



City of Maple Grove

Community Development

12800 Arbor Lakes Pkwy

P. O. Box 1180

Maple Grove, MN 55311-6180

763-494-6044



MESSAGE SERVICES APPLICATION

BUSINESS LICENSE

NEW _____ RENEWAL _____

Expiration Date: January 31st Annually

Completed application must be accompanied by the following:

1. License fee of \$500 per business. (annually)
2. Investigation fee of \$300 per person (new applications only).
3. Proof of insurance - see page 6.
4. Applicant must apply in person and provide a MN Driver's License / Photo ID.

A. Name of Applicant _____
(Full Given) (Middle) (Last)

B. If applicant is a natural person, complete the following:

1. True Name _____
Place of birth _____
Date of birth _____
Street address _____
City, State, Zip _____
Phone number _____

2. Has applicant ever used or been known by a name other than his/her true name?
Yes ___ No ___ If yes, what was such name or names and when and where
was it (they) used? _____

3. What is the name of the business if it is to be conducted under a designation,
name or style other than the full individual name of the applicant; in such case, a
certified copy of the certificate as required by Minnesota Statutes, Chapter 333,
shall be attached to this application. _____
Minnesota ID No. of Business _____

4. Applicant's street address(es) at which applicant has lived during the preceding
five (5) years. _____

5. List the kind, name and location of every business or occupation the applicant has been engaged in during the preceding five (5) years.

6. List the name and addresses of the applicant's employer(s) and partner(s), if any, for the preceding five (5) years. _____

7. Has the applicant ever been convicted of any felony or other crime or violation of any ordinance other than traffic ordinances. Yes___ No___ If yes, please indicate the time, place and offense for which convictions were had.

8. The physical description of the applicant. _____

9. List the applicant's training or experience in performing massage services. _____

10. What is the name of the manager or proprietor or other agent in charge of the business to be licensed? _____

C. If the applicant is a partnership, answer the following questions:

1. List the names, addresses and interest of all partners and all information concerning each partner as is required of an individual applicant in paragraph (B) above.

4. List all persons who are officers or directors of the corporation or organization or who control or own an interest in excess of five percent (5%) in such corporation or organization, and all information concerning said person(s) as is required in paragraph (B) above. _____

- E. Is the applicant licensed in other communities to run similar businesses? Yes___ No___
If yes, where? _____

- F. List the names of those individuals to be licensed and working for the applicant who may work in the City of Maple Grove. _____

- G. Has the applicant been previously denied a massage license or had such a license or permit suspended or revoked? Yes___ No___ If yes, explain any such denial, suspension or revocation. _____

H. List the names, residences, and business addresses of three (3) residents of Hennepin County, of good moral character, not related to the applicant or financially interested in the premises or business, who may be referred to as the applicant's and/or manager's character. _____

I. What is the address and legal description of the business premises? _____

Applicant shall have a continuing duty to immediately disclose to the City of Maple Grove any change in the information supplied in this application.

I declare under the penalty of perjury that the above statements are true and correct to the best of my knowledge.

Signature of Applicant

Date

FEES:

Massage Business

- \$500.00 Massage Business License Application Fee – (**Must be renewed annually**)
- \$300.00 Investigation Fee (One-Time, Non-Refundable)
- \$800.00 Check Payable to the City of Maple Grove

The licensing year is February 1 through January 31. Fees are not pro-rated. Complete renewal applications must be filed before January 1.

REVIEW & APPROVAL PROCESS:

Massage Business

Completed applications, together with all required fees and supporting documents, shall be submitted to the Community Development Department. Applications will be referred to the Police Department for investigation and to the Building and Fire Departments for review. Within 15 days the Chief of Police will make written report and recommendation to the Community Development Director. The Community Development Director makes the determination whether to approve or deny the license.

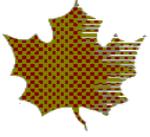
INSURANCE REQUIREMENT:

Sec. 16-438. - Massage services.

- (a) Prior to the issuance of a license under subsection [10-184\(a\)\(1\)](#) and (2), pertaining to business and personal licenses for massage services, the applicant shall submit proof to the city in the form of insurance policies or certificates of insurance acceptable to the city, and issued by insurance companies authorized to do business in the state, for the following policies:
- (1) Professional liability in the practice of massage for a minimum limit of \$1,000,000.00.
 - (2) General liability for bodily injury and property damage liability with minimum combined single limits as follows:

General aggregate	\$300,000.00
Each occurrence	300,000.00
Medical expense (each person/aggregate)	1,000.00/10,000.00

- (3) Workers' compensation and employers' liability as required by the state.
- (b) Should any of the policies be canceled or not renewed before the expiration date thereof, the issuing company shall mail 30 days' written notice to the city clerk, except such notice shall be ten days for nonpayment of premium.
- (c) The insurance policies shall be written with an insurance company having a minimum Best's Key Guide of A-VII, or as approved by the city's insurance agent.



CERTIFICATE OF COMPLIANCE
DEPARTMENT OF REVENUE INFORMATION

City of Maple Grove • PO Box 1180 Maple Grove, MN 55311 • 763-494-6044

Pursuant to Minnesota Statute 270.72 Tax Clearance; Issuance of Licenses, the licensing authority is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the social security number of each license applicant (person signing the application).

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

1. This information may be used to deny the issuance, renewal, or transfer of your license in the event you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
2. Upon receiving this information, the license authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service;
3. Failure to supply this information may jeopardize or delay the processing of your license issuance.

Please supply the following information and return along with your application:

Personal Information:

Applicant's Name

Applicant's Address

City/State/Zip

Social Security Number

Phone Number

Business Information:

Business Name

Business Address

City/State/Zip

Minnesota Tax ID #

Federal Tax ID #

If a Minnesota Tax ID number is not required, please attach explanation.

TENNESSEN WARNING: In connection with your request for a license, the City has asked that you provide information about yourself which may be classified as private, confidential, nonpublic, or protected nonpublic under the Minnesota Government Data Practices Act. This means that this data is not ordinarily available to the general public. Accordingly, the City is required to inform you of the following:

1. The purpose and intended use of the information requested is to determine if you are eligible for a license from the City of Maple Grove.
2. The known consequences of supplying the requested information is that the information or further investigation could disclose information which could cause your application to be denied.
3. You are not legally obligated to supply the requested information. The known consequences of refusing to supply the requested information is that your request for a license cannot be processed.
4. A criminal charge, arrest, or conviction will not necessarily bar you from obtaining a license with the City, unless the conviction is related to the matter for which the license is sought, according to Minn Stat. 364.03. However, failure to reveal the requested criminal information will be considered falsification of the application and may be used as grounds for the denial of the application.
5. Other governmental agencies necessary to process your application are authorized by law to receive the information provided.
6. The City is required by law to furnish some of this information to the Department of Labor and Industry and the Minnesota Commissioner of Revenue.

The undersigned, by signing this notice, acknowledges that he/she has read and understood the contents of this notice and has received a copy of this notice.

Signature

Position

Date

ARTICLE VII. MASSAGE SERVICES***Sec. 10-181. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adequate and *approved* mean acceptable to the county health inspector following his determination as to conformance with public health practices and standards.

Health care facility or provider means any person providing medical, surgical, dental, chiropractic or osteopathic services, or physical therapy services pursuant to a prescription therefor, wherein practitioners are licensed by the state, such as, but not limited to, a hospital, sanitarium, rest home, nursing home, boarding home, or other institution for the hospitalization or care of human beings duly licensed under the provisions of Minn. Stats. §§ 144.50—144.69.

Massage means the method of treating the superficial parts of the human body of another by rubbing, pressing, stroking, kneading, tapping, pounding, vibrating, or stimulating with the hands or any instrument for hire or for consideration with the intention of positively affecting the health and well-being of the client. The term "massage" shall not include such activities when performed exclusively on a person's hand and/or foot in conjunction with a manicure or pedicure.

Massage business means the offering of massage services to the general public, regardless or whether the offer is limited only to select invitees or organizational members.

Masseur means a male person who practices or administers massage.

Masseuse means a female person who practices or administers massage.

Operate means to own, manage or conduct.

Sanitary means free from pathogenic micro-organisms.

Within the city means physical presence as well as telephone referral situations, such as a "phone-a-message" type operation, in which the business premises, although not actually located within the city, serves as a point of assignment of employees who respond to requests for services from within the city.

(Code 1984, § 426:00; Ord. No. 06-26, § 1, 10-2-2006)

Cross reference—Definitions generally, § 1-2.

Sec. 10-182. Penalty.

Every person who commits or attempts to commit, conspires to commit or aids or abets in the commission of any act constituting a violation of this article or any rule promulgated thereunder, whether individually or in connection with one or more other persons or as principal, agent, or accessory, shall be guilty of a misdemeanor and, upon conviction, shall be

***Cross reference**—Insurance requirements for massage services, § 16-438.

punished in accordance with section 1-13. Every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, permits or directs another to violate any of the provisions of this article or any rule promulgated thereunder is likewise guilty of a misdemeanor.

(Code 1984, § 426:48)

Sec. 10-183. License required.

Except as may otherwise be provided in this article and with the exception of health care facilities or providers, it shall be unlawful for any person to operate a massage business or to personally perform massage services or to hold one's self out as being a masseur or masseuse within the city unless such business or individual performing massage services is currently licensed under this article. Employees of a massage business must be separately licensed to perform personal massage services under this article if they perform such services.

(Code 1984, § 426:03)

Sec. 10-184. Filing and contents of license application.

(a) Every application for a license under this article shall be filed with the director of community development. Each application shall be made on a form supplied by the city and shall contain the following information:

(1) *Business licenses.*

- a. Whether the applicant is a natural person, a corporation, a partnership, or other form of organization.
- b. If the applicant is a natural person:
 1. The true name, place and date of birth, address and phone number of the applicant.

2. Whether the applicant has ever used or has been known by a name other than his true name, and, if so, what was such name and information concerning dates and places where used.
 3. The name of the business if it is to be conducted under a designation, name or style other than the full individual name of the applicant; in such case, a certified copy of the certificate as required by Minn. Stats. ch. 333 shall be attached to the application.
 4. The street address at which the applicant has lived during the preceding five years.
 5. The kind, name and location of every business or occupation the applicant has been engaged in during the preceding five years.
 6. The names and addresses of the applicant's employers and partners, if any, for the preceding five years.
 7. Whether the applicant has ever been convicted of any felony or other crime or violation of any ordinance other than traffic ordinances. If so, the applicant shall furnish information as to the time, place and offense for which convictions were had.
 8. The physical description of the applicant.
 9. The applicant's training or experience in performing massage services.
 10. The name of the manager or proprietor or other agent in charge of the business to be licensed.
- c. If the applicant is a partnership:
1. The names, addresses and interest of all partners and all information concerning each partner as is required of an individual applicant in subsection (a)(1)b of this section.
 2. The name of the manager or proprietor or other agent in charge of the business to be licensed.
 3. A true copy of the partnership agreement, which shall be submitted with the application. If the partnership is required to file a certificate as to a trade name under the provisions of Minn. Stats. ch. 333, a certified copy of such certificate shall also be attached.
- d. If the applicant is a corporation or other organization:
1. The name and, if incorporated, the state of incorporation.
 2. A true copy of the certificate of incorporation, articles of incorporation or association agreement, and bylaws, which shall be attached to the application. If a foreign corporation, a certificate of authority, as described in Minn. Stats. ch. 303, shall also be attached.

3. The name of the manager or proprietor or other agent in charge of the business to be licensed and all information concerning such persons as is required in subsection (a)(1)b of this section.
4. A list of all persons who are officers or directors of the corporation or organization or who control or own an interest in excess of five percent in such corporation or organization, and all information concerning such persons as is required in subsection (a)(1)b of this section.
- e. Whether the applicant is licensed in other communities to run similar businesses, and, if so, where.
- f. The names of those individuals to be licensed and working for the applicant who may work in the city.
- g. Whether the applicant has previously been denied a massage license or had such a license or permit suspended or revoked, along with an explanation of any such denial, suspension or revocation.
- h. The names, residences, and business addresses of three residents of the county, of good moral character, not related to the applicant or financially interested in the premises or business, who may be referred to as to the applicant's and/or manager's character.
- i. The address and legal description of the business premises.
- j. Proof acceptable to the city that the applicant has current insurance coverage as provided in Chapter 16.
- k. Such other information as the city council may require.

(2) *Personal service licenses.*

- a. All information required under subsections (a)(1)a, b, e, g, h, and j of this section.
- b. Proof acceptable to the city that the applicant:
 1. Has current insurance coverage as provided in chapter 16, article XII;
 2. Is affiliated with, employed by, or owns a massage business licensed by the city or is exempt from such requirement; and
 3. Has completed 400 hours of certified therapeutic massage training, or has one year of experience practicing massage therapy as established by affidavit.
- c. The location where the applicant will perform massage services, which location must conform with sections 10-193 and 10-194 unless otherwise provided in this article.

(b) The applicant and licensee shall have a continuing duty to immediately disclose to the city any change in the information supplied in the application.

(Code 1984, § 426:06; Ord. No. 06-26, § 1, 10-2-2006)

Sec. 10-185. Execution of license application.

All applications for a license under this article, whether for business or personal service, shall be signed and sworn to. If the application is that of a natural person, it shall be signed and sworn to by such person; if by a corporation, by an officer thereof; if by a partnership, by one of the partners; and if by an unincorporated association, by the manager or managing officer thereof.

(Code 1984, § 426:09)

Sec. 10-186. Fees.

(a) Each application for a license under this article shall be accompanied by payment in full of the required license fee as specified in section 16-81. Upon rejection of any application for a license, the city shall refund the amount paid. No other refunds shall be made.

(b) At the time of each original application for a license (not a renewal application), there shall be paid in full an investigation fee in the amount specified in section 16-81. No investigation fee shall be refunded.

(Code 1984, § 426:12)

Sec. 10-187. Ineligibility for license.

No license shall be issued under this article to the following:

- (1) An individual less than 18 years of age.
- (2) An individual who has been convicted of prostitution or any other crime or violation involving moral turpitude.
- (3) Any other person whose application lists one or more individuals who have been convicted of prostitution or any other crime or violation involving moral turpitude.
- (4) Any premises currently licensed in accordance with article XIII of this chapter or currently licensed to sell alcoholic beverages in accordance with chapter 4.

(Code 1984, § 426:15)

Sec. 10-188. Processing of license application; granting or denial of license.

(a) *Business licenses.* Applications for business licenses under this article shall be processed as follows:

- (1) *Investigation and report.* Complete applications shall be referred to the chief of police for investigation in accordance with section 2-1 and to such other city departments as the community development director shall deem necessary for verification and investigation of the facts set forth in the application. Within 15 business days of such referral, the chief of police and other departments shall make a written recommendation to the community development director as to issuance or non-issuance of the license. The community development director may order and conduct such additional investigation as he deems necessary.

- (2) *Determination by community development director.* The community development director shall make the determination whether to approve or deny the license. Any denial shall be communicated to the applicant in writing, specifying the reasons for denial.

(b) *Personal service licenses.* Applications for personal service licenses shall be processed as follows:

- (1) *Investigation.* Complete applications shall be referred to the chief of police for investigation in accordance with section 2-1 and to such other departments as the community development director shall deem necessary for verification and investigation of the facts set forth in the application. Within 15 business days of such referral, the chief of police and other departments shall make a written recommendation to the community development director regarding issuance of the license. The community development director may conduct or authorize such additional investigation as he reasonably deems necessary.
- (2) *Determination by community development director.* Upon receipt of the written report and recommendation by the chief of police and within 15 business days thereafter, the community development director shall make the determination whether to approve or deny the license. Any denial shall be communicated to the applicant in writing specifying the reasons for denial. The applicant may appeal this denial in accordance with the procedure specified in section 1-14.
- (3) *Renewal.* Complete applications for renewal of licenses shall be submitted to the community development director at least 30 days prior to the expiration of the license. The community development director's determination regarding approval or denial of the license renewal shall be communicated to the applicant in writing, specifying the reasons if the license is denied. The applicant may appeal the denial in accordance with the procedure specified in section 1-14.

(c) *Criteria for issuance.* The community development director shall have the discretion to consider the following in granting, denying, renewing, or declining to renew a license:

- (1) The character and suitability of the area in which the licensed premises is to be located.
- (2) The proximity of the site for the massage business to churches, schools, playgrounds, parks or other community facilities that may be adversely affected.
- (3) Numbers and proximity of existing massage businesses so as not to cause excessive concentration in an area.
- (4) Traffic congestion and parking problems.
- (5) Fraud or deception in the license application.
- (6) History of violations of laws or ordinances that apply to health, safety, welfare or moral turpitude.

- (7) Bad repute.
 - (8) Convictions of crimes or offenses involving sexual misconduct.
 - (9) Any other matter deemed by the community development director to be relevant to protection of the public's health, safety and welfare.
- (Code 1984, § 426:18; Ord. No. 07-09, § 1, 4-16-2007; Ord. No. 12-03, §§ 3, 4, 3-5-2012)

Sec. 10-189. Term of license.

(a) All licenses issued pursuant to this article shall be valid for one year or part thereof and shall expire on January 31. Complete renewal applications shall be filed with the city clerk before January 1.

(b) When a licensee makes application for renewal of a current license and pays the required fee to the issuing authority on or before the termination date, the licensee is authorized to operate until such time as the license is either renewed or denied.

(Code 1984, § 426:21)

Sec. 10-190. Transfer of license.

Each license issued under this article shall be issued to the applicant only and shall not be transferable to another holder or location. No licensee shall loan, sell, give or assign a license to another person or location.

(Code 1984, § 426:24)

Sec. 10-191. Operation of business; license conditions.

(a) No massage business shall employ or use any person as a masseur or masseuse unless such person is licensed for performing personal services by the city.

(b) Except with respect to health care facilities or providers, no customers or patrons shall be allowed to enter or remain upon the licensed premises, nor shall any massage or massage business be offered or conducted, after 10:00 p.m. and before 8:00 a.m. daily.

(c) Any person acting as a masseur or masseuse in any massage business shall have his license or a true copy thereof displayed in a prominent place on the licensed premises.

(d) Each personal service licensee shall perform massage service only in an establishment licensed pursuant to this article or an establishment exempted from a license under this article.

(e) No licensee shall discriminate on grounds of race, creed, color, sex, national origin or ancestry in performing services offered by the licensee.

(f) The person who is receiving the massage shall at all times have his anus and genitals covered with a nontransparent covering.

(g) Any masseur performing any massages shall at all times have his anus, buttocks and genitals covered with a nontransparent material. Any masseuse performing massages shall at all times have her breasts, buttocks, anus and genitals covered with a nontransparent material.

(h) Every employee of any licensee shall at all times be covered as provided in subsection (g) of this section according to the employee's sex.

(i) No personal service licensee shall solicit business in any public place or in any licensed liquor establishment within the city. If a business license or personal service license is under suspension or revocation, the licensee or former licensee, as the case may be, shall not solicit business or offer or agree to perform massage services, nor shall any business licensee affected by a suspension or revocation of such license allow, encourage, or direct any employee to solicit business or offer or agree to perform massage services within the city.

(j) Where a reasonable basis is found by the community development director to impose other reasonable restrictions upon a license, taking into consideration one or more of the facts or circumstances set forth in subsection 10-188(c), the community development director may upon issuance or renewal of a license impose such additional reasonable conditions and restrictions on the manner and circumstances under which the licensed activity shall be conducted to preserve the public peace and protect and promote the public's health, safety, welfare, good order and security.

(k) The licensee is responsible for the conduct of himself, his business and his employees.

(l) The licensee shall engage in practices designed to ensure cleanliness and health and which are designed to resist anything detrimental to the public's health, safety or welfare.

(m) No person, whether as a licensee or employee or agent thereof or otherwise, shall engage or offer to engage in any specified sexual activity, as defined in section 10-441, or engage or offer to engage in any activity prohibited by statute, ordinance, regulation or rule, on the licensed premises or in connection with a massage or massage business.

(Code 1984, § 426:27; Ord. No. 06-26, § 1, 10-2-2006; Ord. No. 07-09, § 1, 4-16-2007)

Sec. 10-192. Suspension or revocation of license.

The city council may suspend or revoke a license issued under this article. Any suspension or revocation of a license shall be accomplished in accordance with the procedure specified in sections 10-7 and 10-8. In addition, the council may, without any notice, suspend any license pending a hearing on revocation for a period not exceeding 30 days, which suspension shall be communicated to the licensee personally or by leaving the notification at the licensed premises with the person in charge thereof. Any one of the following shall be grounds for suspension or revocation of a license:

- (1) Failure to comply with any of the ordinances of the city, rules promulgated thereunder, or statutes of state.

- (2) Control or possession by the owner, manager, lessee or any employee of the massage business of any alcoholic beverages or narcotic drugs or controlled substances on the premises, possession of which is illegal as defined by state statutes or city ordinances.

- (3) Conviction of the owner, manager, lessee, or any employee of the massage business of a violation of any ordinance or state statute or any rule promulgated under either, arising on the premises to which the license was granted under this article.
- (4) Conviction of the owner, manager, lessee or any employee of the massage business of prostitution or any other crime or violation involving moral turpitude or sexual misconduct on the licensed premises.
- (5) Failure to promptly notify the director of community development of any change in the information or facts required to be submitted in connection with an application for a license.
- (6) Failure of the premises to comply with the health, safety and building regulations of the city and state.
- (7) Presence of the massage business being found to be detrimental to the health, safety or welfare of the citizens of the city.
- (8) Evidence of a material variance, without prior approval of the community development director, in the actual plan and design of the premises from the plan submitted pursuant to section 10-193 or from the original design of the premises when initially licensed.

(Code 1984, § 426:30; Ord. No. 07-09, § 1, 4-16-2007)

Sec. 10-193. Approval of plans and specifications for massage parlors and saunas.

All persons who hereafter construct, extensively remodel or convert buildings or facilities for use as a massage parlor or sauna shall conform and comply in their construction, erection or alteration with the requirements of this article. Plans and specifications for such layout, arrangement and plumbing and construction materials of the sauna and massage areas, and location, size and type of equipment and facilities, shall be filed by the owner in the building department. A building permit shall not be issued for any such construction, remodeling, or alteration until such permit shall have the approval of the building official or his agents.

(Code 1984, § 426:33)

Sec. 10-194. Construction and maintenance of premises used for massage business.

(a) *Walls and other surfaces.* All massage rooms, locker rooms, restrooms and bathrooms used in connection with a massage business shall be constructed of smooth and easily cleanable materials which are resistant to moisture, bacteria, mold or fungus growth. The floor-to-wall and wall-to-wall joints shall be constructed to provide a sanitary cove with a minimum radius of one inch.

(b) *Restrooms.* Separate restrooms shall be provided for each sex. Each restroom shall be provided with ventilation as required pursuant to the building code in force in the city pursuant to chapter 8, article II, a minimum of 15 footcandles of illumination as measured 30

inches from the floor, a handwashing sink equipped with hot and cold running water under pressure, sanitary towels and a soap dispenser. Waste shall be removed from each restroom at least daily.

(c) *Janitor's closet.* Each facility connected with a massage business shall have a janitor's closet which shall be provided for the storage of cleaning supplies. Such a closet shall have mechanical ventilation with two cfm per square foot of floor area and a minimum of ten footcandles of illumination as measured 30 inches from the floor. Such closet shall include a mop sink.

(d) *Maintenance and sanitation generally.* Floors, walls and equipment in massage rooms, restrooms and bathrooms used in connection with the massage business must be kept in a state of good repair and sanitary at all times. Linens and other materials shall be stored at least six inches off the floor. Sanitary towels, washcloths, cleaning agents and toilet tissue must be made available for each customer.

(e) *Lockers.* Individual lockers shall be made available for use by patrons. Such lockers shall have separate keys for locking. Separate locker rooms shall be provided for each sex.

(f) *Massage rooms.* Doors on massage rooms shall not be locked or capable of being locked. No locks, latches or other devices intended to secure a door so as to prevent its being opened by any person from either side of the door with or without a key may be present on any doors on massage rooms. All massage rooms shall be clearly identified by signs.

(Code 1984, § 426:36; Ord. No. 07-09, § 1, 4-16-2007)

Sec. 10-195. Inspections.

During any hours in which any person is present on the licensed premises, all massage businesses shall be open to inspection by county health and city building and license inspectors and police officers. Upon demand by any police officer, any person engaged in providing services in any licensed premises shall provide his true legal name and correct address. Failure to allow an unimpeded inspection or failure to provide true name and address information shall be a violation of this article.

(Code 1984, § 426:39)

Sec. 10-196. Authority to make additional rules and regulations.

The community development director shall make such rules and regulations as are reasonably necessary to the safe and sanitary operation of massage businesses. Such rules and regulations shall be effective when filed in the office of the city clerk, and amendments thereof shall be effective 20 days after being so filed. Violations of such regulations shall be a misdemeanor and shall be sufficient grounds for suspension or revocation of any and all licenses issued pursuant to this article.

(Code 1984, § 426:42; Ord. No. 07-09, § 1, 4-16-2007)

Sec. 10-197. Exceptions.

(a) No business license shall be required for any premises where massage is offered as an accessory use if it meets the following criteria as evidenced by affidavits and other documents submitted to and reasonably acceptable to the city:

- (1) The principal activity of the business shall not be massage.
- (2) No more than 25 percent of the establishment's annual gross revenue shall be derived from massage as shown by financial statements certified as being true and correct by an independent certified public accountant.
 - a. Such statements shall be filed each year with the community development director by the person who operates the business establishment.
 - b. Such filing shall be made within 30 days of the end of the establishment's fiscal year and shall be for the fiscal year just completed.
 - c. The community development director may require additional or more frequent financial filings when deemed by him to be necessary to determine compliance with this subsection.
- (3) All persons performing massage must possess a valid personal services license issued by the city.
- (4) The rooms where massage is performed shall not have an exclusive entrance from or exit to the exterior of the building in which the principal business is located or to a public concourse or public lobby. Notwithstanding this restriction, massage may be performed by a licensed individual at the residence or business of the person receiving the massage, but may not be performed or offered at any premises requiring a license pursuant to article XIII of this chapter or chapter 4.
- (5) All fees or other consideration derived from performing massage shall be received by and be accounted for by the proprietor of the principal business.
- (6) All individuals performing massage in connection with the business shall be employees of the principal business or shall be independent contractors or agents who perform massage pursuant to a written agreement with the owner of the principal business.

(b) No business license shall be required for an individual who does not maintain a business premises within the city and who performs massage solely at the residence or business of the person receiving the massage. Such individuals, however, shall possess a valid personal services license, shall not employ any individuals in connection with the practice of massage, and shall not offer or perform massage at any premises requiring a license pursuant to article XIII of this chapter or chapter 4.

(c) All other provisions of this article and this Code shall apply except those which by their nature cannot reasonably be applied to the persons and premises exempted from a business license.

(Code 1984, § 426:45; Ord. No. 07-09, § 1, 4-16-2007)

Secs. 10-198—10-220. Reserved.

Sec. 16-438. Massage services.

(a) Prior to the issuance of a license under subsection 10-184(a)(1) and (2), pertaining to business and personal licenses for massage services, the applicant shall submit proof to the city in the form of insurance policies or certificates of insurance acceptable to the city, and issued by insurance companies authorized to do business in the state, for the following policies:

- (1) Professional liability in the practice of massage for a minimum limit of \$1,000,000.00.
- (2) General liability for bodily injury and property damage liability with minimum combined single limits as follows:

General aggregate	\$300,000.00
Each occurrence	300,000.00
Medical expense (each person/aggregate)	1,000.00/10,000.00

- (3) Workers' compensation and employers' liability as required by the state.

(b) Should any of the policies be canceled or not renewed before the expiration date thereof, the issuing company shall mail 30 days' written notice to the city clerk, except such notice shall be ten days for nonpayment of premium.

(c) The insurance policies shall be written with an insurance company having a minimum Best's Key Guide of A-VII, or as approved by the city's insurance agent.
(Code 1984, § 426:06(2)(b)(1); Ord. No. 07-09, § 2, 4-16-2007)

Cross reference—Massage services, § 10-181 et seq.

Sec. 16-439. Riding stables.

(a) Every application for a license under chapter 10, article XII, pertaining to riding stables, shall be accompanied by insurance policies or certificates of insurance acceptable to the city, and issued by insurance carriers authorized to do business in the state as set forth below:

- (1) Comprehensive general liability policy on an occurrence basis, and for minimum combined single liability limits as follows:

General aggregate	\$500,000.00
Products—Comp/ops aggregate	500,000.00
Personal and advertising injury	300,000.00
Each occurrence	300,000.00
Medical expense (each person/aggregate)	1,000.00/10,000.00

The policy shall ensure payment of all judgments made against the licensee of the riding stables for injury or damages resulting to persons or property arising out of the operation or maintenance of the licensed riding stable. The city shall be named as an additional insured. The premium on the policy shall be paid in full in advance, and the policy shall remain in full force and effect for the full period of time for which the license is effective.

<i>Type of License, Permit or Fee</i>	<i>Conditions and Terms</i>	<i>Amount</i>
Bingo license	Expires December 31; fee based upon number of bingo occasions anticipated during the licensing period; the city council may, at its discretion, waive payment of fee.	100.00 per anticipated occasion
Massage businesses and masseurs:		
Massage business (license)	Annual	500.00
Personal service license (massage)	Annual	75.00
Investigation fee	Per business license	300.00
	Per personal service license	75.00
Pawnbrokers:		
Pawnbroker license	Annual	2,500.00
Investigation fee	New or if license more than six months past due. If investigation conducted wholly within Minnesota, \$500.00 with remaining \$1,000.00 returned. If investigation outside Minnesota can recover all costs up to \$10,000.00 maximum.	1,500.00
Billable transaction fees	\$1.00 per transaction to the City of Minneapolis licensing for administration of automated pawn system and \$0.50 to city for administrative costs.	1.50
Solicitors, peddlers, hawkers, canvassers and transient merchants, license, permit or certificate of exempt status.	See also section 10-276; no fees rebated if license revoked or cancelled, whether voluntary or involuntary. No fees prorated; full fee due with application.	
Hawker and peddler (items in possession)	Per month (permit)	10.00
	Per year (license)	35.00
Transient merchant	Per month (permit)	15.00
	Per year (license)	150.00
Canvasser and solicitor (items not in possession)	Per month (permit)	10.00
	Per year (license)	35.00
Application and investigation fee:		
In State of Minnesota	Each license and permit	15.00