



AGENDA

Orange City Council

June 29, 2026

Notice and Call of a Special Meeting

4:00 PM Regular Session

City Council Chamber
300 E. Chapman Avenue
Orange, CA 92866

DAN SLATER
Mayor

DENIS BILODEAU
Mayor pro tem, District 4

ARIANNA BARRIOS
Councilmember, District 1

JON DUMITRU
Councilmember, District 2

KATHY TAVOULARIS
Councilmember, District 3

ANA GUTIERREZ
Councilmember, District 5

JOHN GYLLENHAMMER
Councilmember, District 6

Jarad L. Hildenbrand
City Manager

Nathalie Adourian
City Attorney

Pamela Coleman
City Clerk

The City of Orange City Council welcomes you to this Special Meeting. Special Meetings are held for a specific purpose and when action is needed prior to the next Regular Meeting. The Mayor or a majority of the City Council may call a special meeting of the City Council with a minimum 24 hours notice.

Agenda Information

The agenda contains a brief general description of each item to be considered. The City Council may take legislative action deemed appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda. The agenda and supporting documentation for a special meeting is available no later than 24 hours prior to the Council meeting on the City's website at www.cityoforange.org, at the City Clerk's Office located at 300 E. Chapman Avenue, and at the Main Public Library located at 407 E. Chapman Avenue.

Public Participation

Public Comment shall be limited to only those items described on this Special Meeting Notice/Agenda (Government Code Section 54954.3(a)).

Public Comments are limited to three (3) minutes per speaker unless a different time limit is announced. It is requested that you state your name for the record, then proceed to address the City Council. All speakers shall observe civility, decorum, and good behavior.

ADA Requirements: In compliance with the Americans with Disabilities Act, if you need accommodations to participate in this meeting, please contact the City Clerk's office at (714) 744-5500. When possible, notification at least 48 hours in advance of meeting will enable the City to make arrangements to assure accessibility to this meeting.

REMINDER: Please silence all electronic devices while City Council is in session.

NOTICE IS HEREBY GIVEN, pursuant to Section 54956 of the California Government Code, that a Special Meeting of the Orange City Council is hereby called for the following purpose:

4:00 PM REGULAR SESSION

1. OPENING/CALL TO ORDER

1.1 PLEDGE OF ALLEGIANCE

Councilmember Jon Dumitru

1.2 ROLL CALL

1.3 PRESENTATIONS

Proclamation recognizing the United States Semiquincentennial (1776-2026)

Attachments: [Staff Report](#)
 [Draft Proclamation](#)

2. PUBLIC HEARINGS

2.1. Public Hearing to Receive the Required Report and Consider Extending Interim Urgency Ordinance No. 08-26 Establishing a Temporary Moratorium on New Massage Establishments

Recommended Action:

1. Conduct and close the Public Hearing.
2. Receive and file the report required pursuant to California Government Code Section 65858(d).
3. Adopt Urgency Ordinance No. 08-26-A extending Interim Urgency Ordinance No. 08-26 establishing a temporary moratorium on new massage establishments and the expansion of existing massage establishments for an additional twenty-two (22) months and fifteen (15) days while the City completes its review and adoption of updated Municipal Code and Zoning Code regulations.

Attachments: [Staff Report](#)
 [Attachment 1 Ordinance No. 08-26-A](#)
 [Attachment 2 Progress Report, June 25, 2026](#)
 [Attachment 3 City Council Agenda Report, May 26, 2026](#)
 [Attachment 4 Urgency Ordinance No. 08-26](#)

3. CLOSED SESSION

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a) & (d)(1) - One case
Name of Case: Cole McDonough v. City of Orange, et al.

United States District Court Case No. 8:26-cv-00881-JDE

4. CLOSED SESSION REPORT

5. ADJOURNMENT

The next Regular City Council meeting will be held on Tuesday, July 14, 2026, at 6:00 p.m., in the Council Chamber, with Closed Session beginning at 5:00 p.m., if necessary.

I, Pamela Coleman, CMC, City Clerk for the City of Orange, do hereby declare, under penalty of perjury, that a full and correct copy of this agenda was posted pursuant to Government Code Section 54950 et. seq., at the following locations: Orange Civic Center kiosk and Orange City Clerk's Office at 300 E. Chapman Avenue, Orange Main Public Library at 407 E. Chapman Avenue, Police facility at 1107 N. Batavia Street, and uploaded to the City's website www.cityoforange.org.

Date posted: June 25, 2026



Agenda Item

Orange City Council

Item #:

6/29/2026

File #: 26-0398

1. SUBJECT

Proclamation recognizing the United States Semiquincentennial (1776-2026)

2. SUMMARY

A proclamation recognizing the United States Semiquincentennial (1776-2026), commemorating the 250th anniversary of the nation's founding and the City's participation in this historic milestone.

3. ATTACHMENTS

- Draft Proclamation



Agenda Item

Orange City Council

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2. SUMMARY

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3. ATTACHMENTS

- Draft Proclamation

Proclamation

Honoring

United States Semiquincentennial

250 Years of Independence

WHEREAS, July 4, 2026, will be the 250th anniversary of the signing of the Declaration of Independence and the birth of the United States; and

WHEREAS, the United States was founded on the revolutionary principles proclaimed in the Declaration that “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed”; and

WHEREAS, these principles are the heritage of all Americans, regardless of ethnicity, national origin, religion, or political affiliation; and

WHEREAS, it is right and proper that citizens and residents of Orange County should be encouraged to commemorate and celebrate the historical ideals and aspirations embodied in the Declaration, and to reflect on the origin of the City of Orange, its history, and contributions to the development of California and the United States; and

WHEREAS, the 250th anniversary celebration provides a community-wide effort to equip our citizens and residents to engage in the civic life of their community and to listen to and learn from our history and each other to make a lasting impact for generations to come; and

WHEREAS, USA250-OC was formed to engage all Orange Countians in this once-in-a-generation opportunity to reflect on our founding principles and shared heritage, celebrate our achievements, look to our future, and collectively work towards a more perfect union; and

WHEREAS, USA250-OC engages Orange Countians through a dynamic website and robust social media; serves as a comprehensive resource with access to a broad range of historical resources; develops strategic partnerships with cities, civic organizations and others; is a catalyst for stimulating creativity and integrating experiences of all Orange Countians; inspires by building a sense of community; and provides significant programs focusing on our American founding and beyond; and

NOW, THEREFORE, I, Daniel R. Slater, Mayor of the City of Orange, and the entire City Council, do hereby recognize July 4th 2026 as the 250th anniversary of the foundation of our great nation, celebrating two-and-a-half centuries of the land of liberty, freedom, innovation and unlimited potential.

DATED this 29th day of June 2026.

Daniel R. Slater, Mayor

Arianna Barrios, Councilmember

Jon Dumitru, Councilmember

Kathy Tavoularis, Councilmember

Denis Bilodeau, Mayor pro tem

Ana Gutierrez, Councilmember

John Gyllenhammer, Councilmember



Agenda Item

Orange City Council

Item #: 2.1.

6/29/2026

File #: 26-0364

TO: Honorable Mayor and Members of the City Council

THRU: Jarad Hildenbrand, City Manager

FROM: Russell Bunim, Community Development Director

1. SUBJECT

Public Hearing to Receive the Required Report and Consider Extending Interim Urgency Ordinance No. 08-26 Establishing a Temporary Moratorium on New Massage Establishments

2. SUMMARY

California Government Code Section 65858(d) requires the City Council to receive a written report describing the measures undertaken to address the conditions that led to adoption of Interim Urgency Ordinance No. 08-26 before extending the ordinance. Since adoption of the initial moratorium, staff has evaluated the City's regulatory framework, reviewed best practices in neighboring jurisdictions, coordinated with the Orange Police Department and City Attorney's Office, and begun developing amendments to strengthen zoning, operational, and enforcement standards. Additional time is needed to complete this work and return comprehensive Municipal Code and Zoning Code amendments for City Council consideration. The proposed ordinance would extend the temporary moratorium on new massage establishments and the expansion of existing establishments for an additional 22 months and 15 days.

3. RECOMMENDED ACTION

1. Conduct and close the Public Hearing.
2. Receive and file the report required pursuant to California Government Code Section 65858 (d).
3. Adopt Urgency Ordinance No. 08-26-A extending Interim Urgency Ordinance No. 08-26 establishing a temporary moratorium on new massage establishments and the expansion of existing massage establishments for an additional twenty-two (22) months and fifteen (15) days while the City completes its review and adoption of updated Municipal Code and Zoning Code regulations.

4. FISCAL IMPACT

None. The proposed extension has no direct fiscal impact. Staff will continue its evaluation of regulatory options using existing budgeted resources.

5. STRATEGIC PLAN GOALS

Goal 1: Maintain Strong Emergency and Safety Services

6. DISCUSSION AND BACKGROUND

On May 26, 2026, the City Council adopted Interim Urgency Ordinance No. 08-26 establishing a temporary 45-day moratorium on new massage establishments and the expansion of existing massage establishments within the City. Pursuant to California Government Code Section 65858, the interim ordinance expires on July 10, 2026, unless extended following a duly noticed public hearing and four-fifths vote of the City Council.

Since adoption of Interim Urgency Ordinance No. 08-26, staff has made substantial progress evaluating the City's existing regulatory framework governing massage establishments. Staff has coordinated with the Orange Police Department and the City Attorney's Office, reviewed regulatory approaches used by neighboring jurisdictions, evaluated enforcement and operational best practices, and begun developing amendments to the Orange Municipal Code and Zoning Code. However, additional time is necessary to complete this work, conduct stakeholder outreach, evaluate evolving State law, and prepare comprehensive regulatory amendments for Planning Commission and City Council consideration. Accordingly, staff recommends extending the interim urgency ordinance pursuant to California Government Code Section 65858(b).

ANALYSIS/DISCUSSION:

Since establishment of the moratorium period, City staff commenced a comprehensive review of existing regulations governing massage establishments and began evaluating potential zoning and operational standards to address identified concerns.

At this time, there are no pending applications for new massage establishments. Staff continues to process renewal applications for existing permitted businesses in accordance with applicable municipal code requirements.

To allow sufficient time to complete its review and develop comprehensive regulatory recommendations, staff recommends that the City Council extend the interim Urgency Ordinance pursuant to California Government Code Section 65858(b) for an additional 22 months and 15 days, through May 25, 2028.

Maintaining the interim ordinance during this review period preserves the status quo while the City develops updated regulatory standards. Allowing new massage establishments or the expansion of existing establishments before completion of the City's review could undermine the City's ability to effectively address the public health, safety, and welfare concerns identified in the original urgency ordinance and could result in additional businesses operating under regulations the City has determined require further evaluation.

During the initial moratorium period, staff has undertaken numerous measures to alleviate the conditions that led to adoption of the interim ordinance. Those efforts include the following:

- Conducted a comprehensive review of existing massage establishment regulations and operational standards;
- Evaluated regulatory and enforcement best practices implemented by other jurisdictions;
- Monitored pending State legislation affecting the regulation of massage establishments,

beauty spas, and other personal care businesses;

- Participated in specialized enforcement training and regional interagency roundtable discussions addressing illicit business operations and regulatory compliance;
- Engaged stakeholders, including business owners, public safety personnel, neighboring jurisdictions, and community members; and
- Commenced preparation of proposed amendments to the City's zoning and regulatory framework for City Council consideration.

Staff anticipates returning to the Planning Commission and City Council with proposed code amendments before expiration of the extended interim ordinance.

Pursuant to California Government Code Section 65858(b), an extension of the interim urgency ordinance requires a duly noticed public hearing in accordance with California Government Code Section 65090 and adoption by a four-fifths vote of the City Council. If approved, the Ordinance will remain in effect through May 25, 2028.

This agenda item also includes the written progress report required by California Government Code Section 65858(d), documenting the measures undertaken by the City since adoption of Interim Urgency Ordinance No. 08-26 to alleviate the conditions that gave rise to the moratorium. Those efforts support the continued development of permanent zoning and operational regulations governing massage establishments. Additional background information may be found in the City Council Agenda Report dated May 26, 2026 (Attachment 3).

7. ATTACHMENTS

- Attachment 1 Urgency Ordinance No. 08-26-A
- Attachment 2 Progress Report, June 25, 2026
- Attachment 3 City Council Agenda Report, May 26, 2026
- Attachment 4 Urgency Ordinance No. 08-26



Agenda Item

Orange City Council

Item #: 2.1.

6/29/2026

File #: 26-0364

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FROM: Russell Bunim, Community Development Director

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None. The proposed extension has no direct fiscal impact. Staff will continue its evaluation of regulatory options using existing budgeted resources.

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- Attachment 4 Urgency Ordinance No. 08-26

ORDINANCE NO. 08-26-A

AN EXTENSION OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE REGARDING A TEMPORARY MORATORIUM ON MASSAGE ESTABLISHMENTS FOR 22 MONTHS AND 15 DAYS PENDING REVIEW AND ADOPTION OF REGULATORY AND ZONING STANDARDS UPDATES TO THE CITY'S MUNICIPAL CODE AND ZONING CODE.

WHEREAS, California Government Code Section 65858 authorizes the City Council to adopt an urgency ordinance imposing a temporary moratorium where there is a current and immediate threat to the public health, safety, or welfare; and

WHEREAS, California Constitution, Article XI, Section 7, authorizes cities to make and enforce within its limits all local, police, sanitary, and other ordinances, and regulations not in conflict with general laws; and

WHEREAS, the City protects the health, safety, and welfare of the community through numerous avenues, including by establishing and enforcing zoning, licensing and health and safety regulations on specified commercial activities; and

WHEREAS, in 2009, California Senate Bill 731 created the California Massage Therapy Council ("CAMTC") which limited cities' ability to regulate massage establishments; and

WHEREAS, in 2015, California Assembly Bill 1147 restored the ability of cities to regulate massage establishments through land use and local licensing and health and safety requirements, subject to certain regulations; and

WHEREAS, the City is authorized by State law, including, without limitation, California Government Code Section 51030 et seq. and California Business & Professions Code Section 16000 et seq. to regulate massage establishments; and

WHEREAS, such regulations include Chapter 5.56 of the Orange Municipal Code ("OMC"), which contains the licensing requirements and operational standards for massage establishments in the City; and

WHEREAS, in addition to the requirements of OMC Chapter 5.56, massage establishments are permitted only where massage services are lawfully operated as a permitted use or as an accessory use that is clearly incidental and integrated with the primary business, and where revenue derived from massage services does not exceed twenty-five percent (25%) of the business's gross income pursuant to OMC Section 17.13.040.PP; and

WHEREAS, despite the above regulatory framework, in recent years, the City has experienced issues related to illicit sexual activity and suspected prostitution at businesses offering massage services; and

WHEREAS, in recent years, substantial evidence obtained through more than twenty joint criminal investigations conducted by the Community Development Department's Code Enforcement Division and the Orange Police Department has revealed recurring health, safety, and code violations, including, but not limited to, unlicensed operations, non-state-certified massage therapists, unpermitted construction of rooms and shower facilities, unsanitary and poorly maintained facilities, unlawful alcohol service, illicit advertising of unprofessional conduct, and suspected unlawful sexual activity; and

WHEREAS, earlier this year, the Orange Police Department's Special Weapons and Tactics Team executed a court-authorized search warrant at a massage establishment with assistance from the City's Code Enforcement Division. The investigation documented multiple violations, including the absence of state-certified massage therapists, evidence that massage services were being performed at the time of inspection, unlawful alcohol service, and other conditions inconsistent with lawful operation, thereby demonstrating the ongoing and immediate nature of these enforcement concerns; and

WHEREAS, the above illegal activity resulted in significant public expense including code enforcement inspections, law enforcement surveillance operations, and administrative and legal review and enforcement actions. These illegal activities diverted resources from other pressing City needs; and

WHEREAS, massage establishments that offer illicit sexual activity pose an immediate and significant threat to the health, safety and welfare of the community. Among other things, these impacts include the potential for: (1) injury and abuse to patrons being solicited for unlawful services, and (2) increased opportunities for prostitution activity and human trafficking of workers by virtue of the secretive nature associated with offering unauthorized and undisclosed services; and

WHEREAS, the City Council finds that the development and establishment of new massage establishments, or the expansion or intensification of existing massage establishments, may have adverse impacts on the environment, traffic, aesthetics, and visual quality of surrounding properties and on the economic vitality within the City, and such impacts constitute and pose a current and immediate threat to the public health, safety, or welfare; and

WHEREAS, pursuant to California Government Code Sections 36937 and 65858, the City Council adopted an interim urgency, Ordinance No. 08-26, on May 26, 2026, establishing a temporary moratorium on massage establishments to allow the City the opportunity to research and select the best course of action to protect the public safety, health, and welfare; and

WHEREAS, Pursuant to California Government Code Section 65858, Ordinance No. 08-26 expires after 45 days, on July 10, 2026. During the initial moratorium period, staff began

evaluating the scope of the impacts of massage establishments, engaging stakeholders, attending training and exploring potential zoning and regulatory solutions; and

WHEREAS, California Government Code Section 65858(b) authorizes the City Council to extend the moratorium enacted by Ordinance No. 08-26 for an additional period of twenty-two (22) months and fifteen (15) days; and

WHEREAS, since adoption of Ordinance No. 08-26 on May 26, 2026, the City continues to receive complaints and reports about illegal activities occurring at massage establishments in the City; and

WHEREAS, the City therefore continues to be concerned about the efficacy of the existing massage establishment regulations in preventing and minimizing illegal activities at massage establishments within the City and about the impact of such activities upon sensitive receptors (e.g., residential properties, schools, community centers, places of worship) and the effect thereof upon the public health, safety and welfare; and

WHEREAS, since adoption of Ordinance No. 08-26, the City requires additional time to further gather data about the adverse impacts of massage establishments that provide illicit services, and to research, study, and consider ways to amend the City's regulatory process and the Orange Municipal and Zoning Codes to protect the public health and safety and reduce illegal activities occurring at these businesses; and

WHEREAS, the City Council desires to extend its temporary moratorium on the establishment of new massage businesses within the City for an additional twenty-two (22) months and fifteen (15) days, in accordance with California Government Code Section 65858(b); and

WHEREAS, the report required by California Government Code Section 65858, subdivision (d), has been prepared and made available to the public at the City Clerk's office. In addition, the agenda report accompanying this ordinance provides the information required under California Government Code Section 65858, subdivision (d); and

WHEREAS, all legal prerequisites for the adoption of this urgency ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I:

CEQA. The City Council finds that this ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, section 15061(b)(3) that this interim urgency ordinance is nonetheless exempt from the requirements of CEQA. Where it can be seen with certainty that there is no possibility that the

activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION II:

Incorporation. The recitals above are each incorporated by reference and adopted as findings by the City Council.

SECTION III:

Urgency Findings. This Ordinance is adopted under the provisions of California Government Code Sections 36937 and 65858. The City Council finds that massage establishments as described herein pose significant and urgent threats to the health, safety and welfare of the community as follows:

- a. In recent years, the City has experienced issues related to illicit sexual activity and suspected prostitution at businesses offering massage services.
- b. In recent years, the Community Development Department's Code Enforcement Division and the Orange Police Department have received emails, calls for service, and anonymous complaints from community members reporting suspected prostitution and illicit sexual activity occurring at massage establishments within the City.
- c. In recent years, substantial evidence obtained through more than twenty joint criminal investigations conducted by the Community Development Department's Code Enforcement Division and the Orange Police Department has revealed recurring health, safety, and code violations, including, but not limited to, unlicensed operations, non-state-certified massage therapists, unpermitted construction of rooms and shower facilities, unsanitary and poorly maintained facilities, unlawful alcohol service, illicit advertising of unprofessional conduct, and suspected unlawful sexual activity;
- d. Earlier this year, the Orange Police Department's Special Weapons and Tactics Team executed a court-authorized search warrant at a massage establishment with assistance from the City's Code Enforcement Division. The investigation documented multiple violations, including the absence of state-certified massage therapists, evidence that massage services were being performed at the time of inspection, unlawful alcohol service, and other conditions inconsistent with lawful operation, thereby demonstrating the ongoing and immediate nature of these enforcement concerns;
- e. The above illegal activity resulted in significant public expense including code enforcement inspections, law enforcement surveillance operations, and administrative and legal review and enforcement actions. These illegal activities diverted resources from other pressing City needs.
- f. Massage establishments that offer illicit sexual activity pose an immediate and significant threat to the health, safety and welfare of the community. Among other

things, these impacts include the potential for: (1) injury and abuse to patrons being solicited for unlawful services, and (2) increased opportunities for prostitution activity and human trafficking of workers by virtue of the secretive nature associated with offering unauthorized and undisclosed services.

- g. The City Council finds that additional time is necessary to allow staff to continue evaluating zoning and regulatory options, conduct outreach and coordination efforts with neighboring jurisdiction's and partner agencies, prepare draft amendments to the Orange Municipal Code and Zoning Code, and return to the City Council with recommendation intended to protect the public health, safety, and welfare.

SECTION IV:

Directive. The City Council hereby directs and orders that, during the time that this urgency ordinance is in effect, the City will not approve or issue any use permit, variance, building permit, or other applicable entitlement for the following: New massage establishments, or the enlargement of existing massage establishments. During the moratorium period, any massage establishment that has obtained a use permit will be allowed to obtain a license and building permit to establish. Existing massage businesses may continue to apply for licenses or license renewals, and the City may continue to make final decisions on those applications.

SECTION V:

Applications. The City will continue to accept and process applications for uses prohibited by this moratorium if so legally required. Any application received and processed during the moratorium shall be processed at the applicant's sole cost and risk with the understanding that no permit, approval or other entitlement for a use covered by Section 4, above, may issue while this moratorium or any extension thereof is in effect. Notwithstanding anything to the contrary, the City will process and make final decisions on massage establishment license applications and renewals thereof during the moratorium period or any extension thereof.

SECTION VI:

Effective Date and Duration. In accordance with California Government Code Sections 36937 and 65858, this moratorium shall take effect immediately upon its adoption by a four-fifths (4/5) vote of the City Council and shall remain in full force and effect for twenty-two (22) months and fifteen (15) days from the date of adoption unless earlier repealed, terminated or extended by the City Council pursuant to California Government Code Section 65858.

SECTION VII:

Report. No less than 10 days prior to the scheduled expiration of this Ordinance, staff shall issue a report to the City Council on the progress of its study and on determinations for how the City should proceed, insofar as conclusions have been drawn.

SECTION VIII:

Publication. The City Clerk is directed to certify the adoption of this Ordinance and post or publish this Ordinance as required by law.

SECTION IX:

Custodian of Records. The custodian of records for this Ordinance is the City Clerk and the records comprising the administrative record are located at Orange City Hall, 300 E. Chapman Avenue, Orange, California 92866.

SECTION X:

Enforcement. The City may enforce any provision of this Ordinance by mandamus, injunction, or any other appropriate civil remedy in any court of competent jurisdiction.

SECTION XI:

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

SECTION XII:

The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law.

ADOPTED this ____ day of _____, 2026.

Daniel R. Slater, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

APPROVED AS TO FORM:

Nathalie Adourian, City Attorney, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Ordinance was adopted as an urgency ordinance at a regular Meeting of the City Council held on the 26th day of May 2026, and thereafter was extended as stated at a special meeting of said City Council duly held on the 29th day of June 2026 by the following vote, to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange



City of Orange

Community Development Department
300 E. Chapman Ave.
Orange, CA 92866

To: Mayor and City Council

From: Russell Bunim, Community Development Director

Date: June 25, 2026

Subject: PROGRESS REPORT:
MEASURES TAKEN TO ALLEVIATE CONDITIONS WHICH LED TO ADOPTION OF
ORDINANCE NO. 08-26, AN URGENCY ORDINANCE ESTABLISHING A MASSAGE
ESTABLISHMENT MORATORIUM

This report is being submitted in accordance with Government Code Section 65858(d), which requires a written report describing the measures taken to alleviate the nuisance conditions that led to the adoption of a temporary moratorium prior to the extension of that moratorium.

On May 26, 2026, the City Council adopted Ordinance No. 08-26, establishing a 45-day moratorium on the approval, issuance, acceptance, or processing of permits, business licenses, and land use entitlements for new massage establishments within the jurisdictional boundaries of the City of Orange. The moratorium was enacted in response to concerns regarding illicit activities including massage services provided without proper State certification or licensing, unpermitted construction, unsanitary or unmaintained massage facilities, unprofessional business practices and prostitution.

Since the adoption of Ordinance No. 08-26, staff have undertaken the following steps to study and address these concerns:

- **Review of Existing Regulations:** Staff is engaging in a comprehensive review of the Orange Municipal Code (OMC) Chapter 5.56, as well as other current municipal code provisions related to massage establishments to identify areas for improvement related to massage establishment regulations.
- **Research of Best Practices:** Staff are reviewing regulatory frameworks used by other California cities including cities within Orange County that have successfully managed massage establishments.
- **Staff Training Needs:** Staff will participate in an upcoming regional roundtable training hosted by the California Association of Code Enforcement Officers on June 22, 2026, focusing on illicit massage business enforcement, inspection best practices, and effective local regulatory and enforcement strategies.
- **Zoning Analysis:** Staff are evaluating zoning strategies to better manage the location and density of massage establishments.



City of Orange

Community Development Department
300 E. Chapman Ave.
Orange, CA 92866

- **Coordination with Legal Counsel:** Staff have consulted the City Attorney's Office to ensure any proposed regulations are legally defensible and consistent with State law.

These efforts are ongoing, and due to the complexity of the matter, require additional time to complete. Therefore, staff recommend that the City Council adopt an urgency ordinance extending the moratorium for an additional 22 months and 15 days, through May 25, 2028.

CONTACT INFORMATION

For questions or additional information, please contact:

Russell Bunim,

Community Development Director

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rbunim@cityoforange.org



Agenda Item

Orange City Council

Item #: 9.3.

5/26/2026

File #: 26-0271

TO: Honorable Mayor and Members of the City Council

THRU: Jarad Hildenbrand, City Manager

FROM: Russell Bunim, Community Development Director

1. SUBJECT

Public Hearing to consider adoption of an urgency ordinance establishing a temporary moratorium on new massage establishments

2. SUMMARY

The proposed urgency ordinance establishes a temporary moratorium on the approval, issuance, acceptance, or processing of permits, business licenses, and land use entitlements for new massage establishments within the City. This action is necessary due to documented enforcement concerns involving massage establishments. The moratorium will allow the City time to finalize updated regulatory standards currently under development.

3. RECOMMENDED ACTION

1. Conduct and close the Public Hearing.
2. Adopt Ordinance No. 08-26 and the findings of urgency. An Urgency Ordinance of the City Council of the City of Orange establishing a temporary moratorium on massage establishments pending review and update to the City's Municipal Code and Zoning Code.

4. FISCAL IMPACT

No immediate fiscal impact. The proposed moratorium may temporarily delay potential business license revenue but is necessary to prevent future enforcement costs and resource demands associated with noncompliant operations.

5. STRATEGIC PLAN GOALS

Goal 1: Maintain Strong Emergency and Safety Services

6. DISCUSSION AND BACKGROUND

The City regulates massage establishments to protect public health, safety, and welfare. Massage business operators are currently required to obtain a City Business License, complete a fingerprint-based background check conducted by the Police Department, and comply with minimum zoning requirements prior to the issuance of a Massage Establishment Permit by the Finance Department.

However, the City's existing regulatory framework lacks several important operational and land use standards necessary to effectively regulate massage establishments and address ongoing

enforcement concerns. Current regulations do not include:

- Adequate separation requirements, including 500-foot buffer restrictions between massage establishments and sensitive uses such as public and private schools, daycare facilities, parks, and playgrounds;
- Clear zoning standards distinguishing primary massage establishments from ancillary wellness or beauty spa services, including establishments associated with chiropractic, acupuncture, barbering, esthetician, or similar uses, and limitations on the number of dedicated massage rooms;
- Conditional Use Permit requirements and operational performance standards;
- Sufficient regulations to deter illicit sexual activity and unprofessional conduct; and
- Effective enforcement mechanisms, including permit suspension and revocation procedures, and progressive administrative citation penalties for repeat violations.

As a result of these regulatory deficiencies, the City has experienced a significant increase in the number of massage establishments, with nearly 100 businesses currently operating citywide.

In recent years, the Orange Police Department and the Community Development Department's Code Enforcement Division have identified evidence of illicit sexual activity and other unlawful conduct occurring within certain massage establishments in the City of Orange. These activities negatively impact surrounding neighborhoods and commercial areas, create public safety concerns, and undermine economic development efforts by contributing to blight and adverse public perception.

Enforcement Actions in the City of Orange

Through inspections and joint enforcement operations, the Orange Police Department and Code Enforcement Division have identified more than 20 massage establishments engaged in violations including:

- Massage services provided without proper State certification or licensing;
- Failure to maintain qualified or certified massage therapists on site;
- Business operations inconsistent with approved land use standards or permitted uses;
- Unsanitary or unmaintained massage facilities,
- Suspected unlawful sexual activity occurring within establishments; and
- Misleading, deceptive, or otherwise noncompliant business practices.

In addition to violations involving illicit sexual activity and unprofessional conduct, Code Enforcement officers have documented numerous health, safety, and building code violations during inspections, including: unlicensed business operations; unpermitted interior construction such as partitioned rooms and shower facilities; unsafe electrical, gas, and plumbing systems; illegal residential occupancy; unlicensed alcohol service; and boarded or obscured windows designed to conceal interior activities or prevent visibility into the premises.

In at least one recent case, the City's Code Enforcement Division and Orange Police Department conducted a joint enforcement operation pursuant to a search warrant, during which officers documented multiple violations, including the absence of certified massage therapists and evidence that massage services were actively being performed in violation of City requirements at the time of inspection. These findings demonstrate the ongoing and immediate nature of the City's enforcement concerns.

The City has also observed recurring patterns in which massage establishments cease operations and subsequently attempt to reopen under new ownership, management, or business names, resulting in continued compliance issues and placing ongoing demands on City enforcement and public safety resources.

Massage and other establishments that offer illicit sexual activity pose an immediate and significant threat to the health, safety, and welfare of the community. Among other things, these impacts include the potential for: (1) injury and abuse to patrons being solicited for unlawful services, and (2) increased opportunities for prostitution activity and human trafficking of workers by virtue of the secretive nature associated with offering unauthorized and undisclosed services.

To address these concerns, the City is currently developing comprehensive amendments to its massage establishment regulations, including enhanced operational standards, updated permitting requirements, ownership and operator restrictions, zoning controls, and enforcement provisions designed to improve accountability and protect the public health, safety, and welfare.

Without the adoption of a temporary moratorium, additional massage establishments may become established or vested under the City's current regulatory framework before the proposed amendments can be completed and adopted. This could further increase enforcement burdens, undermine the effectiveness of future regulations, and exacerbate existing public safety and nuisance concerns.

Other cities throughout Orange County have recently adopted similar temporary moratoriums on new massage establishments as a proactive measure to preserve the status quo while evaluating and strengthening local regulatory frameworks. These actions reflect a broader recognition among municipalities that existing regulations may be insufficient to address evolving enforcement and land use challenges associated with massage establishments.

The Proposed Urgency Moratorium:

California Government Code Sections 36937 and 65858 authorize the City Council to adopt an Interim Urgency Ordinance to protect the public health, safety, and welfare. Section 65858 specifically permits the City to impose a temporary moratorium on land uses that may conflict with zoning regulations under study.

The proposed Urgency Ordinance includes the required findings that certain massage establishments have been associated with illicit activities that pose a threat to the community. If adopted by a four-fifths vote of the City Council (6 out of 7), the proposed Ordinance would take effect immediately and establish a 45-day moratorium on the approval or issuance of use permits, variances, building permits, and other entitlements for new massage establishments and the expansion of existing establishments.

During the moratorium, massage establishments that already possess a valid massage

establishment permit may continue to obtain business licenses and building permits, and existing businesses may continue to apply for and renew business licenses. The City may also continue processing and making final decisions on those applications.

The 45-day period will allow staff to collect data, assess the impacts of massage establishments, and develop recommendations for possible amendments to the Zoning Code and regulatory framework. Staff will also evaluate potential regulations for personal care businesses with private rooms, inspection requirements and schedules, and whether existing regulatory processes can be applied to other businesses where illicit massage activity may occur.

Under California Government Code Section 65858(b), the City Council may extend the moratorium for an additional 22 months and 15 days, for a maximum total duration of two years. Staff respectfully request that the City Council adopt the proposed interim urgency ordinance to provide time to study and address these issues.

7. ATTACHMENTS

- Urgency Ordinance No. 08-26

ORDINANCE NO. 08-26

**AN URGENCY ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF ORANGE
ESTABLISHING A TEMPORARY MORATORIUM
ON MASSAGE ESTABLISHMENTS PENDING
REVIEW AND UPDATE TO THE CITY'S
MUNICIPAL CODE AND ZONING CODE**

WHEREAS, California Government Code Section 65858 authorizes the City Council to adopt an urgency ordinance imposing a temporary moratorium where there is a current and immediate threat to the public health, safety, or welfare; and

WHEREAS, California Constitution, Article XI, Section 7, authorizes cities to make and enforce within its limits all local, police, sanitary, and other ordinances, and regulations not in conflict with general laws; and

WHEREAS, the City protects the health, safety, and welfare of the community through numerous avenues, including by establishing and enforcing zoning, licensing and health and safety regulations on specified commercial activities; and

WHEREAS, in 2009, California Senate Bill 731 created the California Massage Therapy Council (“CAMTC”) which limited cities’ ability to regulate massage establishments; and

WHEREAS, in 2015, California Assembly Bill 1147 restored the ability of cities to regulate massage establishments through land use and local licensing and health and safety requirements, subject to certain regulations; and

WHEREAS, the City is authorized by State law, including, without limitation, California Government Code Section 51030 et seq. and California Business & Professions Code Section 16000 et seq. to regulate massage establishments; and

WHEREAS, such regulations include Chapter 5.56 of the Orange Municipal Code (“OMC”), which contains the licensing requirements and operational standards for massage establishments in the City; and

WHEREAS, in addition to the requirements of OMC Chapter 5.56, massage establishments are permitted only where massage services are lawfully operated as a permitted use or as an accessory use that is clearly incidental and integrated with the primary business, and where revenue derived from massage services does not exceed twenty-five percent (25%) of the business’s gross income pursuant to OMC Section 17.13.040.PP; and

WHEREAS, despite the above regulatory framework, in recent years, the City has experienced issues related to illicit sexual activity and suspected prostitution at businesses offering massage services; and

WHEREAS, in recent years, substantial evidence obtained through more than twenty joint criminal investigations conducted by the Community Development Department's Code Enforcement Division and the Orange Police Department has revealed recurring health, safety, and code violations, including, but not limited to, unlicensed operations, non-state-certified massage therapists, unpermitted construction of rooms and shower facilities, unsanitary and poorly maintained facilities, unlawful alcohol service, illicit advertising of unprofessional conduct, and suspected unlawful sexual activity; and

WHEREAS, earlier this year, the Orange Police Department's Special Weapons and Tactics Team executed a court-authorized search warrant at a massage establishment with assistance from the City's Code Enforcement Division. The investigation documented multiple violations, including the absence of state-certified massage therapists, evidence that massage services were being performed at the time of inspection, unlawful alcohol service, and other conditions inconsistent with lawful operation, thereby demonstrating the ongoing and immediate nature of these enforcement concerns; and

WHEREAS, the above illegal activity resulted in significant public expense including code enforcement inspections, law enforcement surveillance operations, and administrative and legal review and enforcement actions. These illegal activities diverted resources from other pressing City needs; and

WHEREAS, massage establishments that offer illicit sexual activity pose an immediate and significant threat to the health, safety and welfare of the community. Among other things, these impacts include the potential for: (1) injury and abuse to patrons being solicited for unlawful services, and (2) increased opportunities for prostitution activity and human trafficking of workers by virtue of the secretive nature associated with offering unauthorized and undisclosed services; and

WHEREAS, pursuant to California Government Code Sections 36937 and 65858, the City Council may adopt an interim urgency ordinance to protect the public safety, health, and welfare. Section 65858 specifically allows a temporary moratorium to prohibit any uses that may conflict with a contemplated zoning proposal that the City wishes to study; and

WHEREAS, the City Council finds that the development and establishment of new massage establishments, or the expansion or intensification of existing massage establishments, may have adverse impacts on the environment, traffic, aesthetics, and visual quality of surrounding properties and on the economic vitality within the City, and such impacts constitute and pose a current and immediate threat to the public health, safety, or welfare; and

WHEREAS, City staff requires time to further gather data about the adverse impacts of massage establishments that provide illicit services, and to research, study, and consider ways to amend the City's regulatory process and the Orange Municipal and Zoning Codes to protect the public health and safety and reduce illegal activities occurring at these businesses; and

WHEREAS, all legal prerequisites to the adoption of this urgency ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I:

CEQA. The City Council finds that this ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act (“CEQA”) Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, section 15061(b)(3) that this interim urgency ordinance is nonetheless exempt from the requirements of CEQA. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION II:

Incorporation. The recitals above are each incorporated by reference and adopted as findings by the City Council.

SECTION III:

Urgency Findings. This Ordinance is adopted under the provisions of California Government Code Sections 36937 and 65858. The City Council finds that massage establishments as described herein pose significant and urgent threats to the health, safety and welfare of the community as follows:

- a. In recent years, the City has experienced issues related to illicit sexual activity and suspected prostitution at businesses offering massage services.
- b. In recent years, the Community Development Department’s Code Enforcement Division and the Orange Police Department have received emails, calls for service, and anonymous complaints from community members reporting suspected prostitution and illicit sexual activity occurring at massage establishments within the City.
- c. In recent years, substantial evidence obtained through more than twenty joint criminal investigations conducted by the Community Development Department’s Code Enforcement Division and the Orange Police Department has revealed recurring health, safety, and code violations, including, but not limited to, unlicensed operations, non-state-certified massage therapists, unpermitted construction of rooms and shower facilities, unsanitary and poorly maintained facilities, unlawful alcohol service, illicit advertising of unprofessional conduct, and suspected unlawful sexual activity;
- d. Earlier this year, the Orange Police Department’s Special Weapons and Tactics Team executed a court-authorized search warrant at a massage establishment with assistance from the City’s Code Enforcement Division. The investigation documented multiple violations, including the absence of state-certified massage therapists, evidence that massage services were being performed at the time of inspection, unlawful alcohol

service, and other conditions inconsistent with lawful operation, thereby demonstrating the ongoing and immediate nature of these enforcement concerns;

- e. The above illegal activity resulted in significant public expense including code enforcement inspections, law enforcement surveillance operations, and administrative and legal review and enforcement actions. These illegal activities diverted resources from other pressing City needs.
- f. Massage establishments that offer illicit sexual activity pose an immediate and significant threat to the health, safety and welfare of the community. Among other things, these impacts include the potential for: (1) injury and abuse to patrons being solicited for unlawful services, and (2) increased opportunities for prostitution activity and human trafficking of workers by virtue of the secretive nature associated with offering unauthorized and undisclosed services.

SECTION IV:

Directive. The City Council hereby directs and orders that, during the time that this urgency ordinance is in effect, the City will not approve or issue any use permit, variance, building permit, or other applicable entitlement for the following: New massage establishments, or the enlargement of existing massage establishments. During the moratorium period, any massage establishment that has obtained a use permit will be allowed to obtain a license and building permit to establish. Existing massage businesses may continue to apply for licenses or license renewals, and the City may continue to make final decisions on those applications.

SECTION V:

Applications. The City will continue to accept and process applications for uses prohibited by this moratorium if so legally required. Any application received and processed during the moratorium shall be processed at the applicant's sole cost and risk with the understanding that no permit, approval or other entitlement for a use covered by Section 4, above, may issue while this moratorium or any extension thereof is in effect. Notwithstanding anything to the contrary, the City will process and make final decisions on massage establishment license applications and renewals thereof during the moratorium period or any extension thereof.

SECTION VI:

Effective Date and Duration. In accordance with California Government Code Sections 36937 and 65858, this moratorium shall take effect immediately upon its adoption by a four-fifths (4/5) vote of the City Council and shall remain in full force and effect for forty-five (45) days from the date of adoption unless earlier repealed or extended by the City Council pursuant to California Government Code Section 65858.

SECTION VII:

Report. No less than 10 days prior to the scheduled expiration of this Ordinance, staff shall issue a report to the City Council on the progress of its study and on determinations for how the City should proceed, insofar as conclusions have been drawn.

SECTION VIII:

Custodian of Records. The custodian of records for this Ordinance is the City Clerk and the records comprising the administrative record are located at Orange City Hall, 300 E. Chapman Avenue, Orange, California 92866.

SECTION IX:

Enforcement. The City may enforce any provision of this Ordinance by mandamus, injunction, or any other appropriate civil remedy in any court of competent jurisdiction.

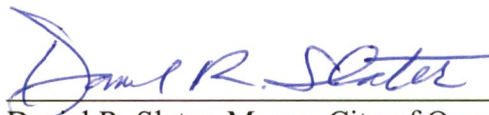
SECTION X:

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

SECTION XI:

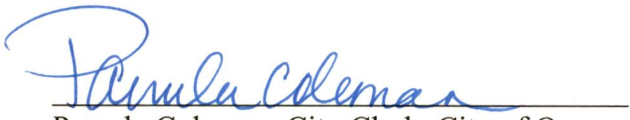
The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law.

ADOPTED this 26th day of May, 2026.



Daniel R. Slater, Mayor, City of Orange

ATTEST:


Pamela Coleman, City Clerk, City of Orange


APPROVED AS TO FORM:


Nathalie Adourian, City Attorney, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Urgency Ordinance was duly passed at the regular meeting of the City Council held on the 26th day of May, 2026 by the following vote, to wit:

AYES: COUNCILMEMBERS: Bilodeau, Barrios, Dumitru, Tavoularis, Gutierrez,
Gyllenhammer, Slater
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None


Pamela Coleman, City Clerk, City of Orange