

SOUTH ORANGE VILLAGE
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ORDINANCE #2026-06

Introduction: February 9, 2026

Adoption:

AN ORDINANCE OF SOUTH ORANGE VILLAGE AMENDING AND RESTATING CHAPTER 375 "SANITARY STANDARDS" TO ADD REQUIREMENT FOR THE LICENSING OF MASSAGE AND BODYWORK THERAPY FACILITIES; AND AMENDING CHAPTER 143 "FEES" BY SECTION 38- SANITARY STANDARDS TO ADD FEE FOR INSPECTION AND LICENSING OF MASSAGE AND BODYWORK THERAPY FACILITIES

BE IT ORDAINED by the Village Council of South Orange Village, County of Essex, State of New Jersey, as follows:

SECTION 1

Chapter 375 is hereby amended and restated, in relevant part, by the addition of sections 111 through 116 as follows:

375-111 License Required; Application

No person shall engage in providing massage unless he or she has a valid Health License issued by the Village Health Officer or his/her designee. Such license shall not be transferable and shall expire May 31 of each year. Any applicant must include a copy of a current and valid registration issued by the New Jersey Board of Massage and Bodywork Therapy as required by N.J.S.A. 45:11-76 (registration required for advertising as a massage or bodywork therapist) and full disclosure of any actions or proceedings against the applicant under N.J.S.A. 45:11-77 (suspension or revocation of registration).

- A. Proof of this state license must be submitted to the Village Health Department as part of the application for a local license.
- B. Both licenses shall be displayed in a prominent location within the establishment.
- C. All massage, bodywork and somatic therapy practitioners shall display their certifications in view of clients.

375-112 License Fees, Term of License

The annual fees for such license shall be as set forth in Chapter 143, Fees, of the Code of South Orange Village. A new or reviewed and renewed license shall be required each June 1.



375-113 Building Requirements

The Village Health Department, upon receiving a massage, and bodywork therapy establishment permit application, shall refer the application to the Building Department, Zoning Officer, Fire Department, and Police Department and Planning Board, and shall inspect the premises proposed to be operated as such an establishment and shall make written recommendation concerning compliance with their respective areas of responsibility. No massage, and bodywork therapy establishment shall be issued a permit or be operated, established or maintained in the Village unless an inspection by the Health Officer, Zoning Officer, Building Inspector and Fire Inspector reveals that the establishment complies with the minimum requirement with their respective areas of responsibility. In addition, the establishment must comply with each of the following minimum requirements:

- A. All massage tables, bathtubs, shower stalls, steam or bath areas and floors shall have surfaces that shall be constructed of nonabsorbent easily cleanable, smooth, and non-porous materials which may be readily disinfected, and shall be maintained in a sanitary condition and regularly cleaned and disinfected.
- B. Adequate bathing, dressing and locker facilities shall be provided for the patrons to be served at any given time. In the event that male and female patrons are to be served simultaneously, separate bathing, dressing, locker and massage room facilities shall be provided. The exterior door to such rooms shall be labeled to identify it as male or female.
- C. The premises shall have adequate equipment for disinfecting and sterilizing non-disposable instruments and materials used in administering massages. Such non-disposable instruments and materials shall be disinfected after use on each patron.
- D. Adequate hand washing facilities shall be provided in each operating area at convenient locations, as necessary, to maintain clean hands and arms of all employees during hours of operation. Hot and cold water, liquid and powder soap and paper towels shall be provided at all times.
- E. A utility sink or curbed cleaning facility shall be provided for cleaning janitorial equipment and custodial services. Hot and cold water must be provided at the sink.

375-114 Sleeping quarters

No part of any quarters of any massage and bodywork therapy establishment shall be used for or connected with any bedroom or sleeping quarters nor shall any person sleep in such massage and bodywork therapy establishment except for limited periods of time incidental to and directly related to a massage and bodywork therapy treatment or bath. No beds or mattresses shall be permitted in the establishment. This provision shall not



preclude the location of massage, and bodywork therapy establishments in separate quarters of a building housing a hotel or other separate businesses or clubs.

375-115 Prohibited Acts

No owner or manager of a massage and bodywork therapy establishment shall allow, tolerate, or suffer in his or her establishment any activity or behavior which violates or is prohibited by this chapter or by the laws of the State of New Jersey, particularly, but not limited to, laws proscribing prostitution, indecency and obscenity, including the sale, uttering or exposing and public communication of obscene material, laws which relate to the commission of sodomy, adultery and proscribing fornication.

- A. No person shall permit any person under the age of 18 years to receive a massage without advanced written permission of his or her parent, caregiver or guardian, or such parent, caregiver or guardian shall be present in the room during the time of the massage.
- B. Alcoholic beverages and controlled dangerous substances shall not be distributed, possessed or consumed on the premises.

375-116 Revocation or suspension of permit

Any permit issued for a massage business may be revoked or suspended by the Village Health Department, for good cause, or in any case where an employee violates any of the state or local laws or ordinances. In the case of establishment type or home-based type massage businesses, any business permit may be revoked or suspended if any permittee, massage practitioner, or employee refuses to permit any duly authorized health inspector, police officer, Building Department inspector, or fire inspector to inspect the premises or the operations therein. Any massage business permit may also be revoked or suspended by the Village Health Department if such business is being managed, conducted or maintained without regard for the public health or health of patrons or without due regard for proper sanitation and hygiene.

- A. Any person aggrieved by the action of the Village Health Department in the revocation of a permit as provided within this article shall have the right of appeal to the Village Council upon such action.
- B. Such appeal shall be taken by filing with the Village Council, within 14 days after notice of the action complained of has been given, and shall consist of a written statement setting forth fully the grounds for the appeal.
- C. The Council shall set a time and place for hearing on such appeal, and notice of such hearing shall be given to the appellant.
- D. After such hearing, the Council may affirm, reverse or modify the action from which the appeal is taken.



The penalty fee for a violation shall be as set forth in Chapter 143, Fees, of the Code of South Orange Village.

SECTION 2

Chapter 143, Section 143-38, "Sanitary Standards" is hereby amended by the addition of the entries as follows below:

143-38 Sanitary Standards

Description	Code Section	Fee
Massage Businesses, initial and renewal fee	§ <u>375-111</u>	\$200
Penalty Violation Fee	§ 375-116	\$500 – 1 st violation \$1,000 – 2 nd violation \$2,000 – 3 rd or subsequent violation

SECTION 3

If any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 4

All ordinances and resolutions, or parts of ordinances and resolutions inconsistent herewith shall be and are hereby repealed as to such inconsistencies.

SECTION 5

This ordinance shall take effect upon final passage and publication as required by law.

SECTION 6

On passage this ordinance shall be codified.



Introduction – First Reading

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Canning			X			
Greenberg		X	X			
Haskins			X			
Jones			X			
Lewis-Chang	X		X			
Zollman			X			

CERTIFICATION

I, Ojetti E. Davis, Village Clerk of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was introduced on first reading by the Village Council at their regular meeting held on February 9, 2026.

Ojetti E. Davis
Village Clerk

Adoption – Second Reading

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Canning						
Greenberg						
Haskins						
Jones						
Lewis-Chang						
Zollman						

CERTIFICATION

I, Ojetti E. Davis, Village Clerk of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was adopted on second reading by the Village Council at their meeting held on March 9, 2026.

Ojetti E. Davis
Village Clerk

Adopted:

Attest:

Sheena C. Collum, Mayor

Ojetti E. Davis, Village Clerk