

§ 91.11 (b)

Item E-5



notice of the suspension shall be given to the licensee within seventy-two (72) hours of the suspension, and shall contain the effective date and time of such suspension. Notice shall be hand delivered to the manager or person in charge of the facility and also sent by first class mail to the licensee's last known address. A copy of the notice shall also be posted on the front door of the facility.



- (c) If the Massage Facility License is suspended pursuant to Section 11 (b), or if the City Manager or his/ her designee determines that the Massage Facility License should be suspended or revoked under the provisions of Section 11 (a), the City Clerk shall set a date and time for a due process hearing before City Council. The hearing shall be set for the next available regular Council meeting, taking into account the notice requirements of City Charter, City ordinance and State law. The City Clerk shall send a notice of the hearing to the licensee at the Massage Facility, as well as sent by first class mail to the licensee's last known address, if different than the Massage Facility. Additionally, a copy of the notice of the hearing shall also be posted on the front door of the Massage Facility.
- (d) The notice of hearing shall indicate that the City of Troy has initiated suspension and/or revocation proceedings, and shall state the reason for the suspension or requested revocation. The notice shall state the location of the hearing and the date and time that the licensee may appear before City Council to give testimony and show cause why the Massage Facility License should not be suspended or revoked.
- (e) At the due process hearing, City staff and/or other concerned individuals will have the opportunity to present evidence and testimony supporting the suspension or requested revocation. The licensee shall be allowed to present evidence and testimony at the hearing as to why the license should not be suspended or revoked. After the hearing, the City Council may revoke the Massage Facility License, suspend the Massage Facility License, or deny the suspension or revocation of the license. If City Council suspends the Massage Facility License, then Council shall clearly specify the length of the suspension, as well as any conditions that must be satisfied or corrective action that must be taken prior to restoration of the Massage Facility License.
- (f) If the licensee fails to satisfy Council's articulated conditions for restoration of a suspended Massage Facility License within the time allocated to the licensee, then Council can revoke the Massage Facility License. The licensee may appeal the City Council decision with the Oakland County Circuit Court. Any such appeal must be filed within 21 days of the final decision and shall be governed by the Michigan Court Rules applicable to an appeal from an administrative agency under MCLA 660.631.

12. Renewal of Massage Facility License:

An application to renew a license to operate a Massage Facility shall be filed at least fifteen (15) days prior to the date of license expiration. Such renewal shall be annual and shall be accompanied by the application fee.

- (a) The applicant(s) shall present the following information to the City Clerk's office for the renewal application:

9.
Correction of typographical error - Chapter 91
proposed ordinance