**ORDINANCE NO. 25-2509**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 6383 (REVOCATION – SUSPENSION - GROUNDS) OF PART 4 (PERMIT PROCEDURE), AND SECTION 63134.1 (SAME - ELIGIBILITY) AND SECTION 63134.3 (SAME – PERFORMANCE STANDARDS) OF PART 5 (BUSINESSES, PROFESSIONS, TRADES AND OCCUPATIONS REQUIRING A PERMIT) OF CHAPTER 3 (BUSINESS, PROFESSIONS AND TRADES) OF THE CARSON MUNICIPAL CODE TO EXPRESSLY INCLUDE THE CITY’S RIGHT TO REVOKE OR SUSPEND BUSINESS LICENSES WHERE CRIMINAL INVESTIGATIONS YIELD EVIDENCE OF VIOLATIONS OF LAW**

**WHEREAS**, the City of Carson (“City”) staff seeks to expand the City’s authority to revoke or suspend City business licenses to include circumstances when a criminal investigation uncovers credible evidence that a permittee has violated any applicable laws or regulations enforced by government agencies with jurisdiction over the business, and also remove existing regulations that currently allow City to revoke or suspend businesses licenses based on language that is vague, ambiguous, unclear and possibly unlawful; and

**WHEREAS,** the City’s business licensing regulations do not require massage technicians to submit California Massage Therapy Council (“CMTAC”) certificates for permits, though CMTAC renews certificates every two years with background checks; and

**WHEREAS**, implementation of a process involving review and confirmation of a valid CMTAC certificate will help ensure massage technician compliance with applicable laws; and

 **WHEREAS**, the City Council now sees fit to adopt this Ordinance that will give the City authority to review compliance status and require a valid certificate for massage technicians and revoke or deny business licenses based on credible evidence found from a criminal investigation.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**Section 1.** **RECITALS.** The foregoing recitals are true and correct, and are incorporated herein by this reference.

**SECTION 2. CEQA**. This Ordinance has been reviewed by the City Council with respect to applicability of the California Environmental Quality Act **(**“CEQA”**)**, the State CEQA Guidelines (California Code of Regulations, Title 14, §§ 15000 *et seq*., hereafter the “CEQA Guidelines”), and any applicable local CEQA policies and procedures and City has determined that this Ordinance is not a “project” for purposes of CEQA, as that term is defined by CEQA Guidelines Section 15378, because City has determined, in its discretion and based on substantial evidence, that this Ordinance concerns organizational or administrative activities and presents no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

**SECTION 3. AMENDMENT.** Section 6383 (Revocation – Suspension - Grounds) of Part 4 (Permit Procedure), and Section 63134.1 (Same - Eligibility) and Section 63134.3 (Same – Performance Standards) of Part 5 (Businesses, Professions, Trades and Occupations Requiring a Permit) of Chapter 3 (Business, Professions and Trades) of the Carson Municipal Code are hereby amended to read in their entirety as follows:

“**6383 Revocation – Suspension – Grounds.**

Any permit issued under the terms of this Part may be revoked or suspended at any time thereafter by the Finance Director in the following instances:

(a) Where the permittee has violated any terms or provisions of said permit, any provisions of the Carson Municipal Code, or any other ordinance or statute relating to the permitted activity;

(b) Where the permittee has knowingly made any false, misleading or fraudulent statement of a material fact in the application for a permit, or in any report or record required to be filed with any governmental agency;

(c) Where the permittee has been convicted of a felony or any crime involving theft ***or***~~,~~ embezzlement ~~or moral turpitude~~;

(d) Where the permittee has committed any act constituting dishonesty or fraud;

(e) ***Reserved***~~Where the permittee has demonstrated a bad moral character, intemperate habits, or a bad reputation for truth, honesty or integrity;~~

(f) Where the permittee has committed any unlawful, false, fraudulent deception or dangerous act while conducting a licensed business;

(g) Where the permittee has published, uttered or disseminated any false, deceptive or misleading statements or advertisements in connection with the operation of a licensed business;

(h) Where the permittee has violated any rule or regulation adopted by any governmental agency related to the licensee’s business;

(i) Where the permittee willfully fails to comply with the terms of any contract made as a part of the exercise of the licensed business;

(j) Where the permittee has conducted the licensed business in a manner contrary to the peace, health, safety and the general welfare of the public;

(k) ***Reserved; and*** ~~Where the permittee has demonstrated that he is unfit to be trusted with the privileges granted by the permit and license. (Ord. 71-162; Ord. 76-389, § 1)~~

***(l) Where there is a criminal investigation that uncovers evidence that the permittee has violated any laws or regulations enforced by any government agency that has jurisdiction over the business.***”

“**63134.1 Same Eligibility.**

(a) Notwithstanding any other provision of this Chapter, no person who has engaged in disqualifying conduct shall be eligible for a permit to operate a massage parlor.

 ***1. Massage parlors shall have their permits reviewed annually, and annual background checks may be conducted as part of the review process.***

(b) For purposes of this Section and CMC 63135.2, “person who has engaged in disqualifying conduct” means a person who has done any of the following within five (5) years of the date of the permit application:

1. Has been convicted in a court of competent jurisdiction of, or pleaded nolo contendere to, any the following:

a. A misdemeanor or felony offense that relates directly to the operation of a massage parlor.

b. A felony whose commission occurred on the premises of a massage parlor.

c. A violation of California Penal Code Sections 266h, 266i, 314, 315, 316, 318, 647(a) or 647(b).

d. A felony offense involving the sale of a controlled substance specified in California Health and Safety Code Sections 11054, 11055, 11056, 11057, or 11058.

e. Conspiracy or attempt to commit any of the aforesaid offenses.

f. An offense in a jurisdiction outside the State of California that is substantially the equivalent of any of the aforesaid offenses.

2. Has been found guilty of, or has pleaded guilty or nolo contendere to, any lesser-included offense of any of the aforesaid offenses.

3. Has been required to register under the provisions of California Penal Code Section 290.

4. Has been subjected to a permanent injunction against the conducting or maintaining of a nuisance pursuant to California Penal Code Sections 11225 through 11235 or any similar provisions of law in a jurisdiction outside the State of California.

5. Has had denied, suspended or revoked any massage-related permit or license issued by any other public agency that regulates massage parlors or massage technicians. (Ord. 71-183, § 3; Ord. 98-1151U, § 3; Ord. 98-1151, § 3)”

“**63134.3 Same – Performance Standards**

Massage parlors shall be operated in compliance with the following standards:

(a) Every massage technician employed or utilized on the premises shall have a valid ***California Massage Therapy Council or CMTAC certificate*** ~~permit~~.

(b) Arrangements for massage services to be administered shall be made within the room containing the posted schedule of services.

(c) No services shall be performed other than the administration of massage services listed on the posted schedule of services.

(d) No sums shall be charged other than those listed on the posted schedule of services.

(e) Employees and massage technicians shall not advise, suggest, or otherwise indicate to a patron the availability of any service that is not listed on the posted schedule of services.

(f) Massage technicians shall not perform any service for a patron that such patron did not request within the room containing the posted schedule of services.

(g) A clean sheet or other effective sanitary covering shall be placed over any surface upon which a patron lies during the administration of massage services. Such sheet or covering shall be deposited in the “soiled linen” cabinet at the conclusion of any service.

(h) Clean and sanitary towels, sheets, and linens shall be provided in sufficient quantity. Towels, sheets, and linens shall not be used by more than one (1) person without having first been laundered. Heavy white paper may be substituted for sheets provided that such paper is used once for each person and then discarded into a sanitary receptacle.

(i) Walls, ceilings, floors, pools, showers, bathtubs, steam rooms, appliances, apparatuses, and other physical facilities shall be in good repair and shall be maintained in a clean and sanitary condition.

(j) Wet and dry heat rooms, steam and vapor rooms, steam and vapor cabinets, shower compartments, and bathrooms shall be thoroughly cleaned and disinfected each day the business is in operation.

(k) Bathtubs shall be thoroughly cleaned and disinfected after each use.

(l) Instruments used in administering massage services shall be disinfected and sterilized after each use.

(m) Employees and massage technicians shall be clean and dressed appropriately in clean, opaque uniforms that do not expose specified anatomical areas, undergarments or the bare midriff. For purposes of this Section, the term “specified anatomical areas” means the following human anatomical areas: genitals; pubic regions; buttocks; anuses; and female breasts below a point immediately above the top of the areolae. As used in this paragraph, “dressed appropriately” shall further mean the wearing of clothing that (at a minimum) complies with the following requirements:

1. All garments covering the upper torso (e.g., shirts and dresses) shall have both: (i) sleeves not less than two (2) inches in length, measuring from the top of the shoulder; and (ii) necklines no lower than two (2) inches below the clavicle; and

2. Hems of dresses, skirts, smocks, and other similar garments shall not be more than two (2) inches above the top of the knee; and

3. Cuffs and hems of shorts, culottes, pants and other similar garments shall not be more than six (6) inches above the top of the knee.

(n) Massage technicians and employees shall not expose specified anatomical areas, as defined in paragraph (m) above, to patrons.

(o) Patrons shall not be permitted to expose specified anatomical areas, as defined in paragraph (m) above, while receiving massage services.

(p) At least one (1) responsible person acting as manager shall be on the premises at all times the establishment is open for business. Such manager shall be familiar with the requirements of this Section and shall be capable of communicating the provisions of this Section to employees and patrons.

(q) Business shall not be conducted between the hours of 11:00 p.m. and 9:00 a.m.

(r) Alcoholic beverages shall not be sold, served, furnished, kept, or possessed on the premises.

(s) A legible record book containing the following information shall be maintained at the establishment: (i) the type, date and time of each massage service administered; (ii) the name and address of the patron receiving such massage service; and (iii) the name of the massage technician who administered such massage service. Such records shall be open for inspection by City officials and maintained for a minimum period of two (2) years.

(t) The establishment shall not be operated under any name other than the name listed on the permit application.

(u) Children under the age of eighteen (18) must be accompanied by an adult or provide written authorization by parent or legal guardian.

(v) A policy of insurance shall be maintained whereby the permittee is insured against liability for injury or death to any person as a result of massage services. The minimum liability limits shall not be less than $1,000,000 for each incident of injury or death to a person. Proof of such insurance policy shall be submitted in conjunction with the permit application.

(w) All massages shall be administered on-site and indoors; provided, however, that massages may be administered outdoors to the head, neck, back and arms of patrons sitting in chairs in public or semi-public places. (Ord. 71-183, § 3; Ord. 98-1151U, § 5; Ord. 98-1151, § 5)”

**SECTION 4.** **SEVERABILITY.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

**SECTION 5.** **EFFECTIVE DATE.** This ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 6.** **CERTIFICATION.** The City Clerk shall certify to the adoption of this ordinance, and shall cause the same to be posted and codified in the manner required by law.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

**PASSED, APPROVED,** and **ADOPTED** by a two-thirds affirmative vote of the City Council at a regular meeting of the City Council on this 5th day of August 2025.

APPROVED AS TO FORM: CITY OF CARSON:

/s/ /s/

Sunny K. Soltani, City Attorney Lula Davis-Holmes, Mayor

 ATTEST:

/s/

Dr. Khaleah K. Bradshaw, City Clerk

STATE OF CALIFORNIA )

COUNTY OF LOS ANGELES ) ss.

CITY OF CARSON )

I, Dr. Khaleah K. Bradshaw, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing ordinance, being Ordinance No. 25-2509 passed first reading on the15th day of July, 2025, adopted by the Carson City Council at its meeting held on the 5th day of August, 2025, by the following roll call vote:

AYES: COUNCIL MEMBERS: Davis-Holmes, Dear, Hilton, Rojas

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Hicks

RECUSED: COUNCIL MEMBERS: None

/s/

Dr. Khaleah K. Bradshaw, City Clerk