

RESOLUTION NO. 2024 - _____

**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, and of C.R.S. § 30-15-401.4, 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-024-004 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-024-004.

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

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

PASSED AND ADOPTED this ____ day of _____ 2024, in Castle Rock, Douglas County, Colorado.

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

BY:

GEORGE TEAL, Chair

ATTEST:

HAYLEY HALL, Clerk to the Board

Douglas County Massage Facility Licensure and Background Check Procedures

Intent

To provide procedures for the review of Massage Facility licensure applications and background checks in unincorporated Douglas County or where Douglas County is the licensing authority pursuant to a legal agreement, in accordance with Douglas County Ordinance O-024-004, 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-024-004, the ordinance shall supersede.

Submittal Requirements For License And Background Check Applications -

A complete Douglas County Massage Facility Licensure application for the appropriate license type (new, transfer, or renewal), and/or a complete Douglas County Massage Facility Background Check application, as applicable, including all required documentation.

Application Fee –

New license: \$100

License Transfer: \$50

Biennial Renewal: \$25

There are no application fees for exemption requests or individual background checks that are not a part of a new or transfer license application.

Individual History Report –

A background check for all owners, officers, operators, directors, general partners, managing members, employees, and anyone with ownership of ten percent (10%) or more of the applicant entity, as required by Douglas County Ordinance O-024-004.

Fingerprints –

Those who are required to submit an Individual History Report are also required to be fingerprinted as described in Section 5 of Douglas County Ordinance O-024-004. The fingerprint results must be received by the County for the application to be deemed complete.

General Procedure - New License

The application will be reviewed for completeness by staff and the applicant, owner or prospective owner, employee or prospective employee, 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.

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-024-004 have been met, the application will be scheduled for a hearing before the Douglas County Massage Facility Licensing Authority.

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-024-004 have not been met, or that the denial standards in Section 6(d) of Douglas County Ordinance O-024-004 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.

In accordance with Section 7 of Douglas County Ordinance O-024-004 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.

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.

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.

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-024-004 have been met, an approval shall be issued.

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-024-004 have not been met, or that the denial standards in Section 6(c) of Douglas County Ordinance O-024-004 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.

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-024-004.

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

General Procedure - Biennial License Renewal

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.

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-024-004 have been met, an approval letter shall be issued.

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-024-004 have not been met, or that the denial standards in Section 6(c) of Douglas County Ordinance O-024-004 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.

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

General Procedure – Individual Background Check not part of a new or transfer license application

Within 18 days of receipt of an individual background check, if staff determines that the standards of Douglas County Ordinance O-024-004 have been met, an approval letter shall be issued.

General Procedure - Exemption

The exemption request will be reviewed for completeness and the applicant will be notified in writing of any incomplete information.

Within 30 days of receipt of a complete exemption request, if staff determines that the exemption standards of Section 1(h) or 1(o) of Douglas County Ordinance O-024-004 have been

met, an approval letter shall be issued.

Inspections, Suspension and Revocation

Inspections shall be conducted as enabled in Douglas County Ordinance O-024-004 and shall/may be conducted in conjunction with the Douglas County Sheriff's Office.

Suspension and Revocation actions shall occur as enabled in Douglas County Ordinance O-024-004.