

LOGAN COUNTY BODY ART ORDINANCE

SECTION 1 DEFINITIONS

The following terms used in these regulations shall be defined as follows:

“AFTERCARE” means written instruction given to the client, specific to the body art procedure(s) rendered, about caring for the body art and surrounding area. These instructions will include information about when to seek medical treatment, if necessary.

“ANTISEPTIC” means an agent that destroys disease-causing microorganisms on human skin or mucosa.

“BODY ART” means the practice of physical body adornment by permitted establishments and operations using, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing, branding, braiding and scarification. This definition does not include practices that are considered medical procedures by a state medical board or state dental board.

“BODY ART ESTABLISHMENT” means any permanent place or premise, whether public or private where the practices of body art, whether or not for profit are performed. Mobile establishments are prohibited.

“BODY PIERCING” means puncturing or penetration of the skin of a person with pre-sterilized single-use needles and the insertion of pre-sterilized jewelry or other adornment thereto in the opening, except that puncturing the outer perimeter or lobe of the ear with a pre-sterilized single-use stud-and-clasp ear piercing system shall not be included in this definition.

“BRAIDING” means the cutting of strips of skin of a person, which strips are then to be intertwined with one another and placed onto such person so as to cause or allow the incised and interwoven strips of skin to heal in such intertwined condition.

“BRANDING” means inducing a pattern of scar tissue by use of a heated material (usually metal) to the skin, making a serious burn, which eventually becomes a scar.

“CONTAMIANATED WASTE” means any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps and any wastes containing blood and other potentially infectious materials, as defined in 29 Code

of Federal Regulations (CFR) Part 1910.1030 (latest edition) "Occupational Exposure to Blood borne Pathogens."

"COSMETIC TATTOOING" see "TATTOOING."

"DEPARMENT" means the Logan County Health Department

"DISINFECTION" means the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.

"EAR PIERCING" means the puncturing of the outer perimeter or lobe of the ear with pre-sterilized single-use stud-and-clasp ear-piercing system following manufacturer's instructions. Under no circumstances shall ear piercing studs and clasps be used anywhere on the body other than the outer perimeter and lobe of the ear.

"EQUIPMENT" means all machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage area, sinks and other apparatus and appurtenances used in connection with the operation of a body art establishment.

"HAND SINK" means a lavatory equipped with hot and cold running water under pressure, used solely for washing hands, arms and other portions of the body.

"HOT WATER" means water that attains and maintains a temperature of at least 100⁰F.

"INSTRUMENTS USED FOR BODY ART" means hand pieces, needles, and other instruments that may come in contact with client's body or may be exposed to bodily fluids during body art procedures.

"INVASIVE" means entry into the body either by incision or insertion of an instrument into or through the skin or mucosa, or by any other means intended to puncture, break or compromise the skin or mucosa.

"JEWELRY" means any personal ornament inserted into a newly pierced area, which must be made of surgical implant-grade stainless steel; solid 14k or 18k white or yellow gold, niobium, titanium, or platinum; or a dense, low porosity plastic, which is free of nicks, scratches, or irregular surfaces and has been properly sterilized prior to use.

"OPERATOR/TECHNICIAN" means any person who controls, operates, manages, conducts, or practices body art activities at a body art establishment and who is responsible for compliance with these regulations, whether actually

performing body art activities or not. The term includes technicians who work under the operator and perform body art activities.

“PERMIT” means written approval by the Department to operate a body art establishment. Approval is given in accordance with these regulations and is separate from any other licensing requirements that may exist within communities or political subdivision comprising the jurisdiction.

“PERSON” means an individual, any form of business or social organization or any other non-governmental legal entity, including but not limited to corporations, partnerships, limited-liability companies, associations, trusts or unincorporated organizations.

“PHYSICIAN” means a person licensed by the state to practice medicine in all its branches and may include other areas such as dentistry, osteopathy, or acupuncture, depending on the rules and regulations particular to the state.

“PROCEDURE SURFACE” means any surface of an inanimate object that contacts the client’s unclothed body during a body art procedure, skin preparation of the area adjacent to and including the body art procedure, or any associated work area which may require sanitizing.

“SANITATION PROCEDURE” means a process of reducing the numbers of microorganisms on cleaned surfaces and equipment to a safe level as judged by public health standards and which has been approved the Department.

“SHARPS” means any objects (sterile or contaminated) that may purposefully or accidentally cut or penetrate the skin or mucosa, including, but not limited to, pre-sterilized, single-use needles; scalpel blades; and razor blades.

“SHARPS CONTAINER” means a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal and that is labeled with the International Biohazard Symbol.

“SINGLE-USE” means products or items that are intended for one-time, one-person use and are disposed of after use on each client, including, but not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, scalpel blades, stencils, ink cups and protective gloves.

“STERILIZATION” means a very powerful process resulting in the destruction of all forms of microbial life, including highly resistant bacterial spores.

“TATTOOING” means any method of placing ink or other pigments into or under the skin or mucosa by the aid of needles or any other instrument used to

puncture the skin, resulting in permanent coloration of the skin or mucosa. This term includes all forms of cosmetic tattooing.

“UNIVERSAL PRECAUTIONS” means a set of guidelines and controls, published by the CDC, as “Guidelines for Prevention of Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Health-Care and Public-Safety Workers” in Morbidity and Mortality Weekly Report (MM WR), June 23, 1989, Vol. 38, No. S-6, and as “Recommendations for Preventing Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Patients During Exposure-Prone Invasive Procedures: in MMWR, July 12, 1991, Vol. 40, No. RR-8. This method of infection control requires the employer and the employee to assume that all human blood and specified human body fluids are infectious for HIV, HBV, and other blood pathogens. Precautions include hand washing; gloving; personal protective equipment; injury prevention; and proper handling and disposal of needles, other sharp instruments, and blood and body fluid-contaminated products.

SECTION 2 ESTABLISHMENT PERMIT

- 2.1) No persons, firm, partnership, joint venture, association, business trust, corporation or organized group of persons may operate a body art establishment except with a body art establishment permit from the Department.
- 2.2) Any person operating a body art establishment shall obtain an annual permit from the Department.
- 2.3) The applicant shall make application and pay an annual fee of \$150.00 to the Logan County Health Department for each body art establishment permit. All permit fees for the renewal of the permits are due by December 31st of each calendar year.
- 2.4) A permit for a body art establishment shall not be transferable from one place or person to another.
- 2.5) A current body art establishment permit shall be posted in a prominent and conspicuous location where clients or potential clients may readily observe it.
- 2.6) The holder of a body art establishment permit must only hire operators who have complied with the operator permit requirements of this code.
- 2.7) Persons and establishments failing to submit the fee and renewal application by the above stated due date shall be assessed a late payment penalty fee of two times the permit fee.

SECTION 3 OPERATOR PERMIT REQUIREMENTS

- 3.1) No person shall practice body art procedures without first obtaining an operator permit from the Department. The applicants shall make application and pay an annual fee of \$35.00 for the operator permit to the Logan County Health Department.
- 3.2) The operator permit shall be valid from the date of issuance and shall automatically expire annually unless revoked sooner by the Department in accordance with Section 15.
- 3.3) Application for an operator permit shall include:
 - a. name
 - b. date of birth
 - c. gender
 - d. residence address
 - e. mailing address
 - f. phone number
 - g. place(s) of employment as an operator
 - h. training and/or experience
 - i. proof of attendance at a blood borne pathogen training program (or equivalent), given or approved by the Department.
- 3.4) No operator permit shall be issued unless, following reasonable investigation by the Department, the body art operator has demonstrated compliance with the provisions of this section and all other provisions of this code.
- 3.5) All operator permits shall be approved upon continued compliance with the provisions of this section as well as all applicable provisions of this code.
- 3.6) All operator permits shall be posted in a prominent and conspicuous area where clients may readily observe them.

SECTION 4 BODY ART OPERATOR/TECHNICAIN REQUIREMENTS AND PROFESSIONAL STANDARDS.

- 4.1) The following information shall be kept on file on the premises of a body art establishment and available for inspection by the Department.
 - a. employee information
 1. full names and exact duties;
 2. date of birth;
 3. gender;
 4. home address;

- 5. home/work phone numbers
 - 6. identification photos of all body art operator/technicians.
 - b. establishment information
 - 1. establishment name;
 - 2. hours of operation;
 - 3. owner's name and address
 - c. A complete description of all body art procedures performed.
 - d. An inventory of all instruments and body jewelry, all sharps, and all inks used for any and all body art procedures, including names of manufacturers and serial or lot numbers, if applicable. Invoices or order shall satisfy this requirement.
 - e. A copy of the regulations.
- 4.2) It shall be unlawful for any person to perform body art procedures unless such procedures are performed in a body art establishment with a current permit.
 - 4.3) The body art operator/technician must be a minimum of 18 years of age.
 - 4.4) Smoking, eating or drinking is prohibited in the area where body art is performed.
 - 4.5) Operators/technicians shall refuse service to any person who, in the opinion of the operator/technician, is under the influence of alcohol or drugs.
 - 4.6) The operator/technician shall maintain a high degree of personal cleanliness, conform to hygienic practices, and wear clean clothes when performing body art procedures. Before performing body art procedures, the operator/technician must thoroughly wash their hands in hot running water with liquid soap, then rinse hands and dry with disposable paper towels. This shall be done as often as necessary to remove contaminants.
 - 4.7) In performing body art procedures, the operator shall wear disposable medical gloves. Gloves must be changed if they become contaminated by contact with any non-clean surfaces or objects or by contact with a third person. The gloves shall be discarded, at a minimum, after the completion of each procedure on an individual client, and hands shall be washed before the next set of gloves is donned. Under no circumstances shall a single pair of gloves be used on more than one person. The use of disposable medical gloves does not preclude or substitute for hand washing procedures as part of a good personal hygiene program.
 - 4.8) If while performing a body art procedure, the operator's/technician's glove is pierced, torn, or otherwise contaminated, the procedure delineated in section 4.7 shall be repeated immediately. The contaminated gloves shall

be immediately discarded, and the hands washed thoroughly, as stated in section 4.7 above, before a fresh pair of gloves is applied. Any item or instrument used for body art that is contaminated during the procedure shall be discarded and replaced immediately with a new disposable item or a new sterilized instrument or item before the procedure resumes.

- 4.9) Contaminated waste, as defined in this code, that may release liquid blood or body fluids when compressed or may release dried blood or body fluids when handled must be placed in an approved "red" bag marked with the International Biohazard Symbol. It must then be disposed of by a waste hauler approved by the Department or, at a minimum, in compliance with 29 CFR Part 1910.1030, "Occupational Exposure to Blood Borne Pathogens." Sharps ready for disposal shall be disposed of in approved sharps containers. Contaminated waste that does not release liquid blood or body fluids when compressed or does not release dried blood or body fluids when handled may be placed in a covered receptacle and disposed of through normal, approved disposal methods. Storage of contaminated waste on site shall not exceed the period specified by the department or more than a maximum of 30 days, as specified in 29 CFR Part 1910.1030, whichever is less.
- 4.10) No person shall perform tattooing upon a person under the age of 18 years [720 ILCS 5/12-10 (a)]. A person under 18 years of age may not enter or remain on the premises where tattooing is being performed unless the person under 18 years of age is accompanied by his or her parent or legal guardian [720 ILCS 5/12-10 (b)].
- 4.11) No person shall perform body piercing upon a person under the age of 18 years without written consent of a parent or legal guardian of that person. Before the oral cavity of a person under 18 years of age may be pierced, the written consent form signed by the parent or legal guardian must contain a provision in substantially the following form: "I understand that the oral piercing of the tongue, lips, cheeks, or any other area of the oral cavity carries serious risk of infection or damage to the mouth and teeth, or both infection and damage to those areas, that could result but is not limited to nerve damage, numbness, and life threatening blood clots." A person under 18 years of age may not enter or remain on the premises where body piercing is being performed unless the person under 18 years of age is accompanied by his or her parent or legal guardian [720 ILCS 5/12-10.1 (a)].
- 4.12) Any skin or mucosa surface to receive a body art procedure shall be free of rash or any visible infection.
- 4.13) The skin of the operator/technician shall be free of rash or infection. No person or operator affected with boils, infected wounds, open sores,

abrasions, keloids, weeping dermatological lesions or acute respiratory infection shall work in any area of a body art establishment in any capacity in which there is a likelihood that a person could contaminate body art equipment, supplies, or working surfaces with body substances or pathogenic organisms.

- 4.14) Proof shall be provided upon request of the Department that all operators/technicians have either completed or were offered and declined, in writing, the hepatitis B vaccination series. This offering should be included as a pre-employment requirement.

SECTION 5 EXEMPTIONS

- 5.1) Physicians licensed by the State of Illinois who perform either independent of or in connection with body art procedures as part of patient treatment are exempt from these regulations.
- 5.2) Individuals who pierce only the outer perimeter and lobe of the ear with a pre-sterilized single-use stud and clasp ear-piercing system are exempt from these regulations. Individuals who use ear-piercing systems must conform to the manufacturer's directions on use and applicable U.S. Food and Drug Administration requirements. The Department retains authority to investigate consumer complaints relating to alleged misuse or improper disinfections of ear piercing systems.

SECTION 6 PUBLIC NOTIFICATION REQUIREMENTS

- 6.1) Verbal and written public education information, approved by the Department, shall be required to be given to all clients wanting to receive body art procedure(s). Verbal and written instructions, approved by the Department, for the after care of the body art procedure site shall be provided to each client by the operator upon completion of the procedure. The written instructions shall advise the client to consult a physician at the first site of infection or swelling and shall contain the name, address, and phone number of the establishment. These documents shall be signed and dated by both parties, with a copy given to the client and the operator to retain the original with all other required records. The facility permit holder shall post in public view the name, address and phone number of the local/state Department that has jurisdiction over this program and the procedure for filing a complaint.
- 6.2) All infections, complications, or diseases resulting from any body art procedure that become known to the operator shall be reported to the Department by the operator within 24 hours.

SECTION 7 CLIENT RECORDS

So that the operator/technician can properly evaluate the client's medical condition for receiving a body art procedure and not violate the client's rights or confidential medical information, the operator or technician shall ask for the information as follows:

- 7.1) In order for proper healing of your body art procedure, we ask that you disclose if you have or have had any of the following conditions:
 - a) diabetes;
 - b) history of hemophilia (bleeding);
 - c) history of skin disease, skin lesions, or skin sensitivities to soaps, disinfectants, etc.:
 - d) history of allergies or diverse reactions to pigments, dyes, or other skin sensitivities;
 - e) history of epilepsy, seizures, fainting, or narcolepsy;
 - f) use of medications such as anticoagulants, which thin the blood and/or interfere with blood clotting.
- 7.2) The operator/technician should ask the client to sign a Release Form confirming that the above information was obtained or that the operator/technician attempted to obtain the information. The client should be asked to disclose any information that would aid the operator/technician in evaluating the client's body art healing process.
- 7.3) Each operator shall keep records of all body art procedures administered, including date, time, identification and location of the body art procedure(s) performed, and operator's name. All client's records shall be confidential and be retained for a minimum of three (3) years and made available to the Department upon notification.
- 7.4) Nothing in this section shall be construed to require the operator to perform a body art procedure upon a client.

SECTION 8 RECORDS RETENTION

- 8.1) The body art establishment shall keep a record of all persons who have had body art procedures performed. The record shall include the name, date of birth, and address of the client, the date of the procedure, the name of the operator who performed the procedure(s), type and location of procedure performed, and signature of client, and, if the client is a minor, proof of parental or guardian presence and consent, i.e. signature. Such records shall be retained for a minimum of three (3) years and shall be

available to the Department upon request. The Department and the body art establishment shall keep such records confidential.

- 8.2) Autoclave spore destruction test records shall be retained by the establishment for a period of three (3) years.

SECTION 9 PREPARATION AND CARE OF THE BODY ART AREA

- 9.1) Before a body art procedure is performed, the immediate skin area and the areas of skin surrounding where the body art procedure is to be placed shall be washed with soap and water or an approved surgical skin preparation, depending on the type of body art to be performed. If shaving is necessary, single-use disposable razors or safety razors with single-service blades shall be used. Blades shall be discarded after each use, and reusable holders shall be autoclaved after use. Following shaving, the skin and surrounding area shall be washed with soap and water. The washing pad shall be discarded after a single use.
- 9.2) In the event of blood flow, all products used to check the flow of blood or to absorb blood shall be single use and disposed of immediately after use in appropriate covered container.

SECTION 10 SANITIZATION AND STERILIZATION PROCEDURES

- 10.1) All body art establishments must have an autoclave onsite. All other forms of sterilization are prohibited. All non-single-use, non-disposable instruments used for body art shall be cleaned thoroughly after each use by scrubbing with an appropriate soap or disinfectant solution and hot water or by following the manufacturer's instructions, to remove blood and tissue residue, and shall be placed in an ultrasonic unit also operated in accordance with manufacturer's instructions.
- 10.2) After being cleaned, all non-disposable instruments used for body art shall be packed individually in peel-packs and subsequently sterilized (see section 10.3). All peel-packs shall contain either a sterilizer or internal temperature indicator. Peel-packs must be dated with an expiration date not to exceed six (6) months.
- 10.3) All cleaned, non-disposable instruments used for body art shall be sterilized in a steam autoclave. The sterilizer shall be used, cleaned, and maintained according to manufacturer's instruction. A copy of the manufacturer's recommended procedures for the operation of the sterilization unit must be available for inspection by the Department. Sterile equipment may not be used if the package had been breached or

after the expiration date without first repacking and re-sterilizing. Sterilizers shall be located away from work stations or areas frequented by the public. If the body art establishment uses only single-use disposable instruments and products, and uses sterile supplies, an autoclave shall not be required.

- 10.4) Each holder of a permit to operate a body art establishment shall demonstrate that the sterilizer used is capable of attaining sterilization by quarterly spore destruction tests. These tests shall be verified through an independent laboratory. The permit shall not be issued or renewed until documentation of the sterilizer's ability to destroy spores is received by the Department. These test records shall be retained by the operator for a period of three (3) years and made available to the Department upon request.
- 10.5) All reusable needles used in tattooing and cosmetic tattooing shall be cleaned and sterilized prior to use and stored in peel-packs. After sterilization, the instruments used for tattooing/body piercing shall be stored in a dry, clean cabinet or other tightly covered container reserved for the storage of such instruments.
- 10.6) All instruments used for tattooing/body piercing shall remain stored in sterile packages until just prior to the performance of a body art procedure. When assembling instruments used for body art procedures, the operator shall wear disposable medical gloves and use medically recognized techniques to ensure that the instruments and gloves are not contaminated.
- 10.7) All inks, dyes, pigments, needles, and equipment shall be specifically manufactured for performing body art procedures and shall be used according to manufacturer's instructions. The mixing of approved inks, dyes, or pigments or their dilution with potable water is acceptable. Any other dilution outside of the manufacturer's recommendations must be approved by the Department prior to use. Immediately before a tattoo is applied, the quantity of the dye to be used shall be transferred from the dye bottle and placed into single-use paper cups or plastic cups. Upon completion of the tattoo, these single cups or caps and their contents shall be discarded.

SECTION 11 REQUIREMENTS FOR SINGLE USE ITEMS

- 11.1) Single-use items shall not be used on more than one client for any reason. After use, all single-use needles, razors, and other sharps shall be immediately disposed of in approved sharps containers.

- 11.2) All products applied to the skin, including body art stencils, shall be single use and disposable. If the Department approves, acetate stencils shall be allowed for reuse if sanitization procedures (see definition in Section 1 Sanitation Procedure) are performed between uses. Petroleum jellies, soaps, and other products used in the application of stencils shall be dispensed and applied on the area to be tattooed with sterile gauze or in a manner to prevent contamination of the original container and its contents. The gauze shall be used only once and then discarded.

SECTION 12 REQUIREMENTS FOR PREMISES

- 12.1) Body art establishments applying after adoption of this code shall submit a drawing and floor plan of the proposed establishment for a plan review by the Department, as part of the Permit Application process.
- 12.2) All walls, floors, ceilings, and procedure surfaces of a body art establishment shall be smooth, free of open holes or cracks, light-colored, washable, and in good repair. Walls, floors, and ceilings shall be maintained in a clean condition. All procedure surfaces, including client chairs/benches, shall be of such construction as to be easily cleaned and sanitized after each client. All body art establishments shall be completely separated by solid partitions or by walls extending floor to ceiling, from any room used for human habitation, any food establishment or room where food is prepared, any hair salon, any retail sales, or any other such activity that may cause potential contamination of work surfaces.
- 12.3) Effective measures shall be taken by the body art operator/technician to protect against entrance into the establishment and against the breeding or presence on the premises of insects, vermin, and rodents. Insects, vermin and rodents shall not be present in any part of the establishment.
- 12.4) There shall be a minimum of 45 square feet of floor space for each operator/technician in the establishment. Each establishment shall have an area that may be screened from public view for clients requesting privacy. Multiple body art stations shall be separated by dividers, curtains, or partitions, at a minimum.
- 12.5) The establishment shall be well-ventilated and provided with an artificial light source equivalent to at least 20 foot candles 3 feet off the floor, except that at least 100 foot candles shall be provided at the level where the body art procedure is being performed, and where instruments and sharps are assembled.
- 12.6) No animals of any kind shall be allowed in a body art establishment, except service animals used by persons with disabilities (e.g., seeing-eye

dogs). Fish aquariums shall be allowed in waiting rooms and non-procedural areas.

- 12.7) A separate, readily accessible hand sink with hot and cold running water, under pressure, supplied with liquid soap, and disposable paper towels shall be readily accessible within the body art establishment. One hand sink shall serve no more than three (3) operators/technicians. In addition, there shall be a minimum of one lavatory, excluding any service sinks, and one toilet in a body art establishment. Any remodeled or newly constructed body art establishment shall be required to provide touch-less or foot operated controls of the operators hand sink.
- 12.8) At least one covered waste receptacle shall be provided in each operator area and each toilet room. Receptacles in the operator area shall be emptied daily, and solid waste shall be removed from the premises at least weekly. All refuse containers shall be lidded, cleanable, and kept clean. Waste containers stored outside the establishment shall be provided with tight-fitting lids and kept covered when not in use. Waste containers shall be stored on concrete or asphalt.
- 12.9) All instruments and supplies shall be stored in clean, dry, and covered containers.
- 12.10) Reusable cloth items shall be mechanically washed with detergent and dried after each use. The cloth items shall be stored in a dry, clean environment until used.
- 12.11) Kneeling pads, other pads, and contact surfaces such as, but not limited to machine heads and clipcords, shall be cleaned and sanitized after each use. Such contact surfaces shall be sanitized by rinsing, spraying, or swabbing with a chemical sanitizing solution that will provide the equivalent bactericidal effect of a solution containing at least 100 ppm of available chlorine as a hypochlorite and having a temperature of at least 75⁰F.
- 12.12) A test kit or other device that accurately measures the parts per million concentration of the sanitizing solution shall be available and used after mixing each new batch and as often as necessary throughout the day to insure the proper concentration.

SECTION 13 PROHIBITIONS

The following acts are prohibited:

- 13.1) It is prohibited to perform tattooing on any body part of a person under the age of 18.
- 13.2) It is prohibited to perform body art on a person who, in the opinion of the operator/technician is inebriated or appears to be under the influence of alcohol or drugs.
- 13.3) It is prohibited to own, operate, or solicit business as a body art establishment or operator without first obtaining all necessary permits and approvals from the Department, unless specifically exempted by this code.
- 13.4) The following practices are hereby prohibited unless performed by a medical doctor licensed by the State of Illinois: tongue splitting, braiding, or implants under the skin. Dental procedures such as tooth filing, fracturing, removal, or tattooing shall be performed, exclusively, by a dentist licensed by the State of Illinois.

SECTION 14 INSPECTION / ENFORCEMENT PROCEDURES

- 14.1) Establishments operating at the time of the enactment of this code shall be given a prescribed amount of time to make application to the Department and comply with these regulations. Establishments that continue to operate without proper permits from the Department or operate in violation of these regulations will be subject to legal remedial actions and sanctions as provided by law.
- 14.2) An Environmental Health Inspector from the Logan County Health Department shall properly identify him or herself upon entering a body art establishment to make an inspection. At least one (1) inspection shall be conducted annually of each body art establishment operating in Logan County and as many additional inspections and re-inspections as are necessary for the enforcement of this ordinance will be made.
- 14.3) The Environmental Health Inspector, after proper identification, shall be permitted to inspect, at any reasonable time, any body art establishment, for the purpose of determining compliance with this ordinance. It is unlawful for any person to interfere with the Department in the performance of its duties.
- 14.4) Whenever an inspection of an establishment and/or operator/technician is made, the findings shall be recorded on a standardized inspection report. One copy of the completed inspection report form will be furnished to the permit holder at the time of inspection. If violations of this ordinance exist, the inspection report shall serve as official notice to the permit holder that the establishment is in violation of the provisions of this ordinance. The

completed inspection report form shall specify the violations found by the inspector, and shall establish a reasonable time period within which said violations must be corrected.

- 14.5) If the Department has reasonable cause to suspect that a communicable disease is or may be transmitted by an operator, by use of unapproved or malfunctioning equipment, or by unsanitary or unsafe conditions that may adversely affect the health of the public, upon written notice to the owner or operator, the Department may do any or all of the following:
- a) Issue an order excluding any or all operators/technicians from the permitted body art establishment who are responsible, or reasonably appear responsible, for the transmission of a communicable disease until the Department determines there is no further risk to public health.
 - b) Issue an order to immediately suspend the permit of the licensed establishment until the Department determines there is no further risk to the public health. Such an order shall state the cause for the action.

SECTION 15 SUSPENSION OR REVOCATION OF PERMITS

- 15.1) Permits issued under the provisions of the code may be suspended temporarily by the Department for failure of the holder to comply with the requirements of this ordinance.
- 15.2) Whenever a permit holder or operator has failed to comply with any notice issued under the provisions of this ordinance, the operator must be notified in writing that the permit is, upon service of this notice, immediately suspended. The notice must also contain a statement informing the permit holder or operator that an opportunity for a hearing will be provided if a written request for a hearing is filed with the Department within 72 hours.
- 15.3) Any person whose permit has been suspended may, at any time, make application for reinstatement of the permit. Within five (5) days of receipt of a written request, including a statement signed by the applicant that in his or her opinion the conditions causing the suspension have been corrected. The Department shall re-inspect the body art establishment or evaluate documentation provided by an operator. If the applicant is in compliance with the provisions of this code, their permit will be reinstated.
- 15.4) For repeated or serious (any code infraction that threatens the health of the client or operator) violations of any of the requirements of this code or

for interference with Department personnel in the performance of their duties, a permit may be permanently revoked after a hearing. Before taking such action, the Department shall notify the permit holder or operator in writing, stating the reasons for which the permit is subject to revocation and advising the permit holder or operator of the requirements for filing a request for a hearing. A permit may be suspended for cause, pending its revocation or hearing relative thereto.

- 15.5) The Department may permanently revoke a permit after five (5) days following service of the notice unless the permit holder files a request for a hearing within the five-day period with the Department.
- 15.6) The hearings provided for in this section must be conducted by the Department at a time and place designated by the Department. On the basis of the record of the hearing, the Department shall make a finding and may sustain, modify, or rescind any official notice or order considered in the hearing. A written report of the hearing decision must be furnished to the permit holder or operator by the Department.

SECTION 16 INTERPRETATION AND SEVERABILITY

- 16.1) In the interpretation of this code, the singular may be read as the plural, the masculine gender as the feminine or neuter, and the present tense as the past or future, where the context so dictates.
- 16.2) In the event any particular clause or section of this code should be declared invalid or unconstitutional by any court of competent jurisdiction, the remaining portions shall remain in full force and effect. Toward that end, the provisions of these regulations are declared to be severable.