

ORDINANCE NO. 18-10

AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF AUBURN AMENDING SECTION  
112.030 OF THE AUBURN MUNICIPAL  
CODE REGARDING MASSAGE  
ESTABLISHMENTS AND TECHNICIANS

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THE CITY COUNCIL OF THE CITY OF AUBURN DOES ORDAIN AS  
FOLLOWS:

**Section One: Code Amendment.** Subsections (F) and (G) of Section 112.030 of Chapter 112 of Title XI of the Auburn Municipal Code are hereby added to read as follows:

(F) Accredited high schools, junior colleges, and colleges or universities whose coaches and trainers are acting within the scope of their employment.

(G) Individuals administering massages or health treatment involving massage to persons participating in athletic, recreational or festival events, such as health fairs, road races, track meets, triathlons and other similar events; provided, that all of the following conditions are satisfied:

- (1) The massage services are made equally available to all participants in the event;
- (2) The event is open to participation by the general public or a significant segment of the public;

- (3) The massage services are provided at the site of the event and either during, immediately preceding, or immediately following the event;
- (4) The sponsors of the event have been advised of and have approved the provisions of massage services; and
- (5) The persons providing the massage services are not the primary sponsors of the event.

**Section Two: California Environmental Quality Act.** The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during the meeting on the matter held by the City Council, and hereby determines that that the adoption of this Ordinance will not have a significant effect on the environment. This Ordinance is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

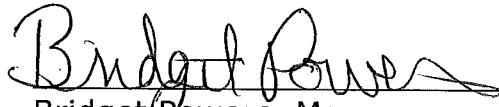
**Section Three: Severability; Continuation of Provisions.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance or the rules adopted hereby. The City Council of the City of Auburn hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be

declared invalid or unenforceable. To the extent the provisions of the Auburn Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

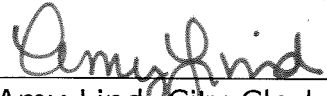
**Section Four: Inconsistent Provisions.** Any provision of the Auburn Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Ordinance.

**Section Five: Publication and Effective Date.** This ordinance shall take effect 30 days after final adoption. The City Clerk shall cause the same to be published once in a newspaper of general circulation within fifteen (15) days after its adoption.

DATED: August 27, 2018

  
Bridget Powers, Mayor

ATTEST:

  
Amy Lind, City Clerk

I, Amy Lind, City Clerk of the City of Auburn, hereby certify that the foregoing ordinance was duly passed at a regular meeting of the City Council of the City of Auburn held on the 27th day of August, 2018 by the following vote on roll call:

Ayes: Spokely, Berlant, Kirby, Maki, Powers

Noes:

Absent:

  
Amy Lind, City Clerk