

REF: M-13-24
DATE: December 5, 2024

GENERAL INFORMATION

Subject

Request - Text amendment to TMC 1116.0183, Correcting References to the ORC

Applicant - Toledo City Plan Commission
One Government Center, Suite 1620
Toledo, OH 43604

STAFF ANALYSIS

The Plan Commission is requesting a minor correction to TMC§1116.0183 *Sexually-Oriented Business*. The section currently contains three references to Ohio Revised Code Section 4731.16 when defining acceptable licensure for massage therapists. ORC Section 4731.16 gives the state medical board the power to administer or set a standard for examinations of competency to practice massage therapy. TMC§1116.0183 *Sexually-Oriented Business* is meant to reference ORC Section 4731.17, which grants the state medical board the power to issue licenses to practice massage therapy should an applicant meet the requirements. One of these requirements is to pass an examination as prescribed in currently-referenced ORC Section 4731.16. The requested text amendment seeks only to correct this scrivener's error.

STAFF RECOMMENDATION

Staff recommends that the Toledo City Plan Commission recommend approval of M-13-24, a text amendment to TMC 1116.0183, Correcting References to the ORC, for the following reason:

1. The text amendment corrects an error in the Zoning Code (**TMC§1111.0506(A)**).

ZONING TEXT AMENDMENT
TOLEDO CITY PLAN COMMISSION
REF: M-13-24
DATE: December 5, 2024
TIME: 2:00 P.M.

ZONING AND PLANNING COMMITTEE OF
CITY COUNCIL
DATE: January 8, 2024
TIME: 4:00 P.M.

AS
Two (2) Exhibits follow

Exhibit “A”
Existing

Chapter 1116 | Terminology

1116.0100 | General Terms

1116.0183 **Sexually-Oriented
Business**

As used in this Zoning Code, 'sexually-oriented business' means an inclusive term used to describe collectively: adult media store, bathhouse, lingerie modeling or photograph studio, massage parlor (except for massage therapy as licensed by the State of Ohio in Revised Code Section 4731.16), motion picture arcade booth, sex shop, sexual encounter center, sexually-oriented cabaret or sex-oriented cabaret, sexually-oriented cinema, sexually-oriented motion picture theater, or sex-oriented cinema. This collective term does not describe a specific land use and shall not be considered a single land-use category for purposes of the Zoning Code or other applicable ordinances.

- (12) **'Massage parlor'** means an establishment offering massage therapy and/or body work by a massage therapist not licensed under Revised Code Section 4731.16 or under the direct supervision of a licensed physician.
- (13) **'Massage studio'** means an establishment offering massage therapy and/or body work by a massage therapist licensed under Revised Code Section 4731.16 or under the direct supervision of a licensed physician.

Exhibit “B”

Modifications

(Additions in blue underline. Deletions in red strikethrough.)

Chapter 1116 | Terminology

1116.0100 | General Terms

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