

PREPARED BY:

**CITY OF NAPERVILLE
LEGAL DEPARTMENT
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540
630/420-4170**

RETURN TO:

**CITY OF NAPERVILLE
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540**

ORDINANCE NO. 25 -

**AN ORDINANCE AMENDING TITLE 4, HEALTH AND SANITATION,
CHAPTER 7, BODY ART, TATTOOING, AND BODY PIERCING
OF THE NAPERVILLE MUNICIPAL CODE**

- A. WHEREAS**, the City of Naperville, in its authority as a Home Rule community, has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and
- B. WHEREAS**, Title 4, Health and Sanitation, Chapter 7, Body Art, Tattooing, and Body Piercing of the Naperville Municipal Code defines Body Art, Body Art Establishment, and Body Piercing as follows:
- i. **Body Art**: Art that is made on the human body, including body piercing, artistic and cosmetic tattooing, and permanent makeup.
 - ii. **Body Art Establishment**: A facility licensed by the Illinois Department of Public Health to administer body art.

- iii. **Body Piercing:** The act of penetrating the skin to make, generally permanent in nature, a hole, mark or scar. Body piercing does not include practices that are considered medical procedures or the puncturing of the outer perimeter or the lobe of the ear using a pre-sterilized, single-use stud and clasp ear piercing system.

C. WHEREAS, based on the existing Municipal Code regulations, piercing the ear with a single-use study and clasp ear piercing system is exempt from the restrictions of Title 4, Health and Sanitation, Chapter 7, Body Art, Tattooing, and Body Piercing of the Naperville Municipal Code; and

D. WHEREAS, the City's definition(s) of Body Piercing will be modified to also exempt ear piercing with a sterilized needle from the restrictions of Title 4, Health and Sanitation, Chapter 7, Body Art, Tattooing, and Body Piercing of the Naperville Municipal Code, provided that the establishment administering the ear piercing is registered with, and complies with the requirements of, the Illinois Department of Public Health; and

E. WHEREAS, piercing establishments are licensed by the State of Illinois, and the State of Illinois tattoo and body piercing regulations appropriately address public health concerns and the prevention of communicable diseases; and

F. WHEREAS, the outcome would be piercing of the ear with a piercing gun or a sterilized needle is not considered body art under the Naperville Municipal Code and could be done when accessory to retail or be permitted by right in any commercial zoning district as a retail use; and

G. WHEREAS, the City Council has determined that it is appropriate to amend the definition of Body Piercing to exempt ear piercing with a piercing gun as well as a sterilized needle from the restrictions of Title 4, Health and Sanitation, Chapter 7, Body Art, Tattooing, and Body Piercing of the Naperville Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1: The recitals set forth above are incorporated herein.

SECTION 2: Chapter 7 (Tattooing and Body Piercing) of Title 4 (Health and Sanitation) of the Naperville Municipal Code is hereby amended by adding the underlined language, as follows:

4-7-1: - DEFINITIONS:

* * *

BODY PIERCING:	The act of penetrating the skin to make, generally permanent in nature, a hole, mark or scar. Body piercing does not include practices that are considered medical procedures or the puncturing of the outer perimeter or the lobe of the ear using a pre-sterilized, single-use stud and clasp ear piercing system <u>or a sterilized needle provided that the establishment administering the ear piercing is registered with, and complies with the requirements of, the Illinois Department of Public Health.</u>
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SECTION 3: This Ordinance shall be in full force and effect upon its passage and approval as required by law.

PASSED this ____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____, 2025.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk