

ORDINANCE NO. 2022 –

AN ORDINANCE AMENDING SECTION 18.30.310 (TATTOO PARLORS AND BODY-PIERCING ESTABLISHMENTS) OF TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE RELATED TO THE LOCATION OF TATTOO AND BODY-PIERCING ESTABLISHMENTS

WHEREAS, the City of National City (the “City”), pursuant to the police powers delegated to it by the California Constitution, has the authority to enact or amend laws which promote the public health, safety, and general welfare of its residents; and

WHEREAS, pursuant to the terms and provisions of the Government Code of the State of California, proceedings were duly initiated for the amendment of the National City Municipal Code; and

WHEREAS, on October 17, 2022, a noticed public hearing was held by the Planning Commission, and all persons interested were given the opportunity to appear and be heard before the National City Planning Commission; and

WHEREAS, the Planning Commission regularly and duly certified its report to the City Council of National City and has recommended approval of amending NCMC Title 18; and

WHEREAS, pursuant to a published 10-day notice of the adoption of said ordinance, a public hearing was held by the City Council on November 1, 2022, and at said public hearing, all persons interested were given the opportunity to appear and be heard before the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DOES ORDAIN AS FOLLOWS:

Section 1. Section 18.30.310 (Tattoo Parlors and Body-Piercing Establishments) is hereby amended to read as follows:

18.30.310 – Tattoo parlors and body-piercing establishments

A. Restrictions.

1. No tattoo or body-piercing establishment shall be located within one-mile of another such establishment.
2. Tattoo parlors and body-piercing establishments shall be located no less than 1,000 feet from a church, school, or playground.

3. Tattoo parlors and body-piercing establishments shall be no closer than two hundred fifty feet from a residential zone.
4. No tattoo and body-piercing establishments shall be located east of Interstate 805 except within the MXD-2 zone.
5. A Conditional Use Permit is required.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 3. This Ordinance shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of the members of the City Council voting for and against the same in the Star News, a newspaper of general circulation published in the County of San Diego, California.

PASSED and ADOPTED this 15th day of November, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney