

Village of Los Ranchos de Albuquerque Board of Trustees

Meeting Date: September 14, 2016

Title: DISCUSSION AND APPROVAL TO ADVERTISE AN AMENDMENT TO THE 2013 CODIFIED ORDINANCES OF THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE, REPEALING CHAPTER 3, ARTICLE 5, TATTOO ESTABLISHMENTS SECTION 1, §3.5.1, DEFINITIONS, AND SECTION 2, PROHIBITION, §3.5.2.

Action: Approval to Advertise

Chapter 3, Article 5 of the Village Code prohibits the operation of a tattoo establishment and engaging in the business of tattooing, based upon Ordinance #80, approved in January 1989. Prohibition of a specific type of business such as a tattoo establishment is contrary to federal law and would be unenforceable. We are requesting to advertise an ordinance to repeal the prohibition.

VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
ORDINANCE NO. _____

AN ORDINANCE REPEALING CHAPTER 3, ARTICLE 5, TATTOO ESTABLISHMENTS, OF THE CODIFIED ORDINANCES.

NOW, THEREFORE, be it ordained by the governing body of the Village of Los Ranchos de Albuquerque (the "Village"), that Chapter 3, Article 5, Tattoo Establishments, is amended as follows:

Section 3.5.1 is hereby deleted in its entirety:

~~(A) TATTOO means to mark or color the skin by pricking in coloring material so as to form indelible marks or figures or by the production of scars.~~

~~(B) TATTOO ARTIST means any person who performs the work of tattooing.~~

~~(C) TATTOO ESTABLISHMENT means any room or space where the business of tattooing is conducted.~~

~~(D) TATTOO OPERATOR means any person who owns, controls, operates, conducts or manages any tattoo establishment, whether actually performing the work of tattooing or not.~~

Section 3.5.2 is hereby deleted in its entirety:

~~No person shall operate a tattoo establishment or engage in the business of tattooing as a tattoo operator or a tattoo artist within the Village.~~

APPROVED AND ADOPTED by the Governing Body of the Village of Los Ranchos de Albuquerque this ____ day of _____, 2016.

Larry P. Abraham,
Mayor

ATTEST:

Stephanie Dominguez,
Clerk

ARTICLE 5. TATTOO ESTABLISHMENTS

SECTION 1. — Definitions

SECTION 2. — Prohibition

§ 3.5.1 DEFINITIONS

Repealed

~~(A) **TATTOO** means to mark or color the skin by pricking in coloring material so as to form indelible marks or figures or by the production of scars.~~

~~(B) **TATTOO ARTIST** means any person who performs the work of tattooing.~~

~~(C) **TATTOO ESTABLISHMENT** means any room or space where the business of tattooing is conducted.~~

~~(D) **TATTOO OPERATOR** means any person who owns, controls, operates, conducts or manages any tattoo establishment, whether actually performing the work of tattooing or not.~~

§ 3.5.2 PROHIBITION

Repealed

~~No person shall operate a tattoo establishment or engage in the business of tattooing as a tattoo operator or a tattoo artist within the Village.~~

Ordinance and State Law References regarding Chapter 3, Article 5 (f/k/a Chapter 27):

Ordinance #80, January 11, 1989;

Ordinance #134, enacted Feb. 14, 1996, codified ORD #80 as Chapter 27, with modifications.

Ordinance #257, adopted by the Board of Trustees on October 12, 2016 repealed Chapter 3, Article, 5 Section 1 Definitions, and Section 2.

