

LAPEER COUNTY HEALTH DEPARTMENT
REGULATIONS GOVERNING TATTOOING

Chapter I. Purpose, Administration and General Definitions

Section A. Purposes

The broad objective of these regulations is to provide a means for safeguarding the environment necessary for the health and welfare of the users and all other person of Lapeer County.

Section B. Authority, Jurisdiction and Administration

1. Authority

By virtue of the power vested in the Board of Health of the Lapeer County Health Department under the authority of Act 368 of the Public Acts of 1978, as amended, there are hereby providing regulations effecting the public health, safety and welfare relating to tattooing within the County of Lapeer, State of Michigan and to provide penalties for the violation of such regulations.

2. Jurisdiction

The Lapeer County Health Department shall have jurisdiction throughout Lapeer County, including all cities, villages, and townships in the administration and enforcement of these regulations including all amendments hereafter adopted unless otherwise specifically stated.

3. Enforcement

All premises affected by the requirements of these regulations shall be subject to inspection by the health officer and the health officer by collect such samples for laboratory examination or any other examinations or tests as may be necessary for the enforcement of the Regulations Governing tattooing.

4. Fees and Handling of Fees

All fees collected by the health officer shall be receipted for and be deposited to the credit of the Lapeer County Health Department. A schedule of fees for licenses, permits and other services authorized by these regulations shall be as from time to time adopted by the Lapeer County Board of Health, pursuant to Act 368 of the Public Acts of 1978, as amended.

5. Penalty

Any person who shall fail to comply with any provision herein shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not more than \$200 or by imprisonment in the county jail for not more than 90 days, or both fine and imprisonment in the discretion of the court. Each twenty-four hours said owner shall knowingly permit said violation of these regulations shall be deemed an additional offense.

6. Injunctive Proceedings

Notwithstanding the existence or pursuit of any other remedy, the health officer may maintain an action in a court of competent jurisdiction for injunction or other process against any person to restrain or prevent violations of this regulation.

7. Interference with Notices

No person shall remove, mutilate or conceal any notice or placard posted by the health officer except by permission of the officer.

8. Validity

If any sections, subsection, clause or phrase of these regulations is for any reason adjudged unconstitutional or invalid, it is hereby provided that the remaining portions of these regulations shall not be affected thereby.

9. Other Laws and Regulations

These regulations are supplemental to the rules and regulations duly enacted by the Michigan Department of Public Health and to laws of the State of Michigan relating to public health and shall supersede all local ordinances not conforming with the minimum standards as set forth in these regulations.

10. Notification

Notification of the adoption of all regulations promulgated by the Board of Health, under authority of Act 368 of the Public Acts of 1978, as amended and approved by the Board of Commissioners of Lapeer County shall be published in a newspaper circulated in the appropriate county within 30 days after action indicating where copies of such regulations can be obtained for review.

11. Effective Date

These regulations, or amendments thereto, shall become effective in accordance with the provisions of Act 368 of the Public Acts of 1978, as amended, which shall be 45 days after approval or at a time specified by the Lapeer County of Commissioners.

12. Abatement of Nuisances

Nothing stated in these regulations may be construed to limit the power of the health officer to order the immediate and complete abatement of a public nuisance or menace to the public health of a condition which in the opinion of the health officer may become a menace to the public health.

13. Pre-Existing Violations

No violations of any repealed section or provision shall be made legal by virtue of a new effective date of these regulations. Any act, situation or condition of premises or things which when created or first allowed to exist was a violation of the Lapeer County Health Department Regulations, shall continue to be a violation of these Regulations if a similar section or provision is a part of the Regulations. Any action, issuance of permit or maintenance of a condition that was mandatory under provisions of the Chapters now repealed shall continue to be required if the same or similar provision is contained in these regulations.

Section C. General Definitions

1. Words and Terms

When not inconsistent with the context, words used in the present tense include the future, words used in the singular number include the plural and words in the plural include the singular number. The word "shall" is always mandatory and not merely directional. Words and terms not defined herein shall be interpreted in the manner of their common usage.

The following words and terms used in these Regulations unless otherwise stated shall have the following meaning:

a. Board of Health

The term "Board of Health" shall mean the board of health of the Lapeer County Health Department.

b. Health Department

The term "Health Department" shall mean the Lapeer County Health Department of Lapeer County.

c. Health Officer

The term "Health Officer" shall mean the director or the acting director of the Lapeer County Health Department and/or his authorized representative.

d. Municipality

The term "municipality" shall mean any incorporated city, village, or township within the County of Lapeer.

e. Habitable Building

The term "Habitable Building" shall mean any structure where persons reside, are employed or congregate.

f. Premise

The term "Premise" shall mean any tract of land with or without a habitable building or dwelling.

g. Person

The term "person" shall mean an individual, or a firm, partnership, company, corporation, trustee, association or any public or private entity.

h. Dwelling

The term "dwelling" shall mean any house, building, structure, tent, water craft, shelter, trailer, mobile home or vehicle, or portion thereof which is occupied in whole or in part as a home, residence, living or sleeping place of one or more human beings either permanently or transiently.

i. Owner

The term "owner" shall mean the owner of title or record or the person legally occupying or in possession of any property or premise.

Chapter VI. Tattooing

Section 660. Regulations of Tattooing

Section 660.1 – LICENSE REQUIREMENTS AND PROCEDURE – It shall be unlawful for any person to operate any practice, business or occupation of tattooing within the jurisdiction of the Lapeer County Health Department unless said person possesses a valid license in force issued by the Health Officer.

- A. A person shall comply with all applicable requirements of this regulation in order to be entitled to receive and to retain such a license. A license shall not be transferable as to person or place. The license shall be placed in a conspicuous place in every establishment.
- B. Every license issued hereunder shall expire at midnight on December 31, following date of issuance, or as otherwise stated on the license. Any required license shall be deemed to be in effect as of the date of the Health Officer's approval of the application for same.
- C. Any person desiring to engage in the practice, business or occupation of tattooing shall make written application for a license on forms provided by the Health Officer. Such application shall be accompanied by the appropriate fee as specified in the Fee Schedule. Failure on the part of the applicant to fully complete the required applications may be deemed cause for refusal to issue a license.
- D. Upon receipt of a properly completed application accompanied by the appropriate fee, the Health Officer shall make an inspection and shall determine compliance with the applicable provision of the statutes and this regulation. Upon confirmation that the applicable requirements have been satisfactorily met, a license shall be issued to the Applicant by the Health Officer. The Applicant may thereafter be referred to as "Licensee".
- E. **DENIAL OF LICENSE** – If the Health Officer finds good and sufficient reason to deny any application for license, he shall issue a notice to the Applicant in writing that the license will not be issued, citing the deficiencies or non-complying items that constitute his reasons for not issuing the license. Until the Applicant has satisfactorily complied with the requirements of this regulation and the terms and condition of the Notice, he shall be denied a license.
- F. **SUSPENSION OF LICENSE** – Any license issued pursuant to the provision of this regulation may be suspended by the Health Officer for failure of the Licensee to comply with the applicable requirements of said regulation. Upon notification of such suspension the Licensee shall immediately cease operations and close the establishment.
- G. **REVOCAION OF LICENSE** – For serious or repeated violations of any of the requirements of this regulation or for interference with the Health Officer after an opportunity for a hearing has been provided. Prior to such action to revoke a license, the Health Officer shall notify the Licensee in writing, stating the reasons for which the license is subject to revocation and advising that the license shall be revoked at the end of 5 days following service of such notice, unless the licensee files a request for a hearing within such five days, and unless the Licensee files a request for a hearing within such five days, and unless

the Licensee at said hearing satisfactorily shows cause why his license should not be revoked. A license may be suspended for cause, pending its revocation or a hearing and decision relative thereto.

Section 660.2 – INSPECTION OF TATTOOING PREMISES – The Health Officer shall have the authority to inspect every premise and location at which the practice of tattooing is being carried on within the jurisdiction of this regulation and shall make as many inspections and re-inspections are deemed necessary for the enforcement of this regulation and applicable statutes.

Section 660.3 – NOTICE OF SUSPENSION OF LICENSE – Whenever, in the opinion of the Health Officer, continued operation of a tattooing practice, business or other occupation would create a substantial hazard to the public health, the Health Officer may issue a written notice to the Licensee or operator thereof, citing such conditions and stating that the license is immediately suspended and that all tattooing operations shall be discontinued at once. The Licensee shall immediately comply with the notice of immediate discontinuance of operation and there shall be no further tattooing until or unless the License shall have been reinstated.

Section 660.4 – RENINSTATEMENT OF SUSPENDED LICENSES – any person whose license has been suspended may, at any time, make a written request for reinstatement of the license. Such as written request shall include a statement signed by the applicant to the effect that in the applicant’s opinion the conditions causing such suspension of the license have been corrected. Within a reasonable time, not to exceed ten working days following receipt of such request, the Health Officer shall make a re-inspection. If the Applicant is then in satisfactory compliance with the applicable provisions of this regulation, the license shall be reinstated upon payment of the reinstatement fee prescribed in the fee schedule.

Section 660.5 – UNLAWFUL CONDITIONS OF TATTOOING PREMISES – Needles, dyes, inks and other materials or other equipment used in tattooing shall be kept in a clean, sterile and non-toxic condition and the environmental of the premises shall be such as to prevent transmission of etiologic agents. Violation of this provision is hereby declared detrimental to health and dangerous to human life and shall be considered a nuisance for purposes of this regulation.

PROTOCOL FOR TATTOO OPERATIONS

The Lapeer County Regulations Governing Tattooing, Section 660.1, requires tattoo parlors be licensed by the Lapeer County Health Department.

Listed bellows are requirements for starting and maintaining a tattoo parlor.

Area #1 – Facility

- A. The tattooing and clean-up areas must be smooth and easily cleanable.
- B. The tattoo and clean-up areas must be well lit.
- C. A hand washing sink in the tattooing area will be required.
- D. A utensil wash-up sink will be required in the clean-up area.
- E. The facility must be maintained in a clean fashion.
- F. Your license must be renewed on January 1 of each year.

Area #2 – Procedures

- 1. Wear disposable gloves at all times when tattooing or cleaning instruments and change gloves after each client.
- 2. Place the needles and needle tubes in disinfectant solution approved by the Lapeer County Health Department according to the recommendations of manufacturer or 10 minutes which ever is longer.
- 3. Clean (if necessary scrub) the needles and needle tubes in detergent soap solution.
- 4. Rinse the cleansed needle and needle tubes.
- 5. Sterilized the needles and needle tubes in one of two procedures:
 - a. Autoclave for 30 minutes at 15-20 pound pressure at 255 F; or
 - b. Dry heat sterilized at 320 F for 2 hours or 340 F for 1 hour.
- 6. Keep needle and needle tubes in a sterile environmental until ready to use.
- 7. A registered tape must be used to check for proper temperatures. The sterilizer must be inspected on a monthly basis by an autoclave testing establishment with a copy of results sent to the Lapeer County Health Department.

8. Prepare the client's skin by a thorough cleaning using a 70% alcohol solution.
9. Person doing the tattooing process and cleaning equipment must be instructed in potential of transmission of blood borne pathogens from client to client and from client to employee.

Area #3 – Tattoo Care

- A. Provide an information sheet to the customer on the care of the tattoo which is approved by the health department. Such care would detail the signs of infection as well as a statement noting the possibility of transmission of Hepatitis B and Aids through the procedure.
- B. Advise the customer that they seek medical attention if the tattoo site becomes infected, painful or if a fever develops.

LAPEER COUNTY HEALTH DEPARTMENT

SCHEDULE OF FEES: