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AN ORDINANCE AMENDING TITLE 7, CHAPTER 14 OF THE ORLAND PARK VILLAGE CODE WITH REGARDS TO MASSAGE ESTABLISHMENTS

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WHEREAS, the Village President and Board of Trustees of the Village of Orland Park (the “Village”) have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to 65 ILCS 5/1-2-1, the Village may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities; and

WHEREAS, the Village deems it to be in the best interest of the residents of and visitors to the Village to regulate the number and type of available licenses to operate massage establishments in the Village; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, and pursuant to its home rule powers, as follows:

SECTION 1:

The above recitals are incorporated herein by reference as though fully set forth herein.

SECTION 2:

Title 7, Chapter 14, Section 7-14-2 “BUSINESS LICENSE REQUIRED” shall be deleted in its entirety and replaced with the following:

7-14-2: BUSINESS LICENSE REQUIRED; CLASSIFICATION OF LICENSES:

- (a) Business license required. No person shall engage in or carry out the business of massage unless he has a valid business license issued by the Village pursuant to the provisions of this Chapter for each and every separate office or place of business conducted by such person. Class A licenses shall be issued to massage establishments where the primary service offered is massage, or where greater than 25% of the square footage of the establishment is dedicated to the offering of massage services. Class B licenses shall be issued to establishments offering massage as an accessory to the offering of other related personal services; for example, salon, esthetic, sports-related, chiropractic, nutrition or dietician, acupuncture, naprapathy, or occupational therapy services, where the percentage of square footage of the establishment dedicated to the offering of massage

therapy/massage services is less than 25% of the total square footage of the establishment. The accessory class shall not apply to salon suites but only where the massage services are offered as part of the overall business establishment where they are located. Holders of a Class B accessory massage license shall be subject to all of the requirements of this Chapter except for the requirement in Subsection 7-14-11 (c) to offer a second health or beauty therapy or service. The number of available Class A massage licenses issued by the Village shall not exceed nineteen (19) licenses. The number of available Class B massage licenses issued by the Village shall not exceed two (2) licenses. However, where individuals possessing the license required in Subsection (b), below, perform massage in their own homes, or for an individual client in the home of that client, no business license shall be required for the premises. When a licensee performs massage in his or her own home, the requirements of the Orland Park Land Development Code pertaining to home occupations shall be met in addition to the requirements of this Chapter.

(b) State License required. No person shall engage in massage for compensation, unless he has a valid State license issued pursuant to 225 ILCS 57/1 et seq., the Massage Licensing Act or 225 ILCS 410/3A-1 et seq.

SECTION 3:

All Ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 4:

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5:

This Ordinance shall be in full force and effect from and after its adoption and publication as provided by law.