



10631 MAIN STREET
PHONE: 815-623-2829 FAX: 815-623-1360

REGISTRATION AS EMPLOYEE OF MASSAGE THERAPY ESTABLISHMENT

Date: \_\_\_\_\_

To the Village of Roscoe, Winnebago County, Illinois: The undersigned hereby makes application for registration as Massage Therapist in the Village of Roscoe:

Applicant's Name: \_\_\_\_\_ Phone: \_\_\_\_\_
(first, middle, last name)

Present Address: \_\_\_\_\_
(street, city, state, zip)

Previous Address: \_\_\_\_\_
(street, city, state, zip)

Former Name or Alias: \_\_\_\_\_

DOB: \_\_\_\_\_ Place of Birth (city, state) \_\_\_\_\_

IDPR License #: \_\_\_\_\_ IDPR Profession Type: \_\_\_\_\_

Name of Employer/Establishment: \_\_\_\_\_

Employer/Establishment Address: \_\_\_\_\_ Roscoe, IL 61073.

Employer/Establishment Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Employer/Establishment Corporate Registration Number: \_\_\_\_\_

List any conviction you have received for the last ten (10) for violation of any law or ordinance: \_\_\_\_\_

NOTE: A PHOTO OF APPLICANT MUST ACCOMPANY THE APPLICATION

Having read and answered all of the statements, I swear the answers given are true and correct in every way and I understand that this application will be denied and any license previously granted will be revoked upon the giving of a false or incomplete answer to any questions.

APPLICANT'S SIGNATURE: \_\_\_\_\_ (date)

EMPLOYER CERTIFICATION STATEMENT

I, \_\_\_\_\_ hereby certify that as \_\_\_\_\_ of \_\_\_\_\_
(name) (owner/partner/manager) (name of establishment)

certify that I have completed a background check on the applicant and that all information related to prior criminal convictions is accurate.

EMPLOYER'S SIGNATURE: \_\_\_\_\_ (date)

OFFICE USE ONLY

License # \_\_\_\_\_ Issue Date \_\_\_\_\_ Issued by: \_\_\_\_\_

Check # \_\_\_\_\_ Cash \_\_\_ CC \_\_\_ Receipt # \_\_\_\_\_ PD Review [ ] Clerk Review [ ]

 **§ 110.43 ESTABLISHMENTS GIVING MASSAGES.**

(A) *Words and definitions.* The language of this section shall be interpreted in accordance with the following terms. Words herein not defined shall be interpreted in accordance with their definitions contained in the most recent edition of Webster's Dictionary.

*MASSAGE THERAPIST.* Any person holding a current, valid license in good standing from the State of Illinois Department of Professional Regulation under the Illinois Massage Licensing Act (ILCS Ch. 225, Act 57, §§ 1 *et seq.*) who, for any consideration whatsoever, engages in the practice of therapeutic massage as defined below and who is an active member in a professional massage therapy organization as described in division (E) below.

*MASSAGE THERAPY FACILITY.* Any place of business having a source of income or compensation derived from therapeutic massage, where a licensed massage therapist administers therapeutic massages or from where a massage therapist is dispatched to administer therapeutic massage. A *MASSAGE THERAPY FACILITY* also includes schools, institutions and home occupations as described in § [155.125](#) of this code for the purposes of this section.

*OFF-PREMISES MASSAGE.* The activity of providing massage services by a licensed massage therapist for any consideration whatsoever at a location other than at a massage therapy facility.

*PROFESSIONAL MASSAGE THERAPY ORGANIZATION.* An organization that promotes minimum standards for the profession, assists legislatures in developing laws regarding the profession, requires members to adhere to a code of ethics and provides legal assistance, education, insurance, support and information to its members.

*THERAPEUTIC MASSAGE.* May include, but is not limited to, joint mobilization techniques, stretches, effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and any reasonable method of pressure on the external soft parts of the body with the hands, elbows or forearms, or with the aid of any mechanical or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, oils, liniments, hot and cold packs, antiseptics, powders, creams, lotions, salt glows, ointments, or other similar preparations commonly used in the practice.

(B) *Applicability of provisions.* The provisions of this section shall not apply to:

- (1) Illinois licensed medical doctors, doctors of osteopathic medicine, chiropractors, physical therapists, occupational therapists, naprapaths, or registered nurses, where such massage is part of their state practice act.
- (2) Illinois licensed practical nurses, hospitals, or nursing homes while administering such massages in the normal course of their medical duties.
- (3) Any state-registered athletic trainer who administers such athletic-related massage in the normal course of training duties, where such massage is part of the Illinois Athletic Trainers Practice Act (ILCS Ch. 225, Act 5, §§ 1 *et seq.*).

(C) *Licenses required.*

- (1) Any person who participates in massage activity as defined by the Massage Licensing Act or this section must hold a current, valid license as a massage therapist issued by the Illinois Department of Professional Regulation.
- (2) Before providing any massage service, as defined by the Act or in this section, in the Village, each licensed massage therapist shall present his or her massage license, a current, valid photo identification and a current head and shoulders photograph 2" x 3" in size, with the subject facing the camera, to the designated Village official, and said official shall emboss the photograph with an appropriate seal.
- (3) Every massage therapist shall conspicuously display the license required by the State of Illinois together with the photograph embossed by the Village in an 8" x 10" frame in his or her work area.
- (4) Any massage therapist participating in an off-premises massage as defined herein within the jurisdiction of the Village shall have with him or her at the site of the massage the license required by the State of Illinois and the photograph embossed by the Village.

- (5) It shall be the responsibility of each massage therapy facility to insure that each person employed as a massage therapist shall have a valid massage therapist license and Village embossed photograph as set forth in this chapter. It shall be unlawful for such a facility to allow a licensed massage therapist to practice other than as defined in this section.
- (6) Each massage therapy facility shall maintain a current list of all licensed massage therapists who perform massage services at the massage establishment, along with proof and current Illinois licensure and shall allow the inspection of such records at any reasonable time upon the request of any representative of the Village.
- (7) Issuing/Investigating Officer: As contemplated in section § [110.04](#), prior to the issuance or renewal of the license, permit or registration set forth in this section, the following officer of the Village of Roscoe shall be responsible for investigating and making a recommendation as to the issuance or denial of the application: Chief of Police.

*(D) Facilities.*

- (1) A massage therapy facility under this section shall not include an office, building, or clinic of a profession defined in divisions (B)(1) or (B)(2) above where a licensed massage therapist practices or is employed.
- (2) No massage therapy facility shall be allowed to operate unless the facility complies with each of the following minimum requirements:
  - (a) Adequate private dressing and toilet facilities shall be provided for clients.
  - (b) All walls, ceilings, floors, steam rooms, and other physical facilities in the massage therapy facility shall be kept in good repair and maintained in a clean and sanitary condition.
  - (c) Clean and sanitary towels and linens shall be provided for each client receiving massage services. No common use of towels or linens shall be permitted.
  - (d) Construction of rooms used for toilets, tubs, steam baths and showers shall be made waterproof with approved waterproof materials and shall be installed in accordance with applicable building codes accepted by the Village.
  - (e) All massage tables, tubs, shower stalls, steam or bath areas and floors shall have surfaces which may be readily disinfected.
  - (f) The premises of the massage therapy facility shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposable instruments and materials shall be disinfected after use on each client.
  - (g) Adequate and sanitary storage 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 area.
  - (h) 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 in a dispenser and with sanitary or disposable towels.
  - (i) Massage therapy facilities shall be required to comply with any general business registration required by the Village as time to time amended.

*(E) Operating requirements for massage therapy facilities.*

- (1) Every portion of the massage therapy facility, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.
- (2) Price rates for all services shall be prominently posted in the entrance/reception area in a location available to all prospective clients, and no other services shall be permitted.
- (3) Massage therapists shall wear clean, nontransparent outer garments. Adequate private dressing and toilet facilities must be available on the premises. Doors to such dressing rooms shall open inward and shall be self-closing.
- (4) All massage therapy facilities shall have clean, laundered sheets and towels in sufficient quantity which shall be laundered after each use thereof and stored in a sanitary manner.
- (3) The sexual or genital areas of clients must be covered by towels, sheets, cloths or undergarments at all times during the massage. For the purposes of this division and division (F) below and for all other applicable sections of this section, sexual or genital area shall mean the genitals, pubic area, anus or perineum of any person, including the breasts or vulva of a female.

- (4) It shall be unlawful for any person in a massage therapy facility to knowingly place his or her hand upon, to touch with any part of his or her body, to fondle in any manner, or to massage the genital area of any other person.
- (5) No massage therapist, employee, or operator shall perform, offer, or agree to perform any act which would require the touching of a client's genital area.
- (8) No massage therapist, employee or operator of either sex, in the presence or view of any client, shall expose his or her genitalia, buttocks, or, in the case of a female, any portion of either breast below a straight line drawn above both nipples and the surrounding differently pigmented areas (areola papillaris).
- (9) All walls, ceilings, floors, pools, showers, tubs, steam rooms, and all other physical facilities shall be kept in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms, steam and vapor cabinets, shower compartments, and toilet rooms shall be thoroughly cleaned each day the business is in operation. Tubs and showers shall be thoroughly cleaned after each use. When carpeting is used on floors, it shall be kept dry.
- (10) Oils, creams, lotions, or other preparations used in administering massages shall be kept in clean, closed containers.
- (11) Eating in the massage work areas shall not be permitted.
- (12) Animals, except for service animals, shall not be permitted in the massage work areas.
- (13) No massage therapist shall administer a massage to a client exhibiting any skin fungus, skin lesion, skin infection or skin disease unless a physician licensed by the State of Illinois certifies in writing that such client may be safely massaged.
- (14) Massage therapists shall wash their hands in hot running water, using proper soap or disinfectant before administering a massage to each person.

(F) *Certain locations prohibited.*

- (1) Any massage therapy facility must comply with all Village zoning requirements including, but not limited to, those in § [155.048](#) of this code. In addition, a massage therapy facility as defined in this section may not be operated within the following distances of the following previously established uses:
    - (a) Within 100 feet of a church, synagogue or regular place of worship;
    - (b) Within 100 feet of a public or private elementary or secondary school;
    - (c) Within 100 feet of any property legally zoned and used for residential purposes or;
    - (d) Within 100 feet of a day care facility.
  - (2) For the purposes of this division (F), measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the of the structure of the premises where a business as defined in this division is conducted, to the nearest portion of the structure of the church, synagogue, regular place of worship, school, park, day care facility, residential use or other business providing massage services described in this division. Nothing in this section shall be interpreted to authorize or permit any activity or conduct prohibited by any local, state or federal law, rule or regulation.
- (G) *Inspections.* The Village shall have the right to enter onto the premises of any massage therapy facility and qualifying home occupation within its jurisdiction at any time to conduct an inspection for the purpose of determining compliance with the provisions of this section. It shall be a violation of this section for any representative of a massage therapy facility to fail to allow any representative of the Village access to its premises or to hinder such access in any manner.
- (H) *Penalty for violation.* Any violation of this section by the operator of a massage therapy facility or an individual licensed massage therapist shall be punishable by the fines of up to \$750 per offense as set forth in § [10.99](#) of this code, and a separate offense shall be declared committed for every day that any violation hereof persists or continues. In addition, the Village shall report any violation of the Massage Licensing Act to the Illinois Department of Professional Regulation for possible action.  
(Ord. 2016-06, passed 5-17-2016)