



MASSAGE THERAPY BUSINESS INFORMATION SHEET

BASIS - Massage Therapy Business means any business offering or providing massage therapy for consideration whether at a fixed place of business or at a location designated by the customer or client through outcall massage services. Includes a massage therapist who is the sole owner, operator and employee of a massage therapy business operating as a sole proprietorship.

Section 5-722 provides that ALL massage businesses and massage therapists currently operating within the City of Andover must apply for a license and/or permit within one hundred twenty (120) days of the effective date of the ordinance.

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

- 1) Persons holding an unrevoked license or certificate to practice any of the healing arts under the laws of the State of Kansas; persons licensed under the laws of this state to practice any of the following: podiatry, as a physical therapist, as a professional nurse or as a practical nurse while such persons are engaged in their licensed practice; and all persons working under the supervision and control of such licensed persons while engaged in their licensed practice;
- 2) Any medical care facility as defined and licensed under the laws of this State applicable to such medical care facility or persons employed thereby, while engaged in their usual duties for such medical care facility;
- 3) Any adult care home as defined and licensed under the laws of this State applicable to such adult care home or persons employed thereby, while engaged in their usual duties for such adult care home;
- 4) Any person engaged in barbering or in the practice of cosmetology or apprentice while carrying out their particular profession or business and holding a valid, unrevoked license or certificate of registration issued under the laws of this State applicable to such barbering or cosmetology practice;
- 5) Employees of schools supported primarily by taxation, of schools exempt from payment of property taxes, and of "proprietary schools," approved by the Kansas Board of Regents while engaged in their usual duties for the school;
- 6) Any person providing massage therapy to a person related to them by blood or marriage when there is no charge for such massage therapy;
- 7) Massage therapy students enrolled in a proprietary school approved by the Kansas Board of Regents while under the direct supervision of a licensed massage therapist; or
- 8) A trainer of any duly constituted athletic team or personal weight or athletic trainer while in the normal course of his or her duties.

LEGAL REFERENCE - Article 7, Chapter V of the Code of the City of Andover, Kansas.

REGULATIONS - The applicant, officers, directors, and stockholder holding more than 5% of the stock must be at least eighteen (18) years of age.

- 1) The applicant, officers, directors, and stockholder holding more than 5% of the stock, must not, within five (5) years immediately preceding the date of the filing of the application, have been convicted in any jurisdiction of a felony or crime involving moral turpitude as defined in this chapter. For the purposes of this section the term "conviction" shall include being placed on diversion, entering into a deferred judgment program, or being adjudged guilty upon entering a plea of no contest;
- 2) The applicant, officers, directors, and stockholder holding more than 5% of the stock, must not be currently under indictment, charged or information for any felony or any crime of moral turpitude.

- 3) The applicant, officers, directors, and stockholder holding more than 5% of the stock must not be a registered sex offender with any federal, state or local government.
- 4) Corporations, partnerships, and limited liability companies must provide a Certificate of Good Standing from the State of Kansas or other state of incorporation.
- 5) Non-transferable.

ENFORCING AUTHORITY - Andover Police Department, Planning and Zoning and Fire Department

FEES - Due every two years from date of issuance. Allow thirty (30) days for approval.

2 Year License \$200.00