



# City of New Bedford

## Department of Planning, Housing & Community Development

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**PATRICK J. SULLIVAN**  
**DIRECTOR**

March 10, 2016

Councilor Steven Martins, Chairman  
Committee on Ordinances  
133 Williams Street  
New Bedford, MA 02740

RE: PROPOSED AMENDMENTS of CHAPTER 9 CODE OF ORDINANCES  
BODY ART ESTABLISHMENTS

Dear Chairman Martins:

This is to advise you that the Planning Board met on Wednesday March 9, 2016 to discuss the proposed request to amend Chapter 9 of the Code of Ordinances relative to body art establishments. The Planning Board sends a favorable recommendation for this proposal with a notation as described herein.

Councilor Lopes represented the proposed rezoning request before the Planning Board, speaking to the rationale that led to the creation of such amendment language that is relevant, in large part, to the screening and administrative review provisions for body art establishments. It was noted that City Council Attorney David Gerwatowski drafted the proposed amendment language at the Council's request on a vote of 9-2.

In the course of the Planning Board's review, the members considered the proposed amendment language and the result of such changes should they be adopted. The membership felt that the proposed reduction of screening would actually improve safety for patrons of body art establishments but agreed that the limited screening presented would be entirely appropriate.

The board also reviewed the proposed language around application fees having been set at \$50 and respectfully notes that the advertising and administrative cost of receiving and hearing such petitions exceeds that dollar figure. In light of this, the board recommends that should City Council approve the proposed amendments it may wish to do so with a language change to provide that such fees be concurrent with the existing fee amounts otherwise assessed for Zoning Board of Appeal applications at the time of such submission.

Councilor Lopes was recognized and recorded in favor of the proposed body art establishment amendments and Venesse Kollais was recorded as being in favor of said amendments. No one spoke in opposition to this request nor was anyone else recorded in opposition of the request.

After closing the public hearing and deliberating the proposal, a motion was made to recommend that the City Council approve the proposed language relative to body art establishments with a change of language that would allow for a more equitable fee assessment. Said motion passed unanimously on a vote of 5-0.

Sincerely,

Jennifer Clarke, AICP  
Acting City Planner  
Deputy Director

cc. Jon Mitchell, Mayor  
Dennis Farias, City Clerk

Mikaela McDermott, City Solicitor  
Danny Romanowicz, Commissioner of Inspectional Services