

ORDINANCE 2026-07

AN ORDINANCE AMENDING NORTH OGDEN CODE TITLE 11-7: DEFINITIONS “MESSAGE ESTABLISHMENTS”, TO ADD UTAH STATE CODE REQUIREMENTS AND UPDATED LOCAL STANDARDS; AND 11-10A-2: PERMITTED USES, C, 3, R, MESSAGE ESTABLISHMENTS, TO AMEND BUSINESS OPERATIONS

WHEREAS: North Ogden City finds it necessary to update Title 11 Land Use Code to reflect current Utah State Code governing massage therapy and massage establishments, including applicable licensing and operational standards; and

WHEREAS: Aligning local definitions and regulations with Utah State Code promotes clarity, consistent enforcement, and protection of public health and safety; and

WHEREAS: The proposed amendment to Title 11-7 (Definitions) updates the definition of “Massage Establishment” to incorporate current state standards and local requirements; and

WHEREAS: The proposed amendment to Section 11-10A-2: C,3,r Massage Establishments (Permitted Uses) establishes clear licensing and operational requirements for massage establishments within North Ogden City; and

WHEREAS: The Planning Commission reviewed the proposed amendments, held a public hearing, accepted public input, and made a recommendation for approval to the North Ogden City Council noting consistency with the General Plan and the public interest; and

WHEREAS: The City Council finds that adoption of these amendments promotes lawful business operations while protecting the health, safety, and welfare of the community.

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

SECTION 1: North Ogden City Code Title 11-7: Definitions “Massage Establishment” and 11-10A-2 Permitted Uses, C,3,r Massage Establishments shall be amended to read:

11-17: DEFINITIONS

MASSAGE ESTABLISHMENT: 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. All massage therapists performing work outlined above must be trained and licensed in accordance with Utah State Code Title 58, Chapter 47B, and meet requirements outlined in NOC 11-10A-2.

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

a. Subject to CCNO 11-10-28 Site Plan Review			
b. Tank located outside of any setback. Be located inside or rear yards; however, the planning commission may approve a front yard location for a 1,000 gallon tank if sufficient landscape screening is provided around the tank			
c. Horizontal tank maximum 16 feet in length; vertical tank maximum 20 feet in height			
d. Not exceed a volume of 1,000 gallons			
e. Be limited to 1 tank per site			
f. No signage is allowed on the tank except for required safety signs and the word Propane on two sides of the tank with the maximum size of 6 square feet per word			
g. The tank color will comply with CCNO 11-10C-3 (C) Colors and Materials			
r. Massage Establishments	N	P	P
a. Massage Therapists must be licensed as identified in Utah State Code, Title 58, Chapter 47b.			
b. Products used in massages, aestheticians, or other similar services must be made available for sale as part of the business operation.			
c. Business store fronts must have 100% transparent glazing, minus approved signage. This shall be reviewed and approved at the time of business license.			
4. Mixed Use Residential	N	P	P

SECTION 2: This ordinance shall take effect at the time of adoption.

PASSED and ADOPTED this 11thth day of March 2026.

North Ogden City:



Ryan Barker

North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay
Council Member Carney:	<u> X </u>	<u> </u>
Council Member Dalpiaz:	<u> X </u>	<u> </u>
Council Member Nabor	<u> X </u>	<u> </u>
Council Member Pulver:	<u> X </u>	<u> </u>
Council Member Watson:	<u> </u> excused	<u> </u>

(In event of a tie vote of the Council):

Mayor Barker:

ATTEST:



Rian Santoro
City Recorder

