

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE VILLAGE OF WINNEBAGO UNIFIED DEVELOPMENT ORDINANCE TO ALLOW BODY ART ESTABLISHMENTS AS A SPECIAL USE IN DISTRICT NO. 3 – GENERAL BUSINESS DISTRICT

WHEREAS, the Village of Winnebago (the "Village") has adopted a Unified Development Ordinance ("UDO") to regulate land use and development within its jurisdiction; and

WHEREAS, the Village recognizes the need to establish appropriate zoning regulations for **Body Art Establishments**, including tattoo and body piercing businesses, to balance economic development with public health, safety, and welfare; and

WHEREAS, the Village has determined that **Body Art Establishments** should be allowed as a **special use** within **District No. 3 – General Business District** to allow case-by-case review of individual applications for compatibility with surrounding uses; and

WHEREAS, the Village desires to ensure that all Body Art Establishments operating within its jurisdiction comply with the **Illinois Department of Public Health's Body Art Code (77 Ill. Adm. Code 797)** and obtain all required state registrations and licenses.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Winnebago, Illinois, as follows:

SECTION I: AMENDMENT TO ARTICLE 3 & 6 OF THE UNIFIED DEVELOPMENT ORDINANCE

SECTION I: AMENDMENT TO ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE

1. **Article 3 – Definitions** is amended to add the following definition:

"Body Art Establishment: A business or facility that provides body piercing, tattooing, branding, scarification, or other forms of physical body adornment, as defined and regulated by the Illinois Department of Public Health under 77 Ill. Adm. Code 797."

2. **Table 6.2: Land Use** is hereby amended to include "Body Art Establishment" as a **special use (S)** in District No. 3 – General Business District.

SECTION II: SPECIAL USE PERMIT REQUIREMENTS

UDO Section 6.06.01(2) – Special Permitted Uses is amended to add the following:

"Body Art Establishments; subject to provisions listed under Section 6.07.01(1)(a)-(1)(i) and under Section 6.10(7), as well as other provisions of this ordinance. Body Art Establishments seeking a Special Use Permit must submit a complete application including business plans and proof of compliance with state and local regulations. Establishments must maintain a valid Certificate of Registration from the Illinois Department of Public Health, comply with all sterilization and sanitation requirements in 77 Ill. Adm. Code 797, and adhere to all applicable Village ordinances regarding signage, parking, lighting, and hours of operation. Applications will be reviewed on a case-by-case basis to assess compatibility with surrounding land uses."6.5.10 Body Art Establishments seeking a Special Use Permit must submit a complete application including business plans and proof of compliance with state and local regulations. Establishments must maintain a valid Certificate of Registration from the Illinois Department of Public Health, comply with all sterilization and sanitation requirements in 77 Ill. Adm. Code 797, and adhere to all applicable Village ordinances regarding signage, parking, lighting, and hours of operation. Applications will be reviewed on a case-by-case basis to assess compatibility with surrounding land uses."

SECTION III: SEVERABILITY

If any section, paragraph, clause, or provision of this Ordinance is held invalid or unenforceable for any reason, the remaining provisions shall not be affected and shall remain in full force and effect.

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect upon its passage, approval, and publication as required by law.

APPROVED BY: _____

Franklin J. Eubank, Jr., President of the Board
of Trustees of the Village of Winnebago, Illinois

ATTEST:

Sally Jo Huggins, Village Clerk

PASSED: _____

APPROVED: _____

**PUBLISHED IN
PAMPHLET FORM:** _____