

BACKGROUND INFORMATION:

1. Have you ever been convicted of any misdemeanor or felony violation of local ordinances (with the exception of misdemeanor traffic violations)? No Yes If yes, provide details;

Type Conviction	Date of Conviction	Location (County & State)
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2. Have you ever applied for or held a license to conduct a like or similar activity in any other City or State, not including in Anoka? No Yes If yes, provide details;

Type of License	Date held	Location (City & State)
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3. Have you ever been denied a license (or had a license suspended or revoked) to conduct a like or similar activity in any other City of State, not including Anoka? No Yes If yes, provide details;

Type of License	Reason for denial/sus/rev	Date of denial/sus/rev	Location (County & State)
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BUSINESS INFORMATION: *(location that you will provide massage therapy services)*

Business Name

Business Street Address	City	State	Zip
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Business Phone Number (include area code)

_____ (INITIAL) It is the licensee’s responsibility to be aware of when their license expires. Licensee’s must contact the City office at least thirty (30) days in advance of the expiration date of their license to obtain a license renewal packet.

_____ (INITIAL) It is the licensee’s responsibility to contact the City office when a new Massage Therapist is hired or leaves employment with your business. At renewal, Licensee’s will be required to submit a list of massage therapists employed at your business.

**CERTIFICATE OF COMPLIANCE
MINNESOTA WORKERS' COMPENSATION LAW**

PRINT LEGIBLY IN INK or TYPE

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

ALL APPLICANTS: I certify that the information provide on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE	PRINTED NAME	TITLE	DATE
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I am not required to have workers' compensation insurance coverage because:

I have no employees

I have employees but they are not covered by workers' compensation law.
(See Minn. Statute 176.041 for a list of excluded employees)

Explain why your employees are not covered: _____

COMPLETE THIS PORTION IF YOU ARE INSURED: A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

BUSINESS NAME (Individual name only if no company name used)

LICENSE OR PERMIT # (if applicable)

DBA (doing business as name) (if applicable)

ADDRESS (PO Box must include street address)

CITY

STATE

ZIP

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.

EFFECTIVE DATE

EXPIRATION DATE

COMPLETE THIS PORTION IF SELF-INSURED:

I have attached a copy of the permit to self-insure

NOTE: If your workers' compensation policy is cancelled within the license period, you must notify the agency who issued the license or permit by resubmitting this form.

Form SP:C1

LICENSE APPLICANT:

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.

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 licensing 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 licensing issuance or renewal application.

Please supply the following information and return along with your application to the agency issuing the license. **DO NOT RETURN TO THE DEPARTMENT OF REVENUE.**

Licensing Authority: **CITY OF ANOKA, MINNESOTA**

DATE

APPLICANT'S SIGNATURE AND TITLE (if any)

PERSONAL INFORMATION: *(COMPLETE PERSONAL INFORMATION ONLY, IF YOU ARE APPLYING AS AN INDIVIDUAL AND/OR DO NOT HOLD A MN TAX IDENTIFICATION OR FEDERAL TAX IDENTIFICATION #)*

Applicant name: _____
Applicant address: _____
Social Security No: _____

BUSINESS INFORMATION: *(COMPLETE BUSINESS INFORMATION ONLY, IF YOU ARE APPLYING AS A BUSINESS)*

Business name: _____
Business address: _____

Minnesota Tax Identification No.: _____
Federal Tax Identification No.: _____

If a Minnesota Tax Identification Number is not required, you must explain on the reverse side.



REAL. CLASSIC.

**APPLICATION FOR LICENSE INVOLVING
PRIVATE OR CONFIDENTIAL INFORMATION
(Tennessee Warning)**

In connection with your request for a license the City of Anoka has asked that you provide it with information about yourself which is classified as either *private* or *confidential* by the Minnesota Government Data Practices Act (M.S.A. 13.04). Accordingly, the City is required to inform you of the following:

1. The private or confidential information requested includes, but may not necessarily be limited to, the following: *Your social security number or Minnesota business identification number.*
2. The purpose and intended use of the information requested is: *To comply with Minnesota Statutes, Section 270.72.*
3. You are required to supply the requested information.
4. The known consequences of supplying the requested information is as follows: *Loss or denial of the requested license if you owe the State of Minnesota delinquent taxes, penalties or interest.*
5. The known consequences of refusing to supply the requested information is: *Your request for a license cannot be processed.*
6. The following persons and entities are authorized by law to receive the information if provided: *State of Minnesota - Department of Revenue and other government agencies as provided by law.*

The undersigned, by signing this notice, acknowledges that he/she has read and understands the contents of this notice.

Date

Signature of Applicant

Print Name

CHAPTER 22. LICENSING; BUSINESSES & SERVICES

ARTICLE V. Saunas, Massage Establishments and Adult Uses

Section 22-211. 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:

Adult use means the same as the definition given in Adult Use & Establishments section of the City Code.

Employee means any person who renders any service in connection with the operation of the massage business and receives compensation from the operator of the business or patrons.

Massage means any method of treating the superficial parts of a patron for hygiene, exercise, or relaxation purposes by rubbing, stroking, kneading, tapping, pounding, vibrating, or stimulating with the hands or any instrument or by the application of air, liquid, or water baths of any kind whatever.

Massage establishment means any public facility wherein a person may receive from another person a massage for a fee or other consideration.

Massage Therapist means any person who engages in the practice of massage as defined in this section, except when a massage is administered by a licensed physical therapist, nurse, physician, chiropractor, barber, or cosmetologist or is administered by a massage therapist who is working for or is an employee of a medical professional licensed under Minnesota Statutes Chapter 147 or 148, providing such services at the office location of the licensed medical professional, and the massage is part of the professional services ordinarily provided by such licensed persons.

Patron means any person who receives a massage under such circumstances that it is reasonably expected that he will pay money or give any other consideration therefore.

Public steam bath, sauna or public heat bathing room mean any public facility used for the purpose of bathing, reducing, relaxing, utilizing steam or hot air as a cleaning, relaxing, or reducing agent.

Sections 22-212 thru 22-230. Reserved.

Section 22-231. License Required.

- (a) *Business license.* No person, Partnership, Limited Liability Corporation, or Corporation shall engage or carry on a business, a principal part of which is a massage establishment, public steam bath, sauna, public heat bathing room, or adult use without a license issued by the City Council for each and every separate office or place of business operated by such person in the city. The fee for such license shall be non-proratable and nonrefundable and shall be determined by the Council.
- (b) *Message therapist license.* No person shall practice massage unless each person has a valid and subsisting massage therapist license issued to him/her by the city council of the city. The fee for such a permit shall be non-proratable and nonrefundable and shall be determined by the Council.

Section 22-232.

Business license application.

- (a) Every applicant for a license required by this chapter shall file an application with the City of Anoka upon a form provided by the office of the city clerk and pay an application fee in the amount determined by the City Council. After Council approval or denial, no application fee shall be refunded. The application, once accepted, shall be referred to the Anoka Police Department for investigation. Copies of this application shall be forwarded to such other city departments as deemed necessary for verification and investigation of the facts set forth in the application. Each application shall contain the following information:
- (1) A definition of services to be provided, the location, mailing address, and all telephone numbers where the business is to be conducted.
 - (2) The name and residence address of each applicant (hereinafter all provisions which refer to the applicant shall include all partners of a partnership and the officers and managing agent of a corporation).
 - a. If applicant is a corporation, the names and residence addresses of each of the officers and directors of said corporation.
 - b. If applicant is a partnership, the names and residence addresses of each of the partners including limited partners, and the address of the partnership itself, if different from the address of the business establishment.
 - c. The two previous addresses immediately prior to the present address of the applicant.
 - d. Copy of identification, such as driver's license.
 - e. The sauna, massage, public steam bath, public heat bathing room, adult use, or similar business history and experience of the applicant, and including but not limited to whether or not such applicant is or has previously operated in this or another city or state under license or permit and has had such license or permit denied, revoked, or suspended, and the reason therefore.
 - f. All criminal convictions other than misdemeanor traffic violations of the applicant, including the dates of convictions, nature of the crimes, and places convicted.
 - g. Authorization for the city, its agents, and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the license.
 - h. Such other identification and information as required by the city necessary to discover the truth of the matters hereinbefore specified as required to be set forth in the application.
- (b) Upon completion of the above-described application and the furnishing of all of the foregoing information, the city clerk shall accept the application for the necessary investigations. The holder of a business

license shall notify the city clerk of each change in any of the data required to be furnished by this section within ten days after such change occurs.

Section 22-233. Massage therapist license application.

Application for a massage therapist license shall be made to the city clerk in the same manner as provided for business licenses, accompanied by an application fee which shall be determined by the City Council. Once acted upon by the Council, the application fee is nonrefundable. The application shall contain the following information.

- (a) The business address and all telephone numbers where the massage is to be practiced.
- (b) Name and residence address and all names, nicknames, and aliases by which the applicant has been known, including the two previous addresses immediately prior to the present address of the applicant.
- (c) Copy of identification showing that the applicant is at least 18 years of age and their date of birth.
- (d) A complete statement of all convictions of the applicant for any felony or misdemeanor or violation of a local ordinance, except misdemeanor traffic violations.
- (e) A certified copy of a certificate of graduation from a school of massage which is registered with or approved by the State Department of Education or State Department of Higher Education Services, located in the State in which the school operates. Said certificate must indicate successful completion of at least 150 hours of training.
- (f) The massage or similar business history and experience (five years) prior to date of application, including but not limited to whether or not such person in previously operating in this or another city or state under license or permit has had such license or permit denied, revoked, or suspended and the reasons therefore.
- (g) A listing of all memberships in local or national massage organizations.
- (h) Authorization for the city, its agents, and employees to obtain information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit.

Section 22-234. Conditions governing issuance.

- (a) *Business license applications.*
 - (1) No license shall be issued if the applicant or any of its owners, employees, or agents is a person of bad repute.
 - (2) Licenses shall be issued only if the applicant and all of its owners, employees, and agents are free of convictions for offenses which involve moral turpitude or which relate directly to the person's ability, capacity, or fitness to perform the duties and discharge the responsibilities of the licensed activity.

- (3) Licenses shall be issued only to applicants who have not, within two years prior to the date of application, been denied licensure, or who have not within such period had its license revoked.
- (4) Licenses shall be issued only to applicants who have fully answered all of the information requested in the application, have paid the full license fee, and have cooperated with the city in review of the application.
- (5) If the applicant is a natural person, a license shall be granted only if such person is 18 years of age or older.
- (6) Licenses may be granted only for locations in the general commercial districts of the city or, in the case of adult uses, in the adult use district, and such license will be denied if the granting of the license would be inconsistent with the comprehensive plans of the city or would otherwise have a detrimental effect upon the property or properties in the vicinity.
- (7) Licenses shall be granted only to businesses which can meet the safety, sanitary and building code requirements of the city.

(b) *Massage therapist License.*

- (1) Licenses shall be issued only to persons of good repute who have successfully completed at least 150 hours of training in massage from a school of massage which is registered with or approved by the State Department of Education or State Department of Higher Education Services, located in the State in which the school operates.
- (2) Licenses shall be issued only to persons free of convictions of offenses which involve moral turpitude or which relate directly to the person's ability, capacity, or fitness to perform the duties and discharge the responsibility of the occupation.
- (3) Licenses shall not be issued to persons who, within one year prior to the date of application, have been denied a permit or who has had his permit revoked in this or any other state.
- (4) Licenses shall be issued only to persons who have answered fully all of the information requested in the application and have paid the full application fee.
- (5) Licenses shall be issued only to persons 18 years of age or older.

Section 22-235.

Approval or denial of application.

The City Council shall act to approve or deny an application for an initial or lapsed licensed license under this ordinance within a reasonable period of time and in no event shall the city act to approve or deny such license or permit later than 120 days from the date that the application was accepted by the city clerk. Every license or permit issued pursuant to this ordinance will terminate on December 31, unless renewed, sooner suspended, or revoked.

Section 22-236.

Revocation or suspension.

- (a) *Business license.* A business license under this article may be revoked, suspended, or not renewed by the city council upon a showing that the licensee, its owners, employees, or agents have engaged in any of the following conduct:
 - (1) Fraud, deception, or misrepresentation in connection with the securing of the license.
 - (2) Habitual drunkenness or intemperance in the use of drugs, including but not limited to the use of drugs defined in Minn. Stats. § 618.01, barbiturates, hallucinogenic drugs and amphetamines, Benzedrine, Dexedrine or other sedatives, depressants, stimulants, or tranquilizers.
 - (3) Conduct adversely affecting the public health, safety, and welfare of the general public.
 - (4) Engaging in conduct involving moral turpitude.
 - (5) A violation of any provision of this article.
- (b) *Massage Therapist License..* A Massage Therapist License may be revoked or suspended or not renewed by the city council for any of the following:
 - (1) Fraud, deception, or misrepresentation in connection with the securing of the permit.
 - (2) Habitual drunkenness or intemperance in the use of drugs, including but not limited to the use of drugs defined in Minn. Stats. § 618.01, barbiturates, hallucinogenic drugs and amphetamines, Benzedrine, Dexedrine or other sedatives, depressants, stimulants, or tranquilizers.
 - (3) Conduct adversely affecting the public health, safety, and welfare of the general public.
 - (4) Engaging in conduct involving moral turpitude.
 - (5) Violating any provisions of this article.

Sections 22-237

Renewal of Business and Therapist Licenses.

Licensees shall submit an application for renewal according to the procedures set forth above. Renewal licenses shall be administratively approved, unless there is an objection or significant concern expressed during the investigation, or if the license has lapsed over thirty (30) days from its expiration date, at which time the renewal application shall be forwarded to the City Council for consideration.

Sections 22-238 thru 22-255. Reserved.

Section 22-256. Restrictions.

The licensee and the persons in its employment shall comply with all applicable regulations and laws of the city and state relating to safety and morals.

Section 22-257. Inspection of premises.

The licensee shall permit and allow the inspection of the premises during business hours by all appropriate city employees and agents.

Section 22-258. Responsible party.

If the licensee is a partnership or corporation, the applicant shall designate a person to be manager and in responsible charge of the operation of the business. Such person shall remain responsible for the conduct of the business until another suitable person has been designated in writing by the licensee. The licensee shall promptly notify the city clerk in writing of any such change indicating the name and address of the new manager and the effective date of such change.

Section 22-259. List of current employees.

The licensee shall furnish the city clerk a list of current employees indicating their names, addresses and which employees, if any, are practicing massage as a part of their duties. The licensee, within ten (10) days, shall notify the city clerk of any change in the list.

Section 22-260. Hours of operation.

The licensed premises shall not be open for massage nor shall patrons be permitted on the premises for the purpose of massage between the hours of 9:00 p.m. and 9:00 a.m. of the following day.

Section 22-261. Age restriction.

No person under 18 years of age shall be employed in an establishment requiring a license under the provisions of this article.

Section 22-262. Business License requirement.

No such business shall employ or use any person as a massage therapist unless such person has a current license as provided by this article.

Section 22-263. Restrictions upon massage therapists.

- (a) Any massage therapist shall have their license or a true copy thereof displayed in a prominent place at his place of employment. Any massage therapist within the city shall inform the city clerk of any changes in employment or location of employment within the city, or any change in residence address, within 30 days of such change.
- (b) No massage therapist shall perform massage between the hours of 9:00 p.m. and 9:00 a.m. of the following day.

Section 22-264. Miscellaneous restrictions.

- (a) It shall be unlawful for any employee to place his hands upon the sexual parts of another person.
- (b) It shall be unlawful for any person owning, operating, or managing a business license under this article knowingly to cause, allow, or permit in or about such premises any agent, employee, or any other person under his control or supervision to perform such acts prohibited in subsection (a) of this section.

- (c) It shall be unlawful for any holder of a license under this article to administer massage on an outcall basis. Such persons shall administer massage solely within a business licensed within this article to carry on such massage.
- (d) It shall be unlawful for any massage service to be carried on within any cubical, room, booth, or other area within a massage establishment which is fitted with a door capable of being locked.

Section 22-265. Alcoholic beverages prohibited.

No person shall sell, give, dispense, provide, or keep or cause to be sold, given, dispensed, provided, or kept any alcoholic beverage on the premises of any massage establishment, public steam bath, sauna, or public heat bathing room licensed under this article.

Section 22-266. Operating requirements.

- (a) Every portion of the premises of a business licensed under this article including appliances and apparatus shall be kept clean and operated in a sanitary condition.
- (b) Price rates for all services shall be prominently posted in the reception area in a location available to all prospective customers.
- (c) All businesses licensed under this article shall be provided with clean, laundered sheets and towels in a sufficient quantity and shall be laundered after each use thereof and stored in a sanitary manner.

Section 22-267. Exceptions.

It shall not be required for a massage therapist to obtain a license described in this Article when the therapist is working for or is an employee of a medical professional licensed under Minnesota Statutes and providing such services at the office location of the medical professional.

Sections 22-267 thru 22-290. Reserved.