

MCDONALD COUNTY HEALTH DEPARTMENT  
TATTOO PARLOR ORDINANCE  
Number 105-2003  
April 14, 2003

AN ORDINANCE GOVERNING THE CONSTRUCTION, RENOVATION, AND OPERATION OF TATTOO ESTABLISHMENTS WITHIN THE COUNTY, REQUIRING CERTAIN PERMITS, TRAINING, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

SECTION 1. AUTHORITY. This ordinance is enacted pursuant to Section 192.300, RSMo 1986, which provides, in part as follows: The county commissions and the county health boards of several counties may make and promulgate orders and ordinances or rules and regulations, respectively, as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but orders or ordinances and rules and regulations shall not be in conflict with any rules or regulation authorized and made by the Department of Health in accordance with this chapter or by the Department of Social Services under Chapter 198 RSMo.

SECTION 2. APPLICABILITY. These regulations apply to all tattoo establishments in McDonald County.

SECTION 3. DEFINITIONS. The following words and phrases shall have the following meaning:

- 3.01 Board: The McDonald County Commission.
- 3.02 Regulatory Authority: The Administrator of the McDonald County Health Department or an authorized representative.

SECTION 4. ESTABLISHMENT PERMIT. Any tattoo establishment that operates in McDonald County must first apply for and obtain a permit. Permits may be obtained at the McDonald County Health Department. The establishment must comply with the listed public health requirements.

- 4.01 If after an examination of background information and inspection of the facility and equipment it is determined that the tattoo facility can operate within the requirements of the ordinance, a permit will be issued. The facility will be inspected at least twice yearly.
- 4.02 Permits will be renewed annually if the facility is in compliance with the county ordinance. Permits may be suspended or revoked if the establishment violates the ordinance.
- 4.03 The fee for the permit is \$ 40.00 and is subject to annual revision.

- 4.04 Permits are non-transferable.
- 4.05 Permits need to be prominently displayed at the tattoo establishment.
- 4.06 For a permit to remain valid for the period for which it is issued, no person can act as or employ a person as a tattoo operator (artist) unless such person has been proven to be free of communicable history and is familiar with proper tattoo application as it relates to public health.
- 4.07 A tattoo operator must have no physical disability or infirmity which could interfere with his/her acting as a tattoo operator
- 4.08 A tattoo operator must be at least eighteen (18) years old.

## SECTION 5 PUBLIC HEALTH CONSIDERATIONS

- 5.01 Before issuance of a permit, those applying tattoos must furnish a certificate from a physician that he/she is free of communicable diseases. The tattoo operator must remain free from communicable diseases to be tested for include HIV, TB, and Hepatitis B. A similar certificate and testing must be provided once a year. If an operator has received the Hepatitis B vaccine and has been tested and verified that the vaccine is providing the proper level of protection then the yearly testing is not required. Any change in the health of the tattoo operator as far as communicable disease when known shall be immediately communicated to the McDonald County Health Department.
- 5.02 The tattoo operator cannot have any open uncovered skin lesions while administering tattoos.
- 5.03 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.
- 5.04 Before administering a tattoo, the tattoo operator must thoroughly wash his/her hands in hot water utilizing germicidal soap and a nailbrush. 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.
- 5.05 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 facemask and must pay particular attention to personal hygiene.
- 5.06 The skin surface to be tattooed shall be free of rash, pimples or infection. The patron must be asked if he/she has known communicable history. If

the answer is in the affirmative, a tattoo shall not be applied until approved in writing by a licensed physician and filed with the tattoo establishment.

- 5.07 The tattoo establishment shall keep a permanent record of all patrons tattooed, stating name, age, address and a description of the design of the tattoo. Such records shall be made available to the McDonald County Health Department upon request.

SECTION 6 TATTOO PROCEDURE All tattoo operators are to be familiar with and follow these recommendations:

- 6.01 The skin surrounding the area where the tattoo is to be placed shall first be washed with germicidal soap and the shaved. Following shaving, the skin must be gently scrubbed with seventy (70) percent isopropyl alcohol, or individual transfers of tattoo designs shall be used once and discarded.
- 6.02 All acetate tattoo stencils shall be cleaned with seventy (70) percent isopropyl alcohol, or individual transfers of tattoo designs shall be used once and discarded.
- 6.03 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.
- 6.04 After thoroughly cleaning, individual tubes and needle setups including such items as needles, needle bars, tubes, re-useable razors, etc. Must be sterilized in an autoclave for a minimum of thirty (30) minutes at two hundred fifty-one (251) degrees Fahrenheit. Sealable temperature indicating sterilizable pouches must be used for individual pieces of tattooing equipment during the sterilization process and for sanitary storage of these items after sterilization until use. Any other form of sterilizing instruments must be approved by the McDonald County Health Department.
- 6.05 All instruments and needles should be stored in a closed metal or glass container.
- 6.06 Individual razor blades (disposable) are highly recommended to reduce possibility of contamination when shaving area to be tattooed. If straight razor is used then it must be sterilized by an autoclave prior to next customer.
- 6.07 Tattoo shall be bandaged with a non-stick bandage when tattoo is finished.
- 6.08 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.

## SECTION 7 SANITATION REQUIREMENTS FOR TATTOO ESTABLISHMENTS

All tattoo establishments shall comply with the following requirements:

- 7.01 Walls, floors and ceilings shall be maintained in a clean condition. The tattooing area and restrooms shall have smooth washable surfaces.
- 7.02 A hand wash sink with hot and cold water, disposable towels in a dispenser and germicidal hand soap must be conveniently located. At least one (1) restroom must be provided with a toilet and hand-washing sink equipped as above. The restroom shall have a covered waste container for trash.
- 7.03 The tattoo area shall be separated from customers and observers by a partition or wall.
- 7.04 All tables and chairs used in the tattoo area shall be of an easily cleanable material.
- 7.05 The establishment shall be rodent-proof and insect-protected.
- 7.06 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 McDonald County Health Department shall be permitted access for inspection.

## SECTION 8 PROCEDURE WHEN INFECTION IS SUSPECTED

- 8.01 When the regulatory authority has reasonable cause to suspect possible disease transmission by an employee of a tattoo establishment, it may secure a morbidity history of the suspected employee or made any other investigation as indicated and shall take appropriate action. The regulatory authority may require any or all of the following measures:
  - (1) The immediate exclusion of the employee from employment in tattoo establishments;
  - (2) The immediate closing of the tattoo establishment concerned until, in the opinion of the regulatory authority, no further danger of disease outbreak exist;
  - (3) Restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease;
  - (4) Adequate medical and laboratory examination of the employee and of other employees and of his and their body discharges.

- 8.02 Any person (or responsible officer of that person) who violates a provision of this ordinance and any person (or responsible officer of that person) who is the holder of a permit, or who otherwise operates a tattoo establishment that does not comply with the requirements of this ordinance, shall be guilty of a misdemeanor and on conviction thereof shall be fined not more than \$1,000 for each violation. Each day in which any such violation does continue shall be deemed a separate offense.
- 8.03 The regulatory authority may seek to enjoin violations of this ordinance.
- 8.04 If any article, chapter, section, clause or phrase of this regulation is, for any reason, held to be invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this regulation. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the regulatory authority.

MCDONALD COUNTY  
TATTOO ESTABLISHMENT ORDINANCE

This ordinance shall be liberally construed and applied to promote its underlying purpose of protecting the public health.

An ordinance adopting regulations regarding the administration of tattoo establishment standards by the McDonald County Commission.

Be it ordained as follows:

(1) The McDonald County Commission hereby promulgates and adopts regulations regarding the administration of tattoo establishment standards as recommended and requested by the McDonald County Commission. A Copy of said regulation are attached hereto and made a part hereof by reference.

(2) The County Clerk is hereby ordered to have the attached regulations printed and available in their office for distribution to the public.

(3) A copy of this order shall be published in a newspaper in this county on three successive weeks with the first publication occurring not later than thirty (30) days after the passage of this order.

APPROVED THIS 14<sup>th</sup> DAY OF April, 2003.

Bill Wilson  
PRESIDING COMMISSIONER

Jacqueline Myers  
EASTERN COMMISSIONER

John Heble  
WESTERN COMMISSIONER

ATTEST:

Jaye Helmer  
COUNTY CLERK