

600.16

IOWA COUNTY ORDINANCE NO. 4-196

TATTOO ARTIST REGULATIONS

THE IOWA COUNTY BOARD OF SUPERVISORS DO ORDAIN AS FOLLOWS:

SECTION I: The following ordinance of Iowa County, Wisconsin is hereby created as follows:

1.01 TATTOO ARTIST REGULATIONS

(1) No person shall engage in the practice of tattooing or own or operate a tattoo establishment without first applying for and receiving a permit from the County Health Department according to the provisions of this ordinance. The permit and inspection fees shall be set by the Health Committee.

(a) All applications for permits shall be submitted to Iowa County Health Department, 1205 N. Bequette St., Dodgeville, WI 53533

(b) Permits shall be posted in a conspicuous place in the tattoo establishment. Permits are not transferable and shall be valid for no longer than a 12 month calendar year, with all permits expiring on December 31st of each year, regardless of date of issue.

(2) DEFINITIONS

(a) "Department " is the Iowa County Health Department.

(b) "Director" is the Director of the Iowa County Health Department.

(c) "Health Officer" is the Health Officer or an authorized agent of the Health Officer.

(d) "Tattoo Artist" is any person engaged in the practice of tattooing.

(e) "Tattoo Establishment" is the location where tattooing is practiced.

(f) "Tattooing" is to puncture the skin of a person with a needle and insert indelible permanent colors through the puncture to leave permanent marks or designs.

- (g) "Disinfection" is the killing of microorganisms which cause disease.
- (h) "Soap or Cleaning Agent" is an agent used to remove dirt from a surface.
- (j) "Germicide" is an agent that retards the growth of bacteria.
- (k) "Antiseptic" is an agent that retards the growth of bacteria.
- (l) "Hot Water" is water at a temperature of 110 degrees F. or higher.
- (m) "Sterilization" is the killing of all living organisms.

(3) CUSTOMERS

- (a) No person shall tattoo any person under the age of eighteen (18) years.
- (b) WARNING TO CUSTOMERS. A sign with letters no less than three (3) inches in height stating "Warning, tattooing has been linked to the transmission of Hepatitis B." Said sign shall be conspicuously posted.
- (c) Inquiry shall be made and no tattooing shall be performed on any person who is suspected of having jaundice or hepatitis or who has recovered from jaundice or hepatitis within the preceding six (6) months.

(4) SANITATION AND INFECTION CONTROL

- (a) Tattooing shall be performed by a tattoo artist in a business establishment that is completely separated from the living quarters by a solid permanent partition. A solid door leading to the living quarters shall be permitted, provided it remains closed during business hours. A direct outside entrance to the tattoo establishment shall be provided. This door shall remain unlocked during business hours. Business hours shall be posted on the door.

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- (b) The establishment shall have potable hot and cold water under pressure.
- (c) All establishments shall be equipped with toilet and handwashing facilities which are connected to water and sewage disposal systems. Handwashing lavatories shall be supplied with cleansing compound and single service towels. At least one hand wash lavatory shall be located in the tattoo area.
- (d) The Health Officer shall have the right under this section, to inspect any licensed tattoo artist establishment for the purpose of determining compliance with any terms of this ordinance.
- (e) The tattoo establishment, including the immediate area where the tattoo procedure is to be performed, shall be adequately lighted and ventilated.
- (f) Floors in the immediate area where the tattoo procedure is to be performed, shall have smooth, washable surfaces.
- (g) Approved waste containers with non-absorbent, durable plastic liners shall be used for all tissues, towels, gauze pads and other similar items used on the customer. Bio-hazard waste shall be disposed of in an acceptable manner. Sharps shall be disposed of in Bio-Hazard Containers with the Artist/Establishment being responsible for disposal with a Medical Waste Contractor or other recognized disposal method.
- (h) Only licensed tattoo artists shall be present in the immediate vicinity of the area in which tattoos are administered.
- (i) The entire premises and all facilities used in connection therewith shall be maintained in a clean, sanitary, vermin-free condition and in good repair.
- (j) Closed cabinets for exclusive storage of instruments, dyes, pigments, stencils, and other equipment shall be provided for each tattoo artist.

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- (k) Smoking or consumption of food or drink shall not be allowed in the immediate vicinity where the actual tattoo procedure is being performed.
- (l) No animals, except guide dogs for visually or hearing impaired persons, shall be permitted in a tattoo establishment.
- (m) Operators with skin infections on a hand or hands shall not be permitted to engage in the practice of tattooing.

(5) EQUIPMENT

- (a) All service table surfaces shall be constructed of easily cleanable material.
- (b) Sterile single service or sterile individual containers of dye or ink shall be used for each patron. Any dye or ink in which needles were dipped shall not be used on another person. Ink cups shall be for single patron use only.
- (c) All instruments shall be thoroughly cleaned before being sterilized. This may be done with an ultrasonic cleaner or with a probe, needle or brush able to enter the smallest opening of the instrument. The cleaning of instruments shall be done with detergent and hot water or other methods approved by the Health Officer.
- (d) All tubes, needlebars, and instruments used in the tattoo procedure that are not sterile, single patron use, or disposable, shall be thoroughly cleaned, individually wrapped and steam sterilized and stored in a clean, dry manner.
- (e) Products must be steam sterilized (250 degrees Fahrenheit, 121 degrees Celsius for 15 minutes at a minimum pressure of 15 pounds per square inch) with an indicator device approved by the Department and entered into a daily log, and tattoo machines shall be stored in a manner that will maintain sterility.
- (f) Needles shall be disposable, sterile, single patron use.

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- (g) Razors shall be single patron and disposable. Material used to stop the flow of blood shall be disinfected with an approved disinfectant. Topical ointments or medications shall be packed for single patron use only. Spray products are also acceptable. All bandages and dressings shall be sterile. All instruments, equipment and facilities shall be maintained in a clean and sanitary condition.
- (h) For privacy purposes, at the patron's request, there shall be in place (or readily available), a panel or other barrier of sufficient height and width to effectively separate the patron from any unwanted observers or waiting patrons. Panels or barriers may be fixed or movable, rigid or flexible.

(6) PROCEDURES

Dyes and Inks:

- (a) The licensed tattoo artist shall submit in writing to the Health Officer at the time of application for the permit, the source of all dyes and inks used in administering tattoos.
- (b) Approved dyes or inks shall be taken only from squeeze bottle containers in which the dyes or inks have been sterilized.
- (c) Immediately before applying a tattoo, the dye used for the tattoo shall be squeezed from the sterile dye bottles into sterile disposable cups.
Upon the completion of the tattoo, the cups and unused dye shall be discarded. Any dye in which the needles were dipped, shall not be used on another person.
- (d) Tattoo artists shall wash their hands thoroughly with hot water and soap before gloving. Hands shall be dried with individual paper towels.
- (e) Tattoo artists shall wear clean outer garments. It is required that single use sterile gloves be worn by the tattoo artists during the tattoo procedure.

Stencils:

- (a) Plastic stencils shall be thoroughly cleaned after each use and sanitized by immersion for ten (10) minutes in a chlorine disinfectant solution prepared by mixing one (1) tablespoon household bleach containing five (5) percent chlorine with one (1) pint of water. A fresh solution of chlorine must be prepared for each stencil. After sanitizing, the stencils shall be rinsed in running water and air dried or blotted dry with a clean, single-service towel.

Prior to use, each pre-cleaned stencil shall be rinsed in a 70 percent isopropyl solution.

- (b) Paper stencils shall only be used once. New paper stencils shall be used for every individual.

(7) SKIN PREPARATION

- (a) The skin area to be tattooed shall first be cleansed with soap and water. Single use towels or sponges (gauze) shall be used during the cleansing procedure.
- (b) Before placing the tattoo design on the patron's skin, the tattoo artist shall prepare the skin with an approved antiseptic. The solution shall be applied with sterile cotton or sterile gauze or sprayed on. Stick deodorants used for stencils are to be trimmed to container level with a sterile instrument between patrons.
- (c) Tattooing shall not be performed on any area where there is evidence of skin infection.
- (d) After the tattooing is completed, a sterile non-sticking dressing shall be applied to the tattoo area if requested by patron.
- (e) Persons tattooed shall be provided with printed instructions regarding tattoo care during the healing process.
- (f) Aseptic technique:
 - 1. If the customer's skin is to be shaved, the skin shall be washed with a cleansing, germicidal soap before shaving. A single

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disposable safety razor shall be used. The razor shall be discarded after each use.

2. The skin area to be tattooed shall be prepared with an antiseptic.
3. Single-use gauze pads, cloths, and towels shall be used in the skin cleaning and preparation process.

(f) After completing work on any person, the tattooed area shall be cleaned with an approved disinfectant. A dry, sterile gauze dressing shall be used to cover tattooed area if requested by patron.

(8) GENERAL SUPPLIES

- (a) All tattooing establishments shall have clean paper towels in sufficient quantity for the sanitary operation of the practice or tattooing.
- (b) The operating table, chair, and supply tables shall be constructed of a material capable of being easily and thoroughly cleaned.

(9) RECORDS

Permanent records shall be kept of all tattoos administered, including the name of customer, dye type, area of tattoo, date, time, design of tattoo, and operator's name. Permanent records shall be kept for inspection. Instrument sterilization records shall be available.

(10) TEMPORARY PERMIT

Any person who wishes to practice tattooing and any person who wishes to operate a tattoo establishment for no more than seven days, shall apply for a temporary permit from the County Health Department. Each temporary location will require a new artist and establishment permit.

(11) PRE-INSPECTION

(1) DEFINITION

No license or permit shall be issued without a pre-inspection from the Iowa County Health Dept.

(2) FEES

The pre-inspection fee shall be set by the Health Committee.

(a) One pre-inspection fee only will be charged for each establishment whether or not permits are issued.

(b) No pre-inspection fee will be charged for Temporary Permits.

(12) SEVERABILITY

If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court, such decision of any court, such decision shall not affect the validity of the remaining portions of this ordinance.

(13) NONCOMPLIANCE

Anyone who violates this ordinance shall be required to forfeit not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) together with costs of prosecution. Anyone who has three (3) violations within the twelve (12) month licensure period, will have his or her license or permit revoked, and a license shall not be issued again to that establishment or artist.