CHIEF OF POLICE
ROBERT J. GAGNE

ASSISTANT CHIEF
EDWARD A. KOETHER

ORANGE DEPARTMENT OF POLICE SERVICE

Permit Applicants for Operating a Massage Establishment

You are required to furnish the Orange Police Department the following in order to process your permit:

- ☐ Completed *Permit Application to Operate a Massage Establishment*
- ☐ Valid photo identification
- ☐ **$50 Cashier's Check or Money Order** payable to: **DPS** for a state criminal history check
- ☐ **$125 Check or Money Order** payable to the **Town of Orange** for application fee (the annual renewal fee is $50).
- ☐ Call the Records Division at 891-2134 to **schedule an appointment** to be fingerprinted and photographed by the Orange Police Department.

  At the time you are printed and photographed, you will submit your application and fees.

Consult Orange Town ordinance §281 for the complete list of the required permit information.

ORANGE DEPARTMENT OF POLICE SERVICES

PERMIT APPLICATION TO OPERATE A MASSAGE ESTABLISHMENT

Ordinance Concerning Massage Establishments (09/13/81)

APPLICANT'S NAME **(Last, First, Middle, Maiden)** DATE OF APPLICATION

RESIDENT ADDRESS
(Number, Street, City or Town, State and Zip Code)

HOME Phone Number

AGE DATE OF BIRTH PLACE OF BIRTH SOCIAL SECURITY NUMBER

NAME OF BUSINESS **BUSINESS ADDRESS**

NATURE OF THE MASSAGE TO BE ADMINISTERED

LIST PRIOR MASSAGE OR SIMILAR BUSINESS EXPERIENCE

LIST PRIOR MASSAGE/BUSINESS PERMITS

Name of Business	Address	Type of Permit	Dates (To/From)

EMPLOYMENT - List employment for the past three (3) years)

Employer	Dates Employed	Position	Reason for Leaving

CRIMINAL HISTORY - List all convictions

Date	Location	Charge	Court	Disposition & Date

Application Approved/Denied **Date** **Chief of Police**

MASSAGE PARLOR ESTABLISHMENTS
PROCEDURES TO FOLLOW TO OBTAIN A PERMIT

1. An application for a permit to operate a Massage Establishment shall be filed with the Police Department.

2. Upon completion of the application, the applicant will receive:
   a. Chapter 281 of the **Town of Orange Code** concerning Massage Establishments.
   b. A **Certificate of Compliance** form.
   c. A copy of **Procedures to Follow to Obtain a Permit.**

3. All information on the **Certificate of Compliance** form must be provided and it must be signed by all the Town Officials, as indicated. Town officials will not sign the Certificate until they have made their inspections of the establishment and the establishment complies with all the requirements of the Town of Orange Code for Massage Establishments.

   IT IS THE RESPONSIBILITY OF THE APPLICANT TO CONTACT EACH TOWN OFFICIAL TO ARRANGE FOR AN INSPECTION AND TO OBTAIN THEIR SIGNATURES.

4. After the signatures have been obtained, the applicant must send a letter to the Board of Selectmen requesting to be put on the agenda at their next meeting. Paperwork has to be received in the First Selectman's office a minimum of two (2) weeks before the Board of Selectmen meeting.

5. The massage establishment must post a Notice of Public hearing at their establishment 10 days before the meeting.

6. After all the evidence has been presented, the Board of Selectmen will render its decision as to whether or not to allow the Massage Parlor to operate in the Town of Orange.

7. Upon approval of the Board of Selectmen, the Orange Police Department will issue a permit to the Massage Establishment.

TOWN OF ORANGE
MASSAGE ESTABLISHMENT
CERTIFICATE OF COMPLIANCE

Zone# _____ **Date:** _____

Massage Establishment Owner/Operator: _____

This is to certify that the massage establishment located at: _____ **conforms substantially to the requirements of Sections 281-6; 281-7.A; 281-12 and 281-15.A+B. of the Code of the Town of Orange as it pertains to massage establishments and is hereby recommended for the issuance of a massage establishment permit.**

Sprinkler: ☐ **Yes** ☐ **No**

If yes to above, Automatic Sprinkler and/or Standpipe Demand at Base of Riser:

_____

Hazard Classification: _____

Police Dept. Records Check:	
Zoning Enforcement Officer:	
Sanitarian:	
Fire Marshal:	
Building Official:	
Board of Selectmen:	
Police Chief:	

NOTICE: ANY CHANGE OR EXTENSION OF THE USE HEREIN APPROVED REQUIRES A NEW CERTIFICATE!

8/08 MSGCERTCOMP.xls

Approved 8/21/08

Chapter 281

MASSAGE ESTABLISHMENTS

§ 281-1. Definitions.
§ 281-2. Permit to operate massage establishment required.
§ 281-3. Application and fee.
§ 281-4. Required information.
§ 281-5. Notice of public hearing.
§ 281-6. Health and sanitation standards.
§ 281-7. Compliance required; criteria for disapproval of permit.
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§ 281-11. Application for masseur or masseuse permit; information required.
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§ 281-13. Term of permit; renewal fee.
§ 281-14. Revocation or suspension of permit; public hearing.
§ 281-15. Requirements for massage establishments.
§ 281-16. Daily register.
§ 281-17. Inspection.
§ 281-18. Determination of nuisance.
§ 281-19. Transferability of permit.
§ 281-20. Exceptions.
§ 281-21. Additional rules and regulations.
§ 281-22. Penalties for offenses.

[HISTORY: Adopted by the Board of Selectmen of the Town of Orange 8-18-1981. Amendments noted where applicable.]

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§ 281-1. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

EMPLOYEE — Any and all persons, other than masseurs or masseuses, who render any service to the permittee of a massage establishment.

MASSAGE — Any method of pressure on, or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance with or without any such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice.

MASSAGE ESTABLISHMENT — Any business establishment where any person, as defined in this section, engages in or carries on or permits to be engaged in or carried on the practice of massage as defined in this section.

MASSEUR and MASSEUSE — The masculine and feminine form, respectively, for any individual, who, for any consideration whatsoever, engages in the practice of massage as defined in this section.

PERSON — Any individual, co-partnership, firm, association, joint stock company, corporation, or combinations of individuals of whatever form or character.

RECOGNIZED SCHOOL — Any school or institution of learning which has for its purpose the teaching of the theory, method, profession or work of massage, which school requires a resident course of study not less than 70 hours to be given in not more than three calendar months before the student shall be furnished with a diploma or certificate of graduation from such school or institution of learning following the successful completion of such course of study or learning.

§ 281-2. Permit to operate massage establishment required.

It shall be unlawful for any person to engage in, conduct or carry on or permit to be engaged in, conducted or carried on, in or upon any premises in the Town of Orange, whether as owner, manager, operator or otherwise, the operation of a massage establishment as herein defined without having first obtained a massage establishment permit as hereinafter set forth. It shall be unlawful for any person, including but not limited to a massage establishment permittee, to engage in massage as herein defined without having first obtained a masseur or masseuse permit as hereinafter set forth.

§ 281-3. Application and fee.

Each applicant for a permit to maintain, operate or conduct a massage establishment shall file an application with the Chief of Police or his designate upon a form provided by said Chief of Police and shall pay a filing fee of $125 which shall not be refundable.

§ 281-4. Required information.

The application for a permit to operate a massage establishment shall contain the following:

A. Exact nature of the massage to be administered.

B. The proposed place of business and facilities therein.

C. Name and resident address of the applicant, and of each owner, manager and/or operator of the proposed establishment.

D. Written evidence that the applicant is at least 18 years of age.

E. Business, occupation or employment of the applicant for three years immediately preceding the date of the application.

F. Proof of any previous massage or similar business permit or license, the date and place of such permit or license and whether the same has ever been revoked or suspended and if so, the reason therefor.

G. Whether the applicant has ever been convicted of any crime. If such person has been so convicted, the place and court in which the conviction was obtained and the sentence imposed as a result of such conviction.

H. Fingerprints and photograph taken by the Orange Police Department at the time of application.

§ 281-5. Notice of public hearing.

Upon the filing of an application for a massage establishment permit under this chapter, the Board of Selectmen shall fix the time and place for a public hearing where the applicant may present evidence upon the question of his application. Not less than 10 days before the date of such hearing, the Board of Selectmen shall cause to be posted a notice of such hearing in a conspicuous place on the property in which or on which the proposed massage establishment is to be operated. The applicant shall maintain said notice posted for the required number of days.

§ 281-6. Health and sanitation standards.

No permit to conduct a massage establishment shall be issued without certification in writing to the Chief of Police or his designate by the Director of Health or his authorized representative that the establishment complies with each of the following minimum requirements:

A. Rooms used for toilets, tubs, steam baths, and showers shall be waterproofed with approved waterproof materials.

B. Toilet facilities shall be provided in convenient locations. When five or more employees and patrons of different sexes are on the premises at the same time, separate toilet facilities shall be provided. A single water closet per section shall be provided for each 20 or more employees or patrons of that sex on the premises at any one time, provided however that in a men's toilet facility, urinals may be substituted for water closets after one water closet has been provided. Toilets shall be designated as to the sex accommodated herein.

C. Lavatories or wash basins provided with both hot and cold running water shall be installed in either the toilet room or vestibule. Lavatories or wash basins shall be provided with soap in a dispenser and with sanitary towels.

§ 281-7. Compliance required; criteria for disapproval of permit.

The Chief of Police or his designate shall not issue a massage establishment permit following the hearing as set forth in § 281-5 herein unless all requirements for said permit described in this chapter are met and shall not issue said permit if he finds:

A. That the operation as proposed by the applicant, if permitted, would not comply with all applicable laws, including but not limited to, the Public Health Code of the State of Connecticut, the Building, Health, Town Planning, Housing, Zoning and Fire Codes, ordinances and regulations of the Town of Orange;

B. That the applicant and/or any other person who will be directly engaged in the management and operation of the massage establishment has been convicted of:

(1) A felony;

(2) An offense involving sexual misconduct with minors;

(3) Obscenity;

(4) Keeping or residing in a house of assignation, lewdness or prostitution;

(5) Solicitation of a lewd or unlawful act, prostitution or pandering;

(6) False statement.

§ 281-8. Term of permit; renewal fee.

A permit to maintain, operate or conduct a massage establishment shall be good for one year from the date of issue but shall be subject to revocation as set forth in § 281-9 herein. The renewal fee for said permit shall thereafter be $50 per year.

§ 281-9. Revocation or suspension of permit.

Violation of any of the provisions of this chapter by or conviction of any offense set forth in § 281-7B herein of, the permittee, any employee of the permittee or any masseur or masseuse employed by the permittee shall be grounds for revocation or suspension by the Chief of Police or his designate of said permittee's massage establishment permit. The conviction of any patron of the massage establishment of any offense set forth in § 281-7B herein, if said offense occurred on the massage establishment premises, shall also be grounds for revocation by the Chief of Police or his designate of a massage establishment permit. Before revoking or suspending any permit, the Chief of Police or his designate shall give the permittee at least 10 days written notice of the specific charges against him and the opportunity for a public hearing before the Board of Selectmen, at which time the permittee may present evidence bearing upon said charges.

§ 281-10. Masseur or masseuse permit required; fee.

Each applicant for a masseur or masseuse permit shall file an application with the Chief of Police or his designate upon a form provided by said Chief of Police and shall pay a filing fee of $25 which shall not be refundable.

§ 281-11. Application for masseur or masseuse permit; information required.

The application for a masseur or masseuse permit shall contain the following:

A. Name and resident address.

B. Social Security number.

C. Written evidence that the applicant is at least 18 years of age.

D. Business, occupation or employment of the applicant for three years immediately preceding date of application.

E. Proof of any previous masseur or masseuse permit or license, the date and place of such permit or license and whether the same has ever been revoked or suspended, and, if so, the reason therefor.

F. Name and address of the recognized school attended, the date of graduation or course completion, and a copy of the diploma or certificate of graduation awarded the applicant showing that the applicant has successfully completed not less than 70 hours of instruction.

G. A certificate from a physician licensed to practice in the State of Connecticut stating that the applicant has been examined and found to be free of any contagious or communicable disease and showing that the examination was conducted within 30 days prior to the submission of the application.

H. Whether the applicant has ever been convicted of any crime. If such person has been so convicted, the place and court in which the conviction was obtained and the sentence imposed as a result of such conviction.

I. Fingerprints and photograph taken by the Orange Police Department at time of application.

§ 281-12. Criteria for disapproval of permit.

The Chief of Police or his designate shall not issue a masseur or masseuse permit unless all requirements for said permit described in this chapter are met, and shall not issue said permit if he finds that the applicant has been convicted of:

A. A felony;

B. An offense involving sexual misconduct with minors;

C. Obscenity;

D. Keeping or residing in a house of assignation, lewdness or prostitution;

E. Solicitation of a lewd or unlawful act, prostitution or pandering;

F. False statement.

§ 281-13. Term of permit; renewal fee.

A masseur or masseuse permit shall be good for one year from the date of issue but shall be subject to revocation as set forth in § 281-14 herein. The renewal fee for said permit thereafter shall be $10 per year. Application for renewal shall be accompanied by an updated certificate of health as required in § 281-11G.

§ 281-14. Revocation or suspension of permit; public hearing.

Violation of any of the provisions of this chapter by or conviction of any offense set forth in § 281-12 herein of a masseur or masseuse shall be grounds for revocation or suspension of said masseur's or masseuse's permit by the Chief of Police or his designate. Before revoking or suspending any masseur or masseuse permit, the Chief of Police or his designate shall give the masseur or masseuse at least 10 days written notice of the specific charges against him or her

and the opportunity for a public hearing before the Board of Selectmen, at which time the permittee may present evidence bearing upon said charges.

§ 281-15. Requirements for massage establishments.

Operation of a massage establishment that does not conform to the following requirements is prohibited:

A. Each massage establishment shall conform to all rules and regulations contained herein and the State Public Health Code as well as to such terms and conditions as the State Commissioner of Health Services and/or the Orange Director of Health finds necessary and proper.

B. Every portion of the massage establishment shall be maintained and operated in a clean, sanitary condition.

C. All employees, masseurs and masseuses shall be clean and shall wear clean outer garments, use of which is restricted to the massage establishment. Provisions for a separate dressing room for each sex must be available on the premises with individual lockers for each employee, masseur and masseuse. Doors to such dressing rooms shall open inward and shall be self-closing.

D. All employees, masseurs and masseuses must be modestly attired. Diaphanous, transparent, form-fitting or tight clothing is prohibited. Clothing must cover every employee's, masseur's and masseuse's chest at all times.

E. Private parts of patrons must be covered by towels, cloth or undergarments when in the presence of any permittee, employee, masseur or masseuse. Any contact by a massage establishment permittee, employee, masseur or masseuse or another patron with a patron's genital area is prohibited.

F. All massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity, which sheets and towels shall be laundered after each use thereof and stored in a sanitary manner.

G. Wet and dry heat rooms, shower compartments, and toilet rooms shall be thoroughly cleaned each day business is in operation. Bathtubs shall be thoroughly cleaned after each use.

H. No massage establishment permittee shall place, publish, or distribute or cause to be placed, published or distributed any advertising material that depicts any person dressed in any manner other than described in Subsection D of this section. Nor shall any massage establishment permittee indicate or cause to be indicated in the text of any advertising material that any services are available at or through the massage establishment other than those services described in the definition of "massage" in § 281-1 of this chapter.

I. Massage shall not be provided or performed except in a cubicle, room, booth or area within the massage establishment which cubicle, room, booth or area has doors and walls such that all activity within said cubicle, room, booth or area is visible from outside the same. No massage service or practice shall be carried on within any cubicle, room, booth, or any area within a massage establishment which is fitted with a door capable of being locked.

J. No massage establishment shall carry on or engage in conduct or conduct business on Sunday, and on any other days before 8:00 a.m. or after 11:00 p.m.

K. No alcoholic beverage or other intoxicant or drug shall be displayed, served, ingested, provided or sold on the premises of a massage establishment.

L. A full schedule of service rates shall be posted in a prominent place within the massage establishment in such a manner as to come to the attention of all patrons. Any charges other than the specified rates for specified massage services shall be prohibited. Patrons must be notified of the full cost prior to the rendering of any service.

§ 281-16. Daily register.

The permittee of a massage establishment shall keep a daily register, approved as to form by the Chief of Police or his designate, of all patrons with names, addresses and hours of arrival and, if applicable, the cubicles, rooms, booths or areas assigned. Said daily register shall at all times during business hours be subject to inspection by Health Department officials and by the Police Department and shall be kept on file for one year. The permittee of a massage establishment shall also maintain a daily register of all persons employed by said establishment including the hours of work.

§ 281-17. Inspection.

The Police Department, the Fire Department and the Department of Health, by their appropriate officers, shall from time to time, at lease twice a year, make an inspection of each massage establishment in the Town of Orange for the purposes of determining compliance with the provisions of this chapter and other applicable laws and regulations. Such inspections shall be made at a reasonable time, in a reasonable manner. It shall be unlawful for any permittee to fail to allow such inspection officer access to the premises or to hinder such officer in any manner. There shall be no charge for any inspection under this chapter by said inspection officers.

§ 281-18. Determination of nuisance.

Any person who owns or operates or causes to be operated a massage establishment in a manner that violates any section of the Public Health Code of the State of Connecticut shall be deemed to be maintaining a nuisance or source of filth injurious to the public health.

§ 281-19. Transferability of permit.

No permit shall be transferable; provided, however, that upon the death or incapacity of a massage establishment permittee, said massage establishment may continue in business for 30 days in order to allow the new owner, manager or operator to apply for a massage establishment permit in accordance with the application provisions of this chapter, and if such application is made, during the pendency of the application.

§ 281-20. Exceptions.

This chapter does not apply to schools, hospitals, nursing homes, sanitariums, medical or physical therapy clinics, or to persons holding an unrevoked certificate to practice the healing arts under the laws of the State of Connecticut, or to persons working under the direction of any such person or in any such establishment.

§ 281-21. Additional rules and regulations.

The Chief of Police or his designate or the Director of Health may and hereby is authorized to make and enforce such additional or supplemental reasonable rules and regulations as may be deemed necessary to enforce and/or administer this chapter.

§ 281-22. Penalties for offenses.

Any person violating any provision of this chapter shall be fined not more than $100 for each violation. Each day of continuing violation shall constitute a separate violation. Violation of this chapter may also subject said person to the provisions of Section 19-79[1] of the Connecticut General Statutes whereby higher penalties may be assessed.

[1] **Editor's Note: Former § 19-79 of the Connecticut General Statutes was transferred to § 19a-206 in Gen. St., Rev. to 1983.**