

Chapter 700: TATTOO PARLORS

SECTION 700.010. - Penalty.

Any violation of any provision of this article shall, upon conviction thereof, be subject to punishment of a fine assessed upon the owner of the establishment and/or the individual(s) committing the violation in an amount up to \$500 per violation. Each section found to be violated shall constitute a separate violation, and each day in which the violation exists shall be treated as a separate violation for these purposes.

SECTION 700.020. - Suspension of permit or license.

If, after investigation, the Board of Trustees should find that the permittee or license holder under this article is in violation of this article, he may suspend the permit or license.

SECTION 700.030. - Appeals.

Any person aggrieved shall have the right to a hearing of any denial, revocation or suspension of a license or permit under this article before the administrative hearing officer. For purposes of this section, the administrative hearing officer shall be the City Attorney, except, if the City Attorney cannot serve, the Chairman of the Board of Trustees is hereby authorized to appoint another person to serve in this capacity. The appeal shall be taken upon a written notice and a deposit of \$100.00 to the Clerk of the city. The hearing shall be within ten days of the notice of appeal. The administrative hearing officer shall act upon the appeal within 15 days of the hearing.

SECTION 700.040. - Removal of tattoos.

No tattoo establishment may attempt to remove a tattoo from any person, or allow such a procedure to take place on its premises.

SECTION 700.050. - Health and sanitation requirements for operators.

(a) The tattoo operator shall be free from all communicable disease while administering tattoos, and must have no pustular skin lesions.

(b) No activities shall occur that may contaminate the tattoo operator's hands or the sterile environment while tattoos are being given. This would include the use of any form of tobacco, eating or drinking.

(c) The tattoo operator shall wear a clean, easily cleanable short-sleeved smock while administering a tattoo.

(d) Before administering a tattoo, the tattoo operator must thoroughly wash his hands in hot water utilizing germicidal soap and a nail brush. Hands must be dried using disposable paper towels from an approved dispenser or a warm air drying machine. The operator must wear surgical-style latex gloves while applying a tattoo.

(e) The tattoo operator, while on duty, must wear effective hair restraints if hair is over the ears, shall have clean fingernails, shall wear a surgical-style face mask and must pay particular attention to personal hygiene.

SECTION 700.060. - Prerequisites for tattooing; required records.

No tattoo shall be administered except by conforming to all of the following:

(1) Age. No tattoo shall be administered to any person less than 18 years old. Where there is doubt about such age, the tattooist shall obtain proof of age before the tattoo is done.

(2) Notice of permanency. Before administering a tattoo, the patron shall be advised that the tattoo should be considered permanent, that it can be only removed with a surgical procedure, and that any effective removal will leave permanent scarring and disfigurement. A written cautionary notice to that effect shall be furnished to and signed by the patron.

(3) Skin condition. The skin surface to be tattooed shall be free of rash, pimples, infection or recent (less than two years) scar tissue. The patron must be in apparent good health, and the skin to be tattooed generally in a healthy condition to all appearances.

(4) Sobriety of patron. Tattoos shall not be administered to any person under the influence of drugs or alcohol, and the tattooist is charged with the responsibility of making reasonable observation and inquiry to assure him that the patron is in fact sober and not under the influence of drugs.

(5) Food, drink and smoking prohibited. The patron shall not bring food or drink into a tattooing area, and shall not smoke during the operation.

(6) Prior jaundice or hepatitis. The patron shall be asked, before the operation, whether he has had a history of jaundice or hepatitis within 12 months preceding that date. If the answer is in the affirmative, the tattoo operation must not be performed.

(7) Required records. The tattoo establishment shall keep a permanent record of all patrons tattooed, stating the patron's name, age and address, the date of the tattoo, the operator's name, the place where tattooed, and a description of the design of the tattoo. Such records shall be made available to the department of health and welfare upon request, and shall be in the following form, which shall be signed by the patron and the tattoo operator:

Date

I, the undersigned, realize that a tattoo is permanent, that it can only be removed with a surgical procedure, and that any effective removal will leave permanent scarring and disfigurement.

Name

Address

Date of Birth

Have you had jaundice or hepatitis within the last 12 months?

Yes _____ No _____

.....

Patron

Tattoo

Area of Body

Price

.....

Tattoo Operator

SECTION 700.070. - Tattoo procedure.

The minimum required procedure for administering a tattoo shall be as follows:

(1) The skin surrounding the area where the tattoo is to be placed shall first be washed with germicidal soap and then shaved. Following shaving, the skin must be gently scrubbed with 70 percent isopropyl alcohol, of commercial grade, using a sterile gauze pad, which shall be disposed of after use.

(2) All acetate tattoo stencils shall be cleaned with 70 percent isopropyl alcohol, or individual transfers of tattoo designs shall be used once and discarded.

(3) The instruments used in administering the tattoo, including stainless steel hand pieces, needle bars, needles and razor blade holders, shall be cleaned thoroughly after each use by scrubbing with soap and hot water.

(4) After thoroughly cleaning the individual tubes and needles, setups, including such items as needles, needle bars, tubes, reusable razors, etc., must be sterilized in an autoclave for a minimum of 30 minutes at 251 degrees Fahrenheit. Sealable temperature-indicating pouches must be used for individual pieces of tattooing equipment during the sterilization process and for sanitary storage of these items after the sterilization process and for sanitary storage of these items after sterilization until use. The tattoo parlor shall provide written documentation of a quarterly evaluation of sterilization unit function. This evaluation shall be conducted by an outside quality assurance firm approved by the community health director and/or his designee.

(5) All instruments and needles should be stored in a closed metal or glass container.

(6) Individual razor blades (disposable) are highly recommended to reduce the possibility of contamination when shaving the area to be tattooed. If a straight razor is used, then it must be sterilized between each use by autoclaving.

(7) Any infection resulting from the tattoo operation which becomes known to the tattooist shall be immediately reported in writing to the department of health and welfare.

(8) Tattoos shall be bandaged with a nonstick type bandage when the tattoo is finished.

(9) Individual cups of ink shall be used for each patron and be discarded after use. All inks and other equipment used in the tattooing process must be safe for use in tattooing and generally intended for the purpose of tattooing.

(10) Written instructions regarding the proper care of the tattooed skin as a precaution against infections shall be provided to each patron following the operation, which shall be in the following form:

Tattooing
Care Of Your New Tattoo

1. Remove the Telfa bandage 24 hours after leaving the studio. Do not apply another bandage.

2. Gently wipe off any excess ointment with a piece of sterile gauze or cotton. Wash with mild soap and water.

3. Apply an antibiotic ointment over the tattoo four or five times daily until the tattoo is completely healed.
4. A protective scab will form on your tattoo. It is very important not to pick or tamper with it. It is there for your protection and will fall off by itself in six or seven days.
5. Keep your tattoo as dry as possible. Wash the tattoo gently and blot dry after bathing. Do not let water from a shower spray directly on the tattoo. Do not soak the scab off when bathing.
6. Keep your tattoo out of the sun until it is healed. A sunburned tattoo is slow to heal.
7. Avoid recreational water activities (chlorine pools, swimming in rivers or lakes, using spas, etc.) until the tattoo is completely healed.
8. If you work around oil or dust be sure to wear a garment heavy enough to protect it while it is healing.

You were tattooed in a clean studio. Sterile tubes and needles are used along with individual ink services. Everything is carefully autoclaved. The success of your tattoo is up to you after you leave the studio. If you have any questions don't hesitate to ask.

SECTION 700.080. - Sanitation of premises.

All tattoo establishments shall comply with the following requirements:

- (1) Tattoo establishments shall be well lit, with not less than 20 foot-candles of light in the tattoo area and ten foot-candles in the remaining area.
- (2) The establishment shall be at least 100 square feet minimum to accommodate required equipment and business done therein.
- (3) Walls, floors and ceilings shall be clean and in good repair and maintained in a clean condition. The tattooing area and restrooms shall have smooth, washable surfaces.
- (4) A hand-washing sink with hot and cold water, disposable towels in a dispenser and germicidal hand soap must be located within each tattoo booth or enclosure and must be conveniently located. At least one restroom must be provided with a toilet and hand-washing sink equipped as described in the preceding sentence. The restroom shall be mechanically vented to the outside, and a waste container shall be used for trash. The restroom door shall be self-closing.
- (5) The tattoo area shall be separated from customers and observers by a partition or wall.

(6) All tables and chairs used in the tattoo area shall be of an easily cleanable material.

(7) The establishment shall be properly heated and ventilated.

(8) The establishment shall be rodent-proof and insect-protected. Outer openings shall have tight-fitting, self-closing doors.

(9) In general, the entire premises of the tattoo establishment must be kept clean and in good condition at all times and during operating hours. The department of health and welfare shall be permitted access for inspection.

SECTION 700.090. - Required.

It shall be unlawful for any person to own or operate a tattoo establishment in the city without having first obtained a license in accordance with the procedures set forth in this division.

SECTION 700.100. - Application.

Any person desiring to operate a tattoo establishment shall make application for a license to the City Clerk, upon forms approved by the Clerk, containing not less than the following information:

(1) The name of the applicant;

(2) The residence of the applicant;

(3) If a partnership, the names and resident addresses of each of the partners, whether general or limited, designating which;

(4) If a corporation, the names and resident addresses of all of its officers, directors and shareholders, and the name of its resident agent for the purpose of service;

(5) The location of the proposed establishment (the establishment must be located in a properly zoned business district, and may not be located in a residentially zoned area of any classification);

(6) The proposed hours of operation;

(7) The names of all employees and their exact duties;

(8) A complete description of all tattoo services to be provided; and

(9) An exact inventory of all equipment to be utilized, including names of manufacturers and serial numbers, if any, of the equipment.

SECTION 700.200. - Issuance; fee; inspections.

If the City Clerk shall determine, after investigation, that the proposed tattoo establishment can be feasibly operated in accordance with the provisions of this article, it shall issue a license to the applicant. The establishment shall be inspected not less than quarterly.

SECTION 700.300. - Renewal; suspension or revocation.

All licenses issued under this division shall be renewed annually. Their issuance is conditioned upon compliance with this article, and the license may be revoked or suspended for violation of this article.

SECTION 700.400. - Transfer.

Licenses issued under this division shall be nontransferable.

SECTION 700.500. - Display; alternation.

Licenses issued under this division shall be prominently displayed in the tattoo establishment and shall not be altered or defaced in any way.

SECTION 700.600. - Display of regulations.

Copies of this article shall be prominently displayed in any licensed tattoo establishment.

SECTION 700.700. – Employment of Artists.

It shall be unlawful for any person to act as a tattoo operator, or for any person to employ another person as a tattoo operator, unless such person has been licensed under this division.

SECTION 700.800. - Application.

Application for licensing as a tattoo operator shall be made to the City Clerk, on forms approved by it, containing the following information:

- (1) Name.
- (2) Age.
- (3) Sex.
- (4) Residence.
- (5) The place where the applicant will be working as a tattoo operator.
- (6) The person by whom the applicant will be employed.
- (7) Medical history of all communicable diseases.
- (8) Current state of health and physical disabilities.
- (9) Training and/or experience.

SECTION 700.900. - Qualifications.

Tattoo operator licenses may be issued by the Clerk, if it is determined that the applicant is free from communicable disease, has no physical disability or infirmity which could interfere with his acting as a tattoo operator, is 18 years old, and has at least six months' experience or training as a tattoo operator in a legally operated establishment in Missouri or another state.

SECTION 700.1000. - Certification of freedom from communicable disease.

Before any license may be issued under this division, the applicant must furnish to the Clerk a certificate from a physician that the applicant is free from communicable disease. A similar certificate must be provided once a year by all licensed tattoo operators. If such certificate is not obtained and filed in a timely fashion by any licensed operator, his license shall be suspended and revoked.

SECTION 700.1100. - Compliance with article.

Issuance of a tattoo operator's license shall be conditioned upon full compliance with this article.