

1 (4) A source of hot water must be available within the immediate vicinity of dry and wet
2 heat rooms to facilitate cleaning.

3
4 (5) The premises shall have adequate equipment for disinfecting and sterilizing
5 nondisposable instruments and materials used in administering massages. Such nondisposable
6 instruments and materials shall be disinfected after use on each patron.

7
8 (6) Protected cabinets shall be provided and used for the storage of clean linen, towels and
9 other materials used in connection with administering massages. All soiled linens, towels and
10 other materials shall be kept in properly covered containers or cabinets, which containers or
11 cabinets shall be kept separate from the clean storage areas.

12
13 (7) Toilet facilities shall be provided in convenient locations, and shall comply with all
14 building and plumbing codes of the city.

15
16 (8) Lavatories or washbasins provided with both hot and cold running water shall be installed
17 in either the toilet room or a vestibule. Lavatories or washbasins shall be provided with soap and
18 a dispenser and with sanitary towels.

19
20 (9) All electrical equipment shall be installed in accordance with the requirements of the
21 city's electrical ordinances.

22
23 (10) The establishment shall have adequate equipment such as massage tables and/or chairs
24 for administering massage. Said equipment shall be of a washable material and kept clean and
25 in good repair.

26
27 (b) Nothing contained herein shall be construed to eliminate other requirements of statutes or
28 ordinances concerning the maintenance of premises, nor to preclude authorized inspection
29 thereof, whenever such inspection is deemed necessary by the police or Oklahoma State Board
30 of Cosmetology and Barbering.

31
32 **Section 3.** That the Midwest City Municipal Code, Chapter 31 Health Care Facilities, Article III,
33 Massage, Division 3, Massage Therapist License, Section 31-131, Application; is hereby amended
34 to read as follows:

35
36 **Section 31-131, Application.**

37
38 (a) Any person desiring the license required by the provisions of this division shall file a written
39 application with the Oklahoma State Board of Cosmetology and Barbering. The applicant shall
40 furnish the following information:

41
42 (1) The business address and all telephone numbers where the massage is to be practiced.

43
44 (2) The following personal information concerning the applicant:

45
46 a. Name, complete residence address and residence telephone numbers.

1 b. The two (2) previous addresses immediately prior to the present address of the
2 applicant, if less than two (2) years at the current address.

3 c. Written proof that the applicant is at least eighteen (18) years of age.

4 d. Height, weight, color of hair and eyes and sex.

5 e. Two (2) front-face portrait photographs taken within thirty (30) days of the date of the
6 application and at least two (2) inches by two (2) inches in size.

7 f. The massage or similar business history and experience five (5) years prior to the date
8 of application, including but not limited to whether or not such person has been operating in this
9 or another city or state under a license or permit, and whether such license or permit has been
10 denied, revoked or suspended and the reason therefor, and the business activities or occupations
11 subsequent to such action of denial, suspension or revocation.

12 g. All criminal convictions except misdemeanor traffic violations.

13 h. Proof of educational requirements as follows:

14
15 1. Successful completion of not less than five hundred (500) hours of massage studies
16 from a state-licensed or accredited massage school; or

17 2. Certification by the National Certification Board for Therapeutic Massage and
18 Bodywork.

19 The above educational requirements shall not apply to those individuals who
20 currently hold a valid license issued by the city to engage in the practice of massage upon the
21 passage of the ordinance codified in this article, so long as said license is renewed within thirty
22 (30) days of expiration.

23
24 (3) Such other information and identification of the person deemed necessary to discover
25 the truth of the matters required above.

26
27 (4) Authorization for the city to seek information and conduct an investigation into the truth
28 of the statements set forth in the application and the qualifications of the applicant for the license.

29 (5) A written declaration by the applicant, under penalty of perjury, that the information
30 contained in the application is true and correct, said declaration being duly dated and signed in
31 the city.

32 (6) A statement showing the name and address of the person by whom the massage therapist
33 is employed, if applicable, and such massage therapist shall file successive statements if a change
34 or changes are made in the employment of the massage therapist during the existence of the
35 license.

36
37 (b) Along with the written application, the applicant shall obtain from the Oklahoma State
38 Bureau of Investigation and provide to the city a current Oklahoma Criminal History Information
39 Report. The criminal record is considered current if it is dated no more than thirty (30) days prior
40 to the date on which the applicant submits a completed application to the city.

41
42 **Section 4.** That the Midwest City Municipal Code, Chapter 31 Health Care Facilities, Article III,
43 Massage, Division 4, Operating Requirements, Section 31-151, Requirements for cubicles, booth,
44 etc. is amended to read as follows:

45
46 **Section 31-151, Requirements for cubicles, booth, etc..**

1
2 It shall be unlawful for any massage to be carried on within any cubicle, room, booth, or any
3 area which is fitted with a door capable of being locked. Nothing contained herein shall be
4 construed to eliminate other requirements of statutes or ordinances concerning the maintenance
5 of premises, not to preclude authorized inspection thereof, whenever inspection is deemed
6 necessary by the city or Oklahoma State Board of Cosmetology and Barbering.

7
8 **Section 5.** REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
9 repealed.

10
11 **Section 6.** SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
12 any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
13 of the ordinance.

14
15 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
16 Oklahoma, this 25 day of July, 2023.

17
18 **THE CITY OF MIDWEST CITY, OKLAHOMA**




24
25
26
27
28


MATTHEW D. DUKES, II, Mayor

29
30

ATTEST:

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34
35


SARA HANCOCK, City Clerk

Approved as to form and legality this 26 day of July, 2023.


DONALD D. MAISCH, City Attorney