

## Ordinance #13-1378

Amended May 28, 2013

**AN ORDINANCE TO AMEND CHAPTER XXXIV, COMPREHENSIVE DEVELOPMENT,  
OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF MILLTOWN,  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,  
TO PROHIBIT TATTOO PARLORS AND HOOKAH LOUNGES IN ALL DISTRICTS.**

**BE IT ORDAINED** by the Borough of Milltown of the County of Middlesex and State of New Jersey that the Revised General Ordinances of the Borough of Milltown be amended as follows:

**Section 1.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 12, Definitions is hereby amended to include the following:

**34-12 DEFINITIONS**

As used in this chapter:

\* \* \*

**Hookah Lounge** shall mean a place of business, regulated by the New Jersey Smoke Free Air Act, N.J.S.A. 26:3D-55 to N.J.S.A. 26:3D-64, where patrons smoke substances made of herbs and fruit, including tobacco, from hookahs.

\* \* \*

**Tattoo/Piercing Parlor** shall mean an establishment whose principal business activity, either in terms or operation or as held out to the public, is the practice of one or more of the following: (1) placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; and (2) creation of an opening in the body (piercing or otherwise) for the purpose of inserting jewelry or other decoration.

\* \* \* \*

**Section 2.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 20, Residential Districts is hereby amended to include the following:

**34-20 RESIDENTIAL DISTRICTS**

\* \* \*

**34-20.2 R-4 Single Family Residential Zone.**

\* \* \*

e. *Prohibited Uses.*

\* \* \*

3. Tattoo/Piercing Parlors.
4. Hookah Lounges.

\* \* \*

**34-20.3 R-6 Single Family Residential Zone.**

\* \* \*

e. *Prohibited Uses.*

\* \* \*

- 3. Tattoo/Piercing Parlors.
- 4. Hookah Lounges.

\* \* \*

**34-20.4 R-6A Two Family Residential Zone.**

\* \* \*

e. *Prohibited Uses.*

\* \* \*

- 3. Tattoo/Piercing Parlors.
- 4. Hookah Lounges.

\* \* \*

**34-20.5 R-8 Single Family Residential Zone.**

\* \* \*

e. *Prohibited Uses.*

\* \* \*

- 3. Tattoo/Piercing Parlors.
- 4. Hookah Lounges.

\* \* \*

**34-20.6 R-10 Single Family Residential Zone.**

\* \* \*

e. *Prohibited Uses.*

\* \* \*

- 3. Tattoo/Piercing Parlors.
- 4. Hookah Lounges.

\* \* \*

**34-20.7 R-15 Single Family Residential Zone.**

\* \* \*

e. *Prohibited Uses.*

\* \* \*

- 3. Tattoo/Piercing Parlors.
- 4. Hookah Lounges.

\* \* \*

**34-20.8 RM-M Residential Multifamily – Midrise Zone.**

\* \* \*

e. *Prohibited Uses.*

\* \* \*

- 3. Tattoo/Piercing Parlors.
- 4. Hookah Lounges.

\* \* \*

**Section 3.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 21, Commercial District Zone is hereby amended to include the following:

**34-21 COMMERCIAL DISTRICTS.**

**34-21.1 B-1 Commercial District Zone.**

\* \* \*

f. *Prohibited Uses.*

\* \* \*

- 16. Tattoo/Piercing Parlors.
- 17. Hookah Lounges.

\* \* \*

**34-21.2 B-2 Commercial Center Zone.**

\* \* \*

f. *Prohibited Uses.*

\* \* \*

- 10. Tattoo/Piercing Parlors.
- 11. Hookah Lounges.

\* \* \*

**34-21.3 B-2A Commercial/Senior Citizen Housing Zone.**

\* \* \*

f. *Prohibited Uses.*

\* \* \*

- 10. Tattoo/Piercing Parlors.
- 11. Hookah Lounges.

\* \* \*

**34-21.4 B-3 Limited Commercial.**

\* \* \*

f. *Prohibited Uses.*

\* \* \*

7. Tattoo/Piercing Parlors.

8. Hookah Lounges.

\* \* \*

**34-21.5 B-4 Highway Strip Commercial Zone.**

\* \* \*

f. *Prohibited Uses.*

\* \* \*

10. Tattoo/Piercing Parlors.

11. Hookah Lounges.

\* \* \*

**34-21.6 B-5 Highway Strip Commercial Zone.**

\* \* \*

f. *Prohibited Uses.*

\* \* \*

10. Tattoo/Piercing Parlors.

11. Hookah Lounges.

\* \* \* \*

**Section 4.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 22, Industrial Districts is hereby amended to include the following:

**34-22 INDUSTRIAL DISTRICTS.**

**34-22.1 M-1 Light Industrial Zone.**

\* \* \*

f. *Prohibited Uses.*

\* \* \*

17. Tattoo/Piercing Parlors.

18. Hookah Lounges.

\* \* \* \*

**Section 5.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 23, Residential-Senior Citizen Housing Zone is hereby amended to include the following:

**34-23 RESIDENTIAL SENIOR CITIZEN HOUSING ZONE.**

**34-23.1 R-SC Residential-Senior Citizen Housing Zone.**

\* \* \*

f. *Prohibited Uses.*

\* \* \*

- 3. Tattoo/Piercing Parlors.
- 4. Hookah Lounges.

\* \* \* \*

**Section 6.** Chapter XXXIV, Comprehensive Development, of the Revised General Ordinances of the Borough of Milltown, Subsection 24, Community Service Zone is hereby amended to include the following:

**34-24 COMMUNITY SERVICE ZONE.**

**34-24.1 C-S Community Service Zone.**

\* \* \*

e. *Prohibited Uses.*

\* \* \*

- 2. Tattoo/Piercing Parlors.
- 3. Hookah Lounges.

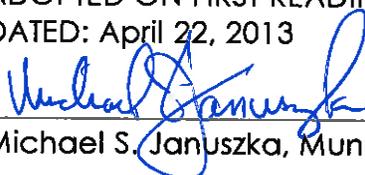
\* \* \* \*

**Section 7.** Each clause, section or subsection of the ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

**Section 8.** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

**Section 9.** This ordinance shall take effect immediately upon adoption and publication according to law.

ADOPTED ON FIRST READING  
DATED: April 22, 2013

  
\_\_\_\_\_  
Michael S. Januszka, Municipal Clerk

ADOPTED ON SECOND READING  
DATED:

\_\_\_\_\_  
Michael S. Januszka, Municipal Clerk

APPROVAL BY MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

\_\_\_\_\_  
Eric A. Steeber, Mayor

*Tabled: May 13, 2013  
Amended & Adopted  
MAY 28, 2013  
See pages 195-199*