

**Use Permit No. 19-00011**

Rahshodd McNeil – Matriarch Tattoo  
51-53 N. Mallory Street

**Conditions****1) Issuance of Permit**

The Use Permit applies only to 51-55 N. Mallory Street [LRSN 12001704], which are collectively depicted on Exhibit A, attached hereto, and is not transferable to another location.

**2) Hours of Operation**

The hours of operation shall be limited to 10:00AM to 10:00PM Sunday through Saturday.

**3) Compliance with Applicable Laws**

The applicant must comply with all Health Department, Code of Virginia, and Hampton City Code requirements, including but not limited to Section 18.2-371.3, as amended, of the Code of Virginia and Chapter 24 of the Hampton City Code, as well as all other applicable Federal, State, and Local ordinances and regulations.

**4) Interior Screening**

All tattooing shall be screened in a way to not be visible from the exterior of the building.

**5) Nullification**

The use permit shall automatically expire and become null and void under any of the following conditions:

(1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit;

(2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or

(3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

**5) Revocation of Use Permit**

The City Council may revoke this use permit, after notice and a public hearing as set forth in section 15.2-2204 of the Virginia Code, as amended, for any violation of a term or condition thereof or repeated or continuing violations of the city zoning ordinance or city code, failure to comply with approved plans, and/or when false, fraudulent, or misleading information is supplied by the applicant. The consideration of a possible revocation shall follow the procedure set forth in the zoning ordinance for approving the use permit, provided that fifteen (15) days' written notice is given to the owner of the subject property prior to the public hearing.

#### **6) Review of Tattoo Parlor Uses**

After 12 months of operation, the Use Permit will be scheduled for review by the Director of Community Development (the "Director") to consider if the continuation of the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district. The review will be based, in part, upon a physical site review, traffic flow and control, access to and circulation within the property, off-street parking and loading, hour and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state, or local law. If after review, the Director determines that the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the permit shall be scheduled for the same administrative review in 5-year increments. If the Director determines that the Use Permit would be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director will notify the Permittee in writing and may initiate the revocation process before City Council. Nothing contained herein shall limit the City's ability to enforce City Code violations at any time during the operation.