

TOWNSHIP OF SCIO
WASHTENAW COUNTY, MICHIGAN

Ordinance No. 2026-27

AMENDING CHAPTER 12, BUSINESSES

AN ORDINANCE TO AMEND THE CODIFIED SCIO TOWNSHIP ORDINANCE BY
REPEALING CHAPTER 12, ART. III, MASSAGE

NOTE: Unchanged Code text is in plain Times New Roman font. Additions to Codes are in single underline Times New Roman font. Deletions to Codes are in ~~strikethrough Times New Roman font~~.

THE TOWNSHIP OF SCIO, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1:

Chapter 12, Article III of the Township of Scio Code of Ordinances, Massage, is repealed entirely as follows:

~~DIVISION 12-III-1 GENERALLY~~

~~Sec 12-53 Definitions~~

~~Sec 12-54 Inspections~~

~~Sec 12-55 Change Of Location~~

~~Sec 12-56 Unlawful Activities~~

~~Sec 12-57 Wearing Apparel~~

~~Sec 12-58 Patronage By Minors Prohibited; Exceptions~~

~~Sec 12-59 Hours Of Operation~~

~~Sec 12-60 Applicability Of Regulations To Existing Businesses~~

~~Sec 12-61 Exemptions~~

~~Sec 12-53 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:-~~

~~Massage means a method of treating external parts of the body for remedial or hygienic purposes, consisting of rubbing, stroking, kneading, adjusting or tapping with the hand or any instrument, electric, magnetic or otherwise, with or without supplementary aids.-~~

~~Massage parlor means any Turkish bath parlor, steam bath, sauna bath, magnetic healing institute, or any room, place, establishment, or institution where treatment of any nature for the human body is given by means of massage and where a massage, alcohol rub, fomentation, bath, physiotherapy, manipulation of the body or similar treatment is given.-~~

~~Massage school means a school which is recognized by the state board of massage, which requires for admission students with a tenth grade education or its equivalent, which employs one or more competent licensed massagists as instructors, and which has minimum requirements of a continuous course of study and training and consisting of study in physiology, anatomy, massage theory, hydrotherapy, hygiene, ethics and practical massage.-~~

For the purposes of this article, a correspondence school shall not be construed to be a recognized school.

Massagist means any person, male or female, who administers to another person, for any form of consideration, a massage, alcohol rub, fomentation, bath, electric or magnetic massage procedure, manipulation of the body or other similar procedure.

Student means any person who, under the guidance of an instructor in a massage school, is being trained or instructed in the theory, method or practice of massage.

Sec 12-54 Inspections

1. Every establishment ostensibly being operated as a massage parlor or massage school shall be open for inspection by duly authorized representatives of any township department concerned with the licensing and supervision of such establishment during operating hours for the purpose of enforcing any of the provisions of this article or other ordinances or regulations of the township relating to the public health, safety and welfare.
2. It shall be unlawful for any person to refuse entry to premises in which a massage parlor or massage school is ostensibly being operated, by township representatives for the purpose of making lawful inspections.

Sec 12-55 Change Of Location

A change of location of any of the premises described in this article may be approved by the county law enforcement officer and the township zoning officer, provided the requirements set forth herein as well as all other ordinances and regulations of the township and state law are complied with and the change of location fee in an amount established by resolution of the township board is deposited with the township.

Sec 12-56 Unlawful Activities

It shall be unlawful for any person to massage any other person, or give or administer any bath, or to give or administer any of the other things mentioned in this article for illegal purposes, or for monetary gain or profit have any contact with a person's breasts, genital area or buttocks in a manner intended to arouse, appeal to or gratify a person's lust, passions or sexual desire. Any violation of this provision shall be deemed grounds for the revocation of the license.

Sec 12-57 Wearing Apparel

Uniforms or garments covering the torso shall be worn by massagist or employees while attending patrons. Such uniforms or garments shall be washable material and shall be kept in a clean condition. The sleeves of the uniform or garment shall not reach below the elbow.

Sec 12-58 Patronage By Minors Prohibited; Exceptions

No person licensed as a massagist shall massage or treat any person under the age of 18 years upon the licensed premises, except upon written order by a licensed medical doctor, doctor of osteopathic medicine, or physical therapist, such order being dated and in the possession of the massagist giving the massage or treatment. If the person under the age of 18 years is accompanied by a parent or legal guardian during the massage or treatment, this provision shall not apply.

Sec 12-59 Hours Of Operation

No massage parlor or massage school shall be open to the public for business between the hours of 12:00 midnight and 9:00 a.m.

Sec 12-60 Applicability Of Regulations To Existing Businesses

~~This article shall be applicable to all persons and businesses described in this article, whether the described activities were established before or after the effective date of the ordinance from which this article is derived and including any persons whose application is presently under consideration or investigation by the township. However, those businesses operating prior to the date of adoption of the ordinance from which this article is derived will have a 60-day grace period from the date of adoption within which to comply with all the conditions and requirements of this article, provided that the provisions of this article other than those provisions dealing with the facilities necessary and license requirements shall require immediate compliance. The township clerk may grant an additional extension for a period not to exceed 60 days for good cause. The term "good cause" means, when used in this section, undue delays beyond the control of the existing business.~~

~~Sec 12-61 Exemptions~~

~~This article shall not apply to:-~~

- ~~1. Medical doctors (physicians and surgeons), doctors of osteopathic medicine, doctors of chiropractic medicine, physical therapists, psychiatrists, psychologists, clinical social workers, and family counselors, who are licensed to practice their respective professions in the state, or who are permitted to practice temporarily under the auspices of an associate or establishment duly licensed in the state.-~~
- ~~2. Nurses who are registered under the laws of the state and who administer a massage in the normal course of nursing duties.-~~
- ~~3. A trainer of any duly constituted athletic team who administers a massage in the normal course of training duties.-~~
- ~~4. Barbers and beauticians who are duly licensed under the laws of the state and who administer a massage in the normal course of their duties.-~~
- ~~5. Participants in growth seminars or sensitivity sessions, provided such seminars or sessions are conducted by a member of one of the exempted professions defined in subsection (a) of this section.-~~
- ~~6. Any duly licensed establishment in which the above described persons only and exclusively practice their respective professions.-~~

~~DIVISION 12-III-2 LICENSE~~

~~Sec 12-72 Required~~

~~Sec 12-73 Owner, Licensee Responsibilities~~

~~Sec 12-74 Application; Investigation Fee~~

~~Sec 12-75 Contents Of Application~~

~~Sec 12-76 Procedures~~

~~Sec 12-77 Minimum Issuance Requirements~~

~~Sec 12-78 Fees~~

~~Sec 12-79 Renewal~~

~~Sec 12-80 Revocation And Suspension~~

~~Sec 12-81 Display~~

~~Sec 12-82 Employees~~

~~Sec 12-83 Emergency Employees~~

~~Sec 12-84 Name Of Business~~

~~Sec 12-85 Sale Or Transfer~~

~~Sec 12-72 Required~~

~~No person shall practice, engage in, carry on or operate the business of a massagist or conduct, operate and carry on a massage parlor, massage school, or similar business within the township without first having applied for and obtained the required license, and complying with all requirements of this article. Nor shall any person employ as a massagist any person who does not hold a current unrevoked license as required by this article and maintain in effect a license as a massagist as required by this article.~~

~~Sec 12-73 Owner, Licensee Responsibilities~~

~~It shall be the responsibility of an owner, operator, manager or licensee in charge of or in control of a massage parlor, massage school or similar business to ensure that each person employed or engaged by him in said business as a massagist shall have first obtained a valid massagist license required by this article. Any owner, operator, manager or licensee in charge of or in control of a massage parlor, massage school or similar business, who employs a person performing as a massagist who is not in possession of a valid massagist license, or allows such an employee to perform, operate or practice within a massage parlor, shall be in violation of this article.~~

~~Sec 12-74 Application; Investigation Fee~~

- ~~1. Any person desiring to obtain a license to operate a massage parlor, massage school or similar business, or to perform massage services shall make application to the township clerk, who shall refer all such applications to the county law enforcement officer for an investigation. An application to obtain a license to operate a massage parlor, massage school or similar business shall be accompanied by an investigation fee in an amount established by resolution of the township board, no part of which shall be refundable.~~
- ~~2. Each applicant for a license to allow an individual to perform massage services shall be accompanied by an investigation fee in an amount established by resolution of the township board, no part of which shall be refundable.~~
- ~~3. This investigation fee shall be payable to the township treasurer at the time the application is filed and this fee shall be in addition to any other license or fee required under this or any other township ordinance.~~

~~Sec 12-75 Contents Of Application~~

- ~~1. Any applicant for a license required herein shall submit the following information:~~
 - ~~1. The full name, including aliases used by the applicant within the past ten years, and the present address of the applicant.~~
 - ~~2. The two previous addresses immediately prior to the present address of the applicant and dates of residence.~~
 - ~~3. A description of the service to be provided.~~
 - ~~4. The location and mailing address of the proposed establishment.~~
 - ~~5. If the applicant is a corporation, the names and residence addresses of each of the officers and directors of said corporation, and of each stockholder owning more than ten percent of the corporation.~~
 - ~~6. If the applicant is a partnership, the names and residence addresses of each of the partners, including limited partners.~~
 - ~~7. Written proof (birth certificate or sworn affidavits) that the applicant is at least 18 years of age.~~

- ~~8. The individual applicant's height, weight, sex, and color of eyes and hair.~~
- ~~9. A complete set of the applicant's fingerprints, which shall be taken by the county law enforcement officer or his agent.~~
- ~~10. The business, occupation, or employment of the applicant for the three years immediately preceding the date of the application.~~
- ~~11. A certificate from a medical or osteopathic doctor stating that the applicant has, within 30 days immediately prior thereto, been examined and found to be free of any contagious or communicable disease.~~
- ~~12. The history of an applicant in the operation of a massage parlor or similar business or occupation, including, but not limited to, whether or not such person, in previously operating in the township or another municipality or state under license, has had such license revoked or suspended and the reason therefor, and the business activity or occupation subsequent to such action of suspension or revocation.~~
- ~~13. All criminal convictions other than traffic violations and the reasons therefor.~~
- ~~14. Such other identification and information necessary to discover the truth of the matters required to be set forth in the application.~~

~~The application shall be signed and sworn to by the applicant.~~

- ~~2. The following additional information shall be contained in an application for a license to conduct a massage parlor: the number of employees and names and qualifications of all persons who are intended to give massages in the proposed parlor.~~

~~Sec 12-76 Procedures~~

- ~~1. Any applicant for a license pursuant to these provisions shall present to the township clerk the application containing the required information. The application shall be referred to the county law enforcement officer who shall have 30 days from the date of receipt of the application in which to investigate the application and the background of the applicant. Based on such investigation, the county law enforcement officer, or his representative, shall render a recommendation as to the approval or denial of the license to the township clerk.~~
- ~~2. The county law enforcement officer shall recommend denial of an application for a license if the character, physical or mental condition of the applicant or his employees is found to be inimical to the public health, safety, morals or general welfare. The county law enforcement officer's recommendation shall be based on appropriate and competent evidence available to him.~~
 - ~~1. *Criminal history.* All applicant's convictions, the reasons therefor, and the criminal history of the applicant subsequent to his release, if~~

2.

- ~~1. the applicant was ever incarcerated or jailed.~~
- ~~2. License history. The license history of the applicant; whether such person, in previously operating in the township or the state or in another municipality or state under a license, has had such license revoked or suspended; the reasons therefor; and the license history of the applicant subsequent to such action.~~
- ~~3. The township's fire department, the county health department and building department shall inspect the premises proposed to be devoted to the massage parlor, massage school or similar business and shall make, within 30 days from receipt of the application, separate recommendations to the township clerk concerning compliance with the requirements of this article and all other applicable township ordinances and regulations.~~
- ~~4. The township clerk, after receiving these recommendations, shall grant a license to the establishment if all requirements for a massage parlor, massage school or similar business are met, and shall issue a license to all persons who have applied to perform massage services unless it appears that any person has deliberately falsified the application or unless it appears that the record of any person reveals a conviction of a felony or a crime of moral turpitude.~~
- ~~5. Any person denied a license by the township clerk pursuant to these provisions may appeal to the township board in writing, stating reasons why the license should be granted. The township board may grant or deny the license after a public hearing, and such decision shall be final. Also, the township board may elect on its own motion to review any determination of the township clerk granting or denying a license.~~
- ~~6. All licenses issued hereunder are nontransferable; provided, however, a change of location of a massage parlor or similar business may be permitted pursuant to the provisions of this article.~~

~~Sec 12-77 Minimum Issuance Requirements~~

~~No license to conduct a massage parlor, massage school or similar business shall be issued unless an inspection by the township reveals that the establishment complies with each of the following minimum requirements:~~

- ~~1. A recognizable and readable sign shall be posted at the main entrance identifying the establishment as a massage parlor or massage school; provided that all such signs shall comply with the sign requirements of the township.~~
- ~~2. Minimum lighting shall be provided in accordance with the state construction code and, in addition, at least one artificial light of not less than 60 watts shall be provided in each enclosed room or both where massage services are being performed on a patron.~~
- ~~3. Minimum ventilation shall be provided in accordance with the state construction code.~~
- ~~4. Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided.~~
- ~~5. Hot and cold running water shall be provided at all times.~~
- ~~6. Closed cabinets shall be provided, which cabinets shall be utilized for the storage of clean linen.~~
- ~~7. Adequate bathing, dressing, locker and toilet facilities shall be provided for patrons. A minimum of one tub or shower, one dressing room containing a separate locker with lock for each patron to be served, as well as a minimum of one toilet and one washbasin, shall be provided by every massage parlor; provided, however, that if male and female patrons are to be served simultaneously at the establishment, separate bathing, a separate massage room, separate dressing and separate toilet facilities shall be provided for male and female patrons.~~
- ~~8. All walls, ceilings, floors, pools, showers, bathtubs, steam rooms, and all other physical facilities for the establishment must be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam rooms or vapor rooms or steam or vapor cabinets, shower compartments, and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs and/or showers shall be thoroughly cleaned after each use.~~
- ~~9. Clean and sanitary towels and linens shall be provided for each patron of the establishment or each patron receiving massage services. No common use of towels or linens shall be permitted.~~

10. ~~A minimum of one separate washbasin shall be provided in each massage parlor for the use of employees of any such establishment. The basin shall provide soap or detergent and hot and cold running water at all times and shall be located within or as close as practicable to the area devoted to the performing of massage services. In addition, there shall be provided at each washbasin sanitary towels placed in permanently installed dispensers.~~

~~Sec 12-78 Fees~~

~~Any person granted a license by the township clerk or township board to operate a massage parlor, massage school or similar business, or to administer massages, shall pay to the township treasurer an annual fee in an amount as established by resolution of the township board. The license year shall be the period from the date of license issuance to December 31 next, inclusive, unless otherwise provided. All licenses issued for the permit year shall expire on December 31 unless suspended or revoked.~~

~~Sec 12-79 Renewal~~

~~The license to operate a massage parlor, massage school or similar business, as well as a massagist's license, shall be renewed at least 15 days prior to the date of expiration. The license shall be renewed if the applicant submits a sworn affidavit that the matters contained in the original application are correct and indicates any changes necessary. In addition to the affidavit, a signed statement from a doctor stating that the applicant for a massagist's license has been examined within the prior 90 days and found to be free from any contagious or communicable disease which is likely to be communicated during the administration of a massage shall be required.~~

~~Sec 12-80 Revocation And Suspension~~

1. ~~No license shall be revoked until after a hearing before the township board to determine just cause for such revocation. The township clerk may order any licenses suspended pending such hearing, and it shall be unlawful for any person to carry on the business of a massagist or to operate as a massage parlor, massage school or similar business, depending upon the particular type of license which has been suspended, until the suspended license has been reinstated by the township board. Notice of such hearing shall be given in writing and served at least five days prior to the date of the hearing. The notice shall state the grounds of the complaint against the holder of the license, or against the business carried on by the licensee at the establishment, and shall state the time and place where the hearing shall be held.~~
2. ~~Notice shall be served upon the license holder by delivering it to the person or by leaving the notice at the place of business or residence of the licensee in the custody of a person of suitable age and discretion. In the event the licensee cannot be found, and the service of the notice cannot be made in this manner, a copy of the notice shall be mailed, postage fully prepaid, addressed to the licensee at this place of business or residence and posted conspicuously on the premises at least five days prior to the date of the hearing.~~

~~Sec 12-81 Display~~

~~Every person to whom or for which a license shall have been granted shall display the license in a conspicuous place so that it may be readily seen by persons entering the premises where the massage, bath or treatment is given.~~

~~Sec 12-82 Employees~~

~~It shall be the responsibility of the holder of the license for the massage parlor, or the employer of any persons purporting to act as massagist, to ensure that each person employed as a massagist shall first have obtained a valid license pursuant to the provisions of this article. All other employees who work closely with the massage activities shall provide annually the medical certificate required under section 12-75(11).~~

~~Sec 12-83 Emergency Employees~~

~~In the event the holder of a license to operate a massage parlor is required to use an emergency employee because of illness or incapacity of a regular licensed employee, same shall be permitted, provided that such emergency employee shall be required to make application for a valid license as required herein within three days from the date of beginning work. The term "emergency employee" means an individual who possesses a valid medical certificate (per section 12-75(a)(11)) and works not~~

~~more than three days per year in the township, and does not possess a valid license.~~

~~Sec 12-84 Name Of Business~~

~~No person licensed under this article shall operate under any name or conduct his business under any designation not specified in the license.~~

~~Sec 12-85 Sale Or Transfer~~

- ~~1. Upon the sale or transfer of any interest in a massage parlor, massage school or similar business, the license shall be null and void. A new application shall be made by any person desiring to own or operate the massage parlor, massage school or similar business. The provisions of sections 12-56 and 12-57 shall apply to any person applying for a massage establishment license for premises previously used as such establishment.~~
- ~~2. Any sale or transfer of any interest in an existing massage establishment or any application for an extension or expansion of the building or other place of business of the massage establishment shall require inspection and shall require compliance with section 12-77. A fee in an amount as established by resolution of the township board shall be payable for each application involving extension or expansion of the building or other place of business of the massage establishment.~~

Section 2. Repealer

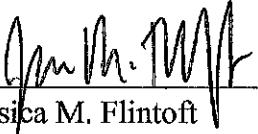
All ordinances or parts thereof which are in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, except that terms defined herein for the purpose of interpretation, administration and enforcement of this Ordinance shall not act to modify, repeal or otherwise change the definition of any such term as used in other ordinances or laws.

Section 3. Savings Clause

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason by any court, it shall not affect any other part or portion hereof other than the part declared void or inoperable.

Section 4. Adoption and Effective Date

This Ordinance shall be published in the manner as required by law. Except as otherwise provided by law, this Ordinance shall be effective 30 days after publication.


Jessica M. Flintoft 6/9/26
Township of Scio Clerk Date

Adoption : June 9, 2026

Ordinance : Publication : June 17, 2026

Effective Date : June 24, 2026