

TOWNSHIP OF FAIRFIELD

ORDINANCE NO 94-1

APPLICATION FORM FOR LICENSE FOR MASSEURS, MASSEUSES AND OTHER SIMILAR PERSONS.

A. NAME OF APPLICANT: TELEPHONE NUMBER:

ADDRESS: FOR LAST 5 YEARS

IF CORPORATION, NAME OF PRESIDENT & SECRETARY:

PRESIDENT: TELEPHONE NUMBER:

ADDRESS: FOR LAST 5 YEARS

SECRETARY: TELEPHONE NUMBER:

ADDRESS: FOR LAST 5 YEARS

IF PARTNERSHIP, NAME OF ALL PARTNERS: TELEPHONE NUMBER:

ADDRESS: FOR LAST 5 YEARS

B. ADDRESS OF ESTABLISHMENT OR PREMISES TO BE USED IN THE
 MESSAGE BUSINESS OR SIMILAR BUSINESS.

C. STATEMENT OF THE APPLICANT'S EMPLOYMENT OR BUSINESS OPERATED
 FOR A PERIOD OF FIVE (5) YEARS PRIOR TO MAKING APPLICATION.

D. NAME AND ADDRESS FOR ALL PERSONS/EMPLOYEES WHO WILL PERFORM
 THE MESSAGE/THERAPY FOR THE PRESENT YEAR AND THE LAST FIVE (5)
 YEARS.

NAME AND ADDRESS: PRESENT YEAR:

NAME AND ADDRESS: FOR PAST FIVE (5) YEARS

E. DETAILS OF ANY ARRESTS OR CONVICTIONS FOR MISDEMEANORS AND CRIMES:

INCLUDING THE NATURE OF THE OFFENSE FOR WHICH ARRESTED OR CONVICTED:

DATE OF CONVICTION AND PLACE WHERE SAID CONVICTION WAS OBTAINED:

THIS PROVISION SHALL APPLY TO THE APPLICANT AS WELL AS ANY PERSON/EMPLOYEES WHO WILL PERFORM THE MASSAGE/THERAPY.

F. STATEMENT OF ALL OF APPLICANT'S LICENSES TO CONDUCT THE BUSINESS HEREIN DESCRIBED WHICH HAVE BEEN DENIED, SUSPENDED OR REVOKED:

G. STATEMENT THAT THE APPLICANT CERTIFIES THAT IT SUPPLIES THE INFORMATION KNOWING THAT THE TOWNSHIP OF FAIRFIELD WILL RELY THEREON IN ISSUING A LICENSE, AND THE APPLICANT FURTHER AGREES TO COMPLY WITH ALL LAWS AND ORDINANCES OF THE TOWNSHIP.

I _____ DO HEREBY SUPPLY ALL INFORMATION KNOWING THAT THE TOWNSHIP OF FAIRFIELD WILL RELY THEREON IN ISSUING A LICENSE, AND I _____ FURTHER AGREE TO COMPLY WITH ALL LAWS AND ORDINANCES OF THE TOWNSHIP.

ANNUAL RENEWAL FILING APPLICATION AND FEE \$100.00 MUST BE FILED NOT LATER THAN SIXTY (60) DAYS BEFORE THE LICENSE EXPIRES. RENEWAL JUNE 1ST. OF EACH YEAR.

- B. THE MAYOR AND COUNCIL, BEFORE REVOKING OR SUSPENDING ANY LICENSE, SHALL GIVE THE APPLICANT AT LEAST TEN (10) DAYS WRITTEN NOTICE OF THE CHARGES AGAINST HIM/HER AND THE OPPORTUNITY FOR A PUBLIC HEARING BEFORE THE MAYOR AND COUNCIL.
- C. ANY PERSON WHO VIOLATES ANY OF THE PROVISIONS OF THIS ORDINANCE SHALL UPON CONVICTION, BE PUNISHED BY IMPRISONMENT IN THE COUNTY JAIL FOR A TERM NOT EXCEEDING NINETY (90) DAYS, OR BY A FINE NOT EXCEEDING FIVE HUNDRED DOLLARS (\$500.00), OR BOTH, IN THE DISCRETION OF THE COURT.
- D. IF, FOR ANY REASON, ANY SECTION, ANY PART OF A SECTION, PARAGRAPH OR PROVISION OF THIS ORDINANCE, SHALL BE HELD TO BE INVALID BY ANY COURT, SAME SHALL NOT BE HELD TO AFFECT ANY OTHER SECTION, ANY PART OF A SECTION, PARAGRAPH OR PROVISION OF THIS ORDINANCE.

Introduced: January 24, 1994.
Reintroduced: March 14, 1994
Adopted: March 28, 1994

TOWNSHIP OF FAIRFIELD

ORDINANCE NO. 94- 1

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF FAIRFIELD SO TO ADD CHAPTER 39A ENTITLED, "LICENSES: MASSEURS, MASSEUSES AND OTHER SIMILAR PERSONS."

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY:

SECTION ONE

Chapter 39A shall state as follows:

39A-1. Applicability.

This Chapter shall apply to masseurs, masseuses and similar persons other than physicians and chiropractors who are licensed to practice by the State of New Jersey.

39A-1.1 Definition.

Masseurs, Masseuses, and other similar persons shall refer to those persons who perform body massages which shall be defined as the pressing, squeezing, or stimulating of the neck, limbs, back or other parts of the human body with or without cosmetic or other preparation either by hand, mechanical or electrical appliances.

39A-2. Required licenses.

It shall be unlawful for any person, firm, corporation or partnership to operate any establishment or utilize any premises in the Township of Fairfield as or for a massage or similar business unless and until there first has been obtained a license for such establishment or premise from the Municipal Clerk as set forth herein. The required license shall apply to each person performing the massage.

39A-3. Applications.

Any person desiring a license required by this Chapter shall file with the Municipal Clerk an application containing the following information:

- A. The name and address of the applicant; if a corporation, the name and addresses of the president and secretary shall be given; if a partnership, the name and addresses of all partners shall be given.
- B. The residence of the applicant at the present time as well as for the last five (5) years.

- C. The address of the establishment or premises to be used in the massage business or similar business.
- D. A statement of the applicant's employment or business operated for a period of five (5) years prior to making the application.
- E. The name and address for all persons/employees who will perform the massage/therapy for the present year and last five (5) years.
- F. Detail of any arrests or convictions for misdemeanors and crimes, including the nature of the offense for which arrested or convicted, the date of conviction and the place where said conviction was obtained. This provision shall apply to the applicant as well as any person/employees who will perform the massage/therapy.
- G. A statement of all of applicant's licenses to conduct the business herein described which have been denied, suspended or revoked.
- H. A statement that the applicant certifies that it supplies the information knowing that the Township of Fairfield will rely thereon in issuing a license, and the applicant further agrees to comply with all laws and ordinances of the Township.

39A-4. Prerequisites to Issuance of License.

(a) Following the filing of an application for a license under this Chapter, the Chief of Police shall verify the information respecting the background of the applicant and shall signify his/her approval or rejection on the application. An application shall be rejected by the Chief of Police if the applicant has been convicted of or pleaded nolo contendere to a felony or any crime involving moral turpitude.

(b) The Zoning Officer shall verify that the applicant's business at the location requested will not violate the Zoning Ordinances of the Township or any other Township ordinance or State Law.

(c) The applicant has supplied the Municipal Clerk with proof that the applicant (which includes all personnel who perform messages) has been certified by the American Massage Therapists Association or equivalent. The applicant must prominently display the certificate, degree or diploma so obtained in the establishment for which the subject license has been applied for.

(d) The Municipal Health Officer shall verify that the premises for which the license has been applied for, complies with the Local Health/Sanitation Code.

Corb. 6-

39A-5. Fees; Duration and Termination Dates.

(a) The applicant for a license as specified herein shall pay an annual license fee of one hundred dollars (\$100.00) which fee shall become due on the first day of June in each year.

(b) Every license issued pursuant to this Ordinance will terminate at the expiration of one (1) year from the date of issuance, unless sooner revoked; and must be renewed before operation is allowed in the following year. The application for renewal must be filed not later than sixty (60) days before the license expires.

39A-6. Revocation/Suspension of License.

(a) The Mayor and Council may revoke or suspend a license for any of the following reasons:

(1) Discovery that false or misleading information or data was given on any application or material facts were omitted from any application.

(2) The applicant violates any provisions of this Ordinance.

(3) The applicant becomes ineligible to obtain a license.

(4) The fee required to be paid by this ordinance is not paid.

(b) The Mayor and Council, before revoking or suspending any license, shall give the applicant at least ten (10) days written notice of the charges against him/her and the opportunity for a public hearing before the Mayor and Council.

39A-7. Violations of this Chapter.

Any person who violates any of the provisions of this ordinance shall upon conviction, be punished by imprisonment in the County jail for a term not exceeding ninety (90) days, or by a fine not exceeding Five Hundred Dollars (\$500.00), or both, in the discretion of the Court.

39A-8. Illegality of Any Separate Provision of this Chapter.

If, for any reason, any section, any part of a section, paragraph or provision of this ordinance, shall be held to be invalid by any Court, same shall not be held to affect any other section, any part of a section, paragraph or provision of this ordinance.

SECTION TWO

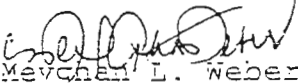
This ordinance shall take effect twenty (20) days after its final adoption and publication, as provided by Law.

Anna Marie Rotonda, Mayor

TOWNSHIP OF FAIRFIELD

NOTICE

TAKE NOTICE that the foregoing Ordinance was introduced and passed on First Reading at a Meeting of the Mayor and Council held on March 14, 1994. Said Ordinance shall be considered for adoption after Public Hearing at the regular Meeting of Mayor and Council to be held on March 23, 1994 starting at 7 p.m.


Meyghan L. Weber, R.M.C.
Municipal Clerk