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Memorandum

To: Mayor & Council
From: David Reynolds
Re: Agenda Item: Consider Ordinance TC 2026-4 on Second Reading
Date: 05/19/2026

Purpose:

The purpose of this agenda item is to consider Ordinance TC 2026-4 on second reading.

During the regular Town Council meeting held on May 5, 2026, Town Attorney Haley Carmer presented information regarding a new state law requiring municipalities to establish procedures for conducting background checks for massage facility operators, owners, and certain employees. Haley provided the following overview related to Ordinance TC 2026-4:

The new state law requires municipalities to establish a process, by ordinance or resolution, for conducting background checks for massage facility operators, owners, and employees (“covered parties”). The Town Council may either conduct the review itself or designate another authority, such as the Police Chief or Town Administrator, to administer the process.

Under the law, operators are individuals responsible for operating a massage facility, excluding licensed massage therapists, who are regulated separately through state occupational licensing requirements. Owners are individuals or entities holding a legal ownership interest in a massage facility, excluding passive shareholders of publicly traded companies. Employees include individuals or independent contractors involved in the routine operations of the facility, excluding licensed massage therapists and independent contractors with limited client interaction.

Following presentation of the topic and Council discussion, Town Council approved Ordinance TC 2026-4 on first reading.

Ordinance TC 2026-4 is now presented to Town Council for second reading. No changes have been made since first reading.