

VILLAGE OF ELBURN

ORDINANCE NO. 2001-~~01~~ 01

ORDINANCE APPROVING A ZONING TEXT AMENDMENT
TO ALLOW AS A SPECIAL USE, TATTOO AND BODY PIERCING
ESTABLISHMENTS IN C-M, COMMERCIAL MANUFACTURING DISTRICTS

JANUARY 15, 2001

ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF ELBURN

Published in pamphlet form by authority of the Board of Trustees
of the Village of Elburn, Kane County, Illinois
this 31st day of January, 2001.

**ORDINANCE APPROVING A ZONING TEXT AMENDMENT
TO ALLOW AS A SPECIAL USE, TATTOO AND BODY PIERCING
ESTABLISHMENTS IN C-M, COMMERCIAL MANUFACTURING DISTRICTS**

WHEREAS, text amendments to the Village of Elburn Zoning Ordinance are permitted by Section 15.12 of the Village of Elburn Zoning Ordinance; and

WHEREAS, the Village President and the Board of Trustees desire to amend the Village of Elburn Zoning Ordinance to allow tattoo and body piercing establishments as a special use in C-M, Commercial Manufacturing Districts; and

WHEREAS, on November 14, 2000, pursuant to notice, a public hearing was held before the Village of Elburn Planning Commission to hear reasons for and against said amendment; and

WHEREAS, following said public hearing, the Planning Commission made its findings of fact and recommended that the Board of Trustees adopt said amendment;

THEREFORE, Be It Ordained by the Board of Trustees of the Village of Elburn, Kane County, Illinois, as follows:

SECTION ONE: The following definitions to Section 3.2 of the Village of Elburn Zoning Ordinance are hereby added:

BODY PIERCING: Any procedure whereby a part or parts of the human body are pierced by a sharp instrument in order to allow insertion of a piece or pieces of jewelry, a ring(s) or other ornamental device(s) through the orifice(s) thus created.

**TATTOO,
TATTOOED,
TATTOOING:** Any method of placing designs, letters, scrolls, figures, symbols or any other marks upon or under the skin by the aid of needles or other instruments designed to touch or puncture the skin.

SECTION TWO: The list of special uses at Section 9.2 B. of Article IX, C-M Commercial Manufacturing is amended to include the following:

14. Body Piercing and Tattooing as defined herein, except the piercing of ears. As a condition for the granting of a special use, the applicant must establish compliance with Ordinance 2000-16 regarding the licensing of tattoo and body piercing establishments.

SECTION THREE: That all ordinances and parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed to the extent of any such conflict or inconsistency.

SECTION FOUR: That if any part or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this ordinance.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as is hereby authorized to be done by the President and Board of Trustees.

AYES: Craig Swan, John Peterson, Jack Hanson, Dennis Ricke, Jeff Metcalf

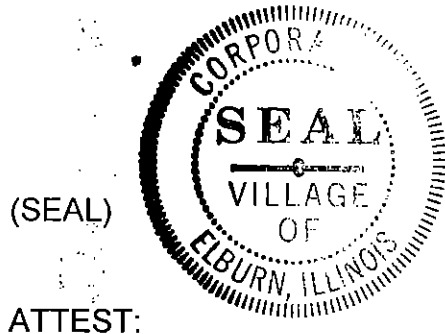
NAYES: Walt Tupy

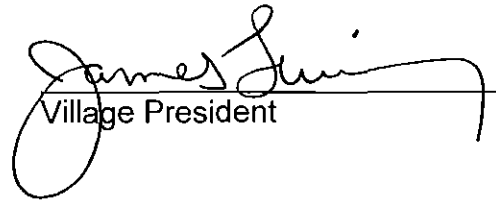
ABSENT: None

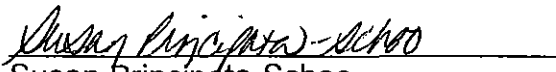
PRESENTED to the Board of Trustees of the Village of Elburn, Kane County, Illinois this 15th day of January, 2001.

PASSED by the Board of Trustees of the Village of Elburn, Kane County, Illinois, this 15th day of January, 2001.

SIGNED by the President of the Board of Trustees of the Village of Elburn, Kane County, Illinois, this 15th day of January, 2001.




Village President


Susan Principata-Schoo
Village Clerk

STATE OF ILLINOIS)
)SS
COUNTY OF KANE)

PUBLICATION IN PAMPHLET FORM

I, Susan M. Principato - Schor, certify that I am the Village Clerk of the Village of Elburn, Kane County, Illinois, and as such officer I am the keeper of the records, files and proceedings of the corporate authorities of said municipality.

I further certify that, as of the date hereof, Ordinance No. 2001-01, adopted by the corporate authorities on January 15, 2001, entitled "ORDINANCE APPROVING A ZONING TEXT AMENDMENT TO ALLOW AS A SPECIAL USE, TATTOO AND BODY PIERCING ESTABLISHMENTS IN C-M, COMMERCIAL MANUFACTURING DISTRICTS" has been duly published in pamphlet form in accordance with Section 1-2-4 of the Illinois Municipal Code.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and the seal of the municipality this 31st day of January, 2001.



Susan M. Principato - Schor
Village Clerk