

Chapter 362

MASSAGE ESTABLISHMENTS

[HISTORY: Adopted by the Village Board of the Village of Plover 6-4-1985 as § 12.17 of the 1985 Code. Amendments where noted where applicable.]

§ 362-1. Definitions.

For the purpose of this chapter, the following words or phrases shall have the following meanings:

MASSAGE — Any process or procedure upon the external parts of the body of a patron consisting of rubbing, stroking, kneading or tapping by any means.

MASSAGE ESTABLISHMENT — Any place where any person engages in, conducts or carries on massage or permits massage to be engaged in, conducted or carried on.

MASSAGE TECHNICIAN — Any person who gives or administers a massage.

PATRON — Any person who receives a massage for the payment of money or other consideration.

RECOGNIZED SCHOOL — Any school or institution of learning which has for its purpose the teaching of the theory, method, profession or work of massage technicians, which school requires a resident course of study of not less than 200 hours to be given in not less than three calendar months before the student shall be furnished with a diploma or certificate of graduation from such school following successful completion of such course of study or learning. Such school must show current membership in good standing in the American Massage and Therapy Association or other recognized professional massage organizations. Schools offering a correspondence course not requiring actual attendance of class shall not be deemed a recognized school.¹

SEXUAL OR GENITAL PARTS — The genitals, pubic area, buttocks, anus or perineum of any person and the vulva and breasts of any female.

§ 362-2. Certification required.²

Massage technicians/therapists shall be certified per Ch. 460, Massage Therapy and Bodywork, Wis. Stats.

§ 362-3. Employment of technicians.³

1. Editor's Note: Original § 12.17(2), Massage establishment license, (3), Massage establishment facilities requirements, and (4), Massage establishment operational requirements, which immediately followed this section, were deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

It shall be unlawful for any person who operates a massage establishment to allow or permit persons to act therein as massage technicians without first being certified as required in § 362-2 above.

§ 362-4. Compliance with zoning required. ⁴

It shall be unlawful for any person to act as a massage technician within a massage establishment which does not meet the requirements of Chapter 550, Zoning, of this Code.

§ 362-5. Prohibited conduct of technicians, operators and patrons.

It shall be unlawful for any massage technician to massage or offer to massage the sexual and genital parts of any patron, for any operator of a massage establishment to allow or permit such massage or offer to massage in such massage establishment, or for any patron to permit such massage upon the body.

§ 362-6. Exemptions.

The provisions of this chapter shall not apply to the following:

- A. Hospitals, nursing homes, sanitariums or other health care facilities licensed under the state, and physicians, surgeons, chiropractors, osteopaths or physical therapists licensed or registered to practice their respective professions under the laws of the state, or nurses registered under the laws of the state acting under their direction and control.
- B. Barbershops and beauty parlors, barbers and beauticians licensed under the laws of the state, provided that such massage as is practiced is limited to the head and scalp.
- C. Coaches and trainers of accredited high schools and colleges while acting within the scope of their employment.
- D. Trainers of any amateur, semiprofessional or professional athlete or athletic team.

§ 362-7. Violations and penalties.

Any person violating any provision of this chapter shall, upon conviction thereof, pay a forfeiture of not less than \$150 nor more than \$500 or, in default of payment of such forfeiture, be imprisoned in the county jail for not more than 60 days.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).