

ORDINANCE NO. 2025-

**ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A BODY ART
ESTABLISHMENT (TATTOO PARLOR) AT 126 S. BENTON STREET,
WINNEBAGO, ILLINOIS**

WHEREAS, on March 5, 2025, the Village of Winnebago Board of Trustees passed Ordinance No. 2025-04, which provided for a Body Art Establishment, that by definition would include a tattoo parlor, to be a Special Permitted Use in the Village's District No. 3--General Business District; and

WHEREAS, on or about May 6, 2025, the required public hearing was held on whether or not a Special Use Permit should be granted for a Body Art Establishment, specifically a tattoo parlor at 126 S. Benton St., Winnebago, IL; and

WHEREAS, the Village Zoning Board of Appeals voted at the Zoning Board Meeting immediately following the aforesaid public hearing to recommend the granting of a Special Use Permit for a tattoo parlor at 126 S. Benton St., Winnebago, IL, **subject to certain restrictions and conditions; (THIS BOLDED LANGUAGE IS TEMPORARY LANGUAGE SINCE AS OF THE DATE OF DRAFTING OF THIS ORDINANCE THERE HAVE NOT YET BEEN ANY RESTRICTIONS RECOMMENDED BY THE ZONING BOARD BEYOND ALREADY REQUIRED COMPLIANCE OF TATTOO PARLORS WITH STATE STANDARDS, BUT AS A RESULT OF THE PUBLIC COMMENTARY AT THE SCHEDULED 5/6/25 PUBLIC HEARING AND ZONING BOARD MEMBER DISCUSSION RESULTING THEREFROM, THERE MAY BE RESTRICTIONS ADDED);** and

WHEREAS, the Village Board of Trustees believe it is in the best interest of the citizens to allow a Special Use Permit for a tattoo parlor to be part of the aforesaid property.

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

SECTION I

A Special Use Permit for a tattoo parlor under District No. 3--General Business District shall be and hereby is granted for the following described premises located at 126 S. Benton St., Winnebago, IL, to -wit:

Legal Description:

Lot Five (5) and the East Sixty-seven (67) feet of Lot Four (4) in Block Nine (9) as designated upon the Plat of the Town of Winnebago, the Plat of which is recorded in Book 30 of Deeds on page 1 in the Recorder's Office of Winnebago County, Illinois, EXCEPTING therefrom the East 67 feet of Lots 4 and 5 in said Block 9; situated in the County of Winnebago and the State of Illinois.

with a recommendation for such Special Use Permit having previously been received by the Village Board from the Village Zoning Board of Appeals, with any suggested conditions and restrictions.

The owners of record of the property, according to Winnebago County WinGis records, are Gerard J. Smith, Lisa M. Smith, and Jason J. Smith, and the Property Identification Number (P.I.N) is 14-08-433-008.

SECTION II

The report of recommendation made by said Zoning Board of Appeals to the Village of Winnebago Board of Trustees to grant a Special Use Permit for a tattoo parlor for the property located at 126 S. Benton St., Winnebago, IL, zoned as District No. 3--General Business District in the Village of Winnebago pursuant to, and conditioned upon, compliance by the owner with the **conditions and restrictions** of the Special Use Permit as referenced in the attached Exhibit "A", which list of conditions and restrictions is incorporated herein, and made a part hereof, shall be, and hereby is, in all respects approved and confirmed.

SECTION III

In the event operation of such tattoo parlor has not commenced within one year after the date of approval, the Zoning Board of Appeals shall review such matter and recommend to the Village Board whether or not the Special Use Permit should be revoked or continued. The applicant, upon revocation, shall be liable for all fees and costs incurred by the Village resulting from such failure to comply with the time limits established above including, but not limited to, engineering, legal, and other professional fees and costs, which fees and costs shall be in addition to any other fees and costs.

SECTION IV

This ordinance shall take effect upon its passage and approval, and the original of the same shall be recorded with the Winnebago County Recorder's Office.

APPROVED:

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

ATTEST:

Sally Jo Huggins Village Clerk

PASSED:

APPROVED:

RECORDED:

PREPARED BY:

Attorney Mary J. Gaziano
Village Attorney

Exhibit "A"

(THIS SPACE IS RESERVED AT THE TIME OF PREPARATION OF THIS DRAFT ORDINANCE FOR THE ADDITION OF ANY RESTRICTIONS AND CONDITIONS ON THE OPERATION OF THE TATTOO PARLOR AS DECIDED UPON BY THE VILLAGE BOARD AT THE TIME OF PASSAGE OF THE ORDINANCE AFTER A RECOMMENDATION IS RECEIVED FROM THE ZONING BOARD OF APPEALS AFTER THE PUBLIC HEARING IS HELD ON 5/6/25.)