

# Borough of Fair Lawn



## ORDINANCE NO. 2757-2025

### **AN ORDINANCE AMENDING CHAPTER 125, LAND DEVELOPMENT, OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 TO PROHIBIT MASSAGE PARLORS IN THE B-1, B-2, B-3, B-4, B-5, I-2 and I-2ER ZONING DISTRICTS**

**WHEREAS**, in 2019 the Borough of Fair Lawn (the “Borough”) adopted a new Chapter 144 of the Borough Code governing Massage, Bodywork and Somatic Therapy Establishments to ensure that such establishments are appropriately registered under the Bodywork Therapist Licensing Act, N.J.S.A. 45:11-53 et seq. (the “Act”), so that only those establishments that meet standards that protect and preserve the health, safety and welfare of their patrons and of Borough citizens, as a whole, are licensed to conduct business within the Borough; and

**WHEREAS**, in October 2024, the New Jersey State Commission of Investigation (“SCI”) issued a report (the “SCI Report”) of findings and recommendations stemming from their investigation into questionable practices and illicit activity, including prostitution and potential human trafficking, at massage establishments operating across the State; and

**WHEREAS**, the SCI report documented a 38% increase in illicit establishments across the State since 2019, when the current Chapter 144 of the Borough Code was adopted; and

**WHEREAS**, the Borough issued annual licenses for 2025 under Chapter 144 of the Borough Code to 16 massage, bodywork and somatic therapy establishments; and

**WHEREAS**, thus far in 2025, arrests for prostitution have been made at three (3) of those licensed establishments, and various Borough Code violations have been issued to those establishments as well; and

**WHEREAS**, proliferation of massage establishments that, as documented by the 2024 SCI Report, often bring with them criminal activity, human trafficking and other illicit activity detrimental to the public health, safety and welfare; and

**WHEREAS**, the number of existing massage establishments within the Borough exceed any demand that may be present for legitimate massage services; and

**WHEREAS**, pre-existing massage establishments lawfully operating as of the date of the passage of this ordinance shall be grandfathered, provided they are licensed in accordance with Chapter 144 of the Borough Code,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fair Lawn, in the County of Bergen and State of New Jersey, as follows:

**SECTION 1.** Chapter 125, Land Development, is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]**, and inserting the text **underlined and marked in bold** to read as follows:

**ARTICLE II. Definitions**

**§ 125-8 Definitions.**

\* \* \*

**MANUFACTURING**

The treatment or processing of raw materials or products; or the production of articles or finished products from raw or prepared materials by giving them new forms or qualities or by assembly from component parts or by packaging for sale at wholesale.

**MASSAGE PARLOR**

**Any premises or establishment that are used, in whole or in part, to administer acupressure, massage, bodywork or somatic therapy, or involving the act of holding, touching, positioning, mobilizing, applying friction or pressure manually and/or by mechanical or vibratory apparatus to body tissues, including but not limited to, employing the procedures of acupressure, reflexology, moving, striking, pounding, rubbing, manipulating, kneading and/or tapping, or the use of oil rubs, heat lamps, salt glow, hot or cold packs, vibration, percussion, medical gymnastics, heliotherapy, external application of topical preparations, or tub, shower or cabinet baths, but excluding the practice of medicine, physical therapy, or chiropractic by an osteopath, medical doctor, physical**

**therapist or chiropractor licensed to practice in the State of New Jersey.**

**MOBILE HOME**

Any portable or mobile structure or vehicle used or intended for use as a dwelling unit or for sleeping purposes whether or not such vehicle or structure is attached to a foundation.

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**SENIOR CITIZEN HOUSING**

Housing within which residency shall be restricted to permanent residents of the age 62 years and over, except for the spouse and one child 18 years or more of age of a qualifying resident.

**SERVICE ESTABLISHMENT**

An establishment engaged in providing services for individuals, businesses, government and other organizations and including finance, insurance and real estate offices; personal services; business services; miscellaneous repair services; amusement and recreation services; health, educational and social services; and museums, art galleries, botanical gardens and zoological gardens, but not including a mortuary, crematorium, or massage parlor.

**SERVICE ESTABLISHMENT, BUSINESS**

A business primarily engaged in rendering services such as advertising, blueprinting, building cleaning or equipment rental to business enterprises on a fee or contract basis.

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**ARTICLE III. Zoning Regulations**

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**§ 125-24 B-1 Restricted Business, B-2 General Business and B-3 Business Zones.**

A. – C. [No change]

D. Prohibited uses.

**(1) – (4)** [No change]

**(5) Massage parlors as defined in § 125-8.**

**§ 125-25 B-4 River Road Business Zone.**

A. [No change]

B. Prohibited uses.

(1)– (4) [No change]

**(5) Massage parlors as defined in § 125-8.**

**§ 125-26 B-5 River Road Business Zone.**

A. [No change]

B. Prohibited uses.

(1) [No change]

**(2) Massage parlors as defined in § 125-8.**

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**§ 125-28 I-1 Restricted Industrial Zone, I-2 and I-2-ER General Industrial Zone.**

A. – B. [No change]

B. Prohibited uses.

(1)– (8) [No change]

**(9) Massage parlors as defined in § 125-8.**

**SECTION. 2.** In the event any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or otherwise invalid by any Court of competent jurisdiction, such determination shall apply only to such section, paragraph, clause or provision so adjudged, and the remainder of this Ordinance be deemed valid and shall remain in full force and effect.

**SECTION 3.** All ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4.** This Ordinance shall take effect upon passage and publication according to law.

**Introduced:** September 9, 2025

	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Salinas		X	X			
Krause	X		X			
Rottenstrich			X			
Reinitz			X			
Cutrone			X			

**Adopted:** September 30, 2025

	<b>Motion</b>	<b>Second</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Salinas		X	X			
Krause			X			
Rottenstrich	X		X			
Reinitz			X			
Cutrone			X			

**Attest:**

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Nicholas J. Magarelli, RMC  
Municipal Clerk

**Approved:**

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Cristina Cutrone  
Mayor