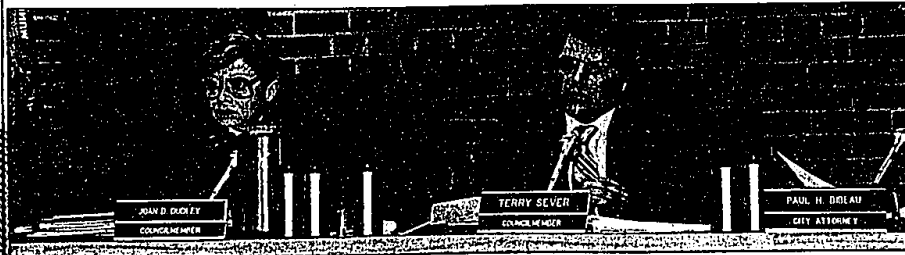


Council weighs reaction to proposed ordinance



Councilwoman Joan Dudley (left) and Councilman Terry Seaver listen to comments about the massage regulation ordinance provisions.

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Chapter of the American Massage Therapy Association and the Michigan State Association of Myomassage Therapists — objected to the ordinance, which, as proposed, would not exempt their members, who are trained and certified.

"Our members are reputable. We administer legitimate massages," said Joseph Wozniak, president of the myomassage therapists association. "We believe your ordinance is detrimental to our trade and members of our trade."

LAST WEEK, the council introduced the city's first ordinance designed to license and regulate massage parlors, massage schools, sauna baths and massageists.

The proposed ordinance, patterned after one adopted by the Royal Oak City Council, includes the controversial provision prohibiting massage services provided by members of the opposite sex.

The decision to propose an ordinance stemmed from the Farmington Hills Police Department's initial investigation into complaints about oriental health spas providing alleged illegal sexual activity, said Chief William Dwyer.

Seventeen people face misdemeanor charges in connection with alleged illegal sexual activity following police raids Oct. 7-8 at five oriental health spas in Farmington Hills.

Some council members questioned City Attorney Paul Bibeau about types of businesses and professionals that would be exempted under the proposed ordinance.

ADDING CERTIFIED members of the two state associations to the list of those businesses and profes-

sions — physicians, other medical practitioners, barbers and beauticians, for example — is a possibility, Bibeau said.

Bibeau acknowledged that those who are certified by the two associations and work for beauty institutes or health clubs where professional massages are provided would be forced to comply with the proposed ordinance.

Both state associations accept members only on recommendation of current members. Applicants must show proof of their massage training and education and must pass certification tests before becoming members, Wozniak told council Monday.

"We have had several opportunities to deal with unethical behavior," Wozniak said.

Members who are found to have acted illegally or unethically are ousted from the organization, which has "an investigative procedure to check behavior," Wozniak said. "On a private basis, we can enforce it much better (than the city can through an ordinance)."

COUNCILWOMAN JODY Soronen asked specifically whether members of the two state associations could be exempted under the proposed ordinance. But Councilman Ben Marks asked for more information on both associations be obtained before council changes the ordinance based on the reportedly strict certification procedures followed by the associations.

Following objections from the two state associations and other area masseurs and masseuses, some council members also expressed their opposition to certain provisions of the proposed ordinance.

"I have to honestly say I don't like the approach of this law. When I

read this law, I felt it was a bully law," Councilwoman Joan Dudley said.

Councilwoman Jan Dolan took exception to a provision that prohibits opposite-sex massages. "In the zeal to eliminate the problems we are having in the community now with our present massage problems, we could be creating more of a problem," she said.

"I'm really worried about going from the frying pan to the fire," Dolan said, referring to the prohibition on opposite-sex massages.

DOLAN ALSO opposed the exclusion of beauty institutes and health spas whose employees and owners are certified through one of the two state organizations or who are licensed through the city of Detroit.

"I'm sure it wasn't the intent of this council to outlaw massages. I do think we have a problem in this community," Dolan said.

More research is required before the ordinance is adopted so those providing legitimate massages — opposed to those that involve alleged illegal sexual activity — are not denied their business, she added.

Council also heard from the owners and employees of area health spas and beauty institutes.

"It will hurt us a lot. It really will," said Tamara Friedman, owner of Tamara Institute De Beaute on Northwestern Highway.

"Innocent people like us are going to suffer from it (the ordinance)," Friedman opposed provisions prohibiting opposite-sex massages, as well as a provision that prohibits massages from being provided in a private room. "In legitimate places, it creates no problem," Friedman said about the opposite-sex prohibition.

SUSAN STONE, a Royal Oak

masseuse on staff at the Hamilton Place health club in Southfield who provides body massages in private Farmington Hills homes, also opposed the opposite-sex provision.

"I have never had any problems weeding out the men who want legitimate massages and those who don't," Stone said.

Because the majority of those seeking massages are men, Stone maintained she would suffer financially because of the ordinance.

Ronald Reynolds, president of the state chapter of the massage therapy association, told council that the opposite-sex provision will do little to prevent prostitution. In fact, he said, it could allow for homosexual activity.

Under Farmington Hills' proposed massage regulation ordinance, existing health spas, massage parlors and other businesses that provide massage services would have 60 days after the ordinance's adoption to comply with its provisions.

In addition to the required business license, the ordinance would require massage parlors and health spas to obtain an operating permit. Employees of the business who intend to provide massages also are required to obtain a permit.

The permit application would be forwarded to the police to investigate the applicant. City's building, planning and fire departments would inspect the applicant's business premises. The premises also would be inspected by an officer of



Tamara Friedman, owner of Tamara Institute De Beaute, watches the city council proceedings.

Overview of proposed regulations

the Oakland County Department of Health.

"The chief of police shall recommend denial of an application for a permit . . . if the character, reputation, moral integrity, or physical or mental condition of the applicant or his employees is found to be detrimental to the public health, safety, morals or general welfare," according to the proposed ordinance.

An operating license is issued for only one year. When seeking a license renewal, the applicant will be required — as in the original application — to provide a signed affidavit from a physician stating the applicant is free of any contagious or communicable disease.

MASSAGE PARLOR and health spa employees also are required to have a physician's affidavit, declaring them to be free of contagious and communicable disease.

The proposed ordinance addresses the physical amenities of the health spas or massage parlors. Massages may not be performed in "a private room which is closed to the view of other persons."

The ordinance also requires "adequate bathing, dressing, locker and toilet facilities" for patrons as well as "clean and sanitary towels and linens" for each patron. Proper dress — covering the body from neck to just below the hips — also is required.

Violation of the proposed ordinance is a misdemeanor that upon conviction carries a penalty of up to a \$500 fine and 90 days imprisonment.

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