

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2025-16**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE'S
COMMUNITY STANDARDS ORDINANCE NO. 2013-38**

WHEREAS, Ordinance 2013-38 was adopted to promote the health, safety, and welfare of the community by regulating the location of tattoo facilities in relation to schools, churches, parks, and residential areas; and

WHEREAS, the City Council recognizes that certain low-impact tattoo studios, particularly those operating privately, without signage, and by appointment only, do not present the same visibility or neighborhood compatibility concerns as traditional, publicly advertised facilities; and

WHEREAS, the City Council desires to allow limited exemptions for such private studios while preserving the general applicability of distance restrictions to commercial tattoo establishments; and

WHEREAS, the City Council, after due consideration, has determined that certain revisions to the City of Daphne Community Standards Ordinance, Ordinance 2013-38, as adopted on July 15, 2013, and codified at Chapter 13, Article XV in the City's Code of Ordinances, are necessary for the proper administration of said Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA as follows:

SECTION 1. AMENDMENT TO SECTION 13-343, TATTOO FACILITIES

Section 13-343 of the City of Daphne Code of Ordinances, entitled "Tattoo Facilities," is hereby amended by inserting the following subsection (d):

- (d) *Exemption for Private, Signage-Free Tattoo Studios.* The distance requirements of subsection (a) shall not apply to any private tattoo facility that satisfies both of the following conditions:
- (1) **No Signage**: The tattoo facility does not display any signage visible from public streets or neighboring properties, including but not limited to permanent, temporary, painted, window, sidewalk, or freestanding signs, that contains the word "tattoo" or any term, symbol, or graphic commonly understood to advertise tattoo services.
 - (2) **Private Appointments Only**: Services are offered exclusively by appointment, and the tattoo facility is not open to walk-in traffic or general public access.

Any tattoo facility seeking exemption under this subsection must file an annual declaration of compliance with the Revenue Officer. If the tattoo facility subsequently displays prohibited signage or opens to the public, the exemption shall be immediately revoked and the distance restrictions of this section shall apply in full.

SECTION 2. INCORPORATION IN THE CODE OF ORDINANCES.

The provisions of this Ordinance shall be included in and incorporated in the Code of Ordinances of Daphne, Alabama, as an addition or amendment thereto, and shall be renumbered, if appropriate, to conform to the uniform numbering system of the Code.

SECTION 3. NO OTHER CHANGES

The remaining provisions of Ordinance 2013-38 shall remain in full force and effect and shall apply to all other tattoo facilities not qualifying under subsection (d) of Section 13-343.

SECTION 4. SEVERABILITY.

The provisions, sections, paragraphs, sentences, clauses, phrases, and parts thereof of this Ordinance are severable, and if any provision, section, paragraph, sentence, clause, phrase, or part thereof of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, then such ruling shall not affect any other provision, section, paragraph, sentence, clause, phrase, or part thereof, since the same would have been enacted by the Council without the incorporation of any such unconstitutional or invalid provision, section, paragraph, sentence, clause, phrase, or part thereof.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective upon its adoption and publication as provided by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this the 18th day of August, 2025.



Robin LeJeune, Mayor

ATTEST:



Candace G. Antinarella, MMC, City Clerk