

GIBSON COUNTY COMMISSIONERS
ORDINANCE NO. 2012-9

AN ORDINANCE ESTABLISHING MINIMUM
STANDARDS FOR TATTOO PARLORS AND
BODY PIERCING FACILITIES FOR GIBSON COUNTY, INDIANA

WHEREAS, Citizens of Gibson County Commissioners believe that it is reasonable to regulate tattoo and body piercing facilities in Gibson County, Indiana, and;

WHEREAS, Gibson County Commissioners are empowered to protect the health and safety of the citizens of Gibson County, Indiana, and;

WHEREAS, Gibson County Health Department shall inspect and oversee the operations of tattoo or body piercing business, and;

WHEREAS, Indiana Code 16-19-3-4.1 et seq. adopted reasonable rules to regulate sanitary operation of tattoo and body piercing facilities, and;

NOW THEREFORE, BE IT RESOLVED THAT THE FOLLOWING ORDINANCE BE ADOPTED AS FOLLOWS:

SECTION 1: Tattoo parlors and body piercing facilities shall be operated in accordance with this ordinance and the provisions of 410 IAC 1-5 et. seq. and I.C. 16-19-3-4.1 st. seq. or any successor provisions, and as the same is amended hereafter.

SECTION 2: All tattoo parlors and/or body piercing facilities shall have handwashing facilities in each tattooing and/or body piercing station. Each hand-washing facility shall have a hand-washing sink supplied with hot and cold running water from an approved water source, soap and single use towels. The sink shall be separate from the public restroom facilities.

SECTION 3: All tattoo parlors and/or body piercing facilities, shall be well ventilated and provided with an artificial light source equivalent to at least twenty (20) foot candles three (3) feet off the floor, except that at least one hundred (100) foot candles shall be provided at the level where the tattooing or body piercing is being performed and where instruments and sharps are assembled.

SECTION 4: Operators shall keep disinfection and sterilization equipment in an area that is not accessible to the public.

SECTION 5: Operators shall have all disinfection and sterilization equipment tested by an approved, independent laboratory on a monthly basis. Operators shall provide test results to the Health Officer on a monthly basis. Operators are subject to a fifty dollar (\$50.00) fine if the Health Officer does not receive test results by the 21st day of the month.

SECTION 6: Operators shall maintain a copy of photo identification of each patron with age identification for two (2) years.

SECTION 7: Operators shall require all tattoo artists and/or body piercers to show proof of having received the hepatitis B vaccination or proof of having declined said vaccination by signing a waiver.

SECTION 8: LICENSE AND LICENSE FEES

- (a) No person may operate a tattoo parlor and/or body piercing facility without obtaining a license from the Gibson County Health Department. Such license shall be posted in a conspicuous place at the facility. The license shall begin January 1 and expire December 31 of each year and shall be renewed annually;
- (b) The license fee and fees described below shall be due annually. The license fee shall be one hundred and fifty dollars (\$150.00) annually. The license fee for a facility not open in the previous licensing year, filing after January 1 shall be one hundred and fifty dollars (\$150.00);

In addition to the annual fee, the following fees shall apply as follows:

- (1) Artist yearly fee of \$75.00;
 - (2) Piercing yearly fee \$25.00;
 - (3) Guest Artist seven (7) day fee \$50.00;
 - (4) Special Event Fee seven (7) day fee \$100.00.
- (c) Renewal fee of one hundred dollars (\$100.00) shall be imposed for license renewal fees submitted after July 1;
 - (d) Facilities that open without first obtaining a license are subject to a doubling of the annual license fee;
 - (e) Temporary or mobile tattoo parlors and/or body piercing facilities shall be prohibited from obtaining a license. Persons violating this section of the ordinance are subject to a Five Hundred Dollar (\$500.00) fine;
 - (f) No license issued under this article may be transferred to another person or another location. No refund will be granted for any unexpired period of the license;
 - (g) In the event that an establishment is cited for a violation of a specific item as specified in 410 IAC 1-5

and/or, this ordinance, or any successor provisions, and as amended hereafter; the establishment is subject to a fine of one hundred dollars (\$100.00).

SECTION 9: CLOSURE OF TATTOO PARLORS AND BODY PIERCING FACILITIES:

Tattoo parlors and body piercing facilities may be closed by a County Health Officer when any of the following occur:

- (a) Untimely reporting of test results;
- (b) Proper hand-washing sink not provided at each station;
- (c) Conditions that present an imminent threat to public health or transmission of communicable disease;
- (d) Three (3) or more occurrences of the conditions described in this ordinance, including the requirements of IAC 410 1-5, within a twelve (12) month period.

The Health Officer may post a sign notifying the public that the facility has been closed. It is a violation of this ordinance for any person other than the Health Officer to remove this sign.

SECTION 10: WRITTEN POLICY.

The operator of a tattoo parlor shall develop a written policy in compliance with the requirements of IAC 410 1-5 and the Indiana occupational safety and health administration's bloodborne pathogen standard (as found in 29 CFR 1910.1030). Said policy shall be reviewed annually by the owner and shall be available for inspection by the Health Officer.

SECTION 11: ATTORNEYS FEES AND COST OF ENFORCEMENT.

Any and all attorneys fees or other costs expended by the Gibson County Health Department for the enforcement of this ordinance or the collection of fees and fines relative thereto, in administrative hearings, in court, or otherwise, as against violators of this ordinance, shall be payable by said violators and shall be collectable by the Gibson County Health Department in court, if necessary.

SECTION 12: This Ordinance shall be effective the 20th day of November, 2012.

PASSED AND ADOPTED THIS 20th DAY OF November, 2012.

GIBSON COUNTY COMMISSIONERS



Gerald A. Bledsoe
GERALD BLEDSOE, PRESIDENT

Bob Townsend
BOB TOWNSEND

Alan Douglas
ALAN DOUGLAS

ATTEST: (SEAL)

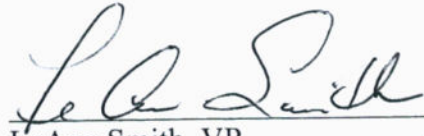
C. T. Montgomery
C. T. MONTGOMERY
AUDITOR

PASSED AND ADOPTED THIS 18th DAY OF DECEMBER, 2012.

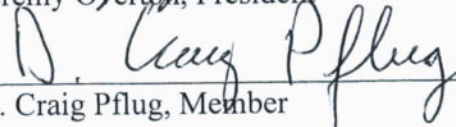
GIBSON COUNTY COUNCIL



Jeremy Oyerton, President



LeAnn Smith, VP



D. Craig Pflug, Member



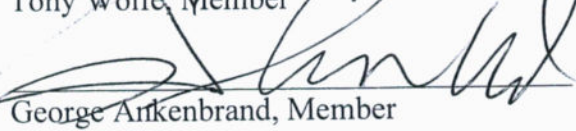
William McConnell, Member



Tony Wolfe, Member



William George, Member



George Arkenbrand, Member



ATTEST: C.T. Montgomery, Auditor