

Fairfax County Massage Ordinance Updates

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Recent Milestones

- Board Matter on illicit massage, March 2020
  - Convene workgroup to develop a coordinated plan to address IMBs (Illicit massage businesses)
  - Provide a platform for information sharing
  - Conduct a review of possible changes to Fairfax County Ordinance (Chapter 28.1)
- County Executive Recommendations, February 2022
  - Strengthen Fairfax County ordinance, Chapter 28.1
  - Ordinance [should] reside in an agency with inspection authority
  - Focus on "robust ordinance that addresses the physical establishment and licensing requirements for establishment owners"

Current Ordinance

- Fairfax County Code Chapter 28.1, Massage Therapy, Establishments and Services adopted by the Board on February 7, 2000.

- Authorities:
  - Department of Cable and Consumer Services (DCCS) – Permitting and Regulation
  - Fairfax County Health Department (FCHD) – Cleanliness and Health, Safety
  - Fairfax County Police Department (FCPD) – Criminal Activity
  - Consumer Protection Commission (CPC) – Appeals

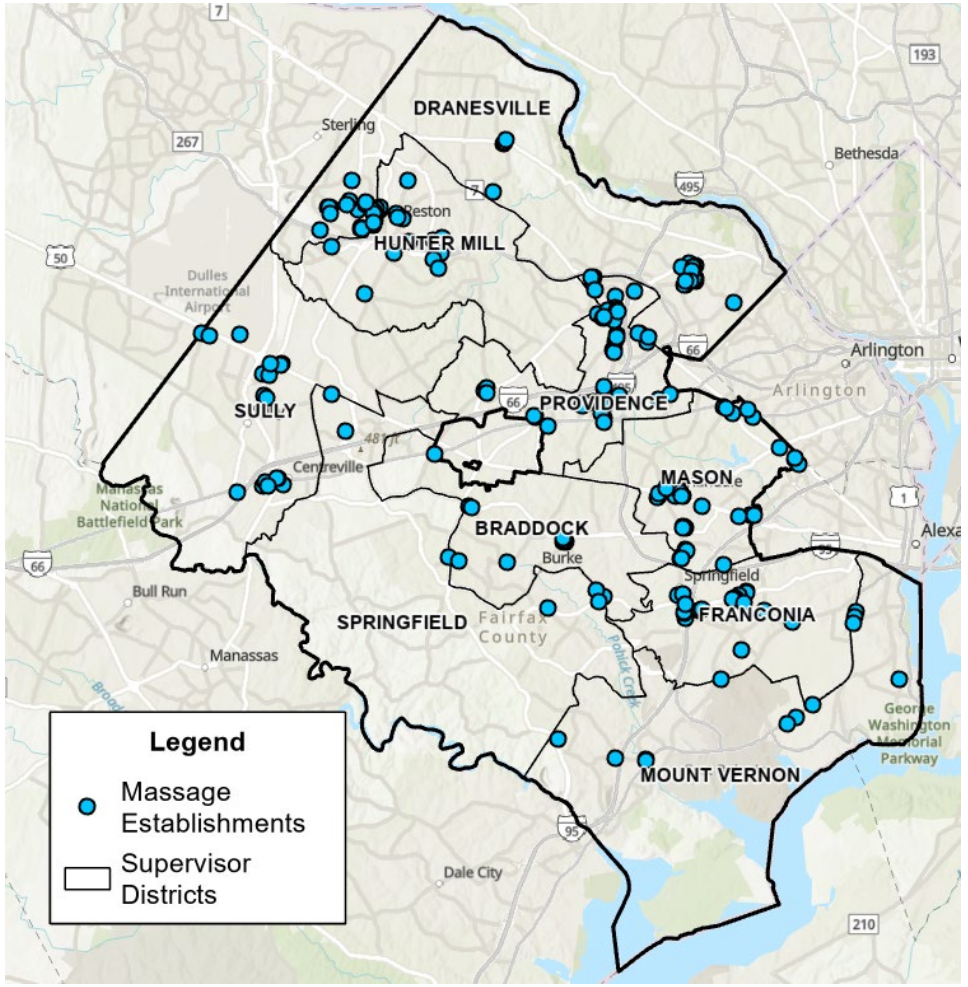
- Scope of existing ordinance:
  - Covers permitting of Massage Therapists and Massage Establishments in Fairfax County

Massage Establishment Permits

Massage Establishment Permit	Issued	Denied	Suspended	Revoked	Appealed
FY 2025 *(as of 4/23/25)*	66	0	0	0	0
FY 2024	221	0	0	0	0
FY 2023	199	1	0	0	0
FY 2022	212	0	0	0	0
FY 2021	197	0	0	0	0
FY 2020	187	0	0	0	0
FY 2019	233	0	0	0	0
FY 2018	223	1	0	0	0
FY 2017	211	0	0	0	0
FY 2016	212	0	0	0	0
Total	1961	2	0	0	0

Massage Establishments

District	Number of Massage Establishments
Braddock	23
Dranesville	78
Franconia	27
Hunter Mill	17
Mason	38
Mount Vernon	12
Providence	63
Springfield	7
Sully	22
Total	**287**



Massage Therapist Permits

Massage Therapist Permit	Issued	Denied	Suspended	Revoked	Appealed
FY 2025 *(as of 4/23/25)*	115	1	0	1	1
FY 2024	569	1	0	0	0
FY 2023	521	1	0	0	0
FY 2022	571	1	1	0	0
FY 2021	526	3	0	0	1
FY 2020	588	1	0	0	1
FY 2019	786	0	0	0	0
FY 2018	780	1	0	0	0
FY 2017	703	2	0	0	0
FY 2016	704	1	0	0	0
Total	5863	12	1	1	3

Proposal: New Ordinance

- **Repeal** Fairfax County Code Chapter 28.1, Massage Therapy, Establishments and Services
- **Adopt** Fairfax County Code Chapter 28.2, Massage Establishments
- Transfer full regulatory authority of Massage Establishments from the Department of Cable and Consumer Services to the Fairfax County Health Department
- Authorize the Fairfax County Health Department to:
  - Permit and regulate massage establishments pursuant to Fairfax County Code Chapter 28.2
  - Inspect massage establishments annually pursuant to Fairfax County Code Chapter 28.2
  - Hear appeals for certain denied, suspended, and revoked Massage Establishment Permits
- Scope:
  - Permits required for Massage Establishments
  - Eliminates local permitting of Therapists, acknowledging state licensure. Places accountability for therapist licensure on establishment.

Proposed Ordinance Notable Updates

- Plan review required for new facilities and compliance with Fairfax County Zoning Ordinance and relevant Fairfax County Building Codes.
- Prohibitions on:
  - Controlled entry;
  - Sleeping quarters within or adjacent to massage establishments;
  - Employee use of alcohol, possession or use of other controlled substances; and
  - Obscene, erotic, or sexually explicit advertising.
- Provision to require training as mandated by the Health Department based on trends, need
- Updated fee schedule:
  - Massage Establishment Application $200
  - Plan Review: New Submission, Renovation, Change of Ownership $200
  - Reinspection $100
  - Permit Reinstatement $200

Massage Fee Jurisdictional Analysis

Jurisdiction	Massage Therapist	Massage Establishment
Fairfax County, VA	$50	$75
Arlington County, VA	Repealed	Repealed
City of Alexandria, VA	Repealed	Repealed
Loudoun County, VA	Repealed	Repealed
City of Fairfax, VA	$100*	$150*
City of Falls Church, VA	$50	$50
Prince William County, VA	N/A	$204
Spotsylvania County, VA	$50*	$75*
Prince George's County, MD	$100	$1500-$3000
Montgomery County, MD	$500	$2000
Washington, DC	$177	$962.50

* Fee covers two years

Next Steps

- Board feedback – May 2025
- Meeting with Consumer Protection Commission – Spring 2025
- Develop broader Communications and Implementation Plans – Spring/Summer 2025
- Complete draft of proposed Fairfax County Code Chapter 28.2 – Summer 2025
- Meetings with Internal and External Stakeholders – Summer/Fall 2025
- Board Public Hearing – Fall/Winter 2025
- New Ordinance, Fairfax County Code Chapter 28.2 – effective January 1, 2026
- Continued coordination with stakeholders, development of new process, migration of data/files, transfer of duties, other administration functions – CY 2026

