

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE VILLAGE OF WINNEBAGO UNIFIED DEVELOPMENT ORDINANCE TO ALLOW BODY ART ESTABLISHMENTS AS A PERMITTED 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 growing demand for **Body Art Establishments** and seeks to provide clear guidelines for their operation in designated zoning districts; and

WHEREAS, the Village has determined that **Body Art Establishments** should be allowed as a **permitted use** within **District No. 3 – General Business District**, subject to compliance with applicable state and local health regulations; and

WHEREAS, the Illinois Department of Public Health (IDPH) strictly regulates **Body Art Establishments** under 77 Ill. Adm. Code 797, requiring licensing, sanitation, sterilization, and other operational safeguards that ensure public health and safety; and

WHEREAS, the Zoning Board has reviewed these state requirements and determined that they provide sufficient oversight, making a **permitted use** designation appropriate within **District No. 3 – General Business District** rather than requiring additional Village review through a special use permit; 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 ARTICLES 3 & 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. **Article 6 - Table 6.2: Land Use** is hereby amended to include "Body Art Establishment" as a **permitted use (P)** in District No. 3 – General Business District.

SECTION II: COMPLIANCE REQUIREMENTS

UDO Section 6.06.01 – Principal Permitted Uses is amended to add the following:

" 6.06.01(d) Body Art 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, noise, and hours of operation."

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:** _____