

**STATE OF GEORGIA**

**TOWN OF TYRONE**

**ORDINANCE**

**NO. 2026-\_\_\_\_**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE TOWN OF TYRONE, GEORGIA; TO REVISE PROVISIONS PERTAINING TO MASSAGE; TO PROVIDE FOR SEVERABILITY; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND FOR OTHER PURPOSES.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF TYRONE AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT THE CODE OF ORDINANCES OF THE TOWN OF TYRONE AS IT PERTAINS TO MASSAGE (ARTICLE VIII OF CHAPTER 22), BE AMENDED AS FOLLOWS:**

**Section 1.** By adding new definitions to Section 22-345, pertaining to “Definitions”, of Division 1 of Article VIII of Chapter 22, to be inserted in said section in alphabetical order and to read as follows:

*Sexual contact* means any touching of the genitals, buttocks, anus, or female breast for sexual arousal or gratification.

*Specified sexual activities* means masturbation, prostitution, or solicitation thereof.

*State-licensed massage therapist* means a person licensed by the Georgia Board

of Massage Therapy in accordance with O.C.G.A. § 43-24A-1 *et seq.*

**Section 2.** By deleting Section 22-346, pertaining to “Administering of massages”, of Division 1 of Article VIII of Chapter 22, in its entirety, and by replacing it with a new Section 22-346 in Division 1 of Article VIII of Chapter 22, to be numbered and read as follows:

**Sec. 22-346. Administering of massages.**

- (a) All massage services shall be performed only by state-licensed massage therapists in good standing, unless expressly exempted under state law.
- (b) In administering massages under this article, the conditions of the massage room shall meet the standards set forth in section 22-368.

**Section 3.** By deleting Section 22-366, pertaining to “License required; fee”, of Division 2 of Article VIII of Chapter 22, in its entirety, and by replacing it with a new Section 22-366 in Division 2 of Article VIII of Chapter 22, to be numbered and read as follows:

**Sec. 22-366. License required; fee.**

- (a) It shall be unlawful for any person, partnership, firm, corporation or other entity to operate a massage establishment or permit massage services to be performed without first having obtained the license required by this division.
- (b) The license fee for a massage establishment shall be as set forth in the Town’s fee schedule, as adopted and amended from time to time by the town council.

- (c) In addition to the license required under this article, the licensee shall also obtain an occupation tax certificate as required under article 2, division 4 of this chapter.
- (d) Licenses shall be prominently displayed on the premises at all times.
- (e) Licenses issued under this article are non-transferable and location specific.

**Section 4.** By deleting Section 22-367, pertaining to “Written application—Required information”, of Division 2 of Article VIII of Chapter 22, in its entirety, and by replacing it with a new Section 22-367 in Division 2 of Article VIII of Chapter 22, to be numbered and read as follows:

**Sec. 22-367. Written application—Required information.**

- (a) Any person desiring to obtain a license to operate a massage establishment shall make application to the town clerk. Such application shall be in writing and shall set forth the following information:
  - (1) Proof that all massage therapists employed or contracted are currently licensed by the State of Georgia;
  - (2) The full legal name of the applicant, including all aliases, nicknames, pseudonyms or trade names currently or heretofore used by the applicant;
  - (3) The current and all previous business and residence addresses of the applicant within the two years immediately preceding the date of application;
  - (4) Sworn affidavits of at least three bona fide residents of the county that the applicant is a person of good moral character;

- (5) Written proof that the applicant is over the age of 18 years;
  - (6) Two current photographs of the applicant at least two inches by two inches in size;
  - (7) The business, occupation, or employment of the applicant for three years immediately preceding the date of application;
  - (8) Any massage or similar business license history of the applicant, including whether such person, in any previous operation in any jurisdiction, has had such a license revoked, denied, or suspended, the reason therefor, and any business activity or occupation subsequent to the action of suspension, revocation, or denial;
  - (9) All convictions, including pleas of guilty and/or nolo contendere, of violations of any law and the grounds therefor; and
  - (10) The name and contact information of the on-site manager responsible for compliance.
- (b) Applicants shall provide a floor plan of the establishment identifying all massage rooms, restrooms, and common areas.
- (c) The applicant shall be fingerprinted by the town and such fingerprint card and record shall be attached as an exhibit to the application.
- (d) If the applicant is a partnership, such partnership shall submit the foregoing information and exhibits with regard to each employee, agent, general partner, or limited partner. If the applicant is a corporation, such corporation shall submit the foregoing information and exhibits with regard to each officer and employee and shall also submit a

complete list of the stockholders of said corporation, including names, current addresses and current occupations.

**Section 5.** By retitling Section 22-368, currently titled as “Same—Massage establishment”, of Division 2 of Article VIII of Chapter 22, as “Massage establishment standards”, and by adding new Subsections (g) through (l) to said Section 22-368 of Division 2 of Article VIII of Chapter 22, to be numbered and read as follows:

(g) Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.

(h) A current schedule of services and prices shall be prominently posted in the public reception or lobby area of the massage establishment in a location clearly visible to patrons prior to the provision of services. The price list shall be maintained in a legible condition at all times and shall accurately reflect the services offered.

(i) The premises of a massage establishment shall be arranged and maintained for the conduct of a commercial business and shall not be configured or used as a residence or sleeping quarters. The use of beds, mattresses, or other furniture or fixtures designed for sleeping is prohibited. All massage services shall be performed on massage tables, chairs, or other equipment designed for professional massage therapy. Full kitchen facilities intended for residential living are prohibited; however, employee breakroom amenities such as a refrigerator, microwave, sink, or similar limited food preparation equipment shall be permitted.

(j) No massage establishment shall permit or engage in sexual contact or specified sexual activities on the premises.

(k) Each massage therapist shall display a valid state license in the treatment room or wear a visible identification badge issued by the establishment.

(l) The town, fire marshal, or law enforcement officers may inspect the premises during normal business hours to ensure compliance.

**Section 6.** By deleting Subsection (b) of Section 22-369, pertaining to “Refusal to grant or restore licenses; discipline of licensees; suspension, revocation, or restriction of licenses”, of Division 2 of Article VIII of Chapter 22, in its entirety, and by replacing it with a new Subsection (b) in Section 22-369 of Division 2 of Article VIII of Chapter 22, to be numbered and read as follows:

(b) In the event the town clerk denies an application for a license or finds that a license should be revoked or suspended pursuant to subsection (a) of this section, notice of such denial, suspension, or revocation shall be transmitted to the applicant or licensee, in writing, with the reasons for that action specified. The applicant or licensee shall have the right to appeal such denial, suspension, or revocation to the town council. Such appeal shall be filed in writing no later than ten days from the date of the town clerk's decision. A hearing shall be held at the next available regular meeting of the town council, provided that said meeting is at least ten days from the date of the written notice of appeal. Within ten days from the date of the conclusion of the hearing, the town clerk shall notify the applicant or licensee, in writing, of the decision of the town council. The decision of the town council shall be final.

**Section 7.** By adding a new Subsection (e) to Section 22-369, pertaining to “Refusal to grant or restore licenses; discipline of licensees; suspension, revocation, or restriction of licenses”, of Division 2 of Article VIII of Chapter 22, to be numbered and read as follows:

(e) Each day a violation exists shall constitute a separate offense.

**Section 8.** This ordinance shall become effective immediately upon its adoption by the Mayor and Council for the Town of Tyrone.

**Section 9.** All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 10.** In any event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Mayor and Council hereby declare that it would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

**SO ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

MAYOR AND COUNCIL FOR THE  
TOWN OF TYRONE

By: \_\_\_\_\_  
Eric Dial, Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
Dee Baker, Town Clerk

Approved as to form:

\_\_\_\_\_  
Town Attorney