

SUMMIT TOWNSHIP ORDAINS:

Amendment of § 150.145(5). In § 150.145(5) of the Zoning Ordinance, regarding Adult physical culture establishments, shall be amended to make Adult physical culture establishments a use only permitted by conditional use permit and only in the C-3 District.

Amendment of § 150.145(25). In § 150.145(25) of the Zoning Ordinance, regarding Bathing establishments, shall be amended to make Bathing establishments a use only permitted by conditional use permit and only in the C-3 District.

Amendment of § 150.145(120). In § 150.145(120) of the Zoning Ordinance, regarding Massage establishments, shall be amended to make Massage establishments a use only permitted by conditional use permit and only in the C-3 District.

Amendment of § 150.145(121). In § 150.145(121) of the Zoning Ordinance, regarding Massage establishments, auxiliary, shall be amended to make Massage establishments, auxiliary, a use only permitted by conditional use permit and only in the C-3 District.

Amendment of § 150.006. In § 150.006 of the Zoning Ordinance, amend the definition of “Adult Entertainment - Adult Physical Culture Establishment” to read as follows:

ADULT ENTERTAINMENT - ADULT PHYSICAL CULTURE ESTABLISHMENT.

(1) Any establishment, club, or business by whatever name designated, which offers or advertises or is equipped or arranged so as to provide as part of its services, massages, body rubs, alcohol rubs, physical stimulation, baths, or other similar treatment by any person. See ***BATHING ESTABLISHMENT, MASSAGE ESTABLISHMENT*** and ***MASSAGE ESTABLISHMENT, AUXILIARY.***

(2) The following uses shall not be included with the definition of an ***ADULT PHYSICAL CULTURE ESTABLISHMENT:***

(a) Establishments which routinely provide the services by a licensed physician, a licensed chiropractor, a licensed osteopath, a licensed physical therapist, a licensed practical nurse, or any other similarly licensed medical professional;

(b) Electrolysis treatment by a licensed operator of electrolysis equipment;

(c) Continuing instruction in material or performing arts or in organized athletic activities;

(d) Hospitals, nursing homes, medical clinics, or medical offices; and

(e) Barbershops or beauty parlors and/or salons, which offer massage to the scalp, the face, the neck or shoulders only.

Amendment of § 150.006. In § 150.006 of the Zoning Ordinance, amend the definition of “Bathing Establishment” to read as follows:

BATHING ESTABLISHMENT. Any building, room, place, or establishment other than regularly established and licensed hospital or dispensary wherein are given baths, vapor baths, electric cabinet baths, electric light baths, electric tub baths, sponge baths, shower baths, sun baths, tub baths, and mud baths, mineral baths, Finish, Russian, Swedish, or Turkish baths, salt glows, massage, fomentation, electric or magnetic treatments, alcohol rubs, and rubs or massages with or without any other ingredients. See ***ADULT ENTERTAINMENT – ADULT PHYSICAL CULTURE ESTABLISHMENT, MASSAGE ESTABLISHMENT*** and ***MASSAGE ESTABLISHMENT, AUXILIARY.***

Amendment of § 150.006. In § 150.006 of the Zoning Ordinance, amend the definition of “Massage Establishment” to read as follows:

MASSAGE ESTABLISHMENT. Any building, room, place, or establishment other than a regularly licensed and established hospital or dispensary where non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by any person other than a licensed physician, surgeon, dentist, occupational and physical therapist, chiropractor, or osteopath with or without the use of therapeutic, electrical, mechanical, or bathing devices and shall also include any bathing establishment. See ***ADULT ENTERTAINMENT – ADULT PHYSICAL CULTURE ESTABLISHMENT, BATHING ESTABLISHMENT*** and ***MASSAGE ESTABLISHMENT, AUXILIARY.***

Amendment of § 150.006. In § 150.006 of the Zoning Ordinance, amend the definition of “Massage Establishment, Auxiliary” to read as follows:

MASSAGE ESTABLISHMENT, AUXILIARY. Any building or tenant space in which any person, firm, association, or corporation, or any person employed by the person, firm, association, or corporation, engages or is permitted to engage in the practice of massage as an accessory use customary and clearly incidental to a principal business and use, including but not limited to services offered by a hotel, health club or spa, or beauty salon. See ***ADULT ENTERTAINMENT – ADULT PHYSICAL CULTURE ESTABLISHMENT, BATHING ESTABLISHMENT*** and ***MASSAGE ESTABLISHMENT.***