

ORDINANCE NO. 23-2021

**AN ORDINANCE AMENDING SEC. 46-4, OFFENDING MORALS AND DECENCY, IN THE
BEAVER DAM MUNICIPAL CODE TO ADD UNLAWFUL MASSAGE THERAPY PRACTICE**

THE COMMON COUNCIL OF THE CITY OF BEAVER DAM DO ORDAIN AS FOLLOWS:

SECTION I: **Section 46-4. Offending morals and decency**, in the Beaver Dam Municipal Code is amended, in part, to add subparagraph (6) as follows:

(6). *Unlawful massage therapy practice.*

(A) **Definitions.** The definitions set forth in Wis. Stats. Sec. 460.01 are adopted and incorporated by reference as if fully set forth herein.

(B) **State-Issued License Required.**

(i) No person may provide massage therapy or bodywork therapy, designate themselves as a massage therapist or bodywork therapist or masseur or masseuse, or use or assume the title “massage therapist and bodywork therapist” or “massage therapist” or “bodywork therapist” or “masseur” or “masseuse” or any title that includes “massage therapist”, “bodywork therapist”, or “bodyworker”, or append to the person’s name the letters “M.T.”, “R.M.T.”, “C.M.T.”, “B.T.”, “B.W.”, “L.B.W.”, “R.B.W”, or “C.B.W.”, or use any other title or designation that represents or may tend to represent that they are licensed by the State of Wisconsin unless the person is licensed by the State of Wisconsin pursuant to Wis. Stats. Ch. 460.

(ii) No person may employ or contract for the services of an individual to provide massage therapy or bodywork therapy who is required to be licensed by the State of Wisconsin pursuant to Wis. Stats. Ch. 460 unless the individual is so licensed.

(C) **License Exceptions.** A person who is recognized by or meets the established standards of either a professional organization or credentialing association that recognizes a person in a practice after that person demonstrates an adequate level of training and competency and adherence to ethical standards need not carry a massage therapy license issued by the State of Wisconsin for the following practices:

(i) Using touch, words, and directed movement to deepen a client’s awareness of his or her existing patterns of movement and to suggest to the client new patterns of movement; or

(ii) Using touch to affect the energy systems of the human body; or

(iii) Using touch and education to effect change in the structure of the body while engaged in the practice of structural integration; or

(iv) Using touch to manipulate only the soft tissue of the hands, feet, or ears of the human body; provided, that the services are not represented or implied to be massage therapy or bodywork therapy.

(D) **Penalties.** A person who violates any provision of this section is subject to the penalties under **Sec. 1-9, Penalty provisions**, in the Beaver Dam Municipal Code.

Presented by the members of the Administrative Committee.

First Reading – December 6, 2021
Adopted: December 20, 2021
Tracey M. Ferron, City Clerk
Approved: December 20, 2021
Rebecca Glewen, Mayor