

Bill No. 18-27

Concerning: Bodywork Establishment

Introduced: September 25, 2018

Revised: \_\_\_\_\_ Draft No. \_\_\_\_\_

Enacted: October 23, 2018

Effective: December 22, 2018

Expires: October 31, 2018

Frederick County Code, Chapter 1-19

Section(s) 11.100

## COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Member Jessica Fitzwater

**AN ACT** to: Define “Body-work” establishments within Frederick County, as a use within Frederick County Code, Chapter 1-19 (Zoning Ordinance).

Executive: *Jan H. Sanchez* Date Received: 10/24/18

Approved: *[checkmark]* Date: 10/25/18

Vetoed: \_\_\_\_\_ Date: \_\_\_\_\_

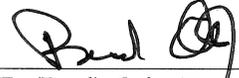
By amending:

Frederick County Code, Chapter, 1-19 Section(s) 11.100

Other: \_\_\_\_\_

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law.</i>
[Single boldface brackets]	<i>Deleted from existing law.</i>
* * *	<i>Existing law unaffected by bill.</i>

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF  
FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby,  
amended as shown on the attached Exhibit 1.



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Harold F. (Bud) Otis, President  
County Council of Frederick County,  
Maryland

MFC 10/23/18

§1-19-11.100. DEFINITIONS.

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BODYWORK. The practice of using one's hands or another part of the body to apply pressure on an individual's body or bare feet to affect the electromagnetic energy, energetic field, or energy meridians of the human body. The term Bodywork does not apply to:

(1) an individual with a license, registration, or other approval issued by the Maryland State Board of Massage Therapy Examiners to provide massage therapy under § 6-101 of the Health Occupations Article;

(2) an athletic trainer who:

(a) is certified by a nationally recognized athletic trainer certification agency identified by the Director and works under the supervision of a physician, while functioning in the athletic trainer's professional capacity;

(b) is employed by an accredited educational institution, while performing professional duties at that institution; or

(c) is employed by a professional sports team, while treating members of that team; or

(3) a business in which every person who provides services is a certified massage therapist or registered massage practitioner under State law.

(4) a professionally trained reflexologist as identified through the use of a stand-alone, non-profit, psychometrically valid national testing process.

BODYWORK ESTABLISHMENT. Any business that advertises bodywork services or where any employee, agent, or contractor, who is not a certified massage therapist or registered massage practitioner under state law, performs bodywork on an individual.

SEXUAL ACTIVITY. Any direct or indirect physical contact between persons intended to erotically stimulate either person or both persons or is likely to cause such stimulation. Sexual activity includes intercourse, fellatio, cunnilingus, anal intercourse, masturbation, or manual stimulation. Any person who operates a bodywork establishment must not engage in or allow another person to engage in the performance of any sexual activity with another person in the establishment.

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Underlining indicates matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

\*\*\* - indicates existing law unaffected by bill.

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