

ORDINANCE NO. 156-28
THE CITY OF RICHMOND ZONING ORDINANCE

AN ORDINANCE AMENDING SECTION 4.02 (TABLE OF PERMITTED USES) AND SECTION 6.301 (BODY ART PARLORS AND BODY PIERCING STUDIOS) TO CHANGE WHERE AND HOW THE USE IS REGULATED.

The City of Richmond ordains:

SECTION I – AMENDMENT TO CITY CODE

The City of Richmond Zoning Ordinance, Ordinance No: 156-25 is hereby amended by adding the following provisions:

Section 4.02 Table of Permitted Uses by District.

USES	SYMBOL	KEY	DISTRICTS											SUPPLEMENTAL USE STANDARDS
	P	Principal Use	R-1, R-2, and R-3	R-T	R-M	R-4	O	B-1	B-2	B-3	I-1	I-2	PSP	
	S	Special Condition Use												
	A	Accessory Use												
	Prohibited Use													
RESIDENTIAL USES (continued)														
Home Occupations not listed in Section 6.205	S		S	S	S									Section 6.205
Manufactured Housing Parks					P									Section 6.206
Multiple-Family Dwellings and Developments				P										Section 6.207
Senior Housing			P	P										Section 6.208
Single Family Dwellings, Detached	P		P	P	P									Section 6.209
State-Licensed and Other Managed Residential Facilities not otherwise listed in this table				S										Section 6.202
Townhouses and Stacked Flats			P	P				S	S					Section 6.207
Two-Family or Duplex Dwellings			P	P										Section 6.209
OFFICE AND SERVICE USES														
Banks and Financial Institutions							P	P	P	P	A	A		Section 6.503
Body Art Parlors and Body Piercing Salons							P	SP	SP	P				Section 6.301
Barber Shops, Beauty Salons and Nail Care							P	P	P	P				
Catering Facilities							A	A	A	P	P			Section 6.302
Funeral Parlors or Mortuaries							S	S	S	P				Section 6.303
Hospitals and Urgent Care Centers							P	P		P	P		P	Section 6.304
Massage Therapists	A		A				P	P	S	P	P			Section 6.305
Medical, Osteopathic, Chiropractic, Optical or Dental Offices, Clinics or Rehabilitation Centers							P	P	S	P	P			

Section 6.301 Body Art Parlors and Body Piercing Studios.

Tattoo Parlors shall be subject to the following:

A. ~~Definitions.~~

~~The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~**Body Decorating Artist** means a person who performs body piercing and/or tattooing on another person at that person's request.~~

~~**Body Decorating Salon** means the premises where a body decorating artist performs body piercing and/or tattooing.~~

~~**Body Piercing** means perforating any human body part or tissue, except an ear, and placing a foreign object in the perforation to prevent the perforation from closing.~~

~~**Tattoo** means an indelible mark, figure or decorative design introduced by insertions of dyes or pigments into or under the subcutaneous portion of the skin or by the production of scars upon the body of any human being.~~

B A. License Requirements.

Any **All** body decorating **art or piecing** artists operating within the City of Richmond shall comply with all **licensing, health, and sanitation** requirements from the Macomb County Health Department.

C. ~~Health and Sanitary requirements.~~

1. ~~General.~~

~~(a) All pigments, dyes and instruments used in the practice of body decorating shall be sterilized before use by the body decorating salon, if not sterilized by the manufacturer, and maintained in a condition to prevent contamination.~~

~~(b) Any dye or ink in which needles were dipped shall not be used on another person. Ink cups shall be for single patron use.~~

~~(c) Needles shall be used on only one customer and properly discarded pursuant to the Medical Waste Regulatory Act, being MCL 333.13801, et seq.~~

2. ~~General supplies.~~

~~(a) All body decorating salons shall have clean, laundered towels, washcloths and disposable paper towels in sufficient quantity.~~

~~(b) A clean towel and washcloth or disposable paper towels shall be used for each customer.~~

- ~~———— (c) Clean towels and washcloths or disposable paper towels shall be stored in a closed, dust proof container.~~
- ~~———— (d) Soiled towels, washcloths, latex gloves, gauze dressings and other materials that come in contact with human blood or other bodily fluids shall be stored in a bio safe container.~~
- ~~———— (e) All body decorating artists shall wear clean, washable outer clothing.~~
- ~~———— (f) The procedure table or chair and supply tables shall be constructed of materials capable of being easily and thoroughly cleaned.~~
- ~~———— (g) Any material or supply which has made contact with the blood or body fluid or any person, or by an instrument which has had such contact, shall be deemed contaminated and must be disposed of in accordance with the Medical Waste Regulatory Act, being MCL 333.13801, et seq., unless it may be sterilized and reused under the specific provisions of that Act.~~

3. ~~Body decorating artist requirements.~~

- ~~———— (a) The body decorating artist shall be free of communicable disease that may be transmitted by the practice of body decorating.~~
- ~~———— (b) Body decorating artists with open sores, rashes, lesions, boils or skin infections shall not be permitted to engage in the practice of body decorating.~~
- ~~———— (c) No body decorating artist may work while under the influence of alcohol or any mind altering drug. Tobacco products may not be used while performing an actual procedure.~~
- ~~———— (d) The body decorating artist shall wash his or her hands thoroughly with soap and water before any skin preparation or procedure; the hands shall be dried with individual single service towels.~~

4. ~~Patrons.~~

- ~~———— (a) It shall be a violation for any person to tattoo an individual under the age of 18 years.~~
- ~~———— (b) It shall be a violation for any body decorating artist to body pierce a person under 18 years of age, except ears, without written parental or guardian consent. The person receiving a body piercing shall present a valid State of Michigan Photo Identification.~~
- ~~———— (c) Inquiry shall be made and no tattooing or body piercing shall be performed on any individual who is suspected of having infectious jaundice or hepatitis.~~
- ~~———— (d) Body decorating shall not be performed on an individual in an area with an evident skin infection or other skin disease or condition, including but not limited to rashes, pimples, boils or infections.~~
- ~~———— (e) Body decorating shall not be performed on any patron who appears to be under the influence of alcohol or any mind altering drug.~~

D. ~~Location Requirements.~~

~~1. **Accessory use only.** Tatoo Artists and Tattoo Parlors shall only be allowed as an accessory use to a permitted retail use within the B 2 (Downtown Business) District; and shall not exceed more than 49% of the usable floor area of the business.~~

~~2. **Separation Requirements.**~~

~~(a). No such body decorating salon or parlor shall be permitted within a 500-foot radius of a school, library, playground, or church, convent, monastery, synagogue or similar place or worship. Measurement to the 500-foot radius shall be made from the outer most boundaries of the lot or parcel upon which the proposed establishment will be situated.~~

~~(b.) No such body decorating salon or parlor shall be permitted within a 1,000-foot radius of another body decorating salon or parlor. Measurement to the 1,000-foot radius shall be made from the outer most boundaries of the lot or parcel upon which the proposed establishment will be situated.~~

E B. Hours of Operation.

(a) No body art or piercing studio shall be kept open for any purpose between the hours of 11:00 p.m. and 8:00 a.m. Sunday through Thursday, and from 2:00 a.m. to 8:00 a.m. on Friday and Saturday.

SECTION II – AMENDMENT OF ZONING ORDINANCE MAP

There are no changes proposed to the Zoning Ordinance Map

SECTION III – RATIFICATION

That all other provisions of said Ordinance No. 156, except as amended and modified time to time, be the same hereby shall remain in full force and effect except as amended herein.

SECTION IV – EFFECTIVE DATE

This Ordinance shall take effect on the 11th day of March, 2021, in accordance with the Charter of the City of Richmond.

SECTION V – ORDINANCE AVAILABILITY

A copy of the Ordinance may be purchased or inspected at the Office of the City Clerk, 36725 Division Road, Richmond, Michigan 48062, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

INTRODUCTION AND FIRST READING: February 1, 2021

SECOND READING AND ADOPTION: February 15, 2021

ADOPTED AT A REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF RICHMOND ON THE 15th DAY OF FEBRUARY, 2021.

CITY OF RICHMOND,
A Michigan Municipal Corporation

By: 
Karen M. Stagl, City Clerk