

1 **BOARD BILL No. 285CS INTRODUCED BY ALDERMANN KEN ORTMANN**
2 **AND ALDERMEN/ALDERWOMEN: SCHMID, GREGALI, FLORIDA, DAVIS,**
3 **WESSELS, FORD-GRIFFIN, WATERHOUSE, WILLIAMSON, KREWSON,**
4 **COHN, PRESIDENT REED, KENNEDY, MOORE**

5
6 An Ordinance pertaining to tattoo parlors; amending a portion of Section 1 of
7 Ordinance 57404, approved August 2, 1997, codified in Section 8.97.040 of the Revised
8 Code of the City of St. Louis pertaining to a neighborhood consent petition and
9 containing a severability and emergency clause.

10 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

11 **SECTION ONE.** A portion of Section 1 of Ordinance 57404, approved August 2, 1997,
12 codified in Section 8.97.040 of the Revised Code of the City of St. Louis is hereby
13 amended as follows:

14 **8.97.040 Neighborhood consent petition.**

15 A. In addition to the application and plat, the applicant for a tattoo parlor license shall
16 also file in the Board of Public Service, together with the application and plat, a written
17 petition in favor of the issuance of such license. The petition shall be signed by a majority
18 of the persons occupying premises or conducting any business on the main or surface
19 floor of such building, the two floors immediately above the main or surface floor, and
20 the floor immediately below the main or surface floor within the prescribed petition circle
21 drawn by a radius of five hundred feet plus one-half of the width of the front of the
22 premises, from the center of such premises projected to the streets. A neighborhood
23 consent petition shall not be required for successive yearly renewal licenses for the same
24 licensee on the same premises.

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1 B. After the filing of an application with the Board of Public Service, the applicant shall
2 be required to send a postcard addressed to "occupant" at each address within the petition
3 circle of the proposed licensed premises, notifying them that an application has been filed
4 and of the applicant's intent to circulate a neighborhood consent petition. The postcard
5 shall be a preprinted form provided by the Board of Public Service and shall read
6 substantially as follows:

7 " _____ has/have applied to the Board of Public Service for a tattoo
8 parlor license for the premises at _____. The proposed use for these premises
9 will include: _____. Within the next month, a petition in support of the
10 application will be circulated, which you may either sign or refuse to sign. If a public
11 hearing is scheduled notices will be mailed. You may support or protest the application.
12 For information, please contact the Board of Public Service.”

13 The applicant shall pay an application fee for all administrative costs. The applicant shall
14 be responsible for placing addresses and postage on the pre-printed postcards and
15 returning them to the Board of Public Service, who, if satisfied that the applicant has
16 provided cards addressed to occupant at each address within the petition circle, shall
17 cause the post cards to be mailed immediately by the Board of Public Service. The Board
18 of Public Service shall not provide the applicant with neighborhood consent petition
19 forms, and the applicant may not solicit, or have others solicit, signatures on the
20 neighborhood consent petition, for five days following mailing of the postcards. Upon
21 filing of an application for a tattoo parlor license, the Board of Public Service shall have

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1 the premises for which a license is sought posted with a sign which contains substantially
2 the same information as the pre-printed post card.

3 **SECTION TWO. SEVERABILITY CLAUSE.**

4 The Sections of this Ordinance shall be severable. In the event any Section of this
5 Ordinance is found by a Court of competent jurisdiction to be unconstitutional, the
6 remaining Sections of this Ordinance are valid unless the Court finds the valid Sections
7 of this Ordinance so essentially and inseparably connected with, and so dependent upon
8 the void Section, that it cannot presume that the legislature would have enacted the valid
9 Sections without the void ones; or unless the Court finds that the valid Sections, standing
10 alone, are incomplete and are incapable of being executed in accordance with the
11 legislative intent.

12 **SECTION THREE. EMERGENCY CLAUSE.**

13 This being an ordinance for the preservation of public peace, health, and safety, it is
14 hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of
15 Article IV of the Charter of the City of St. Louis and therefore shall become effective
16 immediately upon its passage and approval by the mayor.

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