

**CITY OF HUNTINGTON BEACH
LEGAL NOTICE**

**ORDINANCE NO. 4052
Adopted by the City Council on APRIL 6, 2015**

“AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH, CALIFORNIA, EXTENDING THE MORATORIUM ON NEW MASSAGE ESTABLISHMENTS”

SYNOPSIS:

In November, 2009, the City Council approved regulatory changes with regard to massage establishments to comply with newly enacted state law resulting in California Business and Professions Codes 4600, *et seq.* These laws significantly reduced local governments’ regulatory authority in licensing, permitting, and land use by the formation of a State operated, non-profit agency with legislative oversight called the California Massage Therapy Council (CAMTC). Most of the licensing and monitoring responsibilities were transferred from the City to the State with the goal of achieving consistency in the application of rules and regulations with respect to business individuals involved in the massage therapy field. The changes approved by the City Council included modifications to the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and Municipal Code Chapter 5.24 to bring the City’s regulations into compliance with State Law.

In April 2013, the City Council approved further changes to the Huntington Beach Municipal Code, Chapter 5.24, with regard to the regulation of massage establishments. These changes were necessitated by the substantial increase in the number of massage establishments in Huntington Beach as well as the existing regulatory scheme proving to be largely ineffective. The number of massage establishments located in Huntington Beach had grown from nine (9) to sixty-five (65) during that time period. Based on information from the Police Department, illicit sexual activity taking place in massage establishments had also increased dramatically as had the potential for human trafficking often associated with the illicit sex trade.

In spite of the changes made to the Huntington Beach Municipal Code in April 2013, the number of massage establishments continued to increase to over seventy (70). The Police Department has recent information indicating illicit sexual activity is still taking place in massage establishments in Huntington Beach.

On March 2, 2015, in order to stem the proliferation of massage establishments long enough for City staff to introduce a new Municipal Code Ordinance, the City Council approved a moratorium on new massage establishments (Ordinance No. 4046). The ordinance was adopted on its first reading and is only effective for forty-five (45) days, but may be extended.

Subsequently, the City Council approved the introduction of Ordinance No. 4049, which updates the City’s regulations governing the operation of massage establishments. Ordinance 4049 will become effective on or about May 6, 2015. Staff recommended extending the moratorium for the statutory period of ten (10) months and fifteen (15) days, or until ten (10) days after the effective date of Ordinance No. 4049, whichever occurs first.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held April 6, 2015 by the following roll call vote:

AYES: Posey, O’Connell, Katapodis, Hardy, Sullivan, Delgleize, Peterson

NOES: None

ABSTAIN: None

ABSENT: None

THE FULL TEXT OF THE ORDINANCE IS AVAILABLE IN THE CITY CLERK’S OFFICE.

This ordinance is effective immediately.

**CITY OF HUNTINGTON BEACH
2000 MAIN STREET
HUNTINGTON BEACH, CA 92648
714-536-5227
JOAN L. FLYNN, CITY CLERK**