

RESOLUTION NO. 2023- 045

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

A RESOLUTION ESTABLISHING A PROCEDURAL FRAMEWORK FOR
ADMINISTRATION OF MASSAGE FACILITY LICENSURE IN DOUGLAS COUNTY

WHEREAS, the Board of County Commissioners of the County of Douglas, Colorado, ("Board") is authorized to enact an Ordinance pursuant to C.R.S. § 30-15-401.4, in order to establish a licensing authority to regulate massage businesses and to deter and shut down illicit massage businesses; and

WHEREAS, C.R.S. §12-235-101 et seq, known as "The Massage Therapy Practice Act" ("the Act") regulates the profession of massage therapy to provide for consistent statewide certification and oversight of massage therapy professionals; and

WHEREAS, the Board finds that the purpose and intent of the Act is to regulate and protect legitimate massage therapy businesses in order to also safeguard and promote the public health, safety, and welfare of the citizens, including those residing within Douglas County, while recognizing that massage is a legitimate health care professional activity that provides benefits to the residents of the County; and

WHEREAS, the reputation and success of legitimate massage therapy businesses is denigrated and undermined by individuals who mask their unlawful sexual activities and human trafficking by falsely posing as massage therapy businesses; and

WHEREAS, the Board has enacted Douglas County Ordinance O-023-001 to establish a licensing authority to regulate massage businesses and to deter and shut down illicit massage businesses; and


WHEREAS, a procedural framework is necessary to facilitate and administer Douglas County Ordinance O-023-001.

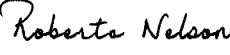
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, COLORADO, THAT:

1. The process and procedural framework in the attached Exhibit A shall govern massage facility licensure in Douglas County.

THE FOREGOING RESOLUTION WAS VOTED UPON BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, COLORADO, AND WAS PASSED AND ADOPTED by a vote of 3 in Favor and 0 Against, this 11th day of April, 2023, in Castle Rock, Douglas County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
COLORADO**

BY: 
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Abe Laydon, Chair

ATTEST: 
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Roberta Nelson, Deputy Clerk to the Board

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EXHIBIT A

Douglas County Massage Facility Licensure Procedures

Intent:

To provide procedures for the review of Massage Facilities in unincorporated Douglas County in accordance with Douglas County Ordinance O-023-001, and Section 30-15-401.4 of Colorado Revised Statutes.

General Requirements

In the event of a conflict between these procedures and Douglas County Ordinance O-023-001, the ordinance shall supersede.

Massage Facilities in operation as of the date Douglas County Ordinance O-023-001 is adopted shall be processed under the procedures for a license transfer.

Submittal Requirements

1. A complete Douglas County Massage Facility Licensure application for the appropriate license type (new, transfer, or renewal), including all required documentation.
2. Application Fee:
 - New license: \$100
 - License Transfer: \$50
 - Biennial Renewal: \$25
3. Individual History Report – A background check for all officers, directors, general partners, managing members, and anyone with ownership of 10 percent or more of the applicant entity.
4. Fingerprints – Those who are required to submit an Individual History Report are also required to be fingerprinted per CBI requirements.

General Procedure – New License

1. The application will be reviewed for completeness by staff and the applicant will be notified in writing of any incomplete information. An application will not be considered complete until the results of the Individual History Reports are received.
2. Within 30 days of receipt of a complete application, if staff determines that the approval standards of Section 6(a) of Douglas County Ordinance O-023-001 have

been met, the application will be scheduled for a hearing before the Douglas County Massage Facility Licensing Authority.

3. Within 30 days of receipt of a complete application, if staff determines that the approval standards in Section 6(a) of Douglas County Ordinance O-023-001 have **not** been met, or that the denial standards in Section 6(d) of Douglas County Ordinance O-023-001 are met, staff shall issue a finding recommending denial of the application. The finding shall be provided to the applicant in writing and shall explain with reasonable detail the reason for the denial. The application will be scheduled for a hearing before the Douglas County Massage Facility Licensing Authority.
4. In accordance with Section 7 of Douglas County Ordinance O-023-001 the applicant may request a temporary license, valid for up to 30 days, until approval or denial of the massage facility license by the Licensing Authority.
5. The licensing authority may approve, approve with conditions, or deny the application.

General Procedure – License Transfer

Any entity wishing to obtain an existing massage facility license must complete a transfer of ownership.

1. The application will be reviewed for completeness by staff, and the applicant will be notified in writing of any incomplete information. An application will not be considered complete until the results of the Individual History Reports are received.
2. Within 30 days of receipt of a complete application, if staff determines that the approval standards of Section 6(a) of Douglas County Ordinance O-023-001 have been met, an approval shall be issued.
3. Within 30 days of receipt of a complete application, if staff determines that the approval standards in Section 6(a) of Douglas County Ordinance O-023-001 have **not** been met, or that the denial standards in Section 6(d) of Douglas County Ordinance O-023-001 are met, staff shall issue a finding recommending denial of the application. The finding shall be provided to the applicant in writing and shall explain with reasonable detail the reason for the denial. The application will be scheduled for a hearing before the Douglas County Massage Facility Licensing Authority.
4. An applicant may request a temporary permit for the period during which the transfer is being reviewed in accordance with Section 7 of Douglas County Ordinance O-023-001.

5. The licensing authority may approve, approve with conditions, or deny the application.

General Procedure – Biennial Renewal

1. The application will be reviewed for completeness and the applicant will be notified in writing of any incomplete information. New Individual History Reports and Fingerprints shall not be required for applicable individuals who have, within the previous five (5) years, submitted such materials as part of an accepted and approved application.
2. Within 30 days of receipt of a complete application, if staff determines that the approval standards of Section 6(a) of Douglas County Ordinance O-023-001 have been met, an approval letter shall be issued.
3. Within 30 days of receipt of a complete application, if staff determines that the approval standards in Section 6(a) of Douglas County Ordinance O-023-001 have **not** been met, or that the denial standards in Section 6(d) of Douglas County Ordinance O-023-001 are met, staff shall issue a finding recommending denial of the application. The finding shall be provided to the applicant in writing and shall explain with reasonable detail the reason for the denial. The application will be scheduled for a hearing before the Douglas County Massage Facility Licensing Authority.
4. The licensing authority may approve, approve with conditions, or deny the application.

General Procedure – Exemption

1. The exemption request will be reviewed for completeness and the applicant will be notified in writing of any incomplete information.
2. Within 30 days of receipt of a complete exemption request, if staff determines that the exemption standards of Section 1(n) of Douglas County Ordinance O-023-001 have been met, an approval letter shall be issued.

Inspections, Suspension and Revocation

1. Inspections shall be conducted as enabled in Ordinance NO. O-023-001 and shall/may be conducted in conjunction with the Douglas County Sheriff's Office.
2. Suspension and Revocation actions shall occur as enabled in O-023-001.