

ORDINANCE NO. 171

AN ORDINANCE OF THE COUNTY OF BUCKS, PENNSYLVANIA AMENDING ORDINANCE NO. 166 OF 2022 TO REGULATE THE OPERATION OF MASSAGE THERAPY ESTABLISHMENTS AND PROMOTE FAIR LABOR PRACTICES

WHEREAS, the County of Bucks (the "County") enacted Ordinance No. 166 to regulate the operation of massage and alternative therapy establishments and to root out illicit establishments in Bucks County; and

WHEREAS, the successful implementation of Ordinance No. 166 has resulted in a substantial increase in the awareness of the number of illicit establishments which are either known or suspected to be engaged in human trafficking or other illegal activities; and

WHEREAS, a multi-faceted strategy for combatting human trafficking requires allocating resources in the most fair and efficient way possible; and

WHEREAS, the County requires additional flexibility in administering Ordinance No. 166 in order to ensure its continued success.

NOW THEREFORE, it is ORDAINED AND ENACTED that the County hereby AMENDS Section III (License of Regulated Establishments) of Ordinance No. 166, effective immediately, by replacing all references to the term "Bucks County Health Department" with the term "the County" and adding the following subsections:

G. Additional Waivers for Pre-existing Businesses

With respect to a Regulated Establishment that had been in operation for at least 60 days prior to the enactment of Ordinance No. 166, the Bucks County Health Director or their designee may grant a waiver of any of the requirements set forth in Section II. A. Such waiver(s) shall be in writing and shall include a finding that a waiver is consistent with the health, safety and welfare of the County and its citizens. Waivers may be granted for a period of two years or less and may be renewed by the Bucks County Health Director or their designee.

H. Further Review of Applications

Notwithstanding the other provisions in Section III. B., if the County is unable to determine whether a Regulated Establishment is operating in compliance with this Ordinance prior to the 60-day deadline set forth in that subsection, the Bucks County Health Director or their designee may refer the application to the Bucks County Law Department for further review or investigation. The applicant shall receive notice of such review or investigation within 60 days of such a referral and shall have the right to a return of the application fee during the pendency of such review or investigation.

ORDAINED AND ENACTED this 21st day of June, 2023.

BOARD OF COMMISSIONERS, BUCKS COUNTY, PENNSYLVANIA

BY: [Signature] Robert J. Harvie, Jr. (Chair)

BY: [Signature] Diane Ellis-Marseglia, LCSW (Vice-Chair)

BY: [Signature] Gene DiGirolamo (Secretary)

ATTEST: [Signature] Gail Humphrey, Chief Clerk

6/27/23