

**BOROUGH OF MECHANICSBURG
Cumberland County, Pennsylvania**

ORDINANCE NO. 1176

AN ORDINANCE OF THE BOROUGH OF MECHANICSBURG CUMBERLAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 27, PART 7, SECTION 27-750, OF THE CODE OF ORDINANCES FOR THE BOROUGH OF MECHANICSBURG FOR THE PURPOSE OF AMENDING THE CONDITIONS PLACED ON TATTOO PARLORS AS A CONDITIONAL USE IN DESIGNATED ZONING DISTRICTS.

WHEREAS, pursuant to general authority granted under Section 10601 of the Municipalities Planning Code, 53 P.S. § 10601, Borough Council has the power to enact and amend zoning regulations establishing land use controls for the use and development of properties within the municipality which are necessary and proper to protect the health, safety, morals, and general welfare of the community; and

WHEREAS, Council has received a request to amend Chapter 27, Part 7, Section 27-750 of the Code of Ordinances for the Borough of Mechanicsburg for the purpose of eliminating the condition that tattoo parlors located in the Commercial Main/Market District (CMM) be located on an upper floor of a building only; and

WHEREAS, Council desires to amend Chapter 27, Part 7, Section 27-750 of the Code of Ordinances for the Borough of Mechanicsburg for the purpose of eliminating the condition that tattoo parlors located in the Commercial Main/Market District (CMM) be located on an upper floor of a building only.

BE IT ENACTED ADOPTED AND ORDAINED and it is hereby enacted, adopted and ordained by the Borough Council of the Borough of Mechanicsburg, County of Cumberland, Commonwealth of Pennsylvania, as follows:

Section 1. **Background.** The background set forth above is incorporated herein by reference.

Section 2. **Amendment.** Chapter 27, Part 7, Section 27-750 of the Code of Ordinances for the Borough of Mechanicsburg is hereby amended to read as follows:

§ 27-750 **Tattoo Establishment.**

In zoning districts where a tattoo establishment is designated as a conditional use, the use shall be permitted upon the approval of the Borough Council, subject to the following requirements:

A. Applicable business and Health Department licensing shall be available and displayed in public at all times.

B. An hours-of-operation schedule shall be submitted at the time of application. Hours of operation shall be scheduled to not cause detrimental impacts of noise, traffic and other performance-related standards on surrounding neighborhood development.

C. No tattoo establishment lot shall be located within a one-thousand-five-hundred-foot radius of another tattoo establishment lot line.

Section 3. **Severability.** If any sentence, clause, section or part of this Ordinance is found to be unconstitutional, illegal or invalid, such action shall not affect or impair any of the remaining provisions of this Ordinance.

Section 4. **Repealer.** All Ordinances or parts of Ordinances that are inconsistent herewith are repealed.

Section 5. **Saving Clause.** Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court; or affect any rights, or any cause of action, nor shall legal right or remedy be lost, impaired or affected by this Ordinance.

Section 6. **Effective Date.** This Ordinance shall become effective immediately.

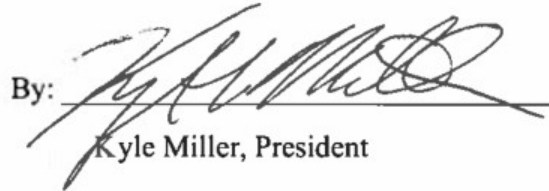
ADOPTED ENACED this 3rd day of May, 2022.

ATTEST:

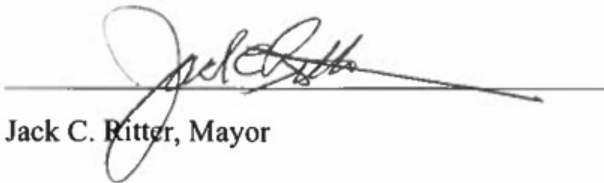
THE BOROUGH OF MECHANICSBURG



Roger L. Ciecierski, Secretary

By: 
Kyle Miller, President

APPROVED this 3rd day of May, 2022.



Jack C. Ritter, Mayor