

Chapter 5.16 Massage Establishments

[5.16.010 Definitions](#)

[5.16.020 License Required](#)

[5.16.030 Filing Application, Fee, And Investigation](#)

[5.16.040 Application For Massage Establishment](#)

[5.16.050 Issuance Or Denial Of License For Massage Establishment](#)

[5.16.060 Facilities Necessary.](#)

[5.16.070 Operating Requirements.](#)

[5.16.080 Advertising.](#)

[5.16.090 Inspections.](#)

[5.16.100 No Transfer Of License](#)

[5.16.110 Display Of License](#)

[5.16.120 Employment Of Massage Therapists](#)

[5.16.130 Revocation Or Suspension Of License](#)

[5.16.140 No Renewal Of License](#)

[5.16.150 Nuisance](#)

[5.16.160 Penalties](#)

[5.16.170 Enforcement Procedure Before Public Health Committee](#)

[5.16.180 Number Of Licenses; Required For Each Location](#)

[5.16.190 Severability](#)

5.16.010 Definitions

For purposes of this chapter the following words and phrases shall have the meanings respectfully ascribed to them by this section:

Advertise or advertising material. The issuance of any card, sign, or device to any person; the causing, permitting, or allowing of any sign or marking on or in any building, vehicle, or other structure; or any printed, audio, or video material published in or broadcast by any newspaper, magazine, television, radio, internet, internet streaming device, blog, chat room, website, or social media.

Applicant. Any person that applies for a massage establishment license.

Bodywork or bodywork services. Any method of applying pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, touching or stimulating, the external parts of the body, by another individual, with the hands, any body part, or with the aid of any mechanical or electrical apparatus or appliances, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments or similar preparations, for compensation. The definition of bodywork or bodywork services for the purposes of this article is intentionally not the same and is broader than the definition of massage in this article, and is intended to cover massage, bodywork services provided by bodywork practitioners, and other similar services that fit the general definition, regardless of what the services or the person providing the

services is called, unless expressly excluded by this article.

Bodywork practitioner or bodywork provider. Any person who provides bodywork services, including massage therapists.

Employee. Any and all persons other than massage therapists, who render any service to the licensee, who receive compensation directly from the licensee, and who have no physical contact with customers and clients.

Director. Director shall mean the Director of the Sangamon County Department of Public Health or the Director's authorized representative.

Licensee. An applicant who has received a license from Sangamon County to operate a massage establishment.

Massage. Massage includes massage services, massage therapy, and bodywork services provided by massage therapists and bodywork practitioners and other similar services regardless of how the services or the person providing the services are referred to unless expressly excluded by this chapter.

Massage establishment. Except as otherwise provided in this chapter, any establishment having a fixed place of business within the unincorporated area of Sangamon County that advertises or offers massage services, or any location in the unincorporated area of Sangamon County where any person for any consideration whatsoever, engages in the practice of massage, or carries on, or permits to be engaged or carried on any massage services as defined in this article.

Massage services or massage therapy. Any system of structured palpitation or movement of the soft tissue of the body, including, but not limited to, techniques such as effleurage or stroking and gliding, petrissage or kneading, tapotement or percussion, tapping, pounding, friction, vibration, compression, touching, stimulating, and stretching the external parts of the body with or without the aid of lubricants, rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, salt or herbal preparations, hydromassage, thermal massage, a massage device that mimics or enhances the actions typically performed by human hands, or any other similar preparations commonly used in this practice.

Massage therapist. Any person who, for any consideration whatsoever, engages in the practice of massage as defined in this article, and who holds a valid license from the Illinois Department of Finance and Professional Regulation, or possesses written documentation of exemption from licensing or certification under the Illinois Massage Licensing Act (225 ILCS 57/1 et seq.) to perform massage services. For the purposes of this article, "massage therapist" shall include practitioners of Asian bodywork approaches and other similar practitioners exempt from licensing under the Illinois Massage Licensing Act (225 ILCS 57/25).

Person. Any individual, partnership, firm, association, limited liability company, joint venture, joint stock company, corporation or combination thereof in whatever form or character.

Sexual or genital area. The male or female genitals, pubic area, buttocks, anus or perineum of any person, or the vulva or breasts of a female.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.020 License Required

After September 30, 2025, it shall be unlawful for any person to advertise, offer, engage in, conduct or carry on, or to permit to be advertised, offered, engaged in, conducted or carried on, in or upon any premises in the unincorporated area of Sangamon County, the operation of a massage establishment as herein defined, without first having obtained a license from Sangamon County pursuant to the provisions of this chapter, with the exception of the following:

- (a) Hospitals, nursing homes, medical facilities, or offices at which physicians, surgeons, chiropractors, osteopaths, podiatrists, naprapaths, occupational therapists, physical therapists, or other health care workers duly licensed by the State of Illinois to provide, on an ongoing basis, professional health services to individuals including, but not limited to, services permitted by the Illinois Occupational Therapy Practices Act (335 ILCS 75/1 et seq.), the Illinois Physical Therapy Act (225 ILCS 90/1 et seq.), or the Illinois Naprapathic Practices Act (225 ILCS 63/1 et seq.);
- (b) Athletic trainers for any athletic program of a private or public school, college, or any athletic team regularly organized or engaging in competition;
- (c) Barbers, estheticians, and cosmetologists who are duly licensed by the State of Illinois, and who only provide massage services of the neck, back, face, scalp, hair, hands, and feet of a patron who is fully clothed;
- (d) Any school or educational institution licensed to do business as a school or educational institution in the State of Illinois, or any school recognized by or approved by or affiliated with the American Massage Therapy Association, the National Certification Board for Therapeutic Massage and Bodywork, or the Federation of State Massage Therapy Boards, and which has for its purpose or offers courses in the teaching of the theory, method, profession, or work of bodywork or massage, including clinical externships, practicums or community services;
- (e) Home-based massage services provided by a person who is duly licensed by the State of Illinois, provided that such person is otherwise in compliance with the

Sangamon County Code pertaining to home occupations; and

(f) Massage services offered or conducted by a licensed massage establishment and which are performed at a location other than a massage establishment, provided that such massage services are performed in accordance with this article.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.030 Filing Application, Fee, And Investigation

(a) Every applicant for a license to maintain, operate, or conduct a massage establishment shall file an application with the County Clerk and pay a non-refundable application fee of \$50. The application shall be in the form required by the County Clerk.

(b) The County Clerk, within five days after the filing of an application for a massage establishment license, shall forward a copy of such application to the Department of Public Health, the Department of Building and Zoning, the Sheriff, the County Administrator, and the fire protection provider serving the address of the applicant's proposed massage establishment.

(c) Within 35 days of the filing of the application with the County Clerk, both the Department of Public Health and the Department of Building and Zoning shall, and other subsection 5.16.030(b) application recipients may, inspect the premises proposed to be operated as a massage establishment and conduct interviews of the applicant and the applicant's agents involved in the proposed massage establishment and make written recommendations to the Director concerning their determinations regarding the application's, the proposed premise's, and the applicant's conformity with all laws governing massage establishments located in unincorporated Sangamon County, including the Sangamon County Code in its entirety and this chapter.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.040 Application For Massage Establishment

(a) The application for a license to operate a massage establishment shall set forth the exact nature of the massage services to be administered, and the proposed place of business and facilities therefor.

(b) The application for a license shall contain the following information:

- (1) The applicant's name, current address, telephone number, and date of birth.
- (2) The name, address, and date of birth of all employees, massage therapists, managers, and persons with supervisory authority that have been or are intended to be employed by the applicant or provide massage services.

(3) Whether the applicant has had any license denied, revoked or suspended in the United States of America and the reasons therefor.

(4) Whether the applicant, or any employee, massage therapist, manager, or person with supervisory authority has had any criminal or municipal ordinance violation convictions, forfeiture of bond, and pleadings of nolo contendere on any charges, except minor traffic violations, within the last five years.

(5) Authorization for the Regional Office of Education, after the applicant pays the fee therefor, conduct a background check on and take the fingerprints of the applicant and any manager or person with supervisory authority of the proposed massage establishment and for the forwarding of the results of the background check and the fingerprints to the Director.

(6) A copy of the State of Illinois issued massage license for each massage therapist that has been or is intended to be employed by the applicant to provide massage services, or a copy of the certification or other written documentation or proof of exemption for licensing as required by the Massage Licensing Act (225 ILCS 57/25).

(7) A drawing or floor plan of the premises designating each room by its purpose or the activity that will take place in each room.

(8) If the premises is leased:

- a. A copy of the lease, and any subleases, assignments or acceptances in effect at the time of application;
- b. The name, address and telephone number of the legal owner of the premises;
- c. If the legal owner is not an individual, the name, address and telephone number of a representative or agent authorized to act on behalf of the legal owner; and
- d. If the premises is managed or supervised by someone other than the legal owner thereof, the name, address and telephone number of the person, business or entity who manages or supervises the premises.

(9) If the applicant is a business:

- a. The type of business or entity (i.e., sole proprietorship, corporation, limited liability company, partnership, etc.);
- b. The name of the business or entity, and all assumed names under which the business or entity is conducted; and
- c. The names, addresses, telephone numbers, and dates of birth of all persons with management and supervisory authority of the business or entity.

(10) The information requested in divisions (b)(1), (3), (4) and (5) shall also include information for the following persons:

- a. If the applicant is a sole proprietorship, the information sought and to be provided shall concern the individual sole proprietor.
- b. If the applicant is a partnership, the information sought and to be provided

shall concern each general and limited partner, for each individual who is a general partner of such general or limited partnership, and for each individual who owns more than 5% of such limited partnership.

c. If the applicant is a joint venture, the information sought and to be provided shall concern each joint venturer and each individual who owns more than 5% of such joint venture.

d. If the applicant is a corporation, the information sought and to be provided shall be for each officer and director, and if the corporation's stock is publicly traded, each shareholder owning more than 5% of the outstanding stock in said corporation.

e. If the applicant is a limited liability company, the information sought and to be provided shall be for each manager and member owning or holding more than a 5% membership interest.

(c) If a change in any information included in an application submitted to the County Clerk occurs at any time while the application is under consideration, the applicant shall immediately file a written statement with the County Clerk indicating the nature and effective date of the change; material changes in application information will result in the application's filing date being deemed the date the material change information is filed with the County Clerk. If the change in information occurs during a license's term, the change in information statement must be filed with the County Clerk no later than ten days after the change(s) take effect. The County Clerk shall immediately forward all changes in information received to the Director. Changes occurring after the filing of an application in the identity of those persons required by this chapter to undergo background checks will require background checks and fingerprinting concerning the newly identified persons.

(d) Authorization for the County, its agents, and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the massage establishment license;

(e) Written declaration by the applicant, under oath, that the foregoing information contained in the application is true and correct, said declaration being duly dated, notarized, and signed in the county.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.050 Issuance Or Denial Of License For Massage Establishment

(a) Within 45 days of the County Clerk's receipt of the applicant's application, the Director shall make a written recommendation to the County Board's Public Health Committee as to whether to grant or deny the application, and the Director's written recommendation shall be provided to the applicant at the same time. The Director's recommendation shall be based upon the Department of Public Health's and the Department of Building and Zoning investigations and written reports concerning the

application, all other written reports based on Section 5.16.030 investigations, the Regional Office of Education background reports, and any other competent evidence brought to the Director's attention concerning whether the applicant's proposed massage establishment meets the standards set forth in this chapter, the Sangamon County Code, and Illinois law.

(b) After receiving the Director's recommendation, the Public Health Committee shall consider the application at its next regularly scheduled meeting, and the Public Health Committee shall give the applicant notice of the meeting and advise the applicant that the applicant must be present at the meeting(s) where the Public Health Committee will consider its application. The applicant's failure to appear at any hearing concerning its application shall result in the denial of the license application. All Public Health Committee meetings regarding the application shall be recorded. At all meetings concerning an application, the applicant may present argument and evidence in favor of the granting of the license. The Public Health Committee may continue any meeting regarding an application for further, specified investigations the Public Health Committee desires or in order to have adequate time to receive additional argument and evidence concerning the application.

(c) Prior to making its licensing decision, the Public Health Committee shall consider the Director's written recommendation and all arguments and evidence relevant to its licensing decision, including argument and relevant evidence presented by the applicant and by those conducting investigations or providing information concerning the application.

(d) The Public Health Committee shall order the County Clerk, upon the applicant's payment of a \$300 licensing fee (which, regardless of the license's issuance date, shall not be prorated), to issue a license to maintain, operate, or conduct a massage establishment unless the Public Health Committee finds in a written order which explains the basis therefore:

(1) That the operation of the massage establishment, as proposed by the applicant, would not comply with all applicable laws applicable to massage establishments, including, but not limited to, this chapter;

(2) That the applicant and any other person who will be directly or indirectly engaged in the management and operation of a massage establishment has been convicted of or pled guilty to:

a. A felony;

b. An offense involving sexual misconduct with children; or

c. Prostitution, soliciting for a prostitute, keeping a place of prostitution, pimping, or other similar offense opposed to decency and morality.

(3) That the applicant has failed or refused to give information relevant to the investigation of the application; submitted false, misleading, or incomplete information; or has refused to submit to or cooperate with any inspection required

by this chapter.

(e) The Public Health Committee, at its discretion, may issue a license to any person convicted of or who has pled guilty to any felony, if it finds that such conviction occurred at least five years prior to the date of application, the applicant has had no subsequent convictions, and the applicant has shown evidence of rehabilitation sufficient to warrant the public trust.

(f) Every massage establishment license issued pursuant to this article shall expire on December 31 of each year, unless sooner suspended or revoked in accordance with this chapter.

(g) If the Public Health Committee fails to approve or deny an application within 90 days of its filing with the County Clerk, that application shall be deemed denied.

(h) The appeal of the denial of an application for a massage establishment license shall be to the Illinois circuit court, with further appeal as allowed by Illinois law.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.060 Facilities Necessary.

(a) No massage establishment shall be issued a license, nor be operated, established or maintained in the unincorporated area of Sangamon County, unless said establishment complies with each of the following minimum requirements:

(1) Construction of room used for toilets, tubs, steam baths and showers shall be made waterproof with approved waterproof materials and shall be installed in accordance with the Sangamon County building code;

(2) All massage tables, bathtubs, shower stalls, steam or bath areas, lavatories, and floors shall have surfaces which may be readily disinfected.

(3) Adequate bathing, dressing, locker, and toilet facilities shall be provided for patrons to be served at any given time. In the event male and female patrons are to be served simultaneously, separate bathing, dressing, locker, toilet, and massage room facilities shall be provided. Separate toilet and lavatory facilities shall be maintained for personnel.

(4) 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.

(5) Closed cabinets shall be provided and used for the storage of clean linen, towels, and other materials used in connection with administering massages. All soiled linens, towels, and other materials shall be kept in properly covered containers or cabinets, which shall be kept separate from the clean storage areas.

(6) Toilet facilities shall be provided within the massage establishment in

convenient locations. When five or more employees and patrons of different sexes are on the premises at the same time, separate toilet facilities shall be provided. A single water closet per sex shall be provided for each 20 or more employees or patrons of that sex on the premises at any one time. Urinals may be substituted for water closets after one water closet has been provided. Toilet facilities shall be designated as to the sex accommodated therein.

(7) Lavatories or washbasins shall provide both hot and cold running water and shall be installed in the toilet room. Lavatories or washbasins shall be provided with a soap dispenser and sanitary towels.

(8) The premises shall be equipped with a service sink for custodial service.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.070 Operating Requirements.

(a) Every portion of the massage establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.

(b) Price rates for all services shall be prominently posted in the reception area in a location available to all patrons and prospective customers or provided to all patrons and prospective customers as a written price list.

(c) All employees, managers, persons with supervisory authority, massage therapists, agents, and independent contractors shall wear clean, non-transparent outer garments, which cover the sexual and genital areas while on the licensed premises. Employees, massage therapists, agents, and independent contractors shall not disrobe, or offer or agree to disrobe, either wholly or partially while in the presence of any patron receiving massage services. A separate dressing room for each sex must be available on the premises with individual lockers for each employee and massage therapist. Doors to such dressing rooms shall open inward and shall be self-closing.

(d) All massage establishments shall maintain clean, laundered sheets and towels in sufficient quantity, and shall be laundered after each use thereof and stored in a sanitary manner.

(e) The sexual or genital area of patrons must be covered by towels, cloths, or undergarments when in the presence of an employee, manager, person with supervisory authority, massage therapist, agent, or independent contractor.

(f) It shall be unlawful for any employee, manager, person with supervisory authority, massage therapist, agent, or independent contractor, to place his or her hand upon, to touch with any part of his or her body, to fondle in any manner, or to massage a sexual or genital area of any person while on the licensed premises.

(g) No employee, manager, person with supervisory authority, massage therapist, agent or independent contractor shall perform, or offer or agree to perform any act which

would require the touching of the patrons' genital area.

(h) All walls, ceilings, floors, pools, showers, bathtubs, steam rooms, and all other physical facilities shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms, or steam or vapor cabinets, shower compartments, and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs and showers shall be thoroughly cleaned after each use. When carpeting is used on the floors, it shall be kept dry.

(i) Oils, creams, lotions, or other preparations used in administering massages shall be kept in clean, closed containers or cabinets.

(j) No massage therapist shall administer a massage to a patron impaired by intoxicating liquor or drugs, nor shall any massage therapist administer a massage to a patron while impaired by intoxicating liquor or drugs.

(k) No massage therapist shall administer a massage to a patron exhibiting any skin fungus, skin infection, skin inflammation, or skin eruption, unless a physician or nurse practitioner duly licensed by the State of Illinois certifies in writing that such person may be safely massaged and prescribing the conditions thereof.

(l) Each massage therapist shall wash his or her hands in hot running water, using a proper soap or disinfectant before administering a massage to each patron.

(m) (1) All licensees shall maintain, as a business record of the licensed massage establishment, a record of:

- a. The date and time of all massage services performed at the licensed premises;
- b. The name of the massage therapist administering massage services; and
- c. The amounts received for massage services.

(2) The record of the date, time, and service provided must be made before services are initiated, and the record of the amount received for services must be made at the time payment is rendered. All records shall be kept for a period of at least one year and shall be made available in a format that can be inspected at any reasonable time upon request of authorized County agents or employees and their designees.

(n) The main entrance to the massage establishment where patrons and potential customers are greeted shall be clearly visible from the outside and shall have and maintain clear glass that is not painted over, darkened, or otherwise blocked by cloth or any other obstruction.

(o) A sign shall be posted in a prominent location near the main entrance of the massage establishment identifying the establishment as a massage establishment and state the trade or business name as it appears on the massage establishment's license.

(p) Prospective customers and patrons shall be provided with written notice which states the following:

"State law prohibits soliciting another for the purpose of a sexual act. Solicitation can be punishable as a Class 4 felony, subject an offender to fines and imprisonment, and impoundment of any vehicle used by the offender to commit the offense. Offers or requests to buy or purchase sexual services or acts shall be immediately reported to law enforcement."

(q) Written notice shall be posted in a conspicuous location accessible to all employees and massage therapists which states the following:

"State law prohibits soliciting another for the purpose of a sexual act, Solicitation can be punishable as a Class 4 felony, subject an offender to fines and imprisonment, and impoundment of any vehicle used by the offender to commit the offense. Offers or requests to buy or purchase sexual services or acts should be immediately reported to the Sangamon County Sheriff by calling 911."

(r) The hours of operation for massage establishments shall be limited to the hours between 8:00 a.m. and 9:00 p.m.

(s) There shall be not be placed, published, or distributed any advertisement, picture, or statement in any manner or medium which is false, deceptive, or misleading in order to induce any person to purchase or utilize any massage services, or which reasonably appears to suggest or imply any sexual activity in connection with massage services.

(t) No person shall reside or be allowed to remain overnight in the licensed premises; provided, however, that if the licensed premises contains living quarters that are properly zoned and authorized for such residential use above the massage establishment, the entrance to such living quarters shall be separate from the entrance to the massage establishment and shall not be accessible in any manner from the interior of the massage establishment.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.080 Advertising.

No massage establishment granted a license under provisions of this chapter shall place, publish or distribute or cause to be placed, published, or distributed any advertising material that depicts any portion of the human body that would reasonably suggest or imply to prospective customers that any sexual activity is available or will be performed in connection with massage services, or that employees, managers, persons with supervisory authority, or massage therapists are dressed in any manner other than as prescribed in this chapter, nor shall any massage establishment suggest or imply in the text of such advertising that any sexual activity is available or will be performed in connection with massage services.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.090 Inspections.

The Director, Building and Zoning Department employees, the County Administrator, and any of their designees, may make inspections of all massage establishment granted a license under the provisions of this chapter and all premises where massage establishments are operating without a license in the unincorporated area of Sangamon County for the purposes of determining compliance with the provisions of this chapter. If an inspection reveals a violation of this chapter, the inspector shall prepare a detailed written report regarding the observed violation and immediately provide that written report to the Director. Such inspections shall be made at reasonable times and in a reasonable manner. As a condition of the issuance of a license under this chapter, the licensee consents to walk-through inspections by authorized County employees and agents, without notice, at any time during business hours or when any person is present inside the massage establishment. It shall be unlawful for any licensee or licensee agent or unlicensed owner or operator of a massage establishment or their agents to fail to allow such authorized County employees and agents access to massage establishment premises or to hinder such inspections in any manner.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.100 No Transfer Of License

No license for the operation of a massage establishment issued pursuant to the provisions of this article shall be transferable; provided, however, that upon the death or incapacity of a licensee, the massage establishment may continue in business for a reasonable period of time, not to exceed 90 days, to allow for the approval of a new license. All licenses issued under this chapter shall be considered personal and no license may be transferred or sold to any person. Any license issued under this chapter shall be only for a single and particular location and may not be transferred to any other location.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.110 Display Of License

Every licensee shall display a valid license in a conspicuous place within the massage establishment so that the same may be readily seen by patrons or prospective customers entering the premises.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.120 Employment Of Massage Therapists

(a) Massage establishments shall not employ or contract with any person as a massage therapist unless he or she holds a current, valid license issued by the Illinois Department of Financial and Professional Regulation or written proof of exemption from said license, as required by the Massage Licensing Act (225 ILCS 57/1 et seq.). Upon receiving notice or constructive notice that a massage therapist has been disciplined or subject to investigation by the department, the licensee shall be responsible for obtaining information as to the status of said massage therapist's license.

(b) Each massage establishment shall maintain a current list of all licensed massage therapists who perform massage services and proof of their current, valid license or written proof of exemption from said license as required by the Massage Licensing Act (225 ILCS 57/1 et seq.). The licensee shall allow inspection of such records at any reasonable time upon request by the County.

(c) No student or non-licensed person, other than a person with written proof of exemption from licensure as required by the Massage Licensing Act (225 ILCS 57/1 et seq.) shall be allowed in a massage therapy room with a patron unless accompanied by a licensed massage therapist at all times.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.130 Revocation Or Suspension Of License

Any license issued for a massage establishment under this chapter may be revoked or suspended by the Public Health Committee where any provision of this chapter, the Sangamon County Code, or any law concerning massage establishments is violated by the licensee or any massage therapist, employee, manager, person with supervisory authority, agent, or independent contractor of the licensee while at the massage establishment. For purposes of license revocation or suspension, the licensee shall be strictly liable for such violations, regardless of actual or constructive knowledge of such violations. It shall also be cause for revocation or suspension that the licensee has made a false statement on an application for a license or renewal thereof under this chapter, or in any case where the licensee refused to permit any duly authorized inspection of the licensed premises or the operations therein. Such license may also be revoked or suspended by the Public Health Committee upon the recommendations of a Sheriff's Deputy or authorized inspector that such business is being managed, conducted, or maintained without regard for the public health or health of patrons or prospective customers, or without due regard to proper sanitation or hygiene.

The Public Health Committee may also suspend or revoke a license for any grounds that would warrant the denial of the issuance of a license.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.140 No Renewal Of License

All active massage establishment licenses expire at midnight on December 31 of each year and are not renewable. Existing licensees must, to avoid a lapse in their licensing, timely file an application for a new license following the same application process followed by applicants seeking an initial license. Thus, to allow sufficient time for the County to investigate and consider applications under the procedures set forth in this chapter, all applications by existing licensees must be filed with the County Clerk on or before September 30 of each year.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.150 Nuisance

Any building used, operated, or maintained as a massage establishment in violation of this chapter with the intentional, knowing, reckless, or negligent permission of the owner, licensee, or person managing or supervising the building, together with all fixtures and other property used in violation of this chapter, are hereby declared to be a nuisance.

Upon written order of the Director, the massage establishment shall immediately cease operations until compliance with this chapter is established. If the massage establishment's owners, operators, or managers do not immediately comply with the Director's written order to cease operations, notwithstanding any other provisions of this chapter, at the request of the Public Health Committee, the Director, or the County Administrator, the State's Attorney may initiate circuit court proceedings to abate the nuisance by requesting the cessation of massage establishment services at the premises in question until compliance with this chapter is established, and the State's Attorney may further request that the court impose penalties as allowed by this chapter.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.160 Penalties

Any person in violation of this chapter shall be subject to a fine of not less than \$250 nor more than \$750 per offense. Each day the violation continues shall be a separate offense. The Public Health Committee shall have the right to prohibit occupancy of any premises utilized in violation of this chapter.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.170 Enforcement Procedure Before Public Health Committee

The Director shall cause a licensee to be served via U.S. Mail (at the licensee's address last identified in its most recent application) of any claim that the licensee has

violated this chapter. The notice shall advise the licensee of the nature of the charge, potential penalties, and the time, date, and location of the hearing in which the Public Health Committee will consider the matter, including the licensee's defenses to the charge.

The hearing shall be a public hearing. At the public hearing, evidence will be received upon the complained of violation, and the licensee may be represented by an attorney. The Public Health Committee or any of its members are authorized to issue subpoenas for such hearing. The hearing shall be recorded, and all evidence presented shall be preserved by the Committee. Upon consideration of the evidence adduced at the hearing, the Public Health Committee shall determine whether a violation occurred and, if so, the penalty to impose, which may include a monetary fine, prohibiting occupancy, a license suspension, a license revocation, or a combination thereof.

The appeal of any decision of the Public Health Committee to suspend or revoke a massage establishment license, to prohibit occupancy of premises where a massage establishment operates, or to impose any monetary fine upon a licensee shall be to the Illinois circuit courts, with further appeal as allowed by Illinois law.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.180 Number Of Licenses; Required For Each Location

The number of licenses issued to operate massage establishments in unincorporated Sangamon County shall not exceed four licenses at any time. Existing licensees shall be provided with the opportunity to obtain a license for the following year, provided they follow the application procedure and file their applications on or before September 30 of each year. A separate license is required for each massage establishment irrespective of common ownership or control of more than one massage establishment located in unincorporated Sangamon County.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025

5.16.190 Severability

If any provision of this chapter or the application thereof to any party, person, or circumstance is held invalid, that invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provisions or application of this chapter, and to that end the provisions or application of this chapter are declared to be severable.

HISTORY

Repealed & Replaced by Res. [Res 21-1](#) on 5/13/2025