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**MASSAGE THERAPY**

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**ARTICLE I.  
IN GENERAL**

**Sec. 16-1. Legislative intent.**

It is the intention of City Council to effectuate the licensing provision of Section 12-48.5-101 et seq., C.R.S. The Licensing Authority created herein shall conduct its affairs in conformance with such state law.  
(Code 1972, § 73-142)

**Secs. 16-2—16-15. Reserved.**

**ARTICLE II.  
MESSAGE LICENSING AUTHORITY\***

**Sec. 16-16. Creation.**

There shall be and is hereby created a Massage Licensing Authority, hereafter referred to in this Article as the "Authority."

(Ord. No. 158, 1986, § 15, 11-4-86)

**Cross-reference**—Boards and Commissions, § 2-71.

**Sec. 16-17. Composition.**

The Authority shall be the Liquor Licensing Authority as set forth in § 3-32.

(Code 1972, § 73-143; Ord. No. 158, 1986, § 15, 11-4-86; Ord. No. 92, 1992, § 24, 9-15-92; Ord. No. 21, 2000, § 4, 3-7-00)

**Cross-reference**—Liquor Licensing Authority, § 3-31.

**Sec. 16-18. Functions.**

(a) The Authority shall grant or refuse licenses for the operation of massage establishments as defined in Section 12-48.5-103(1), C.R.S., to conduct investigations as are provided by law and to suspend or revoke any such licenses for cause in the manner provided by law.

(b) The Authority shall have the power to promulgate rules and regulations concerning the procedures for hearings before it and the presentation of evidence at hearings.

(Ord. No. 158, 1986, § 15, 11-4-86; Ord. No. 92, 1992, § 24, 9-15-92)

**Sec. 16-19. Reserved.**

**Sec. 16-20. Minutes; annual report.**

The Authority shall take and file minutes in accordance with the requirements of § 2-73 of the Code. On or before January 31 of each year, the Authority shall file a report with the City Clerk setting forth the activities of the Authority for the previous year.

(Ord. No. 158, 1986, § 15, 11-4-86; Ord. No. 79, 1988, § 21, 6-7-88; Ord. No. 92, 1992, § 24, 9-15-92)

**Secs. 16-21—16-35. Reserved.**

**ARTICLE III.  
LICENSES AND REGULATIONS**

**Sec. 16-36. Application.**

Application for a license shall be made on forms prepared and furnished by the City. The information required of an applicant shall be established by resolution of the City Council. The City Clerk shall issue all licenses granted by

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\* **Cross-references**—Boards and Commissions, § 2-71 et seq.; Liquor Licensing Authority shall act as a Massage Licensing Authority, § 3-33.

the Authority upon receipt of such license fees as are required by law. Applications for massage parlor licenses shall be filed with the City Clerk.  
(Code 1972, § 73-144; Ord. No. 21, 2000, § 6, 3-7-00)

**Sec. 16-37. Fees.**

A fee of fifty dollars (\$50.) shall accompany each application for a new license. A fee of twenty-five dollars (\$25.) shall accompany each application for renewal of a license. Such fees shall not be refundable.  
(Code 1972, § 73-145)

**Sec. 16-38. Educational requirements.**

No license shall be issued and a license previously issued may be revoked unless all persons who are to administer massages and all persons who are to supervise the administering of massages are qualified by either:

- (1) Being a graduate of a school approved by the State Board of Community Colleges and Occupational Education where the method, profession and work of massage is taught as an occupation;
- (2) Being a graduate of a school in any other state which has been approved by such state to teach massage as an occupation and the state requirements for approval of such school are substantially similar to those in this State;
- (3) Being certified by the American Massage Therapy Association;
- (4) Being under the direct supervision of a licensed medical, osteopathic or chiropractic doctor or licensed physical therapist. To ensure direct supervision, such massage shall be performed as an adjunct service of the clinical practice of such doctor or therapist and shall be performed in the clinic or office of such doctor or therapist.

(Code 1972, § 73-146)

**Sec. 16-39. Posting of notice.**

(a) The applicant shall cause to be posted the public notice required in Section 12-48.5-114, C.R.S., for all hearings to be held on new massage license applications. Where the building for which the license is sought is in existence at the time of the application, the sign shall be placed on the premises so as to be conspicuous to the general public from the exterior of the building. If the building is not in existence at the time of the application, the sign shall be posted upon the premises upon which the building is to be constructed in such manner that it shall be conspicuous and plainly visible to the general public.

(b) The applicant shall provide to the City Clerk evidence of such posting which shall consist of a photograph of the posted sign in place together with an affidavit of posting.  
(Ord. No. 153, 1986, § 73-147(A), 11-4-86)

**Sec. 16-40. Relevant neighborhood; petition.**

(a) There is hereby established a rebuttable presumption that the relevant neighborhood most likely to be affected by the applicant's proposed establishment is that area surrounding such establishment at a distance of one (1) mile on all sides, squared to the nearest street and including both sides of any boundary streets.

(b) Evidence may be presented by any party-in-interest at the public hearing on the application for a license for the purpose of modifying in any way the geographic extent of the presumed relevant neighborhood. Petitions favoring or opposing the license may be presented at the hearing.  
(Ord. No. 153, 1986, § 73-147(B), 11-4-86)

**Sec. 16-41. Petitions.**

(a) Petitions may be circulated only within the delineated boundaries of the neighborhood by the applicant or any person opposing the license or an agent or representative of either applicant or protestant. Each person signing the

petition shall sign only his or her own name, address and age or otherwise indicate that such person is at least eighteen (18) years of age. The date when the signature is affixed to the petition shall be put on the petition by the party signing it. No signatures shall be considered which are dated prior to the date the application was received by the Authority and the boundaries of the neighborhood established.

(b) Each petition shall contain a verified statement signed by the circulator of the petition that the circulator personally witnessed each signature appearing on the petition and that each signature is the signature of the person whose name it purports to be and that the address given opposite that person's name is the true business or residence address of the person signing the petition.

(Ord. No. 153, 1986, § 73-147(C), 11-4-86)