

**TOWNSHIP OF WEST WINDSOR  
COUNTY OF MERCER, NEW JERSEY**

1st Reading November 13, 2023  
 2nd Reading & Public Hearing November 27, 2023  
 Date Adopted November 27, 2023  
 Date Effective December 15, 2023  
 DOT APPROVAL RECEIVED \_\_\_\_\_

Date to Mayor November 27, 2023  
 Date Signed November 28, 2023  
 Date Resubmitted to Council \_\_\_\_\_  
 Approved as to Form and Legality \_\_\_\_\_

*[Signature]*  
 Township Attorney  
 Michael W. Herbert Esq.

2023-17

AN ORDINANCE AMENDING AND SUPPLEMENTING PART II "GENERAL LEGISLATION" OF  
 THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW  
 JERSEY (1999) CHAPTER 109 "MASSAGE, BODYWORK AND SOMATIC THERAPY  
 ESTABLISHMENTS" SECTION 109-6 INSPECTION REQUIREMENTS PART B

**RECORD OF VOTE**

First Reading							Second Reading						
Council	Yes	No	NV	AB	Mov	Sec	Council	Yes	No	NV	AB	Mov	Sec
Gawas	✓						Gawas	✓					
Geevers	✓					✓	Geevers	✓					
Mandel	✓						Mandel	✓					
Stevens	✓				✓		Stevens	✓					✓
Whitfield	✓						Whitefield	✓				✓	

x-Indicates Vote AB-Absent NV-Not Voting Mov-Moved Sec-Seconded

*[Signature]*  
 \_\_\_\_\_  
 Hemant Marathe, Mayor

November 28, 2023  
 \_\_\_\_\_  
 Date

Rejected \_\_\_\_\_

Reconsidered by Council \_\_\_\_\_

Override Vote: YES \_\_\_\_\_ NO \_\_\_\_\_

*[Signature]*  
 \_\_\_\_\_  
 Gay M. Huber, Township Clerk

AN ORDINANCE AMENDING AND SUPPLEMENTING PART II "GENERAL LEGISLATION" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY (1999) CHAPTER 109 "MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENTS" SECTION 109-6 INSPECTION REQUIREMENTS PART B

WHEREAS, the Township of West Windsor has determined that requiring registration of massage, bodywork and somatic therapy establishments will serve to protect and promote the health and safety of the residents; and

WHEREAS, such regulation will require the amendment of the Township Code to revise the inspection requirements.

NOW THEREFORE BE IT ORDAINED by the West Windsor Township Council, County of Mercer, State of New Jersey that the Code of West Windsor Township be supplemented as follows:

Section I

§ 109-6 Inspection requirements.

- A. The Municipal Clerk, upon receiving an initial application for a massage, bodywork and somatic therapy establishment license, shall refer the application to the various municipal departments (i.e., Division of Code Enforcement, Zoning, Health, Fire and Emergency Services) for review, [and conformance with applicable state and Township Codes for such an establishment.]
- B. No massage, bodywork and somatic therapy establishment shall be issued a license or be operated, established or maintained in the Township unless the owner of the business can represent compliance with applicable [Uniform Construction Code, Uniform Fire Code, and] Health Codes **and represent** [with] no **Uniform Construction Code and Uniform Fire Code** violations and/or penalties [remaining] **remain** outstanding. In addition, the establishment must comply with each of the following minimum requirements:
  - (1) All massage tables, bathtubs, shower stalls, steam or bath areas and floors shall be constructed of material with surfaces which are smooth, nonabsorbent, and which may be readily disinfected.
  - (2) A public restroom shall be available to clients and employees during all business hours.
  - (3) Water closets and lavatories shall be in conformance with the regulations set forth in the New Jersey Uniform Construction Code, N.J.A.C. 5:23.
  - (4) If bathing, dressing and locker facilities are provided for the patrons and male and female patrons are served simultaneously, separate bathing, dressing, locker and massage room facilities shall be provided.
  - (5) The premises shall have adequate equipment for disinfecting nondisposable instruments and materials used in administering massages. Such nondisposable instruments and materials shall be disinfected after use on each patron.
  - (6) Adequate handwashing facilities shall be conveniently located to each treatment area to maintain clean hands and arms of all employees before, after and during treatments.
  - (7) Hand sinks shall be provided with hot and cold water capable of delivering running water under pressure at a temperature of 90° Fahrenheit to 110° Fahrenheit.

Section II:

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance deemed severable there from and shall not be affected.

Section III Effective Date

This Ordinance shall become effective twenty (20) days after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Township Council. Publication shall be in accordance with law.

Brackets mean removal[]; **Bold** and underline mean added

INTRODUCTION: November 13, 2023

PUBLIC HEARING: November 27, 2023

ADOPTION: November 27, 2023

MAYOR APPROVAL: November 28, 2023

EFFECTIVE DATE: December 18, 2023