

Request For Board Action

REFERRED TO BOARD: June 12, 2017

AGENDA ITEM NO: 10 & 11

ORIGINATING DEPARTMENT: Administration

SUBJECT:

Consideration of an Ordinance Amending §4-7-8 of the Municipal Code of Antioch Revising Tattoo and Piercing Business Regulations

AND

Consideration of a Resolution authorizing the transfer of a Tattoo and piercing license

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

On May 24, 2017 Village staff received the attached application for a tattoo and piercing license at the current location of Liberty Tattoo in downtown Antioch.

The proposed ordinance amends Village Code Section 4-7-8, revising the tattoo and piercing regulations to allow for administrative transfer of licenses to qualified applicants, and the renewal of annual licenses without the need for Village Board approval.

The attached resolution allows the transfer of the current Liberty Tattoo License to All American Tattoo for the location at 901 Main Street

DOCUMENTS ATTACHED:

1. Ordinance
2. Resolution
3. Application

RECOMMENDED MOTIONS:

Motion to approve an Ordinance Amending §4-7-8 of the Municipal Code of Antioch Revising Tattoo and Piercing Business Regulations, waiving the second reading

AND

Motion to approve a Resolution authorizing the transfer of a Tattoo and piercing license

ORDINANCE 17 - _____

**AN ORDINANCE AMENDING §4-7-8
OF THE MUNICIPAL CODE OF ANTIOCH
REVISING TATTOO AND PIERCING BUSINESS REGULATIONS**

WHEREAS, the corporate authority has regulated tattoo and piercing businesses since 2006, and

WHEREAS, those regulations have not been reviewed or revised since 2007, and

WHEREAS, technical compliance with all aspects of these licenses requires an annual renewal approved by the Village Board which is not required of other businesses, and

WHEREAS, the current regulations further render it difficult to sell or transfer licensed businesses, and

WHEREAS, the Village Board wishes to be more welcoming to businesses in Antioch and to streamline the routine nature of renewals of licenses and transactions concerning the same while still maintaining due and proper controls over the locations and health compliance of such businesses,

NOW THEREFORE, BE IT ORDAINED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: Section 4-7-8 of the Antioch Municipal Code is hereby amended and shall hereafter read as follows (additions underlined, deletions ~~stricken~~):

4-7-8: TATTOO AND PIERCING STUDIO:

- A. License Required: No person shall operate a business in which the practice of marking the skin with indelible patterns or pictures by making punctures and inserting pigments or the puncturing or piercing of the skin of a person for the insertion of jewelry or other adornment takes place without first procuring a license in the manner provided by this section.
- B. Applicant: A person, business, or corporation may apply to the village board of trustees for a license to allow the establishment of a tattoo and piercing studio. No license shall be issued unless the applicant, along with other requirements in this section, shows proof of compliance, to the satisfaction of village staff, with the conditions listed in subsection C of this section. In the application the applicant shall be responsible for naming the person who shall be responsible for assuring compliance and giving notice to the village should that person change during the term of the license.

C. Conditions: Before any applicant is granted an initial license or renewal pursuant to this section and throughout the duration of an issued license, the applicant shall demonstrate, to the satisfaction of village staff, compliance with the following conditions and requirements:

1. Proof of applicable liability insurance;
2. Autoclave on premises and in use for sanitation and sterilization purposes;
3. Monthly testing showing spore counts below acceptable levels as established by the Lake County department of health;
4. Compliance with all regulations promulgated by the United States Department of Labor, Occupational Safety and Health Administration (OSHA);
5. The structure housing the studio must be greater than four hundred eighty feet (480') from any part of the property on which any church, public school, playground or athletic field is located; and
6. Compliance with all relevant federal, state, and county licensing and practice standards. If any such standard conflicts with this section, the stricter shall apply.

D. Initial Application: Initial applications ~~Applications~~ for such license shall be made in writing, to the mayor signed by the applicant, if an individual, or by a duly authorized agent thereof if a corporation, with a nonrefundable one hundred dollar (\$100.00) fee and shall contain the following:

1. The name, age and address of the applicant in the case of an individual; if a corporation the name and address of the duly authorized agent who signed the application;
2. The name, location and a description of the premises or place of business which is to be operated with the license authorized pursuant to this section;
- ~~3. Proof of applicable liability insurance;~~
- ~~4. Autoclave on premises and in use for sanitation and sterilization purposes;~~
- ~~5. Monthly testing showing spore counts below acceptable levels as established by the Lake County department of health;~~
- ~~6. Compliance with all regulations promulgated by the United States Department of Labor, Occupational Safety and Health Administration (OSHA);~~
- ~~7. The structure housing the studio must be greater than four hundred eighty feet (480') from any part of the property on which any church, public school, playground or athletic field is located; and~~
3. Compliance with the provisions of Paragraph 4-7-8(C) (1 through 6)
4. The name and address of the person who shall be responsible for ensuring compliance with all applicable laws and ordinances. This person may be the same as the applicant.

E. Review: Each initial application shall be reviewed by the village board of trustees and either approved or denied by a majority vote. If approved, the license ~~will be valid for one year from the day approved by the board shall terminate on May 31 next following the date of issuance.~~ Renewals shall be for one year terms running from June 1 to the following May 31. The fee to be paid shall be applicable for a full year, or any part thereof, without proration or other reduction

if purchased for less than a full year. All fees for licenses pursuant to this chapter shall be paid at the time the application is made.

F. ~~Renewal shall be obtained through the same procedure as application, but the fee shall be fifty dollars (\$50.00). Renewals shall be reviewed and processed by Village Staff. The renewal of a license will be granted in the routine course of business provided that there are no open violations, unresolved enforcement actions or unpaid assessments of any kind. If such matters exist, the renewal shall be submitted to the Village Board with such recommendation as Staff may suggest.~~

G. Transfers: Licenses may be transferred, providing that the new licensee is qualified under Paragraph 4-7-8 (C) (1 through 6). If there is any question about the qualification of any proposed transferee, the requested license transfer shall be submitted to the Village Board with such recommendation as Staff may suggest.

H. Village Rights: The village retains the right to review, renew, or revoke a license granted under this section.

SECTION TWO: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS,
ON THIS ____ DAY OF _____, 2017.

ATTEST:

LAWRENCE M. HANSON, MAYOR

LORI K. ROMINE, VILLAGE CLERK

RESOLUTION 17 - _____

**A RESOLUTION AUTHORIZING THE TRANSFER OF
A TATTOO AND PIERCING LICENSE**

WHEREAS, Liberty Tattoo has held a tattoo and piercing license for approximately 10 years, and

WHEREAS, Liberty Tattoo is currently in full compliance with all provisions of Section 4-7-8 of the Antioch Municipal Code, and

WHEREAS, the owners of Liberty Tattoo wish to sell their business to Erik Michael Hedberg, All American Tattoo, and have submitted proper paperwork showing that the proposed new owner is a proper licensee and has the necessary qualifications as required by said Section 4-7-8, and

WHEREAS, Section 4-7-8E currently requires that any transfer of a tattoo and piercing license be reviewed and granted only by action of the Village Board, and

WHEREAS, the Village Board finds that it is appropriate to permit the transfer of the said license to Mr. Hedberg,

NOW THEREFORE, BE IT RESOLVED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: The tattoo and piercing license issued to Liberty Tattoo may be transferred to Erik Michael Hedberg by the Clerk at the direction of the owner of Liberty Tattoo.

SECTION TWO: This resolution shall take effect immediately upon passage.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS,
ON THIS ____ DAY OF _____, 2017.

ATTEST:

LAWRENCE M. HANSON, MAYOR

LORI K. ROMINE, VILLAGE CLERK