

## ORDINANCE

An Ordinance to create Section 14.230 of the Manitowoc Municipal Code regulating Unlawful Massage Therapy Practice.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

**Section 1.** Section 14.230 is created to read as follows:

### **14.230 Unlawful Massage Therapy Practice**

- (1) **Definitions.** The definitions set forth in Wisconsin Statutes § 460.01 are adopted and incorporated by reference as if fully set forth herein.
- (2) **State-Issued License Required.**
  - a. No person may provide massage therapy or bodywork therapy, designate themselves as a massage therapist or bodywork therapist or masseur or masseuse, or use or assume the title “massage therapist and bodywork therapist” or “massage therapist” or “bodywork therapist” or “masseur” or “masseuse” or any title that includes “massage therapist,” “bodywork therapist,” or “bodyworker,” or append to the person’s name the letters “M.T.,” “R.M.T.,” “C.M.T.,” “B.T.,” “B.W.,” “L.B.W.,” “R.B.W.,” or “C.B.W.,” or use any other title or designation that represents or may tend to represent that they are licensed by the State of Wisconsin unless the person is licensed by the State of Wisconsin pursuant to Wis. Stat. Ch. 460.
  - b. No person may employ or contract for the services of an individual to provide massage therapy or bodywork therapy who is required to be licensed by the State of Wisconsin pursuant to Wis. Stat. Ch. 460 unless the individual is so licensed.
- (3) **License Exceptions.** A person who is recognized by or meets the established standards of either a professional organization or credentialing association that recognizes a person in a practice after that person demonstrates an adequate level of training and competency and adherence to ethical standards need not carry a Massage Therapy License issued by the State of Wisconsin for the following practices:
  - a. Using touch, words, and directed movement to deepen a client's awareness of his or her existing patterns of movement and to suggest to the client new patterns of movement; or,
  - b. Using touch to affect the energy systems of the human body; or,
  - c. Using touch and education to effect change in the structure of the body while engaged in the practice of structural integration; or,
  - d. Using touch to manipulate only the soft tissues of the hands, feet, or ears of the human body, provided that the services are not represented or implied to be massage therapy or bodywork therapy.
- (4) **Penalties.** A person who violates any provision of this section may be required to forfeit not more than \$1,000 for each separate offense. Each day of a continued violation constitutes a separate offense.”

**Section 2.** The bond amount for violations of 14.230 shall be \$1,000 + costs.

**Section 3.** This ordinance shall take effect the day after publication.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

APPROVED \_\_\_\_\_

Justin M. Nickels, Mayor

<b>Fiscal Impact:</b>	\$0
<b>Funding Source:</b>	n/a
<b>Finance Director Approval:</b>	/sc
<b>Approved as to form:</b>	/kmm

This resolution was drafted by Elizabeth Majerus, Assistant City Attorney

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