

ATTACHMENT 1

ORDINANCE NO. 20-37

AN ORDINANCE AMENDING OLATHE MUNICIPAL CODE SECTIONS 5.36.010, 5.36.045, 5.36.050, 5.36.070, 5.36.080, 5.36.100, 5.36.105, 5.36.140, and 5.36.150 PERTAINING TO MASSAGE THERAPY; REPEALING THE EXISTING SECTIONS AND SECTIONS 5.36.110 AND 5.36.115; AND ADDING SECTIONS 5.36.075 PERTAINING TO CONTINUING EDUCATION REQUIREMENTS, 5.36.135 AND 5.36.136 PERTAINING TO IDENTIFICATION CARDS, AND 5.36.245 PERTAINING TO APPLICABILITY OF THESE ORDINANCE AMENDMENTS TO EXISTING LICENSES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: Section 5.36.010 of the Olathe Municipal Code is hereby amended to read as follows:

“5.36.010 Definitions.

“Accredited School” means any school or educational institute for massage therapy which is accredited or approved by a state agency which regulates massage therapy. In states which do not accredit or approve schools or educational institutions for massage therapy, this term includes schools or educational institutions accredited by a nationally recognized entity.

“Adult business establishment” has the meaning provided by Chapter 5.50.

“Conviction” means being found guilty or entering into a diversion agreement or deferred judgment agreement.

“Criminal Charge” means any time a person is required to appear as a defendant in municipal, state, or federal court based on a law enforcement allegation.

“Employee” means any person, other than a massage therapist, who renders any service for or on behalf of a licensee under this Chapter and/or who receives compensation from the licensee or a patron.

“Healing arts practitioner” is defined by the provisions of K.S.A.65-2801, et. seq.

“Health official” means any person employed by the City of Olathe and designated by the City Manager to enforce and administrate the provisions of this Chapter.

“Massage therapist” means any person who, for any consideration whatsoever, engages in massage therapy.

“Massage therapy” means any method which may include but is not specifically limited to stroking, kneading, tapping, compression, vibration, rocking, friction, pressure, and those techniques based on manipulation or the application of pressure to the muscular structure or soft tissues of the human body, which may also include non-forceful passive or active movement and/or the application of techniques intended to affect the energetic systems of the body. The use of oils, lotions, powders, or other lubricants may also be included. “Massage therapy” does not mean the touching, in any fashion, of a patron’s pubic region, genitals, perineum, anal region, and/or the female breast.

“Massage therapy establishment” means any establishment licensed hereunder where any person, firm, partnership, association, or corporation engages in massage therapy for compensation.

“Off-site massage therapy” means massage therapy that is provided by a massage therapist on the business premises of a massage patron.

“Operator” means any owner, manager, individual, licensee, person, and/or employee principally in charge of a massage therapy establishment at any given time.

“Patron” means any person who utilizes or receives the services of any massage therapist and/or massage therapy establishment subject to the provisions of this Chapter and under such circumstances that it is reasonably expected he or she will pay money or give any other consideration therefor.

“Police officer” means any duly authorized law enforcement officer employed by the City of Olathe.

“Table shower” means an activity in which a patron is washed by a massage therapist.”

SECTION TWO: Section 5.36.045 of the Olathe Municipal Code is hereby amended to read as follows:

“5.36.045 Student Massage Therapy.

An individual **actively** enrolled **in** and currently attending classes **at** [an Accredited School](#) in a course of instruction in the theory, method or practice of massage, may provide massage therapy as a practicum

component of the training program, provided the following conditions are met:

(A) The massage therapy is under the supervision of a licensed massage therapist. For the purposes of this Section, supervision means the supervising therapist is observing the student providing massage therapy on a patron.

(B) All advertisements for massage therapy that will be provided by a student must clearly inform the patron that the massage therapy will be provided by a student under the supervision of a licensed massage therapist.

(C) Prior to providing massage therapy, the student massage therapist will require the patron to sign an acknowledgment that he/she has been informed the massage therapy will be provided by a student under the supervision of a licensed massage therapist. These acknowledgment documents will be maintained by the supervising massage therapist for a period of one (1) year and will be produced at the request of any health official or police officer.

(D) All student massage therapy must occur at [an Accredited School](#) ~~a licensed massage therapy school~~. Under no circumstances are students permitted to provide in-home massage therapy.

(E) No student massage therapist may receive any consideration whatsoever for providing massage therapy.”

SECTION THREE: Section 5.36.050 of the Olathe Municipal Code is hereby amended to read as follows:

“5.36.050 Applications for Massage Therapy Establishment License and Massage Therapist License.

(A) ~~Every~~ [An](#) applicant for a massage therapy establishment license or massage therapist license must: file an application with the City, ~~and~~ pay a nonrefundable fee, [and submit to a state and national criminal history check](#). Such fee will be established by the Governing Body by resolution.

(B) ~~Every~~ [An](#) applicant for a license must [provide](#) ~~furnish~~ the following information:

- (1) Name, telephone number, and address;
- (2) Current local address;
- (3) Social Security number, weight, height, color of hair and eyes of the applicant;

(4) ~~Written evidence that the applicant of the business is at least eighteen (18) years old, by providing a copy of a~~ Current state or federally issued form of identification which confirms applicant is at least eighteen (18) years old;

(5) Business, occupation, or employment of the applicant for the three (3) years immediately preceding the date of application;

(6) All criminal charges for any of the offenses listed in Section 5.36.080(A)(1)(a) or (c) through (h) against the applicant in any city or state, fully disclosing the place and court where the criminal charge occurred, and the disposition of the criminal charge;

(7) All criminal charges for any of the offenses listed in Section 5.36.080(A)(1)(b) or (i) against the applicant in any city or state within ten (10) years prior to the date of application, fully disclosing the place and court where the criminal charge occurred, and the disposition of the criminal charge;

(8) All criminal charges for any of the offenses listed in Section 5.36.080(A)(1)(j) against the applicant in any city or state within five (5) years prior to the date of the application, fully disclosing the place and court where the criminal charge occurred, and the disposition of the criminal charge;

(9) Whether the applicant:

(a) Has an active warrant for arrest ~~for~~ or is currently charged with any criminal charge listed in Section 5.36.080(A)(1);

(b) Has previously been issued a license by any city or state for an adult business establishment or escort service or has been employed by any such establishment;

(c) Has satisfied the education requirements in Section 5.36.070 and, if applicable, Section 5.36.075.

(10) The massage therapist and massage therapy establishment ~~therapy~~ license history of the applicant, including, but not limited to:

(a) Whether the applicant has had such license denied, suspended or revoked, or if such license is currently suspended;

(b) If such license was denied, suspended, revoked or voluntarily surrendered, then the reason why the license was denied, revoked, suspended or voluntarily surrendered;

(11) Authorization for the City to perform a state and national criminal history check and to investigate the truth of the statements in the application.

(C) Any applicant for a massage therapy establishment license must ~~also provide~~ furnish the following ~~information~~:

(1) The proposed place of business and exact nature of the services to be provided;

(2) All criminal charges against or related to any massage therapy establishment, which the applicant was operating or employed by, in any city or state within ten (10) years prior to the date of application, fully disclosing the place and court where the criminal charge occurred, and the disposition of the criminal charge;

(3) If required by state law to register with the Kansas Secretary of State, a Certificate of Good Standing for the business;

(4) A Certificate of Occupancy for the proposed place of business, or proof of applying for same.

(D) Any applicant for a massage therapist license must ~~also provide~~ furnish the following ~~information~~:

(1) Name, address, and telephone number of employing establishment;

(2) The position or function the applicant is being hired to provide within the employing establishment.

~~(E) The applicant must provide written authorization for the City, its agents and employees to seek information and investigate the truth of the statements set forth in the application and the qualifications of the applicant for the license.~~

~~(F)~~ Upon submission of a request for renewal on a form provided by the City and a fee, an expiring massage therapist license may be renewed by the City, and an expiring massage therapy establishment license may be renewed by the City if there has been no change in ownership. Such fee will be adopted by the Governing Body by resolution. All requests for renewal must be received by the City at least thirty (30) days prior to the expiration of the license.

If the renewal request is not received at least thirty (30) days prior to the expiration, the City may be unable to process the renewal request prior to the expiration of the license.

(G) No suspended license will be renewed. If a suspended license lapses during a suspension period, a new application for a **massage therapy establishment** license may only be filed upon the expiration of the period of suspension.”

SECTION FOUR: Section 5.36.070 of the Olathe Municipal Code is hereby amended to read as follows:

“5.36.070 Massage Therapist Education Requirements; Exemption.

(A) To qualify for a massage therapist license, an applicant must demonstrate satisfaction of the educational requirements:

(1) Completion of a course of instruction, consisting of not less than 500 hours, in the theory, method or practice of massage, from one or more Accredited Schools. All practical or modality instruction must be completed as hands-on, in-classroom instruction, while theory instruction can be completed online. Proof of completion must be made by certified transcript(s) signed by the school registrar, either presented with a raised seal or faxed or emailed directly to the City by the school; or

(2) Proof of passage of the Massage and Bodywork Licensing Examination (MBLEx) administered by the Federation of State Massage Therapy Boards or successor organization or the Board Certification exam administered by the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB) or successor organization; or

(3) Proof of certification by the NCBTMB or successor organization.

(B) To qualify for a massage therapist license, an applicant must provide written documentation of completion of an in-person (not online) certification program in American Heart Association (or successor organization) CPR and in American Red Cross (or successor organization) first aid, and of current certifications.

(C) Individuals licensed with the City as a Massage Therapist for at least five (5) consecutive years as of the effective date of this Chapter may renew the license without satisfying the minimum education requirements set forth above, and continue to renew if there is no lapse in licensure and the individual continues to satisfy all other requirements of this Chapter.

~~(A) A massage therapist licensed in accordance with this Chapter must be certified by the National Certification Board for Therapeutic Massage & Bodywork~~

~~(NCBTMB) or pass the Massage & Bodywork Licensing Examination (MBLEx). This Section will be effective from and after the passage and publication of this ordinance as provided by law for all new massage therapist applicants and upon license renewal in 2017 for existing massage therapists licensed after January 1, 1996.~~

~~(B) Massage therapists licensed in accordance with this Chapter prior to January 1, 1996 are subject to the educational requirements set forth in this subsection unless the massage therapist can demonstrate that he or she has been licensed continuously since January 1, 1996.~~

NEW SECTION FIVE: Section 5.36.075 of the Olathe Municipal Code is hereby added:

“5.36.075 Continuing Education Requirements.

Applicants are required to complete a minimum of twelve (12) hours (50 minutes per hour) of continuing education annually in order to qualify for license renewal. Continuing education credit will be awarded for each hour of training completed in the theory and clinical application of massage, clinical business practices, hygiene, record keeping, professional ethics, and other similar courses. Credits to be used toward this continuing education requirement must be received from an Accredited School and can be completed as online coursework.”

SECTION SIX: Section 5.36.080 of the Olathe Municipal Code is hereby amended to read as follows:

“5.36.080 Issuance, Denial, Voidance of Massage Therapy Establishment License or Massage Therapist License.

~~(A) After the filing of an application in the proper form and completion of a criminal background investigation, t~~The City will examine the application and, after such examination, will issue a massage therapy establishment license or massage therapist license unless the City finds that:

(1) The applicant has a conviction based on the charged allegations for:

(a) A person felony, as defined by Kansas law;

(b) A nonperson felony, as defined by Kansas law, in the ten (10) years immediately preceding the date of the application;

(c) An offense involving sexual misconduct with children;

- (d) Obscenity;
- (e) Promoting prostitution or equivalent offense;
- (f) Solicitation of a lewd act;
- (g) Prostitution, buying sexual relations, or selling sexual relations, or equivalent offense;
- (h) Any other sex-related offense;
- (i) Any criminal charge applicable to massage therapy arising out of the individual's prior massage establishment(s) or individual massage therapist license(s) in the ten (10) years immediately preceding the date of the application; or

~~(j) Any of the following misdemeanors in the five (5) years immediately preceding the date of the application:~~

- ~~(i) Domestic violence;~~
- ~~(ii) A person criminal offense;~~
- ~~(iii) A drug violation;~~
- ~~(iv) A second or subsequent DUI;~~
- ~~(v) Furnishing alcohol to minors; or~~

(2) The applicant:

- (a) Is not over the age of eighteen (18) years; or
- (b) Has an active warrant for arrest for or is currently charged with any criminal charge listed in subsection (A)(1) of this Section; or
- (c) Has previously been issued a license by any city or state for an adult business establishment or escort service or has been employed by any such establishment; or
- (d) Has made any false, misleading, or fraudulent statement of fact in or in support of the application for a massage therapy establishment license or massage therapist license in any city or state; or
- (e) Has voluntarily surrendered a massage establishment license or massage therapist license in lieu of

revocation, or had such license revoked or such license is currently suspended by any city or state; or

(f) ~~If seeking a massage therapist license, h~~Has not satisfied the educational requirements of this Chapter ~~been certified by the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) or has not passed the Massage and Bodywork Licensing Examination (MBLEx); or~~

(g) The applicant has previously been denied a massage therapist or massage therapy establishment license by the City within the prior twelve (12) months based on making a false, misleading, or fraudulent statement of fact in or in support of the application; or

(3) The ~~correct~~ fee has not been paid to the City; or

(4) ~~For a~~The proposed massage therapy establishment ~~license, 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 regulations; or

(5) For a massage therapy establishment license, there are facts which reasonably indicate that the establishment's operations would be influenced by an individual with a relationship with the applicant and such individual has previously been denied a massage therapy establishment license or massage therapist license in any city or state or had such license revoked, suspended, or nonrenewed or would be ineligible for a license under this ~~e~~Chapter.

(B) Any license issued under the provisions of this ~~e~~Chapter must be displayed at all times by the licensee in an open and conspicuous place in the massage therapy establishment.

(C) Renewal applications are subject to the same criteria as an original application except as provided otherwise in Sections 5.36.050(~~FE~~) and 5.36.050(~~GF~~).

(D) If the application is denied, the applicant will be notified by United States first class mail, postage prepaid, mailed to the applicant's mailing address as identified in the application.

Upon denial, based upon any false, misleading, or fraudulent statement of fact in or in support of a massage establishment license or massage therapist license application related to subsection (A)(1)(j) of this Section, the applicant shall be ineligible to reapply for any license under this ~~e~~Chapter for a period of one (1) year from the date of denial. A denied

applicant can submit a written request for a waiver of the ineligibility to the Chief of Police, who may grant such waiver upon a showing of good cause.

(E) If a license is issued and it is determined that the license should not have been issued because of noncompliance with this Section, then the City will void the license and notify the applicant by United States first class mail, postage prepaid, mailed to the applicant's mailing address as identified in the application.

(F) Any applicant aggrieved by a denial of an application or a denial of a request for a waiver of ineligibility may seek judicial review of the decision pursuant to Kansas law."

SECTION SEVEN: Section 5.36.100 of the Olathe Municipal Code is hereby amended to read as follows:

"5.36.100 Suspension of Massage Therapy Establishment License or Massage Therapist License.

(A) Any license issued by the City Clerk for a massage therapy establishment or massage therapist may be suspended by the City Clerk or designated representative after a public hearing before the City Clerk or designated representative where it is found that:

(1) any of the provisions of this Chapter have been violated;
or

(2) the licensee or operator has been charged with a criminal offense found in Section 5.36.080(A)(1); or

(3) the licensee or operator refused to permit any police officer or health official to inspect the premises during any hours when the establishment was open to the public.

(B) The City Clerk or designated representative, before suspending a ~~massage therapy establishment~~ license, will give the licensee at least ten (10) days' written notice of the alleged license violations and the opportunity for a public hearing before the City Clerk or designated representative, at which time the licensee may present evidence. The decision of the City Clerk or designated representative is final, unless the licensee files an appeal in accordance with Section 5.36.250.

(C) A suspension based on a charged criminal offense is effective until a court of competent jurisdiction rules on the criminal offense, unless the licensee files an appeal in accordance with Section 5.36.250."

SECTION EIGHT: Section 5.36.105 of the Olathe Municipal Code is hereby amended to read as follows:

“5.36.105 Revocation of Massage Therapy Establishment License or Massage Therapist License.

(A) Any license issued by the City Clerk for a massage therapy establishment or massage therapist may be revoked by the City Clerk or designated representative after a public hearing before the City Clerk or designated representative where it is found that:

(1) any of the provisions of this Chapter have been violated;
or

(2) the licensee or operator, ~~including a massage therapist,~~ has a conviction for a criminal offense found in Section 5.36.080; or

(3) the licensee or operator refused to permit any police officer or health official of the City to inspect the premises during any hours when the establishment was open to the public.

(B) The City Clerk or designated representative, before revoking a ~~massage therapy establishment~~ license, will give the licensee at least ten (10) days’ written notice of the alleged license violations and the opportunity for a public hearing before the City Clerk or designated representative, at which time the licensee may present evidence. The decision of the City Clerk or designated representative is final, unless the licensee files an appeal in accordance with Section 5.36.250.”

NEW SECTION NINE: Section 5.36.135 is hereby added to the Olathe Municipal Code:

“5.36.135 Massage Therapy Establishment Identification Cards.

(A) All massage therapy establishment licensees and operators must always when working in an establishment have in their possession a valid identification card issued by the City. A licensees or operator shall produce an identification card for inspection upon request of any City representative or person who by law may inspect the same. A licensee or operator shall not alter, or cause to be altered, an identification card.

(B) Identification cards have the same expiration date as the massage therapy establishment license expiration. One (1) establishment licensee and one (1) operator card will be provided as part of the application fee. Additional cards will be charged a separate nonrefundable fee.”

NEW SECTION TEN: Section 5.36.136 is hereby added to the Olathe Municipal Code:

“5.36.136 Massage Therapist Identification Cards.

(A) All massage therapist licensees must always when working in a massage therapy establishment have in their possession a valid identification card issued by the City. Licensees shall produce their identification cards for inspection upon request of any City representative or person who by law may inspect the same. A licensee shall not alter, or cause to be altered, an identification card.

(B) Identification cards will have the same expiration date as the massage therapist license expiration. One (1) therapist licensee will be provided as part of the application fee. Additional cards will be charged a separate nonrefundable fee.”

SECTION ELEVEN: Section 5.36.140 of the Olathe Municipal Code is hereby amended to read as follows:

“5.36.140 Massage Therapy Establishment Regulations.

The operation of any massage therapy establishment will be subject to the following regulations:

(A) ~~The licensee will have the massage therapy establishment supervised at all times when open for business by himself/herself or an operator.~~ The licensee or operator will personally supervise the establishment, and will not violate or permit others to violate any applicable provision of this ~~Chapter.~~ The licensee is responsible for ensuring that when the establishment is open for business that the establishment is always personally supervised by an on-site licensee or an operator.

(B) Every licensee will at all times be responsible for the conduct of business on the licensed massage therapy establishment premises and for any act or conduct of an operator, massage therapist or employee which constitutes a violation of the provisions of this ~~Chapter.~~ Any violation of the City, state or federal laws committed on the licensed premises by any licensee, operator, massage therapist or employee affecting the eligibility or suitability of the licensee to hold a license constitutes a violation by the licensee and may be grounds for suspension or revocation of same.

(C) The massage therapy establishment will be closed and operations will cease between the hours of 10:00 p.m. and 6:00 a.m.

(D) No alcoholic or cereal malt beverages, nor the possession or consumption thereof, will be allowed in or upon the massage therapy establishment premises.

(E) All licensees, operators, massage therapists and employees will wear outer garments while at the establishment. Lingerie, D~~i~~aphanous, or transparent clothing is prohibited. All licensees, operators, massage therapists and employees must be fully clothed at all times.

(F) ~~A licensed~~ The establishment must be kept clean and operated in a sanitary manner.

(G) A patron's pubic region, genitals, perineum, anal region, and/or the female breast must be covered at all times by opaque towels, sheets, cloths or undergarments when in presence of a licensee, operator, massage therapist or employee.

(H) Any contact by a licensee, operator, massage therapist or employee with a patron's pubic region, genitals, perineum, anal region, and/or the female breast is prohibited.

(I) Clean, laundered sheets and towels will be provided to patrons for use. Such items will be laundered after each use thereof and stored in a sanitary manner.

(J) Wet and dry heat rooms, showers and other bathing compartments, and toilet rooms will be thoroughly cleaned each day the massage therapy establishment is in operation. Bathtubs or individual soaking areas will be thoroughly cleaned after each use.

(K) Table showers are prohibited.

(L) The licensee ~~All massage therapy establishments and/or operators~~ of a massage therapy establishments will keep and maintain on the premises a current register of all massage therapists, showing each individual's name, home address, telephone number, license number and a copy of the therapist's license and government-issued identification. Such register will be open to inspection during business hours by any health official or police officer.

(M) The licensee or ~~All~~ operators of a massage therapy establishment will keep a daily register at the massage therapy establishment of all patrons, with names, addresses, telephone numbers, and parental or legal guardian authorization (if applicable). Said daily register will, at all times during business hours, be subject to inspection by any health official or police officer and must be kept on file for one (1) year from the date of each entry.

(N) No massage therapy establishment operator or employee will place, publish, distribute, or cause to be placed, published or distributed, any advertisement offering or suggesting the availability of any service which is either prohibited or not authorized under this ~~e~~Chapter.

(O) No individual will sleep between the hours of 10:00 p.m. and 6:00 a.m. at, reside at, or inhabit a massage therapy establishment. Prima facie evidence of violating this provision includes but is not limited to the presence of a cot, sleeping bag, air mattress, bed mat, or bed.

(P) No operator or employee will permit the provision, offer to provide or provide to any patron any service with the intent to arouse or gratify the sexual desires of the operator, massage therapist, employee or patron.

(Q) For a massage therapy establishment with a front entrance area separate from any private office(s) or massage therapy room(s):

(1) If the establishment has at least one front entrance door with glass, then the glass in at least one front entrance door must be maintained so as to allow full view into the establishment from outside.

(2) If the establishment does not have any front entrance doors with glass, but has at least one window which provides a view into the front entrance area, then the glass in at least one such window must be maintained so as to allow full view into the establishment from outside.

(R) The massage therapy establishment must post a notice provided by the Olathe Police Department containing contact information to report or seek help for human trafficking. The notice must be in a conspicuous place near the public entrance of the establishment or in another conspicuous place that the public and employees can see. The notice must be 8 ½ inches by 11 inches in size. The form and content of the notice may not be altered without the authorization of the Olathe Police Department.”

SECTION TWELVE: Section 5.36.150 of the Olathe Municipal Code is hereby amended to read as follows:

“5.36.150 Massage Therapist Regulations.

Massage therapists are subject to the following regulations when providing services:

(A) The massage therapist will not violate any applicable provision of this [eChapter](#).

(B) A massage therapist will not provide massage therapy on patrons between the hours of 10:00 p.m. and 6:00 a.m.

(C) A massage therapist will not consume any alcoholic or cereal malt beverages during business hours or while providing massage therapy, or be under the influence of illegal drugs or alcohol while performing massage therapy.

(D) Any violation of the city, state or federal laws committed by a therapist affecting his/her eligibility or suitability to hold a license may be grounds for suspension or revocation of same.

(E) All massage therapists will wear outer garments while providing massage therapy. Lingerie, Diaphanous, or transparent clothing is prohibited. The massage therapist must be fully clothed at all times.

(F) A patron's pubic region, genitals, perineum, anal region, and the female breast must be covered at all times by opaque towels, sheets, cloths or undergarments when in the presence of the massage therapist.

(G) Any contact by a massage therapist with a patron's pubic region, genitals, perineum, anal region, and/or the female breast is prohibited.

(H) Table showers are prohibited.

(I) A massage therapist will not provide or permit any massage therapy to be provided to a patron under the age of eighteen (18) unless the patron is accompanied to the massage therapy establishment by a parent or legal guardian, and the parent or legal guardian authorizes the massage therapy in writing.

(J) No massage therapist will place, publish, distribute or cause to be placed, published or distributed, any advertisement offering or suggesting the availability of any service which is either prohibited or not authorized under this Chapter.

(K) A massage therapist will notify the City of any change in massage therapy establishment employment within thirty (30) calendar days of the change.

(L) No massage therapist will permit the provision, offer to provide or provide to any patron any service with the intent to arouse or gratify the sexual desires of the massage therapist or patron.

(M) A massage therapist will keep a daily register at the massage therapy establishment of all patrons, with names, addresses, telephone numbers, and parental or legal guardian authorizations (if applicable). Said daily register will at all times during business hours be subject to inspection by any health official or police officer and must be kept on file for one (1) year from the date of each entry."

NEW SECTION THIRTEEN: Section 5.36.245 is hereby added to the Olathe Municipal Code:

“5.36.245 Applicability to Existing Massage Therapy Establishments and Massage Therapists.

All existing licensed massage therapy establishments and licensed massage therapists must be in compliance with the amendments to this Chapter adopted on November 3, 2020, upon the date of the next license renewal or March 1, 2021, whichever is sooner.

SECTION FOURTEEN: Existing Sections 5.36.010, 5.36.045, 5.36.050, 5.36.070, 5.36.080, 5.36.100, 5.36.105, 5.36.110, 5.36.115, 5.36.140, and 5.36.150 are hereby repealed.

SECTION FIFTEEN: This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

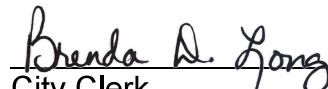
PASSED by the Governing Body this 3rd day of November, 2020.

SIGNED by the Mayor this 3rd day of November, 2020.



Mayor

ATTEST:



City Clerk

(SEAL)



APPROVED AS TO FORM:



City Attorney

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.