

JOHNSON / TURNER

— L E G A L —

October 29, 2015

Craig Zorn
1315 Greeley Street S., #1
Stillwater, MN 55082

Nirvana Massage and Spa
Attn: Craig Zorn
Stillwater Blvd. N.
Lake Elmo, MN 55042

Re: Nirvana Massage and Spa Renewal Application

Mr. Zorn:

This letter is to address portions in your Therapeutic Massage License renewal application of October 6, 2015. Pursuant to City Ordinance § 114.15(A), the city issues renewals in a form designated by the issuing authority. The full language of the applicable section is as follows:

Applications for the renewal of an existing license shall be made at least 30 days prior to the date of the expiration of the license and shall be made in such form as the issuing authority requires. If, in the judgment of the issuing authority, good and sufficient cause is shown by an application for the applicant's failure to submit a renewal application before the expiration of the existing license, the issuing authority may, if the other provisions of this chapter are complied with, grant the renewal application.

The form designated by the City is the Massage License Renewal Form, which you filled out and returned to the City on October 6, 2015.

First, your renewal application was made less than 30 days prior to the date of the expiration of your license, which is October 31, 2015. No explanation was given as to why it came late. However, second and more importantly, you answered "yes" to question 2 on the renewal form, which asks "[w]as any employee, owner or officer of the business ... charged with a violation of state or local laws regulating the practice of massage, or of any law prohibiting criminal sexual conduct, prostitution, pandering, indecent conduct, or keeping of a disorderly house." The form, as you are aware, indicates as follows:

This form may be used in place of a full Massage Therapy License Application, for the renewal of a previously issued massage license, **ONLY** if you are able to answer "**No**" to all of the following questions. These questions apply to the

56 East Broadway Avenue, Suite 206 / Forest Lake, MN 55025 / p 651.464.7292 f 651.464.7348 / johnsonturner.com

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This form may be used in place of a full Massage Therapy License Application, for the renewal of a previously issued massage license, ONLY if you are able to answer "**No**" to all of the following questions. These questions apply to the previous licensing period. If you answer "**Yes**" to any of the following questions, a full massage license application must be completed.


As a result of the "yes" answer, and as designated on the form, you are required to fill out a full massage license application, and cannot use the Massage License Renewal Form.

In the interim, and to the extent you wish to operate Nirvana Massage and Spa at some point in the future, please first complete a full license application pursuant to City Ordinances §§ 114.11 and 114.07, which will be submitted to the City Council after review and investigation by the issuing authority, pursuant to City Ordinance § 114.13.

Finally, it is my understanding that you have attempted to discuss with the City Clerk matters relating to your lawyer. Please direct further communications to our office.

Sincerely,

JOHNSON / TURNER LEGAL



David K. Snyder
DKS/mah

cc. City Clerk
Randy Tigie (via U.S. mail and e-mail: tiguelaw@msn.com)