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ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 5.16 and CHAPTER 5.34 RELATED TO CERTAIN EXEMPTIONS FROM THE COUNTY BUSINESS LICENSE ORDINANCE

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. Section 5.16.140 of Chapter 5.16 of Title 5 of the El Dorado County Ordinance Code pertaining to business license fee exemptions is hereby amended to read as follows:

Sec. 5.16.140. – Exemptions.

The following persons are required to obtain the licenses and permits required by this title but are exempt from the payment of any fees therefor:

- A. Every veteran of the armed forces of the United States who presents a discharge or release from the service under honorable conditions for the following businesses: (i) hawking, peddling or vending any goods, wares or merchandise owned by him or her excepting alcoholic beverages, whether as an itinerant business or at a fixed place of business; or (ii) selling or providing services if the veteran is the sole proprietor of the business.
- B. Any commercial traveler whose business is limited to goods, wares and merchandise sold or dealt in at wholesale.

Section 2. Section 5.34.030 of Chapter 5.34 of Title 5 of the El Dorado County Ordinance Code pertaining to exemptions to adult-related establishments is hereby amended by adding subsection F to read as follows:

Sec. 5.34.030. Exemptions.

The provisions of this chapter shall not be applicable to or include the following:

- A. Hospitals, nursing homes, sanitariums or persons working in any such establishment;

- B. Persons holding an unrevoked certificate to practice the healing arts under the laws of the State or persons working under the direction of any such person;
- C. Barbers or cosmetologists lawfully carrying out their particular occupation or business, and holding a valid, unrevoked license or certificate of registration issued by the State;
- D. Modeling schools or classes maintained pursuant to standards established by the State Board of Education; or
- E. Any recognized school of massage which:
 - 1. Teaches the theory, ethics, practice, profession and work of massage;
 - 2. Requires a residence course of study to be given before the student is furnished with a diploma or certificate of learning or completion; and
 - 3. Has been approved pursuant to Business and Professions Code § 4600 et seq., or if said school is not located in the State, has complied with the standards commensurate with those specified under State law.

A "recognized school of massage," as those terms are used in this subsection, shall not include a school or institution of learning offering or allowing correspondence course credit not requiring actual attendance at class, or courses of massage technician not approved by the State Massage Therapy Council.

- F. Persons holding a valid certificate for massage therapy services issued by the California Massage Therapy Council (CAMTC) pursuant to Business and Professions Code § 4600 et seq. and businesses that employ only CAMTC-certified massage therapists to perform massage therapy services. For purposes of this subsection, a business shall include a CAMTC-certified massage therapist who is the sole owner, operator and employee of a business operating as a sole proprietorship. All other provisions of the County Business License Ordinance shall apply.

Section 3. This ordinance shall take effect and shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____, 2023, by the following vote of said Board:

ATTEST

Kim Dawson

Clerk of the Board of Supervisors

Ayes:

By _____

Deputy Clerk

Noes:

Absent:

Chair, Board of Supervisors

**APPROVED AS TO FORM
DAVID LIVINGSTON
COUNTY COUNSEL**

By: _____

Title: _____