

ORDINANCE NO. 2019-02

AN ORDINANCE AMENDING SECTION 12.12.040 (DEFINITIONS) OF THE CENTERVILLE ZONING CODE TO ADD A NEW DEFINITION FOR “PERMANENT COSMETICS” AND TO AMEND THE DEFINITIONS OF “PERSONAL CARE SERVICE” AND “TATTOO ESTABLISHMENT”

WHEREAS, the City has received an application to amend the Zoning Code to add a new definition for “Permanent Cosmetics” and to amend the definitions for “Personal Care Service” and “Tattoo Establishment”; and

WHEREAS, the proposed amendments to the Zoning Code regarding amendments to certain Definitions were reviewed by the Planning Commission with a positive recommendation to the City Council as more particularly set forth herein; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code regarding Definitions are in the best interest of the City and the public to encourage additional uses within the City, particularly within the Main Street commercial area; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 12.12.040 of the Centerville Zoning Code regarding Definitions is hereby amended to add a new definition for “Permanent Cosmetics” and to amend the definitions of “Personal Care Service” and “Tattoo Establishment” as more particularly provided as follows:

12.12.040 Definitions

* * *

Permanent Cosmetics: A cosmetic treatment involving the controlled insertion of pigment into the skin as a means of producing designs that resemble makeup such as eye brows and eye lining and other natural enhancing colors to the face, lips, and eyelids and hairline. Permanent cosmetic is solely for enhancing facial features that are already present or to provide artificial eyebrows for those who have lost them as a consequence of old age, disease, chemotherapy, genetic disturbance and to disguise scars and skin conditions. It may be referred to as “Semi-Permanent” because occasional touch ups are required.

* * *

Personal Care Service: An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include,

beauty and barber shops, permanent cosmetics, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes Tattoo Establishment.

* * *

Tattoo Establishment: Any location, place, area, structure, or business used for the practice of affixing a permanent mark or design on or under the skin by a process of cutting for the purpose of scarring or pricking or ingrainin an indelible pigment, dye, or ink in the skin, or instruction for such a practice. The term excludes Permanent Cosmetics.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

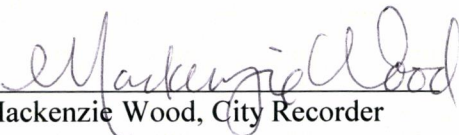
Section 3. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.


Section 4. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 5th DAY OF FEBRUARY, 2019.

ATTEST:

CENTERVILLE CITY


Mackenzie Wood, City Recorder

By: 
Mayor Clark A. Wilkinson

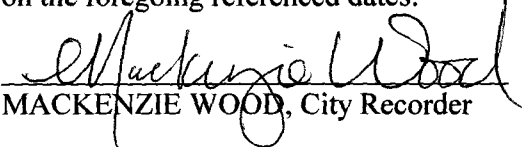
Voting by the City Council:

	"AYE"	"NAY"	ABSENT
Councilmember Fillmore	_____	_____	
Councilmember Ince	X _____	_____	
Councilmember Ivie	X _____	_____	
Councilmember McEwan	X _____	_____	
Councilmember Mecham	X _____	_____	



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.


MACKENZIE WOOD, City Recorder

DATE: 02/12/2019

RECORDED this 12 day of February, 2019.

PUBLISHED OR POSTED this 12 of February, 2019.