

ORDINANCE NO. 79283

An Ordinance amending Sections 20-5503 and 20-5504 of Ordinance No. 76398, the License and Business Code, to provide for closer control and supervision of massage institutes and their personnel, repealing Ordinance No. 79209, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. For the greater protection of the health, safety and well being of the community, Sections 20-5503 and 20-5504 of Ordinance No. 76398, the License and Business Code, are hereby amended to read as follows:

Section 20-5503. APPLICATION. It shall be unlawful for any person to conduct a massage institute, or to give or solicit the giving of any massage treatment, without first obtaining a license from the City of Portland so to do, and no license shall be issued except to persons of good moral character, and who shall be qualified to engage in such business; provided, that before issuing such license the inspector shall obtain from the Bureau of Police the record, if any, of the applicant and shall require that the applicant file with his or her application the names and addresses of not less than five adult persons, residents of the City of Portland, as references, who shall be property owners and taxpayers in Multnomah County, Oregon. The inspector shall cause to be made and filed of record in his office a written verification of the references submitted by the applicant and shall cause an examination to be made by the Bureau of Health of the premises where the business is to be conducted, and shall obtain from said Bureau of Health its written approval of such premises. No such license shall become final if the record shows any offense committed by the applicant within a period of twelve months prior to the date of the application indicating moral delinquencies or turpitude, or if the references fail to indicate good moral character, or if the premises and/or equipment fail to comply to the city ordinances or with state or federal requirements concerning health and sanitation, and in any of such events said license may be recalled and cancelled.

Section 20-5504. REGULATIONS.

- (a) Each person who shall make application for a license to conduct a massage institute, or to operate as a masseur or a

masseuse, shall first obtain from the Bureau of Police and exhibit to the inspector an identification card showing his or her signature, photograph and fingerprint, and the date on which such photograph and fingerprint were made.

- (b) Every licensee of a massage institute shall display in a conspicuous place in the licensed premises a sign or notice reading: "The following licensed masseuses or masseurs are employed in this establishment", and shall list thereunder the names, addresses and license numbers of such licensed masseuses or masseurs. This notice shall be in type which can be easily read.
- (c) Licensed masseuses or masseurs shall use only their own names, as they appear on their individual licenses.
- (d) No licensed masseur or masseuse shall advertise in any manner that the massage treatment given by him applies to or is beneficial in connection with the treatment of any particular infirmity, illness, or disease.
- (e) Every licensed masseur or masseuse employed in a licensed massage institute shall report to the inspector immediately when leaving such employment, and shall report again when similarly re-employed, giving the name and business address of the new employer.
- (f) No treating shall be given by any licensee after the hour of 7:00 p.m. of any day.
- (g) It shall be unlawful for any person to whom a license is issued as herein provided or any person employed in such establishment, to give or permit the giving of any bath, massage, rub, or similar applications to a person of the opposite sex to that of the person giving

such bath or massage; provided, that this prohibition shall not apply to any person practicing the science of healing in a manner recognized and authorized by the laws of the State of Oregon, nor to any nurse while acting under the personal direction of any person duly authorized under the laws of said state to practice the art of healing, nor to any such nurse while acting in the employment and under the supervision of any hospital, sanitarium or other similar institution licensed under the laws of the State of Oregon and/or the ordinances of the City of Portland, nor to any practicing nurse while engaged in the bona fide practice of nursing the sick or injured.

- (h) Any violation of this code by the licensee shall be sufficient cause for the revocation of the license, in addition to the penalty imposed for such violation.

Provided, further, that during the remainder of the calendar year 1943 the foregoing provisions of sub-section (g) shall not affect any masseur, masseuse, or massage institute now duly licensed as such by the City of Portland; but that from and after December 31, 1943, the provisions of this ordinance, all and singular, shall apply to and affect all persons, alike and without exception.

Section 2. That Ordinance No. 79209 entitled "An Ordinance amending Section 20-5503, Article 55 of Ordinance No. 76398, ~~the~~ License and Business Code, and by adding one new section to provide for closer control and supervision of massage institutes and their personnel, and declaring an emergency", passed by the Council October 7, 1943, be and the same hereby is repealed.

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland, in this: That no delay be experienced in providing more adequate regulation

of massage institutes; therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council NOV 1 1943

*Wm. C. Benson*

PRESIDENT OF THE COUNCIL AND ACTING

Mayor of the City of Portland

Attest:

*Will E. Gibson*

J.O.S. Jr.

Auditor of the City of Portland

10-19-43  
Order of Council  
JOS:mf

R. S. L.

