

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 7/25/2000

Reference No.: CB-44-2000

Proposer: Scott

Draft No.: 2

Sponsors: Scott

Item Title: An Ordinance amending the definition of massage establishment and defining certified massage therapist

Drafter:

Resource Jim Burton

Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 5/9/2000

Executive Action: ___/___/___

Committee Referral: 5/9/2000 PZED

Effective Date: 9/11/2000

Committee Action: 5/23/2000 FAV(A)

Date Introduced: 6/6/2000

Public Hearing: 7/25/2000 11:00 A.M.

Council Action: 7/25/2000 ENACTED

Council Votes: DB:A, JE:A, IG:-, TH:A, WM:A, RVR:A, AS:A, PS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 5/23/2000

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Russell, Estepp, Scott and Wilson)

Staff presented a Proposed Draft-2 of the legislation to amend the definition of the term “massage establishment” in Section 107.01(a) (147) in order to clarify the distinction between a “certified massage therapist” and a “massage establishment.” Specifically, the item title is amended to read: “An ORDINANCE concerning Massage Establishment and Certified Massage Therapist for the purpose of amending the definition of massage establishment and defining certified massage therapist.” Additionally, on page 2, line 11, the language “or massage” is added after “physical” and “or certified” is added after “licensed.”

Council Member Scott, the bill's sponsor, explained that State enabling legislation (House Bill 178-99) distinguished between certified massage therapists and registered massage practitioners and that CB-44-2000 proposes to correct the oversight in the Zoning Ordinance by also making a distinction between the existing "massage establishment" term and a new term, "certified massage therapist."

Michele LaRocca, Meyers, Rodbell, & Rosenbaum, P.A., and Joe Meinert, representing the City of Bowie, spoke in support of the legislation. The City of Bowie provided a letter stating: "The City finds that there is a need to distinguish between offices of certified massage therapists and the overall category of "massage establishments" in the Zoning Ordinance in order to respond to recent changes in State law which affect the profession. The nature and characteristics of an office of a certified massage therapist are not appreciably different from those of a medical or professional office. Further, certified massage therapists are required to adhere to strict educational requirements and ethical standards which set them apart from other massage businesses. The City Council therefore finds the requested distinction in the Zoning Ordinance supportable and recommends a favorable vote on the proposed zoning text amendment (CB-44-2000)."

The Office of Law determined that the bill is in proper legislative form. The County Executive takes no position on the legislation. The Planning Board supports CB-44-2000. The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting this legislation.

The Committee voted favorably including the amendments contained in Proposed Draft-2.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This bill will amend the definition of massage establishment.

CODE INDEX TOPICS: