Signature)

**ORDINANCE NO. O-15413**  
**(New Series)**  
AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 35, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 33.3506.1 AND AMENDING SECTION 33.3516, RELATING TO THE REGULATION OF MASSAGE ESTABLISHMENTS AND MASSAGE TECHNICIANS.  
Amends the San Diego Municipal Code to authorize the County Department of Health Services to establish and collect necessary fees for sanitary and relocation inspections of massage establishments.  
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 8, 1980.  
Passed and adopted by the Council of The City of San Diego, on January 5, 1981.  
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 ELLEN BOVARD, Deputy  
Publish January 19, 1981. 80-1184