



Zoning Requirements for Tattoo Facilities

The tattoo law states in Section 44-34-20 (B):

“Prior to performing tattooing procedures, a tattoo facility must.....

(5) provide to the department a certified copy of an ordinance passed by the local governing body where the business will be located which authorizes the tattooing of persons within its jurisdiction;”

The Department is therefore requiring, as a part of the application process and as listed on Addendum A of the Application For License - Tattoo Facility, the following documentation:

“5. Letter, signed by the city/county manager or administrator or other person with authority to represent the appropriate “governing body”, certifying that an attached copy of a zoning ordinance is a true copy. Furthermore, the letter must state that a named tattoo facility at a specified location is within the type of business authorized by that ordinance.”

Therefore, in order to be in compliance with the law, applicants must submit to the Department a certified copy of the applicable zoning ordinance from the appropriate governing authority, along with a signed statement from that entity’s representative attesting to its validity.

POSSIBLE ZONING SCENARIOS

	FACTS	OUTCOME
1	Area zoned for tattooing by statute. Facility provides a copy of the zoning ordinance and letter from the zoning authority affirming that the proposed site is zoned appropriately for tattooing.	They may be licensed
2	Same as # 1 except that the enabling statutory language is generic in nature. The zoning authority affirms in writing that tattooing is covered within a certain recognized class of businesses.	They may be licensed
3	Area not subject to zoning oversight.	They may be licensed*
4	Zoning for tattooing affirmatively denied for the area and proposed facility site.	They may not be licensed
5	No zoning statute related to tattooing businesses. (The subject is not addressed and no letter available from the zoning authority affirming that tattooing is covered within a certain recognized class of businesses.)	They may not be licensed

*Facilities may be licensed provided the local governing authority provides documentation that the location is not subject to zoning oversight and the local governing authority does not disapprove of the location for use as a tattoo facility.