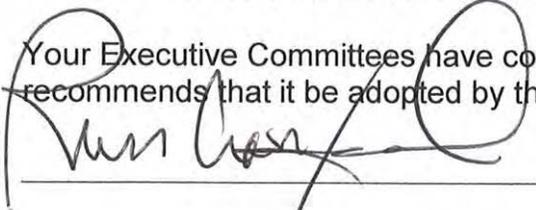
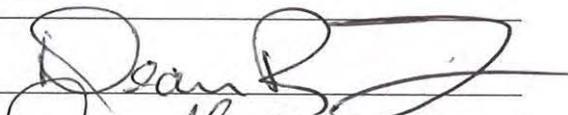
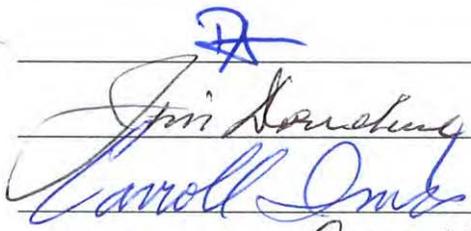
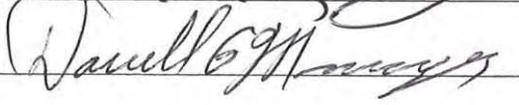
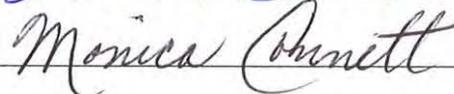


COMMITTEE REPORT

Mr. Chairman and Members of the Tazewell County Board:

Your Executive Committees have considered the following ORDINANCE and recommends that it be adopted by the Board:

	_____
_____	_____
	_____
	
	

RESOLUTION

WHEREAS, the County's Executive Committee recommends to the County Board to adopt the attached Tazewell County Body Art Ordinance as 6TCC- 10; and

WHEREAS, this Ordinance addresses issues that the State Code may not, establishes equality of minimum public health standards for body art facilities, adds definitions, enforcement provisions, artist and apprentice registration, requirements for premises, preparation and care of body art areas, equipment, disinfection and sterilization, inspection, penalties and suspensions.

THEREFORE BE IT RESOLVED that the County Board approve this recommendation.

BE IT FURTHER RESOLVED that the County Clerk notifies the County Board Office, the Health Department and the Auditor of this action.

PASSED THIS 28th DAY OF MAY, 2014.

ATTEST:



Tazewell County Clerk



Tazewell County Board Chairman

Tazewell County Body Art Ordinance

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6TCC-10-1 Definitions

In addition to the definitions contained in the Illinois Department of Public Health Body Art Code the following general definitions shall apply in the interpretation and enforcement of this ordinance:

- (a) Board of Health shall mean the Tazewell County Board of Health or its authorized representatives.
- (b) Inspector shall mean all authorized agents of Tazewell County Health Department, and representatives of the Board of Health, who have the authority to enter and make reasonable inspections of any body art establishment during their regular hours of business for the purpose of determining compliance with the Board's rules governing body art facilities. The inspector shall prepare a written report of said inspection. Such report shall be signed by the inspector and by the body art establishment owner or their designated representative. A copy of such inspection report shall be left with the owner or manager.
- (c) Local Health Department shall mean The Tazewell County Health Department.
- (d) Non-Registered Body Art Establishments shall mean *any* body art facility, including mobile or temporary, attempting to operate without a current registered permit from the Illinois Department of Public Health. These establishments will be required to cease operation until an application for certificate of registration has been submitted and an initial routine inspection has been performed. Once the application has been received, and the Illinois Department of Public Health has notified the Local Health Department, an inspector shall perform an initial routine inspection for the establishment. No establishment operating without a current State issued certificate of registration shall be permitted to operate body art in Tazewell County.

6TCC-10-2 Jurisdiction and Administrative Rules

- (a) The rules and regulations shall apply to all territory embraced within the limits of Tazewell County provided by law.
- (b) Within 30 days upon adoption, this code ordinance shall become effective.
- (c) The administrative rules adopted by the Illinois Department of Public Health pertaining to body art establishments and body art modification procedures found in 77 IL Adm. Code 797 "Body Art Code" and all subsequent amendments are hereby adopted by reference. The Board of Health is authorized to adopt rules to carry out the purpose of this ordinance. Three certified copies of each shall be on file in the office of the Tazewell County Clerk's Office.
- (d) Should any of the provisions of this ordinance conflict with a body art State law or code passed subsequent to this ordinance, the State law or code shall take precedence over this ordinance.

6TCC-10-3 Application and Permit Requirements

- (a) It shall be unlawful for any non-registered body art establishment to operate in any portion of Tazewell County, nor may any person practice the art of body art on a person other than himself or herself without obtaining a certificate of registration from the Illinois Department of Public Health. Establishments or individuals that continue to operate or practice without a certificate

from the Illinois Department of Public Health, or which operate in violations of these regulations, will be subject to enforcement provisions under this ordinance.

6TCC-10-4 Requirements for Premises

- (a) A hand sink with hot and cold running water, under pressure, preferably equipped with wrist- or foot-operated controls and supplied with liquid soap, disposable paper towels and be separate from any public restroom shall be readily accessible within the body art establishment. In addition, there shall be a minimum of one lavatory, excluding any service sinks, and one toilet in a body art establishment. Easily cleanable waste receptacles must be conveniently located near the hand washing facility.
- (b) There shall be no overhead or otherwise exposed sewerage lines so as to create a potential hazard to the sanitary environment of the business.
- (c) Containers of poisonous or toxic materials necessary for operational maintenance of the establishment shall be prominently and distinctly labeled in accordance with law. Small working containers of bulk cleaning agents shall be individually labeled for easy identification of contents.
- (d) Poisonous or toxic materials necessary for the maintenance of the establishment consists of the following two categories:
 - 1) Insecticides and rodenticides;
 - 2) Detergents, sanitizers, related cleaning or drying agents, and caustics, acids, polishes and other chemicals.
- (e) Materials in each of these two categories shall be stored and located to be physically separated from each other, shall be stored in cabinets or in similar physically separated compartments or facilities used for no other purpose; and, to preclude potential contamination, shall not be stored above or intermingled with body art equipment.

6TCC-10-5 Body Art Operator/Apprentice Requirements and Professional Standards

- (a) All operators and apprentices working in *any* body art establishment, including temporary and mobile, shall be registered with the Local Health Department. This list shall be provided by the registered body art establishment and submitted with a fee as set by the Board of Health. Artist registration shall be renewed every five years, or if an artist changes location within Tazewell County.
- (b) A complete list of all registered operators shall be provided to the Local Health Department annually with facility license renewal.
- (c) Proof shall be provided upon request of the Local Health Department that all operators/apprentices have either completed or were offered and declined, in writing, the hepatitis B vaccination series. This offering should be included as a pre-employment requirement.
- (d) Body art establishments are responsible for notifying the Local Health Department, in writing, when an operator/apprentice starts or stops working at the establishment within 30 days.
- (e) Apprentices shall work under the supervision of a registered Body Art Operator.

6TCC-10-6 Preparation and Care of the Body Art Area

- (a) No individual performing body art services shall use styptic pencils, alum blocks, or other solid styptics to check the flow of blood.
- (b) Only sterile ointment in collapsible metal or plastic tubes or its equivalent, as approved by the board of health, shall be used on the area to be tattooed and shall be applied by use of a single use gauze square, individual cotton ball or square, or single use wooden tongue depressors. Under no circumstances shall bare hand contact be used for application.

6TCC-10-7 Equipment

- (a) Operators performing body piercing services shall install only sterilized jewelry made of steel that is ASTM F138 compliant or ISO 5832-1, 10993-6, 10993-10, and/or 10993-11 compliant and polished to a mirrored finish, titanium (Ti6Al4V ELI) that is ISO 5832-3, ASTM F136 or ASTM F67 compliant and polished to a mirrored finish, solid 14 karat higher nickel free white or yellow gold, solid nickel free platinum alloy, niobium, fused quartz glass, lead-free borosilicate, or lead-free soda-lime glass, or polymers (plastics) such as medical tubing, Polytetrafluoroethylene (PTFE) that is ASTM F754-00 compliant, any plastic material that is ISO 10993-6, 10993-10, or 10993-11 compliant or meets the United States Pharmacopeia (USP) Class VI material classification,
- (b) Threaded jewelry must be internally threaded (no threads on posts) and all surfaces and ends must be free from nicks, scratches, burrs and polishing compounds.
- (c) A facility must have on premises a "Mill Test Certificate" in English for all jewelry used for initial piercings which provides evidence of a specific grade of metal with a code designation or ASTM or ISO or other documentation approved by the agency which meets subsection (a) of this rule.

6TCC-10-8 Disinfection and Sterilization Procedures

- (a) All non-disposable containers used for the preparation of the skin prior to when the body art procedure is performed shall be cleaned daily by autoclave.
- (b) The operator shall place all used, non-disposable instruments in an ultrasonic-type machine to remove excess dye or other matter from the instruments; or the operator shall immerse non-disposable instruments for at least twenty minutes in a disinfectant solution registered with the united states environmental protection agency as a hospital disinfectant before the operator proceeds to scrub the instruments. When this process is completed, the operator shall place the instruments into either a covered container or into a wrapper designed or suitable for steam sterilization. The operator shall daily sanitize the ultrasonic-type unit with a germicidal solution.
- (c) The operator shall provide a steam sterilizer (autoclave) for sterilizing all needles and similar instruments before use on any patron. Alternate sterilizing procedures may be used when specifically approved by the Board of Health. Sterilization of instruments will be accomplished in the autoclave by exposure to steam for at least fifteen minutes at a minimum pressure of fifteen pounds per square inch, temperature of two hundred fifty degrees Fahrenheit or one hundred twenty-one degrees Celsius.
- (d) In the event of a positive biological indicator result or mechanical failure, all items sterilized since the time of the last negative biological monitor result shall immediately be recalled and

prohibited from use until cause of positive biological indicator test result is identified. The sterilizer shall not be used to sterilize instruments until the cause of positive indicator testing is identified.

- 1) In the event of a positive biological indicator result or mechanical failure, all items sterilized since the time of the last negative biological monitor result shall immediately be recalled and prohibited from use until cause of positive biological indicator test result is identified. The sterilizer shall not be used to sterilize instruments until the cause of positive indicator testing is identified.
- 2) If a mechanical or procedural failure was identified as evidenced by a repeat positive biological indicator test, the facility shall re-sterilize all recalled instruments and assess if any items were used since the time of the last negative indicator test. The local health department shall be notified immediately of the mechanical failure.

6TCC-10-9 Inspections and Enforcement Provisions

- (a) A representative of the Board of Health shall properly identify him – or herself before entering a body art establishment to make an inspection. Such an inspection must be conducted as often as necessary throughout the year to ensure compliance with this code.
- (b) A representative of the Board of Health may inspect a body art establishment, including mobile or temporary, at any reasonable time(s) the Board of Health deems necessary to conduct inspections, complaint investigations and inspect conditions related to the enforcement of this code. Representatives shall only enter a procedure area with a client’s consent if a body art procedure is in process at the time of the inspection.
- (c) A copy of the inspection report must be furnished to the body art establishment permit holder or body artist registration holder, with the Illinois Department of Public Health retaining possession of the original.
- (d) If, after investigation, the Board of Health should find that a body art establishment or body artist is in violation of this code, the Local Health Department may advise the body art establishment and/or body artists, in writing, of its findings and instruct the specific steps to correct such violations within a reasonable period of time, not to exceed 30 days.
- (e) Body art establishments and/or body artists that continue to operate without proper permits from the Illinois Department of Public Health or operate in violation of these regulations will be subject to legal remedial actions and sanctions as provided by the law.

6TCC-10-10 Penalties, Suspension and Revocation of Permits

- (a) The following penalties shall apply to any establishment or individual(s) who operate within Tazewell County, Illinois upon violation of the following requirements:
 - 1) Failure to register or renew registration with Illinois Department of Public Health for a Body Art Permit as required by Section 797.400 of the IDPH Body Art Code. --\$250.00 Plus per day surcharge number of days x \$50.00 each day the establishment, mobile or temporary, remains in violation.

- 2) Failure to inform the Local Health Department of any temporary body art operation activities as required by Section 797.1400 of the IDPH Body Art Code for inspection, with the result of the temporary event passing without inspection. --\$500.00
 - 3) Failure to register body artists with the Board of Health. --\$250.00
- (b) Certificates of registration for body art establishments and artists may be suspended by the Board of Health for failure to comply with the requirements of this ordinance. Upon suspension, the certificate shall be removed from the establishment by the Board of Health and returned to the Local Health Department.
- (c) A body art establishment or artist shall be notified in writing that the certificate of registration is, upon service of the notice, immediately suspended and that an opportunity for a hearing will be provided if a written request is filed with the Board of Health by the certificate of registration holder.
- (d) Notwithstanding the other provisions of this ordinance, whenever the Board of Health finds unsanitary or other conditions in the operation of a body art establishment or body artists procedures which in its judgment, constitutes a substantial hazard to the public health, the Board of Health may without warning, notice or hearing, issue a written notice to the certificate of registration holder citing such condition, specifying the corrective action to be taken, and specifying the time period within such action shall be taken and if operations as a body art establishment/operator are to be immediately discontinued. Any establishment or person to whom such an order is issued shall comply immediately therewith, but upon written petition to the Board of Health shall be afforded a hearing as soon as possible.