

To: **Planning Commission**
From: **Melissa Sonnek, City Planner**
Date: **March 16, 2021**

Ordinance Amendment – Sections 153.004 and 153.171 Regarding Cosmetic Tattooing – City of West St. Paul

BACKGROUND:

In March of 2020, the Police Department removed the city business licensing requirements for cosmetic tattooing (often referred to as microblading). The decision to remove the local licensing requirements was due to the fact that the Minnesota Department of Health already regulates cosmetic tattooing. The change was also made due to the fact that microblading varies from typical body art procedures performed at traditional tattoo establishments. (See attached memo from the first reading on March 9, 2020).

While this change removed the licensing requirements, the full intent of the change was not carried forward into the zoning code, as cosmetic tattooing (microblading) still falls under the same location restrictions that apply to traditional tattoo establishments. Since cosmetic tattooing is typically performed in salons, spas, and in standalone buildings, City Staff is recommending sections 153.004 and 153.171 be updated to remove cosmetic tattooing from the body art language. This exception would allow cosmetic tattooing to be performed in spa and salon type establishments.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission hold a public hearing, review the attached ordinance amendment and recommend approval of the zoning code amendment to allow cosmetic tattooing as an exception to the body art language and associated zoning restrictions.

ATTACHMENTS:

City Council Memo from March 9th, 2020
Proposed ordinance amendment to sections 153.004 and 153.171

TIMELINE:

March 16: Planning Commission Public Hearing and Recommendation
March 22: City Council First Reading
April 12: City Council Final Reading (Public Hearing)

To: **Mayor and City Council**
 Through: **Ryan Schroeder, City Manager**
 From: **Brian Sturgeon, Chief of Police**
 Date: **March 9, 2020**

1st Reading – Ordinance Amendment Related to Body Art

BACKGROUND INFORMATION:

Cosmetic tattooing is becoming popular in today’s society. Microblading (eyebrow), eyelid, and lip colorization, blending of scar tissue, and colorization of the areola area after reconstructive surgery are the ways cosmetic tattooing is being utilized. These procedures are being conducted in salons as well as in standalone establishments.

These procedures are very different than “regular” body art tattooing. Traditional body art tattooing utilized a “tattoo gun” that deposits pigment deep in the layers of skin creating a permanent effect. Cosmetic tattooing utilizes a special pen that deposits ink pigments in the top layers of the skin. These ink deposits are generally not permanent. An individual usually follows up after a certain period of time in order to maintain their desired cosmetic outcomes.

The Minnesota Department of Health currently regulates cosmetic tattooing including licensure of the providers.

Our current City ordinance does not allow for cosmetic tattooing except through the issuance of a body art license. The locations that body art establishments can operate are limited in the City of West Saint Paul.

Staff has been asked to review the current ordinance from individuals that would like to perform cosmetic tattooing within the city, specifically at Sola Salon.

Cosmetic tattooing has grown considerably with changes in technology, making this procedure more readily available. We have before Council this evening recommended changes to the Body Art Establishment ordinance that would allow an exemption to the City licensing requirements for cosmetic tattooing.

FISCAL IMPACT:

		Amount
Fund:		None
Department:		
Account:		

STAFF RECOMMENDATION:

Discuss the recommended changes and provide input as to the direction Council would like to pursue regarding the regulating of cosmetic tattooing within the City of West Saint Paul. If Council would like to pursue the ordinance amendment, a 2nd reading and public hearing will be placed on an upcoming Council agenda.