

ORDINANCE 2025-22

AN ORDINANCE AMENDING TITLE 11-7 AND 11-10-2 RELATED TO MASSAGE ESTABLISHMENTS OF THE NORTH OGDEN CODE

WHEREAS: North Ogden City has established rules for the regulation businesses in North Ogden City; and

WHEREAS: the City hereby determines that a compelling and countervailing public interest exists in the regulation of massage parlors and criminal activity associated with some businesses; and

WHEREAS: the City wants to create this ordinance to provide time to properly enact limited regulation; and

WHEREAS: the proposed language shall be amended in the North Ogden City Code under a Temporary Land Use Regulation as found in Utah Code 10-9a-504 for October 9, 2025 through April 1, 2026

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of North Ogden City hereby adopt:

SECTION 1: MASSAGE ESTABLISHMENT in Title 11-7: Definitions shall be amended to read.

11-17: DEFINITIONS

MASSAGE ESTABLISHMENT: *Temporary Land Use Regulation restricting this use October 9, 2025 to March 9, 2026. Any establishment where any person, firm, association or corporation engages in or carries on or permits to be engaged in or carried on any "massage activities", defined as any method of pressure on, friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of external soft parts of the body with the hands or with the aid of any mechanical apparatus or electrical apparatus or appliance.*

SECTION 2: Title 11-10-2: Permitted Uses shall be amended to read

11-10A-2: PERMITTED USES

A. In the following list of uses:

1. Uses designated with a "P" are permitted uses;

2. Use designated with a "C" shall be conditional uses, which shall not be established or maintained unless authorized by a conditional use permit as described in CCNO 11-14; and
3. Uses designated with an "N" shall not be permitted in the zone.

B. No list of specific uses can be complete. Therefore, decisions regarding whether a specific use is included in one of the categories of use in the following list as a permitted use or a conditional use will be made by the planning commission, with an appeal to the city council.

C. Uses not included in the following categories of uses are prohibited. If the city council desires to allow such a use as a permitted or conditional use, it must amend this title as described in CCNO 11-1-4. If the amendment is made, the use will only be allowed as provided by the city council.

| | CN | CC-DT | CC-ST |
|---|----|-------|-------|
| LAND USE DESCRIPTION | | | |
| 1. Entertainment / Recreation Uses | | | |
| a. Amusement, Commercial, Indoor | N | P | P |
| b. Amusement, Commercial, Outdoor | N | N | N |
| c. Athletic / Tennis / Swim Club | C | C | P |
| d. Golf Course – Public Private | N | N | N |
| e. Theater, Indoor (including live) | N | P | P |
| 2. Automobile-Related Uses | | | |
| a. Commercial Auto Repair, Paint and Body Shops | N | N | P |
| b. Commercial Auto Parts (new and used), Tires, & Sales | N | P | P |
| c. Commercial Car Wash | N | C | P |
| d. Gas/convenience store with or w/o car wash | N | P | P |

| | | | |
|--|---|---|---|
| 3. General Retail/Commercial/Hospitality | | | |
| a. Retail shops/Services– under 10,000 sq. ft. | P | P | P |
| b. Mid-box retail – 10,001 to 80,000 sq. ft. | N | P | P |
| c. Big Box Retail – 80,001 and larger | N | P | N |
| d. Animal Clinic or Pet Hospital with No Outdoor Pens | P | P | P |
| e. Financial Institutions | N | P | P |
| f. Restaurants including fast food | N | P | P |
| g. Restaurants without fast food | P | P | P |
| h. Commercial Kennels, Boarding | N | P | P |
| i. Professional offices, Business Medical/Dental/Optical Office/Clinics and Laboratories (Excluding Massage Establishments) | P | P | P |
| j. Mortuary – Crematorium | N | N | P |
| k. Pawn Shop | N | N | N |
| l. Private Instructional Studio - Artist, Photography, Dance, Music, Drama, Health, Exercise | P | P | P |
| m. Tattoo Art Studio (including Body Piercing and Laser Removal) | P | P | P |
| n. Hotel or Motel | N | P | P |
| o. Bed and Breakfast | P | N | P |
| p. Manufacturing, Light as defined in 11-7 | N | N | P |
| q. Propane retail sales as an accessory use | N | P | P |
| <ol style="list-style-type: none"> 1. Subject to CCNO 11-10-28 Site Plan Review 2. Tank located outside of any setback. Be located in side or rear yards, however, the planning commission may approve a front 3. Horizontal tank maximum 16 feet in length; vertical tank maximum 20 feet in height yard location for a 1,000 gallon tank if sufficient landscape screening is provided around the tank 4. Not exceed a volume of 1,000 gallons 5. Be limited to 1 tank per site | | | |

