

ORDINANCE 2021-O-113

AN ORDINANCE OF THE CITY OF ATHENS, TEXAS, AMENDING CHAPTER 22, ARTICLE IV, SECTIONS 22-32(m) OF THE CITY CODE OF ORDINANCES REGARDING THE USE OF TATTOO OR BODY PIERCING, PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on the 10th day of September 2021, the Planning and Zoning Commission of the City of Athens, Texas after due notice and hearing did hereby vote to recommend approval of the amendment of the Zoning Ordinance to include “tattoo or body piercing” as a permitted use within the Retail, Central Business District and Industrial zoning districts.

WHEREAS, on the 13th day of September 2021, the City Council of the City of Athens, Texas after due notice as required by law, held the first reading of the ordinance as required by Article III, Section 3.11 of the City of Athens Charter.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS

Section 1. The City Council hereby authorizes the amendment of Chapter 22, Article IV, Section 22-32(m) to allow the use of “Tattoo or body piercing” by specific use permit within Retail, Central Business District, and Industrial zoning districts, as shown below. Furthermore, the use shall continue to be allowed by right in Commercial zoning districts and shall continue to be prohibited in Agriculture, Office, and all residential zoning districts.

	A, SF-15, SF-10, SF-7, SF-5, SF-PH, MF-2, SFA, MF-4, MF-5, MH, SF-CH, O	R	CBD	C	I
Tattoo or body piercing		S	S	•	S

Section 2. Should any clause, phrase, sentence section of this Ordinance be deemed invalid or unconstitutional by a court of competent jurisdiction, said finding shall not affect the remaining clauses, phrases, sentences or sections of this Ordinance.

Section 3. Any ordinance, resolution or order previously passed and/or adopted by the City Council, or any part thereof, if found to be in conflict with the provisions of this Ordinance, shall be resolved in favor of the terms and conditions of this Ordinance, and any prior conflicting ordinance, resolution or order or any part thereof, is hereby repealed to the extent of said conflict.

Section 4. This ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Athens, Texas.

First reading on the 13th day of September 2021.

PASSED, APPROVED and ADOPTED this the **27th** day of **September 2021** at a regular meeting of the City Council of the City of Athens, Texas, with the following record vote:

Toni Clay, Mayor	Aye
Aaron Smith, Mayor Pro Tem	Aye
SyTanna Freeman, Councilmember	Aye
Robert Gross, Councilmember	Aye
Mark Carroll, Councilmember	Aye

Voted in favor of the motion	5
Voted against the motion	0
Motion carried	5-0

Toni Clay, Mayor

ATTEST:

Bonnie Hambrick, City Secretary