

RULES & REGULATIONS RELATING TO HEALTH CLUB OPERATORS BUSINESS

BY VIRTUE OF THE AUTHORITY VESTED IN ME UNDER THE PROVISIONS OF THE NASSAU COUNTY ADMINISTRATIVE CODE TITLE D-24 §21-32.17,3 I HEREBY PROMULGATE THE FOLLOWING REGULATIONS RELATING TO THE HEALTH CLUB BUSINESS.

1. **Health Club Contracts.**

(a) Every Health Club contract shall be evidenced in writing signed by all parties to the contract.

(b) All addendums to the contract must also be in writing signed by all parties.

2. **Use of License Number and Company Name.**

(a) All display advertising and promotional literature shall contain the licensee's license number as printed on the license.

(b) All display advertising and promotional literature shall contain the licensee's full company name as printed on the license.

(c) No Health Club Operator/Business shall permit his/her license and/or license number to be used by another.

3. **Commercial Practices.**

(a) Representations and illustrations of products or services offered to the public shall be accurately represented in all advertisements or descriptive material.

(b) Schedule of Rates. Upon obtaining a license, every Health Club Operator shall file with the Commissioner schedules showing the rates and charges. Each service, and such schedules shall be kept in a convenient form and be open at all times during business hours to public inspection at the Health Club Business and the office of the Commissioner. Any license holder shall notify the Commissioner, in writing within ten (10) days, of any change in the schedule of rates.

(c) Warranty or Guarantee. Where reference is made to a warranty or guarantee, such warranty or guarantee shall be clearly disclosed including the subject of the warranty or guarantee and the terms and requirements, if any.

(d) Price Reductions. All references to a price reduction or savings must be based on the usual and customary selling price of the item in the regular course of business. Such statements or representations shall not be based upon fictitious prices or infrequently used prices.

(e) Pricing. Where a price is quoted which does not include cost for labor, parts or accessories necessary for the proper functioning or appearance of a product or service, then said extra cost shall be prominently noted in conjunction with the price quoted. (e.g. "necessary accessories at extra cost.")

4. **Form of Bonds.**

(a) The bond or other surety to the County of Nassau as required under §21-32.3 must be in such form as is acceptable to the County Attorney.

(b) The Bond must have a minimum 45 day cancellation notice.

5. **Lost or Misplaced Licenses.**

Any Health Club operator or owner who should misplace or lose his/her Health Club Operator Business License shall immediately file an affidavit of loss with the Office of Consumer Affairs.

6. **Age Qualification.**

In order to obtain a Health Club Operator Business License from the Nassau County Office of Consumer Affairs, the applicant must be eighteen (18) years of age.

7. **Insurance.**

All Health Club Operators shall submit proof of insurance to the Office of Consumer Affairs for each year of the license and must contain the license number and expiration date of the license on the form or on an attached cover letter.

8. **Escrow.**

(a) Escrow account to be established pursuant to D-24, Local Law Section 31-32.2.

(b) Documented proof of escrow account must be submitted to the Nassau County Office of Consumer Affairs.

9. **Notice of Cancellation.**

The following Notice of Cancellation must be displayed in a conspicuous area at each Health Club location.

NOTICE OF CANCELLATION

YOU MAY CANCEL THIS TRANSACTION, WITHOUT ANY PENALTY OR OBLIGATION WITHIN THREE BUSINESS DAYS FROM THE ABOVE DATE.