

Hennepin County Ordinance 23: Body Art (Draft)

Updated: 6/23/2020

Section I: Purpose

1.01 Purpose

This ordinance is enacted to establish standards to protect health, safety and general welfare of the people of Hennepin County through regulation of the persons owning body art establishments, the individuals performing body art procedures, and the establishments where body art procedures are performed.

1.02 Objectives

The principal objectives of this ordinance are:

- A. To prevent disease transmission;
- B. To prevent and correct conditions that may adversely affect persons utilizing body art establishments;
- C. To provide standards for the design, construction, operation, and maintenance of body art establishments; and
- D. To meet consumer expectations of the safety of body art establishments.

Section II: General provisions

2.01 Scope

This ordinance shall apply to all individuals performing body art procedures and all body art establishments where tattooing and body piercing are conducted.

2.02 Exemptions

Board-certified medical or dental personnel that tattoo or pierce as part of a medical or dental procedure are exempt from this ordinance. Also, individuals piercing only the outer perimeter or lobe of the ear using pre-sterilized single use stud and clasp ear-piercing system are exempt from this ordinance's license requirements.

2.03 Prohibitions

No individual shall:

- A. Conduct branding, cutting, implantation, suspension, or scarification of another individual.
- B. **Tattoo an individual under the age of 18. Tattooing a minor is a misdemeanor regardless of parental or guardian consent.**

- C. Pierce the genitalia or nipples of a minor.
- D. Practice tattooing or piercing while under the influence of alcohol, controlled substances as defined in Minnesota Statutes, section 152.01, subd. 4, or hazardous substances as defined in the rules adopted under Minnesota Statutes, Chapter 182; or
- A. Operate a body art establishment or perform body art procedures as described in this ordinance without a license.

2.04 Jurisdiction

This ordinance shall apply to all body art establishments located in Hennepin County. This ordinance is not intended to preempt any local zoning or health ordinances applicable to body art establishments.

Section III: Definitions

3.01 "Aftercare"

Means written instructions given to the client, specific to the procedure(s) rendered, on caring for the body art and surrounding area. These instructions shall include information on when to seek medical treatment.

3.02 "Antiseptic"

Means an agent that destroys disease-causing microorganisms on human skin or mucosa.

3.03 "Apprentice"

Means an individual working under the direct supervision of a licensed technician(s) in a licensed body art establishment to learn the skills of the trade.

3.04 "Apprenticeship"

Means an agreement an apprentice has with a licensed technician(s) learning the skills of tattooing or piercing while working under the direct supervision of a licensed technician(s) in a licensed establishment.

3.05 "Body art"

Means physical body adornment using, but not limited to, the following techniques: body piercing, tattooing, and cosmetic tattooing. This definition does not include practices that are considered part of a medical procedure performed by board certified medical or dental personnel, such as, but not limited to, implants under the skin. Such medical procedures shall not be performed in a body art establishment. This ordinance definition shall not include piercing of the outer perimeter or lobe of the ear using pre-sterilized single use stud and clasp ear piercing system.

3.06 "Body art establishment"

Means any place or premise, whether public or private, temporary or permanent in nature or location, where the practices of body art, whether or not for profit, are performed.

3.07 "Body piercing"

Means the penetration or puncturing of human skin by any method, for the purpose of inserting jewelry or other objects, in or through the human body. "Body Piercing" shall not refer to any medical procedure performed by board certified medical or dental personnel. Also, "Body Piercing" shall not refer to the puncturing of the outer perimeter or lobe of the ear using pre-sterilized single use stud and clasp ear-piercing system.

3.08 "Body scarification or scarring"

Shall mean any method of applying a scar to the body for the purpose of creating a permanent mark or design on the skin.

3.09 "Branding"

Shall mean any method using heat, cold, or any chemical compound to apply a scar to the body for the purpose of creating a permanent mark or design on the skin.

3.10 "Contaminated waste"

Means any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps and any wastes containing blood and other potentially infectious materials, as defined in Code 29 of Federal Regulations Part 1910.1030, known as "Occupational Exposure to Bloodborne Pathogens."

3.11 "Cosmetic Tattooing"

Generally referring to permanent or semi-permanent makeup. See definition of tattooing.

3.12 "Cutting"

Means the practice of cutting the skin, mucosa or part of the body to create a permanent scar or division of tissue for the purpose of body art. "Cutting" shall not refer to any medical procedure performed by board certified medical or dental personnel.

3.13 "Disinfection"

Means the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering the objects safe for use or handling.

3.14 "Equipment"

Means all machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage areas, sinks, and all other apparatus and appurtenances used in the operation of a body art establishment.

3.15 "Establishment plan"

Means a to-scale drawing of the establishment's layout illustrating the requirements of this ordinance.

3.16 "Guest artist"

Means an individual who performs body art procedures under a current technician license or meets the apprenticeship requirements of section 4.04.

3.17 "Handsink"

Means a lavatory equipped with hot and cold water held under pressure, used solely for washing hands, wrists, arms or other portions of the body

3.18 "Health authority"

Means the [Hennepin County Public Health Department](#), its designated employees, or other designated agents.

3.19 "Hot water"

Means water at least 110° F.

3.20 "Implanting"

Means to fix or set securely an object entirely below the dermis and includes, but is not limited to, 3-dimensional body art applications. Implanting does not include medical procedures including, but not limited to, pacemaker insertion, cosmetic surgery, and reconstructive surgery performed by board certified medical and dental personnel.

3.21 "Individual"

Means a human being.

3.22 "Jewelry"

Means any personal ornament inserted into a newly pierced area.

3.23 "Liquid chemical germicide"

Means a disinfectant or sanitizer registered with the Environmental Protection Agency.

3.24 "Operator or technician"

Means any individual who controls, operates, manages, conducts or practices body art activities at a body art establishment and who is responsible for compliance with these regulations, whether actually performing body art activities or not. The term includes technicians who work under the direction of the operator and perform body art activities.

3.25 "Person"

Means any individual, partnership, corporation, or association.

3.26 "Procedure area"

Means the physical space or room used solely for conducting body art procedures.

3.27 "Procedure surface"

Means the surface area of furniture or accessories that may come into contact with the client's clothed or unclothed body during a body art procedure. "Procedure Surface" also means the area of the client's skin where the body art procedure is to be performed and the surrounding area, or any other associated work area requiring sanitizing.

3.28 "Remodel"

Means any change to the current establishment requiring either a building or trades permit for the work to proceed. "Remodel" does not include changes to the front desk area, waiting area, painting, wallpapering, or carpeting, even if a permit is otherwise required. Adding a new workstation, plumbing changes, or expanding into an adjacent space to add workstations are examples of remodeling. "Remodeling" also means any changes to an establishment plan previously submitted to the Health Authority.

3.29 "Sanitization (or to sanitize)"

Means a process of reducing the numbers of microorganisms on clean surfaces and equipment to a safe level.

3.30 "Safe level"

Means not more than 50 colonies of microorganisms per 4 square inches of equipment or procedure surface.

3.31 "Sharps"

Means any object (sterile or contaminated) that may purposefully or accidentally, cut or penetrate the skin or mucosa including, but not limited to, pre-sterilized single use needles, scalpel blades, and razor blades.

3.32 "Sharps container"

Means a puncture-resistant, leak-proof container that is closed for handling, storage, transportation and disposal. The "Sharps Container" shall be labeled with the international biohazard symbol.

3.33 "Single use"

Means products or items intended for one time use and are disposed of after use on each client. Examples of "Single Use" items include cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, tattoo needles, stencils, ink cups, and protective gloves.

3.34 "Standard (universal) precautions"

Means a set of guidelines and controls, published by the Center for Disease Control (CDC) as "guidelines for prevention of transmission of human immunodeficiency virus and hepatitis B virus to health-care and public-safety workers" in Morbidity and Mortality Weekly Report (MMWR), June 23, 1989, Vol. 38, No. S-6, and as "recommendation for preventing transmission of human immunodeficiency virus and hepatitis B virus to patients during exposure-prone invasive procedures," in MMWR, July 12, 1991, Vol. 40, No. RR-8. This method of infection control requires the employer and the employee to assume that all human blood and specified human body fluids are infectious for HIV, HVB and other blood pathogens. Precautions include handwashing, gloving, personal protective equipment, injury prevention, and proper handling and disposal of needles, other sharp instruments, and blood and body fluid contaminated products.

3.35 "Sterilization"

Means a process resulting in the destruction of all forms of microbial life, including highly resistant bacterial spores.

3.36 "Suspension"

Means the piercing of human tissue with large gauge fishing hooks or other piercing apparatus to raise or lower an individual with pulleys or other apparatus.

3.37 "Tattooing"

Means any method of placing ink or other pigments into or under the skin or mucosa with needles or any other instruments used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This includes all forms of cosmetic tattooing.

3.38 "Temporary event"

Means any place or premise operating at a fixed location where an operator performs body art procedures for no more than 21 days in conjunction with a single event or celebration.

Section IV: Administration

4.01 Administrative procedures

Provisions of the Hennepin County Administrative Ordinance, Ordinance No. 1, County Licenses, Procedures-Criminal Penalty Ordinance that are not covered by this ordinance and do not conflict with provisions of this ordinance shall apply as if fully set forth herein.

4.02 License required

No person shall own or operate a body art establishment without an establishment license. Nor shall any individual perform body art procedures or engage in any enterprises described in Section 2, unless a technician license has been obtained. Each license shall be obtained from the Health Authority pursuant to this ordinance and the Hennepin County Administrative Ordinance, Ordinance No. 1.

4.03 Licensing procedure

- A. All establishment license applications, new and renewal, shall be made upon forms furnished by the Health Authority. The license application shall describe the general nature of the business, the location, and any other information deemed necessary by the Health Authority.
- B. Each technician must possess a license from the Minnesota Department of Health as defined in MN Statutes 146B.02, Subd. 9b.

4.04 Apprenticeship and guest artist procedure

- A. No individual shall start an apprenticeship or conduct body art procedures as a temporary technician, until a licensed technician registers the individual with the Minnesota Department of Health based on MN Statutes 146B.03, Subd. 7 and Subd. 7a.
- B. Guest artists must meet the temporary licensure requirements from MN Statutes 146B.04.

4.05 Location restricted

No individual shall engage in body art activities at any place other than a licensed establishment.

4.06 License expiration

Licenses issued pursuant to this ordinance shall commence and expire on the dates indicated on the license certificate with the exception of temporary event licenses. Licenses for temporary events shall be applied to the Health Authority at a minimum of seven (7) days prior to the start of the event. Temporary event licenses shall be issued for the specific days and hours of operation specified on the application and approved by the Health Authority.

4.07 Transfer and display of license

Only a person who complies with the requirements of this ordinance shall be entitled to receive a license. A license shall not be transferable as to person or place. A valid license shall be located onsite and visibly posted to the public.

4.08 Temporary events

Temporary body art establishments and individuals conducting body art procedures at a temporary event must meet the requirements of this ordinance.

Section V: Inspection and plan review

5.01 Inspection required

The Health Authority shall inspect each body art establishment:

- A. Before issuing a license for a new establishment;
- B. As part of a construction or remodeling plan review;
- C. As part of a complaint investigation; or
- D. At least once per year for a routine inspection.

5.02 Construction inspections

The body art establishment shall be constructed in conformance with the approved plans. A statutory or home rule charter city shall not issue a building permit for a body art establishment or remodeling or alteration permit for such establishment until such plans have the approval of the Health Authority. The Health Authority shall inspect the body art establishment as frequently as necessary during the construction to ensure that the construction occurs in conformance with this ordinance. The Health Authority shall conduct a final construction inspection prior to the start of operations and issuance of a license.

5.03 Access to premises and records

The operator of the body art establishment shall, upon request of the Health Authority and after proper identification, permit access to all parts of the establishment at any reasonable time, for the purpose of inspection. The operator shall allow review of any records necessary for the Health Authority to ascertain compliance to this ordinance.

5.04 Interference with the health authority

No person shall interfere with or hinder the Health Authority in the performance of its duties, or refuse to permit the Health Authority to make such inspections.

5.05 Removal and correction of violations

Operator(s) or technician(s) shall correct or remove each violation upon receipt of an inspection report giving notification of one or more violations of this ordinance in a reasonable length of time as determined by the Health Authority. The length of time for the correction or removal of each such violation shall be noted on the inspection report. Failure to remove or correct each violation within the time period noted on the inspection report shall constitute a separate violation of this ordinance. The Health Authority may issue orders to halt construction or remodeling, or to take corrective measures to ensure compliance with this ordinance.

Section VI: Grounds for emergency closure

6.01 Single violations

If any of the following conditions exist, the operator(s) or technician(s) may be ordered to discontinue all operations of the body art establishment. Body art establishments shall only reopen with permission from the Health Authority.

- A. Failure to possess a license required by this ordinance;
- B. Evidence of a sewage backup in an area of the establishment where body art activities are conducted;
- C. Lack of potable, plumbed, hot or cold water to the extent that hand washing, or toilet facilities are not operational;
- D. Lack of electricity or gas service to the extent that hand washing, lighting, or toilet facilities are not operational;
- E. Significant damage to the body art establishment due to tornado, fire, flood, or other disasters;
- F. Evidence of an infestation of rodents or other vermin;
- G. Evidence of contamination, filthy conditions, untrained staff or poor personal hygiene;
- H. Any time a public health nuisance exists;
- I. Using instruments or jewelry that are not sterile;
- J. Failure to maintain required records;
- K. Failure to use gloves as required;
- L. Failure to properly dispose of sharps, blood or body fluids, or blood or body fluid contaminated items;
- M. Failure to properly report complaints of potential blood borne pathogen transmission to the Health Authority;
- N. Evidence of violations to Section 2.03 of this ordinance; or
- O. Evidence of a positive spore test on the sterilizer. This does not apply to facilities with the option of using disposable tattoo equipment.

Section VII: Standards for health and safety

No operator or body art establishment shall engage in body art activities without complying with the following regulations:

7.01 Facilities

- A. Any new or remodeled establishment shall submit to the Health Authority a to-scale establishment plan in sufficient detail to ascertain compliance with conditions in this ordinance.
- B. There shall be no less than forty-five (45) square feet of floor space for each procedure area. The procedure area(s) must be separated from the bathroom, retail sales area, hair salon area, or any other area that may cause potential contamination of work surfaces. For clients requesting privacy, dividers, curtains, or partitions at a minimum shall separate multiple procedure areas.
- C. Establishments shall have a readily accessible handsink that is not in a public restroom and is equipped with:
 - 1. Hot and cold running water under pressure;
 - 2. No touch faucet controls such as wrist or foot operated;
 - 3. Liquid hand soap;
 - 4. Single use paper towels; and
 - 5. A garbage can.
- D. Every establishment shall have at least one available bathroom equipped with a toilet and a hand lavatory. The hand lavatory shall be supplied with:
 - 1. Hot and cold running water under pressure;
 - 2. Liquid hand soap;
 - 3. Single use paper towels or mechanical hand drier/blower;
 - 4. A garbage can;
 - 5. A door that closes; and
 - 6. Adequate ventilation.
- E. The establishment shall have an artificial light source equivalent to 20 foot-candles at three feet above the floor. At least 100 foot-candles of light shall be provided at the level where body art procedures are performed, where sterilization takes place, and where instruments and sharps are assembled.
- F. All procedure surfaces shall be smooth, nonabsorbent and easily cleanable. Procedure surfaces shall be cleaned and sanitized after each client.
- G. All ceilings shall be in good condition.
- H. All walls and floors shall be free of open holes or cracks and washable.
- I. All facilities shall be maintained in good working order.
- J. All facilities shall be maintained in a clean and sanitary condition.
- K. No establishment shall be used or occupied for living or sleeping quarters.
- L. Only service animals may be allowed in the establishment. No animals shall be allowed in the procedure area(s).
- M. Effective measures shall be taken by the operator to prevent entrance, breeding, and harborage of insects, vermin, and rodents in the establishment.

7.02 Equipment and instruments

- A. All reusable instruments shall be thoroughly washed to remove all organic matter, rinsed, and sterilized before and after use. All jewelry and equipment used as part of a piercing procedure shall be sterilized before use.
- B. Piercing and tattoo needles shall be single use needles and must be sterilized before use. Pre sterilized needles for tattoo and piercing procedures are approved if they meet FDA standards (such as Ethylene Oxide Gas)
- C. All sterilization shall be conducted using steam heat. Steam heat sterilization units shall be operated according to the manufacturer's specifications.

- D. **At least once every 30 days**, a spore test shall be conducted on the sterilizer to ensure that it is working properly. If a positive spore test result is received, the sterilizer cannot be used until a negative result is obtained. This may result in ceasing operation until the situation is corrected.
- E. Jewelry must be made of surgical implant grade stainless steel, solid 14k or 18k white or yellow gold, niobium, titanium or platinum, and/or a dense low-porosity plastic. Jewelry must be free of nicks, scratches or irregular surfaces and must be properly sterilized prior to use.
- F. All inks, dyes, and other pigments shall be specifically manufactured for tattoo procedures. The mixing of approved inks, dyes, or pigments, or their dilution with distilled water or alcohol is acceptable. **Inks that are mixed and saved for future use must be dated with the nearest expiration date of the original ink bottles, and discarded or used on or before said date. The original ink bottles must be kept on-site until the mixed ink is discarded.**
- G. Immediately before applying a tattoo, the quantity of the dye used shall be transferred from the dye bottle and placed into single use paper or plastic cups. Upon completion of the tattoo, these single use cups and their contents shall be discarded.
- H. All tables, chairs, furniture or other procedure surfaces that may be exposed to blood or body fluids during the tattooing or piercing procedure shall be constructed of stainless steel, or other suitable material that will allow complete sanitization, and shall be sanitized between uses with a liquid chemical germicide. **Porous and non-cleanable furniture and decor is not allowed in the procedure area.**
- I. Single use towels or wipes shall be provided to the client. These towels shall be dispensed in a manner that precludes contamination and disposed of in a cleanable garbage container with a liner.
- J. All bandages and surgical dressings used shall be sterile or bulk-packaged clean and stored in a clean, closed container.
- K. All equipment and instruments shall be maintained in a good working order and in a clean and sanitary condition.
- L. All instruments and supplies shall be stored clean and dry in covered containers.

7.03 Skin preparation

- A. Whenever it is necessary to shave the skin, a new disposable razor must be used for each client.
- B. The skin area subject to a body art procedure must be thoroughly cleaned with soap and water, rinsed thoroughly, and swabbed with an antiseptic solution. Only single use towels or wipes shall be used in the skin cleaning process.
- C. No body art procedure shall be performed on any area of the skin where there is an evident infection, irritation, or open wound.

7.04 Hand washing and hygiene

- A. Each technician shall scrub his or her hands and wrists thoroughly for 20 seconds before and after performing a body art procedure.
- B. Technicians with skin infections of the hand shall not perform body art procedures.
- C. The technician must wash his or her hands after contact with the client receiving the procedure or after contact with potentially contaminated articles.
- D. Technicians shall wear clean clothing and use a disposable barrier such as a lap cloth when performing body art procedures.
- E. For each client, single use disposable barriers shall be provided on all equipment used as part of the procedure that cannot be sterilized according to 7.02 A. Examples may include, but not limited to spray bottles, procedure light fixture handles, tattoo machines and cords.
- B. Technicians shall not smoke, eat, or drink while performing body art procedures. **This includes the use of electronic smoking devices.**

7.05 Glove use

- A. Single use gloves of adequate size and quality as to preserve dexterity shall be used for touching clients, for handling sterile instruments, or for handling blood or body fluids.

- B. Gloves must be changed if they become damaged; **they come into contact with any potentially contaminated surface or objects**; or they come in contact with a third person.
- C. At a minimum, gloves shall be discarded after the completion of a procedure on a client.
- D. Hands and wrists must be washed before putting on a clean pair of gloves and after removing a pair of gloves.
- E. Gloves shall not be reused.

7.06 Proper handling and disposal of needles, other sharp instruments, blood, other body fluids, and contaminated products

- A. Contaminated waste that may release liquid blood or body fluids when compressed or that may release dried blood or body fluids when handled, must be placed in an approved "red" bag that is marked with the international biohazard symbol. It must be disposed of by a licensed waste hauler at an approved site, or at a minimum, in accordance with the requirements contained in 29 CFR Part 1910.1030, Occupational Exposure to Bloodborne Pathogens.
- B. Contaminated waste that does not release liquid blood or body fluids or that may release dried blood when compressed or handled may be placed in a covered receptacle and disposed of through normal, approved disposal methods.
- C. Sharps ready for disposal shall be disposed of in an approved sharps container.
- D. Storage of contaminated waste on-site shall not exceed the period specified by 29 CFR Part 1910.1030, Occupational Exposure to Bloodborne Pathogens.

Section VIII: Technician requirements and professional standards

8.01 Technician information

The following information shall be kept on file for **three years** on the premises and available for inspection by the Health Authority for each technician or apprentice:

- A. Full name;
- B. Home address;
- C. Home phone number;
- D. Date of birth;
- E. Identification photo;
- F. Exact duties; and
- C. **Proof of a license from the Minnesota Department of Health**, guest artist registration or current apprenticeship registration.
- D. Proof of an approved bloodborne pathogen certification.

8.02 Establishment information

The following information shall be kept on file for three years on the premises and available for inspection by the Health Authority:

- A. A description of all body art procedures performed at the establishment.
- B. An inventory of instruments, body jewelry, sharps, and inks or pigments used for all procedures including the names of manufacturers, serial and lot numbers. Invoices or orders shall satisfy this requirement.
- C. Copies of spore tests conducted on the sterilizer.
- D. A copy of this ordinance shall be available at all times on premises.

8.03 Client records

- A. No technician shall tattoo an individual under the age of 18 years. **Tattooing a minor is a misdemeanor regardless of parental or guardian consent according to Minnesota Statutes 146B.07, Subd. 2, 5b.**

- B. No technician shall pierce a minor without written permission from a custodial parent given in person at the establishment. Nipple and genital piercing is prohibited on minors regardless of parental consent.
- C. A technician shall require proof of age from clients before performing any body art procedure. Proof of age must be established by one of the following methods:
 - 1. A valid driver's license or identification card issued by the State of Minnesota, or other state, and including the photograph and date of birth of the person;
 - 2. A valid military identification card issued by the United States Department of Defense;
 - 3. A valid passport;
 - 4. A resident alien card; or
 - 5. A tribal identification card.
- D. Before performing any body art procedure, the technician must provide the client with a medical release form that indicates whether the client has any of the following. These must be marked individually on the form.
 - 1. Diabetes;
 - 2. A history of hemophilia;
 - 3. A history of skin diseases, skin lesions, or skin sensitivities to soap, disinfectants, etc.;
 - 4. A history of allergies to metals;
 - 5. A history of epilepsy, seizures, fainting or narcolepsy;
 - 6. A condition where the client takes medications, such as anticoagulants, that thin the blood and/or interferes with blood clotting; or
 - 7. Any other information that would aid the technician in body art procedure process evaluation.
 - 8. The form must include a statement informing the client that the technician shall not perform a body art procedure if the client fails to complete or sign the release form, and the technician may decline to perform a body art procedure if the client has any identified health conditions.
 - 9. The technician shall ask the client to sign and date the release form confirming that the information listed in Section 8.03, D(1-7) was obtained and that the information is accurate.
- E. Before administering a body art procedure, the client must sign and date a consent form. The consent form shall disclose:
 - 1. That any tattoo should be considered permanent; it may only be removed with a surgical procedure; and any effective removal may leave scarring; or
 - 2. That any piercing may leave scarring.
- F. Body art procedures shall not be performed on any individual who appears to be under the influence of alcohol; controlled substances as defined in Minnesota Statutes, Section 152.01, subd. 4; or hazardous substances as defined in rules adopted under Minnesota Statutes, Chapter 182.

8.04 Client record maintenance

The body art establishment operator shall maintain proper records for each client. The records of the procedure shall be kept for **three years** and shall be available for inspection by the Health Authority upon request. The records shall include the following:

- A. The date of the procedure.
- B. Record of information on picture identification showing name, age, and current address of the client.
- C. Copy of the **medical release and consent** forms signed and dated by the client.
- D. The nature of the body art procedure performed.
- E. The name and license number of the technician performing the procedure.
- F. A copy of the consent form to perform a piercing procedure on a minor with required signatures as defined in 8.03, B.

8.05 Under the influence

No technician shall perform body art procedures while under the influence of alcohol, controlled substances as defined in Minnesota Statutes, section 152.01, subd. 4, or hazardous substances as defined in the rules adopted under Minnesota Statutes, Chapter 182.

8.06 Aftercare

Technicians shall provide each client with printed instructions on recommended care of the body art during the healing process.

8.07 Notification

Operators and technicians shall notify the Health Authority immediately of any reports they receive of a potential bloodborne pathogen transmission.

8.08 Industry self-survey and training responsibility

Every licensee of a body art establishment shall arrange for and maintain a program of sanitation self-inspection conducted by the owner, operator, technician, or apprentice and approved by the Health Authority. The self-inspection program shall include written policies, appropriate forms for logging self-inspections, and evidence that routine self-inspection of all aspects of the body art establishment takes place. A description of the body art establishment self-inspection program shall be available for review.

Section IX: Fees

9.01 License fees

Fees for licenses and plan review issued hereunder shall be those established from time to time by resolution of the Hennepin County Board of Commissioners. An additional fee shall be charged for each additional service or operation that is separate, distinct or unique from the central or main body art establishment, as determined by the Health Authority.

9.02 Late fees

If work has commenced prior to approval of construction or remodeling plans, late fees may be assessed in accordance with the fee schedule.

9.03 Prorating

If a body art establishment license application is received by the Health Authority between November 1 through January 31 of a licensing year, the license fee due shall be prorated to half of the fee required for the annual license for that year.

Section X: Separability

If any provision or application of this ordinance is held invalid, that invalidity shall not affect other provisions or applications of this ordinance.

Section XI: Penalty

A person shall be guilty of a misdemeanor and upon conviction thereof, shall be punished as provided by law if he/she:

Violates this ordinance or who permits a violation to exist on the premises under his/her control; or fails to take action to abate the existence of the violation(s) within a specified time period, when ordered or notified to do so by the Health Authority.

Contact

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