

ORDINANCE NO. 2317

AN ORDINANCE to amend and reordain subsection (e), Section 23-47 of Chapter 23 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 23 relates to OFFENSES--MISCELLANEOUS, which Section 23-47 relates to MASSAGE PARLORS and which subsection (e) relates to DEFINITIONS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subsection (e), Section 23-47 of Chapter 23 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

(c) For the purposes of this section, the following words shall have the meaning assigned below:

Massage shall mean a method of treating parts of the human body for comfort or the general well-being of the body, consisting of rubbing, stroking, kneading, tapping or vibrating with the hand or any instrument.

Massage parlor shall mean any establishment where massages are administered or which holds itself out to the public as a place where massages are administered. The term "massage parlor" shall include but shall not be limited to massage parlors, health clubs, health spas, Turkish bathhouses and similar type businesses, whether such business is a public or private facility. This definition shall not be construed to include: (1) any establishment providing facilities for and offering instruction in controlled exercise, weight lifting, calisthenics and general physical fitness, and which offers massages to its members or patrons only as an incidental service, constituting no more than five percent (5%) of the total gross business income derived at each business location of such establishment; or (2) any hospital, nursing home, medical clinic, or the office of a duly licensed physician, surgeon, physical therapist, chiropractor or osteopath; or (3) any barbershop or beauty salon in which massages are administered only to the scalp, the face, the neck or the shoulders.

Sexual or genital parts shall include the genitals, pubic area, buttocks, anus, or perineum of any person, or the vulva or breasts of a female.

Section 2. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN
MAYOR

FINAL PASSAGE: DECEMBER 16, 1978