



## TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

MEMORANDUM

October 12, 2016

TO: Mayor and Board of Commissioners

FROM: Debora P. Diaz, Town Manager

REF: New Business

**1. Report on history of *tattooing* regulations (Attached NB-1)**

Planning Director Meredith Guns' attached memorandum provides an account of the Town's more recent history on *tattooing* regulations in Kill Devil Hills.

Meredith will be available to provide additional background, or answer questions, at the Board's request.

Director of  
Planning and Inspections  
MEREDITH GUNS

Chief Building Inspector  
MATT LOWCHER

Code Enforcement Officer  
MARTY SHAW



Assistant Director of  
Planning and Inspections  
BRYAN BRIGHTBILL

Senior Planner  
CAMERON RAY

Zoning Administrator  
DONNA ELLIOTT

**THE TOWN OF KILL DEVIL HILLS**  
NORTH CAROLINA

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**PLANNING DEPARTMENT**

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October 12, 2016

Memorandum

TO: Debbie Diaz, Town Manager

From: Meredith Guns, Planning Director *MBG*

Subject: Tattoo Parlor Discussion

Recently, the Board of Commissioners requested information regarding tattoo regulations in Town and also neighboring municipalities and counties.

Attached to this memorandum are responses from neighboring counties and municipalities regarding permitting tattoo parlors. Dare County allows tattoo parlors and at this time there are three located in unincorporated Dare: Hatteras, Stumpy Point, and Colington. Currently, no municipality in Dare County tattoo parlors. In Currituck, tattoo parlors are allowed on the mainland in the industrial areas, but not on the Currituck Outer Banks.

In Kill Devil Hills:

- A 1998 zoning amendment request to allow tattoo and body piercing as a conditional use in the Light Industrial One zoning district was denied by the Board of Commissioners.
- In 2001 an amendment request was submitted to allow body piercing as a conditional use in the Commercial zoning district. As a result, regulations were adopted in the Town Code, Chapter 114, Body Piercing Establishments, which ultimately included the primary requirement that "No person shall perform or offer to perform body piercing services at any body piercing business unless said person is a licensed osteopath or physician pursuant to the laws of the state."
- No requests to allow tattoo parlors have been submitted in Kill Devil Hills since 1998.

**ATTACHMENT NB-1**

## Guns, Meredith

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**From:** Donna Creef <[donnac@darenc.com](mailto:donnac@darenc.com)>  
**Sent:** Tuesday, August 02, 2016 11:51 AM  
**To:** Guns, Meredith  
**Subject:** Re: Tattoo Parlor

I have included our definition for tattoo studio below. This is all that we have in terms of regulations. We rely on the health department for inspections of the facility. Jack Flythe with the Health Department can send you those requirements. Our definition originally included a sentence indicating that the definition did not include body piercing but that prohibition was deleted last year.

Tattoo Studio – Any establishment or business engaged in the service or practice of dyeing, staining or producing scars in, on or under the living human skin.

On Tue, Aug 2, 2016 at 11:37 AM, Guns, Meredith <[MEREDITH@kdhnc.com](mailto:MEREDITH@kdhnc.com)> wrote:

Can you share the County regulations regarding Tattoo Parlors. I know there is one on Hatteras Island and one in Colington.

Thanks

**Meredith B. Guns**

**Planning Director**

PO Box 1719

Kill Devil Hills, NC 27948

Phone: [252-449-5318](tel:252-449-5318)

Fax: [252-441-4102](tel:252-441-4102)

## Guns, Meredith

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**From:** Ben Woody <Ben.Woody@CurrituckCountyNC.gov>  
**Sent:** Wednesday, August 03, 2016 5:09 PM  
**To:** Guns, Meredith  
**Subject:** RE: Tattoo Parlors

Meredith,

Congratulations on the new position!

The county does not allow tattoo parlors on the outer banks.

For reference, the county does allow tattoo parlors in industrial districts on the mainland subject to the below standards:

**(a) Separation**

No tattoo or body piercing studio shall be permitted within 500 feet of any of the following uses:

- (ii) An adult entertainment use;
- (iii) A religious institution;
- (iiii) A public school;
- (iv) A state licensed day care center;
- (v) A residential use;
- (vi) Another tattoo or body piercing studio; or
- (viii) A lot or parcel containing a public playground, public swimming pool, or public park is located.

**(b) Signage**

Except for signs as permitted in Section 5.12.4, Signs Exempted from Sign Permit Requirements, promotional displays and presentations shall not be visible to the public from sidewalks, walkways, or streets.

**Ben E. Woody, AICP**

Planning Director  
County of Currituck  
Planning & Community Development  
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Website: [www.currituckgovernment.com](http://www.currituckgovernment.com)

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**From:** Guns, Meredith [<mailto:MEREDITH@kdhnc.com>]

**Sent:** Wednesday, August 03, 2016 1:57 PM

**To:** Ben Woody

**Subject:** Tattoo Parlors

Good Afternoon Ben,

I am researching tattoo parlors for a Board member. I am not sure Currituck allow tattoo parlors in the county (or the Currituck outer banks) but if you do would you mind sharing your ordinance with me.

Thank you