

The seal of the Sunnyvale Department of Public Safety is centered in the background. It is a circular emblem with a blue outer ring containing the text "SUNNYVALE DEPARTMENT OF PUBLIC SAFETY". Inside the ring is a white field with a blue star and a red and white Maltese cross. The words "PUBLIC SAFETY" are written in blue across the center of the cross.

Department of Public Safety

Proposed revisions to Sunnyvale Massage
Municipal Code 9.41

Massage Establishment Regulation in Sunnyvale

- ❖ The Sunnyvale Municipal Code has contained a section governing massage establishments for multiple decades
- ❖ The purpose of the massage ordinance is to promote the public good
- ❖ The focus of police activities is to ensure the safety of the community, both massage establishment patrons and massage establishment employees

Massage Establishment Regulation in Sunnyvale

- ❖ Recent public comment and questions have prompted a dialogue that has been helpful in analyzing the proposed ordinance and fee schedule
- ❖ In response to feedback from the community, some changes have been made

Revisions

- ❖ Expansion of the purpose and intent of the ordinance, recognizing the value of massage therapy as a health and therapeutic service
- ❖ Addition of a statement clarifying that massage may be performed in chairs specifically designed for massage purposes
- ❖ Clearer identification of exemptions for massage businesses that are home occupations and outcall only models

Revisions

- ❖ Clarification that inspection requirements do not apply to outcall massage, and that inspection in home based businesses is limited to the areas where massage services are taking place
- ❖ Addition of a fee classification for sole proprietors and business performing outcall only massage services

Historical Data - Fees

	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Massage Establishment License				
Application	681.00	724.00	763.00	808.00
Annual Renewal	681.00	724.00	694.00	741.00
Additional Owner(s) (Each)	152.00	164.00	180.00	184.00
Non-Compliance Penalty				
Massage Therapist Permit	186.00	181.00	197.00	223.00
<i>Note –SB 731 implemented CAMTC Certification on Sept 1, 2009</i>				
CAMTC Establishment – New	n/a	n/a	n/a	n/a
CAMTC Establishment - Renewal	n/a	n/a	n/a	n/a

Historical Data - Fees

	FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14
Massage Establishment License (Not Certified with CAMTC)				
Application	841.00	890.00	924.00	941.00
Annual Renewal	777.00	826.00	857.00	876.00
Additional Owner(s) (Each)	190.00	198.00	204.00	199.00
Non-Compliance Penalty			250.00	250.00
Massage Therapist Permit	223.00	218.00	n/a	n/a
Massage Establishment License (CAMTC Certified)				
CAMTC Establishment - New	333.16	367.00	See Attachment D	
CAMTC Est. - Renewal	333.16	367.00	See Attachment D	

Attachment D: The fees for massage establishment licenses and massage therapist licenses are set in California Business & Professions Code 4612 and became effective January 1, 2012.

Historical Data - Fees

	FY 2014/15	FY 2015/16	Proposed
Massage Establishment License (Not Certified with CAMTC)			
Application	1,114.00	1,147.00	1,060.00
Annual Renewal	1,028.00	1,060.00	999.00
Additional Owner(s) (Each)	109.00	110.00	110.00
Non-Compliance Penalty	250.00	250.00	250.00
Massage Therapist Permit	n/a	n/a	n/a
Massage Establishment License (CAMTC Certified)			
CAMTC Establishment - New	See Attachment D		999.00
CAMTC Establishment - Renewal	See Attachment D		999.00

Attachment D: The fees for massage establishment licenses and massage therapist licenses are set in California Business & Professions Code 4612 and became effective January 1, 2012.

Massage Establishment Licenses – Proposed Fee

Fee Basis: Cost Recovery

Non-CAMTC Certified Owner

Fixed Location (New Application) \$ 1060

Renewal \$ 999

Outcall * (no on premise services) \$ 142

CAMTC Certified Owner

Fixed Location – New or Renewal \$ 999

Outcall * (no on premise services) \$ 81

** Sole Proprietor with one or no employees*

Fee Basis – Fixed Location

New or Renewal Application

Staff Title	Total Hours	Work Performed
Senior Office Assistant	1.0	Meet with applicant; collect and verify documents; take fingerprints if applicable.
Public Safety Officer/Public Safety Lieutenant (Team of 2, 1 hour each)	2.0	Conduct investigation on application documents, including criminal background check; visit site and evaluate for compliance with Municipal Code
	2.0	Conduct periodic review of applicant and employee backgrounds; visit site and evaluate for compliance with Municipal code; follow up on violation remediation

Massage Establishment Licenses – Alternative

The following fees represent Partial Cost Recovery This is not consistent with City Policy, which advocates Full Cost Recovery

Non-CAMTC Certified Owner

Fixed Location (New Application)	\$	520
Renewal	\$	459
Outcall * (no on premise services)	\$	142

CAMTC Certified Owner

Fixed Location – New or Renewal	\$	459
Outcall * (no on premise services)	\$	81

* Sole Proprietor with one or no employees