

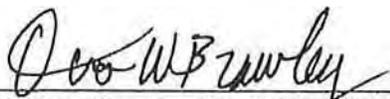


FULTON
COUNTY
BOARD OF HEALTH

RULES AND REGULATIONS FOR BODY ART

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Executive Director, Fulton County Board of Health

Signed: _____


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Chair, Fulton County Board of Health

Date Approved by the Board of Health: _____ 25 JUL '18 PM 2:08

Section 1 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) "Antimicrobial solution" means any solution used to retard the growth of microorganisms approved for application to human skin and includes all products labeled accordingly as approved by the FDA.
- (2) "Antiseptic" means an agent or substance that will destroy or inhibit the growth and development of infectious microorganisms on human skin or mucous membranes.
- (3) "Applicant" means any person who applies for a body artist license, guest body artist license, body art establishment permit, or temporary body art establishment permit.
- (4) "Approval" means written approval from the department indicating that the body art establishment has been inspected and meets all terms of this article.
- (5) "Approved" means acceptable to the department based on a determination of conformity with this article, principles, practices, and generally recognized standards that protect public health.
- (6) "Aseptic technique" means to render or maintain free from infectious material so as to prevent transfer or transmission of infectious agents.
- (7) "ASTM" means the American Society for Testing and Materials.
- (8) "Autoclave" means the same as sterilizer and is an apparatus for sterilization utilizing steam pressure at a specific temperature over a period of time per manufacturer's specifications.
- (9) "Biohazardous waste" means liquid or semi-liquid blood or other potentially infectious materials and/or contaminated items, which if compressed, would release blood or other potentially infectious materials in a liquid or semi-liquid state.
- (10) "Blood" means human blood, human blood components, and products made from human blood.
- (11) "Blood-Borne Pathogens" means pathogenic microorganisms present in human blood that can cause disease in humans. These pathogens include but are not limited to Hepatitis B virus (HBV), Hepatitis C virus (HCV), and Human Immunodeficiency virus (HIV).
- (12) "Body Art" means the practice of physical body adornment by means of tattooing, microblading of the eyebrow, or body piercing. This definition does not include, for the purpose of this article, piercing of the outer perimeter or lobe of the ear with pre-sterilized single-use stud and clasp ear piercing systems. This definition also does not include practices considered medical procedures by the Georgia Board of Registration in Medicine such as implants under the skin which are prohibited unless such medical procedures are performed by a person licensed by the Georgia Board of Registration in Medicine.
- (13) "Body Art Establishment" means any permanent building or structure on a permanent foundation, holding a valid city or county business license, if applicable, and where the practices of body art are performed whether or not for profit.
- (14) "Body artist" means a person at least 18 years of age who performs tattooing, microblading, or body piercing and who is responsible for complying with applicable provisions of this article.

(15) **"Body artist license"** means a license issued by the department to a specifically identified person, at least 18 years of age, who is qualified to engage in the practice of body art in accordance with this article including the practice/service of body piercing, microblading, and/or tattooing regardless of the type of body ornament utilized, type of tattoo or microblading or area to be pierced or tattooed.

(16) **"Body piercing"** means puncturing or penetrating the skin or mucosa of a client utilizing a single use sterile needle or other sterile instrument for the purpose of inserting jewelry or other adornment into the body for non-medical purposes; body piercing includes ear piercing, except when the ear piercing procedure is performed on the perimeter or lobe of the ear with pre-sterilized single-use stud and clasp ear piercing systems.

(17) **"Business"** means any entity that provides body art services or procedures for compensation.

(18) **"Cleaning room"** shall mean the area in a body art establishment used in the sterilization, sanitation or other cleaning of instruments or other equipment used for the practice of body art and shall be separated from any other area in the facility by means of doors, nonabsorbent curtains, or similar approved partition extending from floor to ceiling or a height of eight feet.

(19) **"Client or customer"** shall mean an individual upon whom one or more body art procedures are to be performed.

(20) **"Contaminated"** means the presence or reasonably anticipated presence of blood, other potentially infectious materials, or potentially harmful chemicals on an item or surface.

(21) **"Contaminated waste"** shall mean any liquid or semi-liquid blood or other potentially infectious material; contaminated items that would release blood or other potentially infectious material in a liquid or semi-liquid state if compressed; items on which there is dried blood or other potentially infectious material and which are capable of releasing these materials during handling; sharps and any wastes containing blood or other potentially infectious materials, as defined in the Official Code of Georgia Annotated.

(22) **"Critical category item(s)"** means those aspects of operation or conditions which, if in violation, constitute the greatest hazards to health and safety, including imminent health hazards.

(23) **"Cross connection"** means any configuration whereby a potable water supply is connected with any water system, sewer, drain, conduit, storage reservoir, plumbing fixture or other device which contains (or may contain) contaminated water, sewage or other unsafe waste or liquid which may be capable of contaminating the potable water supply.

(24) **"Decontamination"** means the use of physical or chemical means to remove, inactivate, or destroy blood borne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

(25) **"Department"** means the Fulton County Board of Health or its authorized representative(s).

(26) **"Director"** means the Director of the Fulton County Board of Health or his or her designee.

(27) "Disinfectant" means a solution registered as a disinfectant by the EPA and intended to destroy or inactivate specific viruses, bacteria, or fungi on clean, inanimate surfaces.

(28) "Disinfection" means the destruction of disease-causing microorganisms on inanimate objects or surfaces, thereby rendering these objects safe for use or handling.

(29) "Ear piercing" means the puncturing of the perimeter or lobe of the ear for non-medical purposes.

(30) "Easily cleanable" means that surfaces are readily accessible and made of such materials and finish and so fabricated that residue may be effectively removed by normal cleaning methods.

(31) "EPA" means the United States Environmental Protection Agency.

(32) "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 connection with the operation of a body art establishment.

(33) "FDA" means the United States Food and Drug Administration.

(34) "Germicidal solution" means any solution which destroys microorganisms and is so labeled.

(35) "Gloves" means medical grade, disposable, single use gloves labeled for surgical or examination purposes.

(36) "Guest body artist" means a visiting body artist possessing a guest body artist license issued by the department to perform body art.

(37) "Hazard" means a biological, chemical, or physical property that may cause an unacceptable consumer health risk.

(38) "Hot water" means water that attains and maintains a minimum temperature of 110 degrees Fahrenheit.

(39) "Imminent health hazard" means a significant threat or danger to health, as discovered by the department, that is any condition, deficiency, or practice, which if not corrected immediately or operation being ceased, is very likely to result in disease transmission, injury, or loss of life to any person.

(40) "Inspector" means an official appointed by the department who is responsible for licensing, permitting, and inspection of body art establishments.

(41) "Instrument" means hand pieces, needles, needle bars, and other instruments that may come in contact with a client's body or may be exposed to bodily fluids during any body art procedure.

(42) "ISO" means the International Standards Organization.

- (43) **"Jewelry"** means any ornament used in any body art procedure which is inserted into a newly pierced area. Any jewelry shall consist of a material rated by the ASTM or the ISO as being suitable for permanent surgical implant, such as stainless steel, titanium, niobium, solid platinum or a dense low porosity plastic such as Tygon or PTFE. The jewelry must be free of nicks, scratches, or irregular surfaces and must be properly sterilized prior to use. Copies of the jewelry manufacturer's documentation, which verify compliance with standards, must be available for inspection on request. Solid 14 karat or higher, white or yellow nickel-free gold may also be used. Purity verification must be available for inspection on request.
- (44) **"Lavatory facilities"** means a lavatory or sink providing an adequate supply of potable hot and cold running water under pressure, used solely for washing hands, arms, or other portions of the body. The facility shall include a soap dispenser, soap, and single use disposable towels.
- (45) **"Law"** means any applicable federal, state, and local statutes, ordinances, articles, and regulations.
- (46) **"License"** means a document issued by the department pursuant to this article authorizing a body artist to conduct allowed body art procedures.
- (47) **"Microbiological monitoring for quality control"** means the use of a standard spore to challenge the sterilization process.
- (48) **"Microblading" of the eyebrow** means a form of cosmetic tattoo artistry where ink is deposited superficially in the upper three layers of the epidermis using a handheld tool made up of needles known as microblades to improve or create eyebrow definition, to cover gaps of lost or missing hair, to extend the natural eyebrow pattern, or to create a full construction if the eyebrows have little to no hair.
- (49) **"Minor"** means an individual under the age of 18 years.
- (50) **"NSF"** means the National Sanitation Foundation.
- (51) **"Occupational exposure"** means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials resulting from the performance of an employee's activities.
- (52) **"O.C.G.A."** means the Official Code of Georgia Annotated.
- (53) **"OSHA"** means the Federal Occupational Safety and Health Administration.
- (54) **"Other potentially infectious material"** means the following human body fluids: semen, vaginal secretions, saliva, and any other body fluid visibly contaminated with blood.
- (55) **"Parenteral"** means piercing mucous membranes or the skin barrier through such events as needle sticks and piercings.
- (56) **"Parlor"** means the same as work area or work station and is the actual room(s) in the body art establishment where the body artist performs body art procedures.
- (57) **"Permit to operate"** means the issuance of a written permit by the department to a body art establishment stating that such establishment, after inspection, was found to be in compliance with this article for the purpose of engaging in the practice or business of body art procedures. Departmental approval shall be granted solely for the practice of body art pursuant to this article.

(58) **"Permit holder"** means the person who possesses a valid permit to operate a body art establishment and is legally responsible for the operation of the body art establishment such as the owner, agent for the owner or other such authorized or designated person.

(59) **"Person"** means an individual, any form of business or social organization or any other non-governmental legal entity, including but not limited to a group of individuals, corporation, partnership, limited-liability company, association, trust or unincorporated organization that owns, controls, maintains, operates, conducts, or manages a body art establishment and personnel, and is legally responsible for the operation of the establishment.

(60) **"Person in charge"** means the individual present in a body art establishment who is the designated supervisor of that establishment at the time of inspection. If no individual has been designated as the supervisor, then any employee present shall be considered as the person in charge by this department.

(61) **"Personal care items"** means items or substances that are used to maintain a person's health, hygiene, or appearance and that may be poisonous, toxic, or a source of contamination. They include items such as medicines, first aid supplies, and cosmetics, toiletries, toothpaste, mouthwash, and other personal care items.

(62) **"Personal protective equipment"** means specialized clothing or equipment, such as gloves or lap cloth, worn by an employee for protection against a hazard. General work clothes not intended to function as protection against a hazard are not considered to be personal protective equipment.

(63) **"Personnel"** means the permit holder, any person who performs body art, individuals having supervisory or management duties, or any other person employed or working in a body art establishment. This individual may or may not be a body artist.

(64) **"Physician or osteopath"** means an individual licensed to practice medicine in Georgia.

(65) **"Pierce or piercing"** means body piercing.

(66) **"Potable water supply"** means any water supply that is satisfactory for drinking and domestic purposes. Potable water must meet the current standards established by the Environmental Protection Division, Georgia Department of Natural Resources.

(67) **"Premises"** means the facility, its contents, and the contiguous property under the control of the permit holder.

(68) **"Proof of age"** means a valid Georgia driver's license, Georgia Identification Card or other generally accepted means of identification that describes the individual as 18 years of age or older and contains a photograph of the individual.

(69) **"Registration"** means license or permit as applicable to each respective person.

(70) **"Safe materials"** means articles manufactured for the specific purpose of body art procedures which are unlikely to cause injury or disease under proper use and care.

(71) **"Sanitary"** means clean and free of agents of infection or disease.

(72) **"Sanitized"** means the application of an EPA registered sanitizer on a cleaned surface by a process that provides sufficient concentration of chemicals for sufficient time to reduce the microorganism level, including pathogens, to a safe level on utensils and equipment in accordance with the label instructions.

(73) "Sewage" means human excreta, all water carried waste, and household wastes from residences, buildings, or commercial and industrial establishments.

(74) "Sharps" means any object, sterile or contaminated, that may intentionally or accidentally cut or penetrate the skin or mucosa.

(75) "Sharps container" means a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal of sharps and that is labeled with the International Biohazard Symbol.

(76) "Single use" means disposable products or items that are intended for one-time, one-person use and are properly disposed of by appropriate measures after use on each client. Single use items include but are not limited to: cotton swabs or balls, single use instruments, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, stencils, ink cups, and protective gloves.

(77) "Solid waste" means refuse, garbage, trash, rubbish, and any other item(s) which could cause an unsanitary condition or undesirable health and safety conditions.

(78) "Sterilization" means the use of a physical or chemical procedure by which all forms of microbial life, including bacteria, viruses, spores, and fungi are destroyed including highly resistant bacterial endospores. This is achieved by holding in an autoclave for 15 minutes, at 15 pounds pressure, and at a temperature of 273 degrees Fahrenheit or 121 degrees Celsius or any equivalent procedure resulting in complete destruction of microbial life including spores.

(79) "Sterilized indicator" means a tape, strip, bag, or other device designed to change color to indicate that sterilization temperature has been achieved during the sterilization procedure.

(80) "Sterilizer" means an autoclave certified to meet generally accepted medical standards.

(81) "Tattoo" means to mark or color the skin by pricking in, piercing, or implanting indelible pigments or dyes under the skin or mucosa. This term also includes all forms of cosmetic tattooing which encompasses permanent cosmetics or makeup, micro-pigmentation, permanent color technology, and micro-pigment implantation, but does not include microblading of the eyebrow.

(82) "Temporary body art establishment" shall mean any location, place, facility or business whereby a person has been granted a permit to practice body art by the department for no more than a period of seven consecutive days only for the purpose of product demonstration in connection with conventions or industry trade shows.

(83) "Ultrasonic cleaning unit" means a unit approved by the department with lid, physically large enough to fully submerge instruments in liquid, which removes all foreign matter from the instruments by means of high frequency oscillations transmitted through the contained liquid.

(84) "Universal precautions" means treating all blood and body fluids as if they contain blood borne pathogens and taking proper precautions to prevent the spread of any blood borne pathogens (see Appendix I following this article).

(85) "Utensil" means any implement, tool, or other similar device used in the storage, preparation, operation, or processing of body art.

(86) "Violation correction" means a plan for correcting violations or deficiencies by meeting the requirements of this article.

(87) "Waste" means solid waste, sewage, blood and body fluids or other waste resulting from the operation of a body art establishment.

(88) "Work area or work station" means the same as parlor and is an area where clients receive body art.

Section 2 - Body art establishment permits.

a) *Permit.*

(1) *Permit required.* No person shall operate, construct, or modify a body art establishment without having first obtained a valid permit from this department. Permits are valid until they expire or are suspended, revoked, or surrendered. Failure to pay a permit fee, which includes returned checks for insufficient funds, shall be a violation of this article and invalidates the permit accordingly. Furthermore, a body art establishment operating without a valid permit from the department shall be subject to immediate closure upon the posting of notice by the department.

(2) *Permit to operate.* The permit holder or designee must have a valid permit from this department to operate a body art establishment. This permit is valid until it is expired, suspended, revoked or there is a change in the permit holder or establishment location. Failure to pay a permit fee, which includes returned checks for insufficient funds, shall be a violation of this article and invalidates the permit accordingly. The permit to operate shall be valid for one (1) year, and shall automatically expire one (1) year from the date of permitting.

(3) *Permit to construct or modify.* The owner, authorized agent or contractor must have a valid permit from this department to construct or modify a body art establishment. This permit is valid until it expires, is suspended, revoked, expires or there is a change in ownership. Failure to pay a permit fee, which includes returned checks for insufficient funds, shall be a violation of this article and invalidates the permit accordingly. The permit to construct or modify shall be valid for one (1) year, and shall automatically expire one (1) year from the date of permitting.

(4) *Permit nontransferable.* Permits are not transferable from one person to another, from one body art establishment to another, or when the body art establishment is moved from one location to another. If the permit holder is changed, then the current permit to operate, construct or modify the body art establishment is invalid and a new permit is required. Permits shall be returned within seven days to the department when the body art establishment ceases to operate, moves to another location, the permit is suspended or revoked, expires, or there is a change in the permit holder.

(5) *Posting of permit.*

a. The permit shall be prominently displayed in public view at all times, within 15 feet of the front or primary public door and between five feet and seven feet from the floor and in an area where it can be read at a distance of one foot away.

b. At body art establishments with no primary or public door, the permit shall be prominently displayed at all times where it can be read by the public from a distance of one foot away.

c. If requirements of subsection (5) a. and b. of this section are not possible because of physical restrictions, a location will be determined as approved by the department.

(6) *Denial of permit.* If a permit is denied, the applicant will be notified in writing that specifically states all reasons for the permit denial.

(7) **Compliance with other regulations.** Prior to the issuance of a permit and at the request of the department, the person in charge of the body art establishment shall furnish to the department evidence of satisfactory compliance with any law or regulation which is applicable to body art establishments, the enforcement of which is the responsibility of another department or agency of government other than the department. Evidence of satisfactory compliance with other agencies include but are not limited to: a copy of the certificate of occupancy and zoning certification. Other department regulations are separately enforceable.

(b) **Permit application.**

(1) **Application procedure.** The owner, authorized agent or operator of the body art establishment, serving as applicant, shall submit to this department a request for a permit to construct, operate, and/or modify the establishment. The application shall be prepared in duplicate on forms provided by the department. The original shall be retained by the department and the copy retained by the applicant.

(2) **Application data requirements.** The following information shall be included but not limited to:

- a. The full or legal name under which the body art establishment is operated;
- b. The address of the body art establishment;
- c. The name and current address of the person that owns and is responsible for the operation of the establishment;
- d. A complete description of all body art services that will be provided at the establishment;
- e. If the person that owns the establishment leases the location, the name and address of the landlord;
- f. The owner, authorized agent or operator of the body art establishment shall certify in its application an updated list of the full legal name(s) and exact duties of employees/artists who have been designated as being responsible for carrying out the rules and policies of the establishment;
- g. The following employee information shall be included but not limited to: DOB, gender, home address, home/work phone numbers, and ID photos of all operators/technicians via valid Georgia driver's license, valid Georgia Identification Card or other photo identification card accepted by the department;
- h. A copy of the written statement of policies and procedures of the body art establishment;
- i. An acknowledgement signed by the applicant (owner, authorized agent or operator of the body art establishment) that they allow only licensed body artists to perform body art procedures in the permitted establishment and that they have read and understand the provisions of this article.

(c) **Renewal of permit to operate.**

(1) **Application procedure.** Since a permit to operate expires each year, the owner, authorized agent or operator of the body art establishment, serving as applicant, shall submit to this department a request to renew a permit to operate the establishment at least 30 days prior to the expiration date of the permit. The application shall be prepared in duplicate on forms provided by this department. The original shall be retained by the department and the copy retained by the applicant.

(2) **Application data requirements.** The information, certification and acknowledgement by the person that owns the body art establishment shall be the same as those required in the original application including all updated information due to changes in: personnel, body art services provided, policies and procedures and any other changes that occurred since or during the previous year since a permit was issued.

- (d) **Operating without valid permit.** A body art establishment shall not be operated without a current, valid permit to operate the establishment. The person that owns the establishment operating without a valid permit shall be required to pay all penalties established in the fee schedule for a permit to operate at time of application for a permit.
- (e) **Fees.** The Fulton County board of commissioners establishes fees for services provided under this article. Fees and penalties assessed will be in accordance with the current fee schedule. A permit fee shall not be prorated.
- (f) **Applicability.** The provisions of this article shall be applicable to all body art establishments within 120 days of the effective date of this Rule for those body art establishments that began operating before the effective date, and shall be applicable on the effective date to those body art establishments that begin operating on or after the effective date. Furthermore, all body art establishments shall be required to have only licensed body artists performing body art procedures at the establishments.

Section 3 - Body artist license.

- (a) **Body artist license.** No person shall practice body art procedures without first obtaining a body artist license from the department. The license shall be renewed on an annual basis by submitting an application, providing all certifications and documentation as specified in subsection (c)(11), (d), and (e) of this section, and payment of the current fee. Failure to pay a body artist license fee, including returned checks for insufficient funds, shall be a violation of this article and invalidates the license. Licenses are valid until they are suspended, revoked, expire or surrendered. The body artist license shall expire one year from the date of licensing.
- (b) **Applicant.** An applicant for a body artist license must be a minimum of 18 years of age and shall demonstrate to the department his/her successful compliance with all training, disclosure, consent, physician certification and educational requirements of this article prior to the issuance or renewal of a body art license by the department.
- (c) **Application information required.** The information required on the body artist license application shall include but is not limited to the following:
- (1) Full legal name.
 - (2) All aliases.
 - (3) Date of birth.

- (4) Sex.
 - (5) Residence address.
 - (6) Mailing address.
 - (7) Residence phone number (mobile number if no home number).
 - (8) Place(s) of employment as a body artist.
 - (9) Training and/or experience.
 - (10) Photo I.D. (valid Georgia driver's license, Georgia Identification Card or other photo identification card accepted by the department).
 - (11) Proof of successful completion of an OSHA-approved Blood Borne Pathogen/Universal Precautions training program and Basic First Aid/CPR class approved by the department.
- (d) **Department examination.** The applicant shall be required to successfully complete a department examination by achieving a minimum of 70 percentile. If the applicant does not achieve at least 70 percentile, they are allowed to take a second examination at least 30 [days] after the initial department examination date. If the applicant does not achieve at least 70 percentile on the second examination, then they shall not be allowed to reapply for a body artist license for a period of one year. The applicant shall be required to remit fees for the initial and second examination (as necessary) before being allowed to take the examination(s).
- (e) **Physician certificate.** A body artist must take an examination, by a currently licensed physician in Georgia, within 12 months prior to the initial application for a body artist license. The body artist must obtain, from the physician, a certificate or letter certifying that the body artist is free of any communicable disease in a communicable stage, including but not limited to Syphilis, Hepatitis B and C, and HIV.
- (f) **Acting within scope of license.** A body artist shall only perform those form(s) of body art, that is (are) indicated in the body art license application submitted to the department, and only at the permitted establishment indicated on their license.
- (g) **License renewal requirements.** Since the body artist license expires each year, the body artist must submit the following at least 30 days prior to the expiration date of the license: an application for renewal to the department, submit a physician certificate or letter (as specified in subsection (e) above, based on a physical examination within the past 12 months), attend a departmental approved educational class on Blood Borne Pathogens/Universal Precautions every two years, maintain current certification in Basic First Aid/CPR, and pay all applicable fees.
- (h) **Transfer of license.** A licensed body artist, performing body art procedures at the permitted establishment indicated on their license, may apply for a transfer of their license to another permitted body art establishment by completing a request for transfer application and paying all applicable fees.
- (i) **Posting of body artist license.**
- (1) The license shall be prominently displayed in public view at all times, at the front or primary door of the parlor and between five feet and seven feet from the floor and in an area where it can be read at a distance of one foot away.
 - (2) If requirements of subsection (i)(1) of this section are not possible because of physical restrictions, a location will be determined as approved by the department.

- (j) **Operating without valid license.** A body artist shall not perform body art procedures without having a current, valid body artist license. An unlicensed body artist shall be required to pay penalties as identified in the current fee schedule at time of application for a license.
- (k) **Fees.** The board of commissioners establishes fees for services provided under this article. Fees assessed will be in accordance with the current fee schedule. A body artist license fee shall not be prorated.
- (l) **Applicability.** The provisions of this article shall be applicable to all body artists within 120 days of the effective date of this Rule for those body artists who began operating before the effective date, and shall be applicable on the effective date to those body art establishments that begin operating on or after the effective date. Section 4 - Temporary body art facility permits.
- (a) **Request for temporary body art establishment.** The owner or designated agent of a body art establishment, permitted by the department, may request a temporary body art establishment permit at least 30 days in advance of the proposed effective date of the requested permit and/or event. Issuance of a permit would only be allowed for the purpose of product demonstration or in connection with body art conventions or industry trade shows.
- (b) **Permit.** A temporary body art establishment permit may be issued for one seven-day period for the purpose of product demonstration or in connection with body art conventions or industry trade shows. The permit would allow body art services outside of the physical site of a permitted body art establishment.
- (c) **Application.** The owner or designated agent of a permitted body art establishment shall submit to this department an application for a permit to operate a temporary body art facility.
- (d) **Application information and fee required.** The information required along with the temporary body art establishment permit application shall include but is not limited to the physical location (address if applicable), days and hours of operation and the plans/description of the temporary establishment. An application fee paid to the department shall be included with the application.
- (e) **Restrictions and limitations.**
 - (1) **Maximum permit time.** No permit to operate a temporary body art establishment shall be issued for more than seven consecutive days.
 - (2) **Maximum permit period.** No more than two consecutive seven-day permits to operate a temporary body art establishment shall be issued during a 30-day period.
 - (3) **Permit non-transferable.** A permit to operate a temporary body art establishment shall not be transferable from one location to another.
 - (4) **Permit posted.** A permit to operate a temporary body art establishment shall be posted in a prominent and conspicuous place where it is easily readable by the public at all times.
- (f) **Fees.** The board of commissioners establishes fees for services provided under this article including permits. Fees assessed will be in accordance with the current fee schedule.

Section 5. - Guest body art license.

- (a) **Request for guest body artist.** A body artist licensed by the department, requesting to have a visiting body artist perform under his/her supervision, shall notify the department in writing at least 30 days in advance of the proposed effective date of the requested guest body artist license and require that the visiting body artist obtain a guest body artist license from the department.

- (b) **Guest body artist license.** The department may issue one seven-day license per year to a guest artist. A guest body artist license will allow a person to practice body art under the direct supervision of a body artist holding a valid body artist license issued by the department.
- (c) **Applicant.** An applicant for a guest body artist license must be a minimum of 18 years of age and shall demonstrate to the department his/her successful compliance with all training, disclosure, consent and educational requirements of this article prior to the issuance of a guest body artist license by the department.
- (d) **Applicant information.** The information required along with the guest body artist license application shall include but is not limited to the following:
 - (1) The applicant has received training equivalent to the minimum training requirement set by this article.
 - (2) The applicant shall provide a letter of consent, signed by a licensed body artist, a copy of the body art license, and a copy of the body art establishment permit where the applicant will practice body art procedures.
- (e) **Restrictions and limitations.**
 - (1) **Maximum license time.** No guest body artist license shall be issued for more than seven consecutive days.
 - (2) **Maximum license period.** No more than two consecutive seven-day guest body artist licenses shall be issued during a 30-day period annually.
 - (3) **License non-transferable.** A guest body artist license shall not be transferable from one person to another.
 - (4) **License posted.** A guest body artist license shall be posted in the work area or work station where it is easily readable by the clients at all times.
- (f) **Fees.** The board of commissioners establishes fees for services provided under this article. Fees assessed will be in accordance with the current fee schedule.

Section 6. - Body art establishment plans.

- (a) **Plans.**
 - (1) **Plan review checklist.** Complete plans and details of the project shall meet the requirements as set forth in the department's current "Plan Review/Construction Checklist—Body Art Establishment." Prints or drawings (8½ inches × 11 inches or larger page containing a detailed floor drawing to scale) shall comply with standard architectural/engineering practice.
 - (2) **Establishment layout.** Such drawing shall include but not limited to the following: waiting area(s), parlor(s), cleaning room(s), and accurate placement of each of the following: windows, doors, room measurements, chairs, tables, sinks, bathrooms, privacy partitions, and equipment placement for clients and/or staff.
 - (3) **Policies and standard operating procedures.** Prior to being granted a permit, a written statement of policies and standard operating procedures for each body art establishment shall be developed and submitted with the application including:

- a. Sterilization.
 - b. Employee health.
 - c. Sanilizing areas and equipment between clients.
 - d. Disposal of waste.
 - e. Record keeping.
 - f. Client screening.
 - g. Aftercare procedures.
 - h. Emergency sterilization procedures.
- (4) **Changes to plans.** Once a permit to construct has been issued for a body art establishment, construction must be in accordance with approved plans and specifications. Should any changes in the plans become necessary during construction, a letter outlining any changes, and revised plans and specifications from the owner/contractor, shall be submitted to the department for review and approval prior to initiation of such changes. Plans shall not be altered without approval from the department.
- (5) **Onsite sewage management systems.** Any body art establishment and its related sanitary facilities, proposed to be constructed on premises utilizing an onsite sewage management system, must be approved by the department prior to construction and in accordance with article XI of this chapter, "Sewage Disposal."
- (6) **Additional information.** Other additional data or information may be required by the department to clearly demonstrate and document the work to be undertaken.
- (b) **Fees.** The board of commissioners establishes fees for services provided under this article. Fees assessed will be in accordance with the current fee schedule.

Section 7 - Prohibited facilities.

- (a) **Fixed facilities.** Body art establishments shall not be allowed in the same facilities used for human habitation, any food service establishment, retail sales area, hotel room or similar areas. However, body art establishments are allowed in completely separate areas of these or other businesses.
- (b) **Non-fixed facilities.** Body art establishments shall not be allowed in automobiles, mobile, transitory or other non-fixed facilities. Such non-fixed facilities include, but are not limited to: mobile trailers, tents, and recreational vehicles.

Section 8 - Prohibited procedures.

- (a) **Foreign objects under skin.** Implants, 3-D procedures or other procedures involving insertion of foreign objects completely under the skin are prohibited.
- (b) **Procedures requiring medical equipment.** Body art procedures which result in the permanent removal of tissue or requiring medical equipment (ex. scalpels, dermal punches) shall be prohibited, except that a physician or osteopath, licensed under O.C.G.A. tit. 43, ch. 34, or a technician acting under the direct supervision of such licensed physician or osteopath, shall be authorized to perform such procedures.
- (c) **Piercing of minors.** It shall be unlawful for any person to pierce the body, with the exception of the perimeter or lobe of the ear, of any person under the age of 18 for the purpose of allowing the insertion of earrings, jewelry, or similar objects into the body, unless the person's legal parent,

custodian, or guardian with proper identification, is present and signs a consent form provided by the body art establishment.

- (d) **Tattooing of minors.** No person under the age of 18 shall be tattooed, except that a physician or osteopath licensed under O.C.G.A. tit. 43, Ch. 34, or a technician acting under the direct supervision of such licensed physician or osteopath in compliance with O.C.G.A. tit. 43, ch. 9, shall be authorized to do so.
- (e) **Body artist under the influence.** A body artist shall not be under the influence of alcohol and/or drugs while performing body art procedures.
- (f) **Client under the influence or mentally incapacitated.** A body artist shall refuse services to any person who is under the influence of alcohol or drugs or who shows evidence of being mentally incapacitated.
- (g) **Smoking, eating and drinking.** Smoking, eating and drinking by anyone is prohibited in any parlor where body art procedures are performed. However, drinking will be allowed only when a single service cup that has a secure lid and straw is used in a way as to prevent the contamination of the body artist's hands.
- (h) **Live animals.** Live animals shall be excluded from within the body art establishment and from adjacent areas within the facility under the control of the permit holder. Service animals accompanying disabled persons shall be permitted in the establishment.
- (i) **Presence of infection.** The skin of a body artist shall be free of rash, any lesion or visible sign of infection. A body artist shall not conduct any form of body art activity upon any area of a client that evidences the presence of any rash, lesion or other visible signs of infection.
- (j) **Removal of tattoo.** No person except a duly licensed physician shall remove or attempt to remove any tattoo.
- (k) **Future body art procedures.** Any future body art procedures not covered within this article, which have the potential for transmitting infectious disease, must receive written approval from the department prior to being offered to customers or patrons.
- (l) **License and permit required.** Body art procedures are prohibited unless they are performed by a currently licensed body artist in a permitted body art establishment or permitted temporary body art facility meeting the requirements of this article.

Section 9 - Enforcement.

- (a) **Inspections.**
 - (1) **Opening inspection.** Prior to the issuance of a permit to operate, the inspector shall perform an opening inspection of the proposed body art establishment and determine that compliance with the requirements of this article has been met.
 - (2) **Interval.** An inspection of a body art establishment shall be performed at least twice a year (once every six months). The first routine inspection will be conducted within 60 days following the opening of the establishment. Additional inspections of a body art establishment shall be performed as necessary for the enforcement of this article.
 - (3) **Right to access.** Inspectors, after proper identification, shall be permitted to enter any body art establishment during normal hours of operation for the purpose of performing inspections to determine compliance with this article. Inspectors shall also be permitted to examine the records of the establishment.

(b) **Inspection report.**

- (1) **Report.** Findings made during an inspection shall be recorded on the inspection report form. The inspection report shall summarize the requirements of this article and shall set forth a grade based on critical and non-critical category violations. A copy of the completed inspection report form shall be furnished to the permit holder or designee of the establishment at the conclusion of the inspection.
- (2) **Posting of report.**
 - a. The current inspection report shall be prominently displayed in public view at all times, within 15 feet of the front or primary public door and between five feet and seven feet from the floor and in an area where it can be read at a distance of one foot away.
 - b. At body art establishments with no primary or public door, the report shall be prominently displayed at all times where it can be read by the public from a distance of one foot away.
 - c. If requirements of subsection (3)a. and b. are not possible because of physical restrictions, a location will be determined as approved by the department.
 - d. The body art establishment inspection report addendum(s), completed by the department during an inspection, will not be required to be displayed, but will be made available by the establishment to the public upon request.
- (3) **Public document.** The completed inspection report is a public document and is available for public disclosure upon written request.
- (4) **Additional documentation.** In addition to the report findings, evidence may also be documented via photographs, samples, and any other means of documentation deemed necessary by the department.

(c) **Inspection score.**

- (1) **Point values.** The scoring system shall include a weighted point value for each requirement in which critical category items are assigned values of five points, with non-critical category violations having assigned values of either one or two points.

(d) **Violations.**

- (1) **Critical category.** Critical category violations shall include the following:
 - a. Autoclave does not meet minimum time, pressure or temperature requirements, not maintained;
 - b. Lack of a monthly negative spore or microbiological monitoring test for quality control, records maintained;
 - c. Non-disposable tubes and needles are not sterilized or were sterilized greater than one year ago;
 - d. Reuse of single use articles;
 - e. Reuse of single use needles;
 - f. Single use needles sterilized and properly handled;
 - g. Sterile instruments not properly handled;
 - h. Piercing jewelry not sterilized, not properly handled;

- i. Reusable instruments not handled properly;
- j. Employees with infectious lesions on hands not restricted from body art procedures;
- k. Employees not practicing proper cleanliness and good hygienic practices, not using aseptic techniques;
- l. Employees not washing hands, not using gloves;
- m. Water supply not approved or hot and cold running water under pressure not available;
- n. Approved sewage and liquid waste disposal not available or improper disposal of liquid wastes;
- o. Cross connection allowing back-siphonage present in plumbing system;
- p. Toilet and hand washing facilities not available for employees;
- q. Insect and rodent evidence, harborage, or outer opening present;
- r. Parlor or work area not properly stocked;
- s. Toxic items not properly stored, labeled, or used.

(2) **Rating score.** The rating score of the facilities shall be the total of the weighted point values for all violation categories subtracted from 100.

(3) **Grading Inspections.** Inspections will receive a letter grade based on the numerical score as follows:

- a. "A". The letter grade "A" means excellent compliance and is applied to a score of 90 to 100.
- b. "B". The letter grade "B" means satisfactory compliance and is applied to a score of 80 to 89.
- c. "C". The letter grade "C" means marginal compliance and is applied to a score of 70 to 79.
- d. "U". The letter grade "U" means unsatisfactory compliance and is applied to a score of 69 or less.

(e) **Corrective actions.**

(1) **Routine compliance.** Corrective actions for body art establishments, including temporary body art facilities, shall be initiated when any of the following conditions are found to exist:

- a. Any critical category violation documented on the inspection report must be corrected at the time of inspection or within 24 hours at the discretion of the department;
- b. Any structural deficiencies must be corrected within 30 days, or within the time specified by the department for body art establishments existing prior to the effective date of this Rule;
- c. Any other violation must be corrected within seven days including;
- d. Repeated violations documented on the previous inspection report.

(2) **Temporary body art facilities.** In the case of temporary body art facilities, all critical violations shall be corrected at the time of inspection. If critical violations are not corrected, the establishment shall immediately cease operations until authorized to resume operation by the department. Upon declaration of an imminent health hazard which cannot be immediately corrected, the director shall issue an order requiring the facility to immediately cease operations until authorized to reopen.

(3) ***Imminent health hazards.*** When an imminent health hazard is found to exist, corrective actions for body art establishments shall be initiated as ordered by the department, and shall include immediate cessation of operation until the facility is under compliance. Failure of a body art establishment to comply with the corrective action plan and immediate cessation of operation shall subject the body art establishment to immediate closure by the department pursuant to O.C.G.A. § 31-5-9. The following conditions shall be considered as or contributing to an imminent health hazard:

- a. Autoclave does not meet minimum time, pressure or temperature requirements and/or not maintained, lack of a monthly negative spore or microbiological monitoring test for quality control, and/or records not maintained.
- b. Non-disposable tubes and needles are not sterilized or were sterilized greater than one year ago, reuse of single use articles, single use needles neither sterilized nor properly handled, and/or piercing jewelry not sterilized nor properly handled.
- c. Employees with infectious lesions on hands not restricted from body art procedures, employees not practicing proper cleanliness and good hygienic practices, not using aseptic techniques, not washing hands, and/or not using gloves.
- d. Presence of sewage in the body art establishment, a cross connection allowing back-siphonage in the plumbing system, improper disposal of liquid wastes, approved sewage and liquid waste disposal not available, and/or a malfunctioning onsite sewage system which poses a risk of contamination to the establishment operation.
- e. Substantial loss of normal operating water pressure, lack of hot and cold water, and/or a contaminated water supply.
- f. Loss of electrical power causing the establishment to be operated in an unsanitary manner.
- g. The presence and/or harborage of insects and rodents, facility not rodent-proof and any other infestation which poses a risk of contamination to the establishment operation.
- h. The presence of a confirmed communicable disease in an employee, which in the department director's judgment could cause a health hazard.
- i. The occurrence of a fire or natural disaster which affects the establishment's operation causing unsanitary conditions.
- j. Any other condition deemed to be an imminent health hazard by the department in the director's judgment.

(4) ***Declaration of imminent health hazard.*** Upon declaration of an imminent health hazard which cannot be immediately corrected, the department shall issue an order requiring the facility to immediately cease operations until authorized to reopen.

(5) ***Denial, suspension or revocation of permit.***

- a. The department shall have the authority to deny, suspend or revoke permits for failure to comply with the provisions of this article including but not limited to any one of the following:
 1. Failure of the permit holder to maintain the initial requirements for obtaining the permit to operate.
 2. The person who owns the establishment allows an individual who does not have a valid body artist license to perform a body art procedure in the body art establishment.

3. The original application, or renewal thereof, contains materially false information, or the applicant has deliberately sought to falsify information contained therein.
 4. Failure of the person who owns the establishment or designated agent to actively supervise and monitor the conduct of the employees, customers and others on the premises in order to protect the health, safety and welfare of the general public and the customers.
 5. The person who owns the establishment or designated agent, or any employee associated with the body art establishment, has allowed a violation(s) or has engaged in violation of any part of this article.
 6. The operation of the body art establishment otherwise constitutes an imminent health hazard to the public.
- b. When an application for a permit is denied or the permit previously granted is to be suspended or revoked, the person who owns the establishment, permit holder or designated agent must be notified in writing, specifically stating any and all reasons why the action was taken.
 - c. Suspension is effective upon service of a written notice thereof, and operation of the body art establishment must cease immediately. The notice must state the basis for the suspension and advise the person who owns the establishment, permit holder or designated agent of the right to appeal as specified herein.

(6) Procedure when infection is suspected. When the department has reasonable cause to suspect possible disease transmission by an employee of a body art establishment, it may secure a morbidity history of the suspected employee or make any other investigation as indicated and shall take appropriate action. The department may require any or all of the following measures and any other actions necessary:

- a. The immediate exclusion of the employee from employment in a body art establishment;
- b. The immediate closing of the body art establishment concerned until, in the opinion of the department, no further danger of disease outbreak exists;
- c. Restriction of the employee's services to some area of the establishment where there is no danger of transmitting disease;
- d. Adequate medical and laboratory examination of the employee and of other employees and of their bodily discharges; and/or
- e. The person who owns the establishment, permit holder or designated agent shall exclude a body art employee from a body art establishment if the body art employee is diagnosed with an infectious agent.

(7) Follow-up inspections provided in Corrective Action Plans. When the department issues a Corrective Action Plan, it shall complete a follow-up inspection to determine compliance with this Chapter and any necessary enforcement in response to findings of the previous routine inspection. Follow-up inspections may be conducted at any time at the discretion of the department, but must be conducted within ten days after an establishment receives a grade of "C" or below.

(8) Follow-up inspection process.

- a. A follow-up inspection is a complete inspection conducted as a result of a routine inspection which resulted in a "C" or "U" grade. If a grade of "B" or higher is earned on the follow-up

inspection, then at the discretion of the department no additional follow-up inspections will be required, provided however, that all critical category violations must be corrected.

b. The new score and equivalent grade will be posted on an inspection report during a follow-up inspection. The two previous inspection grades and scores, whether routine or follow-up inspections, will be posted subsequently under "Last Grade, Score and Date" and "Prior Grade, Score and Date" on the inspection report.

(9) **Informal Follow-up Inspection.** If a follow-up inspection as specified herein cannot be conducted by the department, then an informal follow-up may be performed for those establishments that received a grade of "B" or above and that have promptly corrected all critical violations as directed by the department. Such informal follow-up inspection would serve to confirm correction of the non-critical violations that were cited on the routine inspection that were not corrected at the time of the inspection. On an informal follow-up inspection, an inspection report addendum(s) will be completed, documenting the violations that have been corrected. It will be noted on the addendum(s) that this was an informal follow-up inspection, and the establishment will keep the same grade that was earned on the previous routine inspection. The addendum(s) will be made available by the body art establishment to the public upon request.

(f) **Denial, suspension or revocation of body artist license.**

(1) **Authority.** The department shall have the authority to deny, suspend or revoke licenses for failure to comply with the provisions of this article including but not limited to any one of the following:

- a. Failure of the body artist to maintain initial requirements for obtaining the body artist license;
- b. The body artist has violated any provisions of this article;
- c. The original application, or renewal thereof, contains materially false information, or the applicant has deliberately sought to falsify information contained therein.

(2) **Procedures.** Body artist license denial, suspension and revocation procedures shall be the same as those for permits as described in subsection (e) of this section.

(g) **Right to appeal.** Final determinations by the department on denials, suspensions, or revocations of body art facility permits or body artist licenses may be appealed to the Georgia Department of Public Health pursuant to O.C.G.A. § 31-5-1, et seq and Ga. R. & Regs Section 511-1-4, et seq.

Section 10 - Existing establishments and personnel.

(1) **Application for permits and licenses.** The person who owns the body art establishment and any artist(s) in operation at the establishment on the effective date of this Rule shall make application for a permit and/or license within 120 days of the effective date of this Rule. Unless otherwise provided in this Section, Body Art Establishments with a valid, existing business license issued prior to the effective date of this Rule shall only be eligible for a permit if they meet all requirements of this Rule and of the Department.

(2) **Body artist certification.** Body artists operating at the effective date of the ordinance from which this article derives must be certified in Blood Borne Pathogens/Universal Precautions and Basic First Aid/CPR certification within 120 days of the effective date.

- (3) **Acceptability of existing equipment and facilities.** Equipment installed and facilities utilized prior to the effective date of this Rule in a Body Art Establishment with a valid, existing business license that was also issued prior to the effective date of this Rule may be exempt from requirements of this Rule if, in the sole determination of the Department, the equipment and/ or facility is in good repair and capable of being maintained in a sanitary condition. Provided, however, that the Establishment shall replace any non-compliant existing equipment and facilities with equipment and facilities that comply with this Rule in the event that the equipment or facility is being replaced in the normal course of operation, or within ninety (90) days of either of the following occurrences:

- (i) The Department Issues a finding that the existing equipment or facility constitutes a public health hazard or nuisance; or
- (ii) The Establishment has a change of ownership.

Section 11 -Personnel.

- (a) **Body artist training and certification.** Persons performing tattooing or body piercing shall successfully complete a department examination, and obtain current certification in Red Cross Basic First Aid/CPR or equivalent and proof of successful completion of an OSHA approved Blood Borne Pathogen/Universal Precautions Training program, approved by the department. Training/courses provided by professional body art organizations/associations or by equipment manufacturers may also be submitted for consideration. All certifications must be renewed at a minimum of every two years unless a more frequent time period is specified by the licensing agencies.
- (b) **Physician certificate.** The body artist shall annually obtain, from a State of Georgia licensed physician, a certificate or letter certifying that the body artist is free of any communicable disease in a communicable stage, including but not limited to Syphilis, Hepatitis B and C, and HIV.
- (c) **Hepatitis B vaccination available.** The person who owns the body art establishment, permit holder or designated agent shall make available, at no cost to the personnel, Hepatitis B vaccination series, as well as any routine booster dose(s) to every person who may have occupational exposure to blood or other potentially infectious material. The vaccine shall be made available within ten business days of initial work assignment for new personnel.
- (d) **Hepatitis B vaccination documentation.** Proof shall be provided upon request that all personnel have either completed or were offered and declined in writing, the Hepatitis B vaccination series; that antibody testing has revealed that the employee is immune to Hepatitis B; or that the vaccine is contraindicated for medical reasons. Contraindication requires a dated and signed physician's statement specifying the name of the employee and that the vaccine cannot be given. Personnel who decline to accept the Hepatitis B vaccination series must sign a form, provided by the establishment, indicating their refusal.
- (e) **Employee files.** The person who owns the body art establishment, permit holder or designated agent must maintain a file on all employees who perform body art procedures. Employee files must be kept on location for a minimum of two years even if an individual is no longer employed. The employee files must be available for inspection and include the following:
- (1) Report of Hepatitis B Vaccination, Hepatitis B antibody testing, contraindication to Hepatitis B vaccine, or signed Hepatitis B Vaccine declination letter.
 - (2) Evidence of Red Cross Basic First Aid/CPR certification or equivalent and completion of an OSHA approved Blood Borne Pathogen/Universal Precautions training program.
 - (3) Report and certificate of physical examination by licensed physician.

- (4) A copy of a photo I.D.
- (5) Address of residence and telephone number (mobile number if no home phone).
- (g) **Infected employees.** No employee, while infected with a disease in a communicable form, who is a carrier of pathogenic organisms that cause such disease or while afflicted with a boil, an infected wound, or an acute respiratory infection, or gastrointestinal illness, shall work in a body art establishment in any capacity in which there is a likelihood of such person transmitting disease to other persons. The person who owns the body art establishment, permit holder or designated agent will promptly notify the department when an employee is known or suspected of having an infectious disease that may be transmitted to other persons.
- (h) **Ill employees.** No employee who presents with any of the following symptoms will be permitted to work in a body art establishment: diarrhea; fever (in excess of 100.4 degrees Fahrenheit); wounds or open skin lesions (that cannot be covered).
- (i) **Injured employees.** If an employee is injured at the establishment, they shall be administered immediate first aid before returning to work. If a body artist while performing a body art procedure is injured, they shall be administered immediate first aid before being allowed to continue with the procedure. The necessity for additional treatment of an employee shall be at the discretion of the person who owns the establishment, permit holder or designated agent, in concert with the employee.

Section 12 - Client files.

- (a) **File information.** Proper records of identification, body art administered, informed consent, and care instructions shall be kept and retained for a minimum of two years at the establishment or pre-approved location for each client.
- (b) **Record preparation.** Records of each client shall be prepared prior to the body art procedure being performed and shall include but not limited to the following; client's name and signature, address, proof of age, date procedure performed, design, its location and name of the artist.
- (c) **Informed consent.** A statement of informed consent by the individual receiving the body art shall be maintained on file.
- (d) **Legal consent for minor.** Since it shall be unlawful for a body artist to pierce the body, with the exception of the perimeter or lobe of the ear, of any person under the age of 18 for the purpose of allowing the insertion of earrings, jewelry, or similar objects into the body, the person's legal parent, custodian, or guardian with proper identification, shall be present and sign a consent form, provided by the body art establishment which shall be maintained on file.
- (e) **Disclaimer of liability.** A "disclaimer of liability" form, promulgated by the department, shall be signed by the client prior to receiving any body art procedure. A copy of the "disclaimer of liability" signed by the client or by the client's legal parent, custodian, or guardian, shall be maintained in the client file, with a copy given to the client or the client's legal parent, custodian, or guardian.
- (f) **Client statement.** A statement by the client attesting that he/she is not under the influence of alcohol and/or drugs shall be on file.
- (g) **Subsequent care procedures.** A copy of procedures signed by the client or by the client's legal parent, custodian, or guardian, advising them of proper subsequent care of the body art, shall be maintained on file.
- (h) **Possible complications instructions.** A copy of instructions signed by the client or by the client's legal parent, custodian, or guardian, informing them of the risks involved and possible complications that might result from the body art procedure, shall be maintained on file.

Section 13 - Sanitation.

- (a) **Jewelry.** Body artist jewelry on the hands and arms, such as watches, rings, and other similar jewelry, or necklaces or other adornments that could interfere with or contaminate the procedure in

any way shall be removed prior to the start of the body art procedure, with the exception of a plain ring such as a wedding band.

- (b) **Self hand examination.** Prior to the start of the body art procedure, the body artist shall inspect their hands for hangnails, small cuts, sores, and abrasions. If a cut, sore, or abrasion is detected, a bandage shall be applied for added protection before gloving. Fingernails shall be trimmed to ensure that gloves are not punctured. Recent tattoos or piercings in the healing process shall also be properly covered as to prevent any bodily fluid transfer.
- (c) **Hand washing.** Before performing body art procedures, the artist must thoroughly wash their hands in hot, running water with antibacterial soap, then rinse hands and dry with disposable paper towels. Use of hand sanitizers is recommended after each hand washing. Hand washing shall be done as often as necessary to remove contaminants.
- (d) **Examination gloves.** Medical grade, single use, disposable latex or approved non-latex examination gloves shall be worn during the body art procedure. Gloves shall be changed and properly disposed of each time there is an interruption in the body art procedure, the gloves become torn or punctured, or whenever their ability to function is compromised. Under no circumstances shall a single pair of gloves be used on more than one individual.
- (e) **Hygiene.** A body artist shall maintain the highest degree of personal cleanliness, conform to standard hygienic practices, and wear clean clothes when performing body art procedures. Single use aprons, smocks, or sleeve covers are acceptable. Open-toed shoes shall not be permitted.
- (f) **Body artist dermis and epidermis.** The skin of the artist shall be free of rash or infection. No artist affected with boils, infected wounds, open sores, abrasions, weeping dermatological lesions or acute respiratory infection, shall work in any area of a body art establishment, in any capacity in which there is a likelihood that the individual could contaminate body art equipment, supplies, or working surfaces with body substances or pathogenic organisms.
- (g) **Razors.** Only single use disposable razors shall be used to shave the area receiving body art.
- (h) **Contaminated item or instrument.** Any item or instrument used for body art that is contaminated during the procedure shall be discarded and replaced immediately with a new disposable item or a new sterilized instrument or item before the procedure resumes.
- (i) **Universal precautions.** Universal precautions, as defined in these rules, shall be observed to prevent contact with blood or other potentially infectious materials. All employees shall be trained in universal precautions.
 - (1) **Assume contamination.** Assume all human blood, plasma, serum, body fluids (semen, saliva, breast milk, vaginal secretions and any fluid contaminated with blood) and tissues to be contaminated with Human Immunodeficiency Virus (HIV) and/or Hepatitis viruses (e.g., HBV, HCV).
 - (2) **Occupational infection.** The most susceptible route of occupational infection for HIV, HBV, and HCV is by accidental needle sticks, but may include contamination of the mucous membranes, or open, abraded, or irritated skin. Use appropriate caution and maximum protection to prevent such contact.
 - (3) **Decontamination procedures.** Proper decontamination procedures, emergency biohazard spill management, and proper use of biosafety equipment shall be utilized.
 - (4) **Use aseptic technique.** Thorough hand washing is essential after client contact, after handling blood and body fluids, after wearing gloves, and prior to exiting the work area.
 - (5) **Regulated waste.** All regulated and/or contaminated waste shall be disposed of in labeled, manufacturer's color-coded waste containers.
 - (6) **Spills.** Infectious material spills shall be cleaned using an EPA registered disinfectant and universal precautions.

- (7) **Cleaning disinfectant.** Clean all work areas and equipment used in handling human biohazardous materials with an EPA registered disinfectant when concluding work to protect personnel from accidental infection.
- (8) **Personal consumption restrictions.** Eating, use of tobacco products, applying cosmetics or lip balm are not permitted in the parlor. Drinking will be allowed only when a single service cup that has a secure lid and straw is used in a way as to prevent the contamination of the body artist's hands.
- (9) **Aerosols.** All procedures shall be performed carefully to minimize the creation of aerosols.
- (10) **Incident and illness reports.** Employees shall report all work related accidents, incidents, and unexplained illness to their supervisor and/or physician immediately.
- (11) **Gloves.** Soiled gloves shall be removed in a manner to minimize the risk of self-contamination or cross contamination after each operation and prior to contacting work surfaces, door knobs, wall switches, or telephones. Dispose of used gloves in a bagged trash container.
- (12) **Food storage.** Food storage cabinets or refrigerators shall be located outside the parlor(s) and cleaning room(s).

Section 14 - Sterilization.

- (a) **Equipment required.** An ultrasonic cleaning unit and operational medical grade autoclave (sterilizer) shall be provided in each body art establishment.
- (b) **Equipment placement and operation.** Ultrasonic cleaning units shall be clearly labeled "biohazardous" and placed away from the autoclave and parlors and shall be operated in accordance with the manufacturer's recommendation.
- (c) **Equipment maintenance.** The ultrasonic cleaning unit and medical grade autoclave shall be used and maintained according to manufacturer's specifications. Each ultrasonic cleaning unit and medical grade autoclave shall be emptied and thoroughly cleaned and disinfected per manufacturer's recommendations.
- (d) **Sterilizer manual.** The operator's manual for the autoclave shall be available at the establishment, and the sterilizer shall be operated according to the manufacturer's recommendations.
- (e) **Cleaning of used non-disposable instruments.** Used non-disposable instruments shall be kept in a separate puncture resistant container until cleaned. The cleaning method shall include the following:
 - (1) **Instruments pre-scrubbed.** Instruments shall be pre-scrubbed prior to being placed into an ultrasonic cleaning unit.
 - (2) **Instruments brush scrubbed.** After removal from the ultrasonic cleaning unit, instruments shall then be brush scrubbed in hot water and soap, then rinsed in clean water.
 - (3) **Sterilizer log.** A sterilizer log shall be maintained for the establishment and made available for inspection by the department. The log shall be maintained for a minimum of one year and shall include but not be limited to the following documentation for each load:
 - a. Description of instruments contained in the load.
 - b. Date of sterilization and time if more than one load is processed in a single day.
 - c. Sterilizer cycle time and temperature.
 - d. Indication of proper sterilization of instruments, as indicated by the appropriate color change of the sterilizer Indicator on each package. The indicator used shall be compatible with the sterilization process being used.
 - e. Action taken when appropriate color indicator change did not occur.

- (4) **Instruments sterilized.** Instruments shall then be packed individually in sterilized packs and sterilized in a medical grade autoclave. All sterilized packs shall contain either a sterilized indicator or internal temperature indicator. Employees shall wear clean gloves while packaging or wrapping instruments.
- (5) **Instruments identified.** All equipment shall be bagged, labeled, initialed, dated and sealed prior to being placed in the autoclave.
- (6) **Autoclave bag.** Each autoclave bag must be used in accordance with the manufacturer's recommendations and may hold no more than one individual item (ex. one tube or needle bar). A piercing set may be bagged together.
- (f) **Storage.** After sterilization, the packaged instruments shall be stored in a clean, dry cabinet or other lightly covered container reserved and labeled for storage of sterile instruments.
- (g) **Sterilized package contaminated.** If a sterilized package has been breached or allowed to get wet, the instrument(s) must be re-packaged and sterilized again before use.
- (h) **Spore indicators.** Spore indicators shall be used a minimum of at least once a month and the results must be kept on-site for a minimum of two years. An independent commercial testing laboratory operating under FDA guidelines, contracted by the person who owns the establishment, permit holder or designated agent, shall perform monthly biological spore testing of the autoclave. A provision shall be included in the contract between the person who owns the establishment, permit holder or designated agent and the commercial testing laboratory requiring the commercial testing facility to notify the department of any failure of the autoclave to eradicate all living organisms, including spores.
- (i) **Positive report procedure.** The following procedure shall be followed when there is a positive microbiological monitoring report:
 - (1) **Mandatory action.** Upon notification of a positive microbiological monitoring report, the body art establishment shall cease operation. The sterilizer shall be immediately checked for proper use and function.
 - (2) Three consecutive negative biological tests must be achieved before the establishment is reopened.
 - (3) The person who owns the establishment, permit holder or designated agent shall have the option to obtain a properly functioning sterilizer with a negative biological report in order to remain open. If the establishment has more than one autoclave in operation they may be given approval by the department to remain open.
 - (4) The department may consider the body art establishment's emergency plan should there be an autoclave failure or malfunction.

Section 15 - Pigments.

- (a) **Pigments.** All pigments used in tattooing shall be from commercial professional suppliers specifically manufactured as pigments only for the tattooing of human skin.
- (b) **Pigment preparation.** In preparing or mixing pigments, only nontoxic materials shall be used. Pigments shall be mixed and placed in individual single use containers.
- (c) **Unused pigment.** After tattooing, the remaining unused pigment in the single use container(s) shall be properly discarded along with the container(s).

Section 16 - Tattoo preparation.

- (a) **Use of gloves.** Medical grade, single use disposable gloves shall be worn during the preparation of equipment and during the tattoo procedure, and shall be disposed of properly after use on each client.
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- (b) **Use of needle assembly with bar.** Only a commercially packaged single use pre-sterilized needle assembly with bar shall be used and disposed of immediately after use into a puncture proof disposable biohazard container.
- (c) **Sterilized instruments.** Sterilized instruments shall remain in sterile packages until opened in front of the client.
- (d) **Tattooing machine contaminated.** Any part of a tattooing machine that may be touched by the body artist during the procedure shall be covered with a disposable plastic sheath that is discarded after each procedure and the machine shall be disinfected.
- (e) **Electrical cords.** A clip cord sleeve and barrier film shall be used over exposed electrical cords or other cleaning and disinfection methods demonstrated to prevent contamination.
- (f) **Pigment application devices.** All devices used to apply pigments must be designed and used to prevent backflow of pigments into the machine.
- (g) **Towels or gauze.** Single use towels or gauze shall be used in preparing the site to be tattooed and shall be properly disposed of after use on each client.
- (h) **Shaving.** If shaving is necessary, single use disposable razors shall be used and discarded after each use.
- (i) **Tattoo site cleaned.** After shaving the area to be tattooed, or if the area does not need to be shaved, the site of the tattoo shall be thoroughly cleaned and germicidal solution applied in a sanitary manner before each placement of design on the skin.
- (j) **Rinse cup.** When a parlor or workstation rinse cup is used alone, the cup and solution shall be disposable and discarded after each client.
- (k) **Spray and squirt bottles.** If squirt or spray bottles are used to dispense liquids, the liquid shall be applied onto a single use wipe rather than directly onto the client.
- (l) **Single use supplies.** Single use ointment tubes, applicators, and supplies shall be discarded after each tattoo application.
- (m) **Paper stencil.** When a paper stencil is used by a body artist for transferring the design to the skin, it shall be single use and disposable. The use of roll-on or slick deodorants for tattoo site preparation is prohibited.
- (n) **Stencil application.** The stencil shall be applied with antimicrobial soap, or a product approved by the department, dispensed from a container in a manner that does not contaminate the unused portion.
- (o) **Design drawn.** When the design is drawn directly onto the skin, pre-sterilized, single use non-toxic pens or markers shall be used and discarded after each use.

Section 17 - Piercing jewelry.

- (a) **Size and quality.** The client and body artist shall choose the appropriate size and quality jewelry before the procedure begins. Random jewelry shall not be used for the initial piercing.
- (b) **Material.** Jewelry used in piercing shall consist of a material rated by the ASTM or the ISO as being suitable for permanent surgical implant, such as stainless steel, titanium, niobium, solid platinum or a dense low porosity plastic such as Tygon or PTFE. Copies of the jewelry manufacturer's documentation, which verify compliance with standards, must be available for inspection on request. Solid 14 karat or higher, white or yellow nickel-free gold may also be used. Purity verification must be available for inspection on request.
- (c) **Good condition.** The jewelry must be free of nicks, scratches, or irregular surfaces.
- (d) **Sterilized.** All jewelry shall be sterilized in a medical grade autoclave, stored in sterile indicator bags, sealed and dated prior to use.

- (e) **Jewelry for ear piercing.** Ear studs or other jewelry designed for piercing of the perimeter or lobe of the ear are not appropriate jewelry for other body parts and shall not be used by body artists.

Section 18 - Body piercing preparation.

- (a) **Use of gloves.** Medical grade, single use disposable gloves shall be worn during the preparation of equipment and during the body piercing procedure, and shall be disposed of properly after use on each client.
- (b) **Piercing needle.** Only a commercially packaged single use pre-sterilized piercing needle shall be used and disposed of immediately after use into a puncture proof disposable biohazard container.
- (c) **Instruments.** All pre-sterilized forceps, hemostats, calipers, and tubes shall be stored in sealed, properly labeled, sterile indicator bags. These items shall only be used on one client and only at one sitting. After one such use, these items shall be cleaned in an ultrasonic cleaner, placed in sealed indicator bags, properly labeled, autoclaved and stored in sterile indicator bags.
- (d) **Sterilized instruments.** Sterilized instruments shall remain in sterile packages until opened in front of the client.
- (e) **Towels or gauze.** Single use towels or gauze shall be used in preparing the piercing site and shall be properly disposed of after use on each client.
- (f) **Tattoo site cleaned.** After shaving the area to be pierced, or if the area does not need to be shaved, the piercing site shall be thoroughly cleaned and germicidal solution applied in a sanitary manner before beginning the procedure.
- (g) **Oral piercings.** In the case of oral piercings, the body artist shall provide the client with antiseptic mouthwash in a single use cup and shall ensure that the client utilizes the mouthwash provided. In the case of a lip, labret, or cheek piercing, procedures described in this section for both skin and oral piercings shall be followed.

Section 19 - After body art application.

- (a) **Tattoo washed.** The completed tattoo shall be washed with a single use towel saturated with an antimicrobial solution.
- (b) **Antibacterial ointment.** After the tattoo has dried, the body artist shall apply a layer of antibacterial ointment or other approved product from a single use packet, collapsible plastic tube, or apply from a bulk container in a sanitary manner using a single use dispenser.
- (c) **Bandage or dressing.** The body artist shall then apply a bandage or dressing to the tattoo using a sealed non-slicking pad or wrap.
- (d) **Instructions.** Verbal and written instructions, approved by the department for the care of the body art procedure site, shall be provided to each client or the client's legal parent, custodian, or guardian, by the body artist upon completion of the procedure. Written instructions, including the name, address and phone number of the establishment, shall be provided advising the client or the client's legal parent, custodian, or guardian, to consult a physician at the first sign of infection. These documents shall be signed and dated by the client or the client's legal parent, custodian, or guardian, and body artist, with a copy given to the client or the client's legal parent, custodian, or guardian, and the body artist retaining the original with all other required records.
- (e) **Complaint filing.** The name, address and phone number of the department shall be posted in public view in the body art establishment along with the procedure for filing a complaint. A copy of the notice for filing a complaint shall be included in the establishment application packet.

Section 20 - Disinfection of workplace.

- (a) **Clean and sanitary.** Each body art establishment shall be kept clean and sanitary. The person who owns the establishment, permit holder or designated agent shall develop and implement a written

cleaning schedule that includes appropriate methods of decontamination, tasks or procedures to be performed and a cleaning log documenting all cleaning activities performed.

- (b) **Cleaning schedule.** The written schedule shall be based on the location within the establishment and shall include but is not limited to: the appropriate methods of decontamination, the type of surfaces to be cleaned, type of possible contamination present, the tasks or procedures to be performed, and their location within the establishment. The schedule shall also indicate any tasks or procedures to be performed on a daily basis.
- (c) **Cleaning log.** The log shall indicate all scheduled cleaning activities and shall be available for review by the department. Violation of proper maintenance and documentation thereof shall be subject to applicable enforcement actions.
- (d) **Cleaning procedure.** The following procedures shall be adhered to:
 - (1) **Clean and sanitize.** Clean and sanitize all equipment and work surfaces with an appropriate EPA registered disinfectant after completion of the body art procedures and at the end of the work shift when surfaces have become contaminated since the last cleaning.
 - (2) **Protective coverings.** Remove and replace protective coverings such as plastic wrap and aluminum foil after each body art procedure.
 - (3) **Reusable receptacles.** Inspect and decontaminate, on a daily basis, reusable receptacles such as bins, pails, and cans that have the likelihood of becoming contaminated. Clean and decontaminate receptacles immediately when contamination is visible.

Section 21 - Minimum standards—Body art establishment.

(a) **Parlors and cleaning room.**

- (1) **Parlor.** A parlor(s), separate from observers or visitors, where body art procedures are conducted, shall be provided in a body art establishment.
- (2) **Parlor privacy.** At least one work area shall provide complete privacy for clients by means of doors, nonabsorbent curtains, or similar approved partition. All other parlors shall be in a studio where body art procedures are administered, which shall be separate from observers or visitors.
- (3) **Microblading parlor.** If microblading procedures are conducted in an environment where airborne particulates are of concern (including but not limited to hair and nail salons), microblading shall take place behind a floor-to-ceiling partition or in a separate room.
- (4) **Cleaning room.** A body art establishment shall have a cleaning room(s) to be used exclusively for the cleaning, disinfection, and sterilization of instruments.
- (5) **Cleaning room requirements.** The cleaning room(s) shall have a separate NSF approved instrument sink or stainless steel instrument sink reserved only for instrument disinfectant activities and shall be equipped with hot and cold water under pressure.
- (6) **Cleaning room separated.** The cleaning room(s) shall be separated from any other area in the establishment by means of doors, nonabsorbent curtains, or similar approved partition extending from floor to ceiling or a height of eight feet.
- (7) **Cleaning room equipment.** The cleaning room(s) shall be equipped with an ultrasonic cleaning unit and a medical grade autoclave. The autoclave shall be used to sterilize all non-disposable and reusable body art equipment.
- (8) **Cleaning room materials.** The cleaning room walls, doors, windows, skylight, and similar closures shall be constructed of smooth, nonabsorbent, durable material and be maintained in good repair. The cleaning room ceiling shall be maintained in good repair allowing for easy and effective cleaning.

(b) **Water supply.**

- (1) **Potable water.** A sufficient amount of potable water for the needs of the body art establishment shall be provided from an approved source that is a public water system; or a nonpublic water system that is constructed, maintained and operated according to applicable state and local laws and regulations.
 - (2) **Source—Public water system.** Water from a public water system shall meet 40 CFR 141 — National Primary Drinking Water Regulations and state drinking water quality standards.
 - (3) **Source—Nonpublic system.** Water from a nonpublic system shall be in accordance with article IV, "Drinking Water Supply" approved by the department, and shall meet state drinking water quality standards.
 - a. Water from a nonpublic water system shall be sampled and tested at least annually and as required by department.
 - b. The most recent sample report for the nonpublic water system shall be retained on file in the body art establishment or the report shall be maintained as specified by department.
 - (4) **Equipment water supply.** Water, under pressure and at the required temperatures, shall be provided to all fixtures and equipment that use water.
- (c) **Sewage and plumbing.**
- (1) **Sewage.** All sewage, including liquid water, shall be disposed of by a public sewer system or by an onsite sewage management system in accordance with article XI, "Sewage Disposal" approved by the department.
 - (2) **Plumbing.** Plumbing shall be sized, installed, and maintained according to local plumbing codes. There shall be no cross-connection between the potable water supply and any other water supply or other source of contamination.
 - (3) **Drain/indirect connection.** There shall be an indirect connection between the sewage system and any drains originating from equipment in which utensils are placed.
- (d) **Toilet facilities.**
- (1) **Toilet installation.** Toilet facilities shall be designed, installed, and maintained according to local plumbing codes. Public access to toilet rooms shall not be through cleaning rooms or parlors.
 - (2) **Toilet rooms.** Toilet rooms opening directly into work or client waiting areas shall be completely enclosed and shall have light-fitting, solid doors, which shall be closed except during cleaning or maintenance. All toilet rooms shall have sufficient mechanical ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes.
 - (3) **Toilet fixtures.** Toilet fixtures shall be kept clean and in good repair. A supply of toilet tissue shall be provided at each toilet at all times. Easily cleanable receptacles shall be provided for waste materials. Toilet rooms shall have at least one covered waste receptacle.
- (e) **Lavatory facilities.**
- (1) **Employee access.** Lavatories shall be accessible to employees at all times.
 - (2) **General.** Lavatories or sinks shall be at least the number required by local plumbing code, shall be installed according to this article, and shall be located in toilet rooms, and other areas as required by this article.
 - (3) **Hand washing sink—Parlor.** A hand washing sink shall be provided in each private parlor. All parlors shall have access to a hand sink that is no greater than thirty feet (30') away, or no greater for fifteen feet (15') away for microblading procedures. Hand sinks shall be accessible to the parlors so that an artist can wash their hands and return to the parlor without having to touch anything with their hands. The sink shall provide hot and cold water under pressure through a mixing valve. The hand sink shall only be used by a body artist for washing their

hands. Toilet room sinks may not serve as parlor hand sinks. (4) *Misuse of sink.* Any hand washing sink or instrument sink shall not be used as a janitorial sink.

- (5) *Lavatory faucets.* Each lavatory or sink shall be provided with hot and cold water tempered by means of a mixing valve or combination faucet. Any self-closing, slow closing, or metering faucet used shall be designed to provide a flow of water for at least 20 seconds at between 90 degrees Fahrenheit (32 degrees Celsius) and 110 degrees Fahrenheit (43 degrees Celsius) without the need to reactivate the faucet.
 - (6) *Lavatory supplies.* A supply of hand cleansing soap or detergent and an antibacterial solution shall be available at each lavatory. A supply of dispensed, disposable single-use sanitary towels, or a hand drying device providing heated air, shall be conveniently located near each lavatory. Common towels are prohibited. If disposable towels are used, easily cleanable, covered waste receptacles shall be conveniently located near the hand-washing facilities.
 - (7) *Lavatory maintenance.* Lavatories, soap dispensers, paper towel dispensers, and all related fixtures shall be kept clean and in good repair.
- (f) *Solid waste.*
- (1) *General.* Storage of garbage and refuse shall be in accordance with the Board of Health Rules and Regulations for Solid Waste. Garbage and refuse shall be kept in durable, easily cleanable, insect and rodent proof containers that do not leak and do not absorb liquids. A sufficient number of garbage containers, as determined by this department, shall be provided and used. Plastic bags or wet strength paper bags shall be used to line these containers.
 - (2) *Inside containers.* At least one covered waste receptacle shall be provided in each parlor and each toilet room. Receptacles in the parlor(s) shall be emptied daily and solid waste shall be removed from the premises at least weekly or more often as required by the department. Containers used in parlors shall be maintained and kept covered when not in use and after they are filled.
 - (3) *Cleaning.* Each inside container shall be thoroughly cleaned on the inside and outside in a way that does not contaminate any area of the body art establishment.
 - (4) *Outside containers.* Containers stored outside the establishment including dumpsters, compactors, and compactor systems shall be easily cleanable, shall be provided with light-fitting lids, doors, or covers, and shall be kept covered when not in actual use. Soiled containers shall be cleaned at a frequency to minimize insect and rodent attraction. In containers designed with drains, the drain plugs or screening shall be in place at all times, except during cleaning.
 - (5) *Outside storage areas.* Outside storage areas or enclosures shall be of sufficient size to store the required number of outside garbage and refuse containers and shall be kept clean, insect and rodent proof. Garbage and refuse containers, dumpsters and compactor systems located outside shall be stored on a reinforced concrete pad that is drained, maintained in good repair and kept clean. Outside concrete pads shall be constructed as specified by this department.
 - (6) *Garbage pickup.* Garbage and refuse shall be disposed at least twice a week or more often if required by this department to minimize the development of an obnoxious odor and the attraction of insects and rodents.
- (g) *Contaminated waste disposal.*
- (1) *Disposal of sharps.* Used needles shall not be purposely bent or broken, or otherwise manipulated by hand. Disposable needles and other sharp items shall be placed intact immediately after use into puncture-resistant containers with a biohazard label before disposal. Disposable waste shall be handled, stored, and disposed of to minimize direct exposure of personnel to waste materials. Containers of sharp waste shall be sent to a facility where they are either incinerated, rendered non-hazardous, or deposited in a landfill approved to accept biomedical waste in compliance with Georgia Department of Natural Resources, Environmental Protection Division, Solid Waste Management, Chapter 391-3-4.15.

- (2) **Disposal of contaminated solid waste.** Waste, potentially contaminated with small amounts of blood or other infectious body fluids (e.g., gauze, wipes, disposable lap cloths), and also which may release liquid blood or body fluids when compressed or may release dried blood or body fluids when handled, shall be double-bagged in sealed, impervious bags to prevent leakage of the contained items. These bags shall be of sufficient strength to prevent breakage or leakage and shall not contain any sharps. Disposable waste shall be handled, stored, and disposed of to minimize direct exposure of personnel to waste materials. The waste bags shall be containerized and disposed of in an approved sanitary landfill.
 - (3) **Disposal of liquid infectious waste.** Disposal of infectious waste such as blood, fluids, used inks, or other liquid waste shall be deposited directly into a drain connected to a sanitary sewer system.
- (h) **Insect and rodent control.**
- (1) **General.** Insect and rodent control shall be in accordance with Board of Health Rules and Regulations pertaining to "Nuisances" and "Rat Control." Effective measures shall be utilized to minimize the presence of rodents, flies, cockroaches, and other insects. The premises shall be maintained to prevent harborage, attraction, or breeding of insects and rodents. An approved plan for pest control must be specified and utilized as required by the department.
 - (2) **Insect and rodent proofing.** All openings to the outside shall be effectively protected against the entrance of rodents. Outside openings shall be protected against the entrance of insects by light-fitting, self-closing doors, closed windows, screening, controlled air currents, or other approved means. Screen doors shall open outward and be self-closing, and screens for windows, doors, skylights, transoms, intake and exhaust air ducts, and other openings to the outside shall be light-fitting and free of breaks. Screening material shall not be less than 16 mesh to the inch.

Section 22 - Minimum standards—Temporary body art facility.

- (a) **Temporary facility requirements.** Temporary facility requirements shall meet the requirements of this article. Additional requirements include:
 - (1) **Hand washing facilities—Location.** Hand washing facilities located within each work or demonstration area.
 - (2) **Hand washing facilities—Specifications.** Hand washing facilities shall consist of liquid antimicrobial hand soap, single use paper towels and warm potable water dispensed from an insulated container that contains at least five gallons of potable water with a spigot that is raised a minimum of 25 inches off the floor.
 - (3) **Waste water.** Waste water, which can be covered, shall be collected in a bucket that will hold at least five gallons of waste water placed on the floor under the spigot. Warm potable water shall be replenished and wastewater removed as necessary to the sanitary sewer system, or, in the absence thereof, in a manner approved by the department.
- (4) **Single use.** Only single use disposable sterilized supplies can be used. **Section 23 - Construction and maintenance of establishment.**

(a) **Floors.**

- (1) **Floor construction.** Floors and floor coverings of the cleaning room(s), parlor(s), toilet rooms and other areas used by employees only shall be constructed of smooth, nonabsorbent, durable material and maintained in good repair. Commercial grade carpeting is allowed in the waiting area only and shall be of closely woven construction, properly installed, easily cleanable, and maintained in good repair.

(b) **Walls.**

- (1) **Maintenance.** Walls shall be painted, covered, or sealed in a manner which allows for easy and effective cleaning.
 - (2) **Attachments.** Light fixtures, vent covers, and similar equipment attached to walls and ceilings shall be easily cleanable and maintained in good repair.
- (c) **Physical facilities.**
- (1) **Maintenance.** Floors, walls, ceilings, and attached equipment and decorative materials shall be maintained in good repair allowing for easy and effective cleaning.
- (d) **Lighting.**
- (1) **Parlor, cleaning room and equipment areas lighting.** Parlors, cleaning rooms and equipment handling and assembly areas shall be provided at least 100 foot candles of light at the level where procedures are performed.
 - (2) **Establishment lighting.** Permanently fixed artificial light sources shall be installed to provide at least 20 foot candles three feet from the floor in all other areas.
- (e) **Ventilation.** All rooms shall have sufficient ventilation to keep them free of excessive heat, condensation, obnoxious odors, and fumes.
- (f) **Design and fabrication.**
- (1) **General.** All equipment and instruments shall be designed and fabricated for durability under conditions of normal use and shall be resistant to denting, buckling, pitting, and chipping.
 - (2) **Procedure surfaces.** Surfaces on which body art procedures are conducted shall be nonabsorbent, easily cleanable, smooth, and free of breaks, open seams, cracks, chips, pits, and similar imperfections, and free of difficult to clean internal corners and crevices. All exposed surfaces of all worktables and chairs shall be constructed of material that is smooth, nonabsorbent, corrosive resistant, and easily sanitized.
 - (3) **Non-procedure surfaces:** Surfaces of equipment on which no body art procedures are conducted, but which are exposed to splash or debris or which otherwise require frequent cleaning, shall be designed and fabricated to be smooth, washable, free of unnecessary ledges, projections, or crevices and readily accessible for cleaning. Such surfaces shall be of material and in such repair as to be easily maintained in a clean and sanitary condition.
 - (4) **Parlor.** Each parlor shall have a minimum of 45 square feet floor space. Worktables and chairs shall be provided for each body artist.
- (g) **Premises.**
- (1) **Maintenance.** Body art establishments shall be kept neat, clean, and free of litter and rubbish and shall be kept in such condition as to prevent the entrance, harborage, or feeding of insects, rodents, or vermin.
 - (2) **Proper storage.** Only articles necessary for the operation and maintenance of the body art establishment shall be stored on or within the establishment. Cabinets for the storage of instruments, dyes, pigments, single-use articles, carbon, stencils, jewelry, studs, and other supplies shall be provided for each body artist and shall be designed, manufactured, and maintained in a sanitary manner so as to protect contents from contamination.

Section 24 - Supplies.

- (a) **Minimum supplies of establishment.**
- (1) **Body tattooing only parlor.** If tattooing only is conducted in a parlor, a minimum of six sterilized needles (with bars), and six sterilized needle tubes are required.

- (2) **Body piercing only parlor.** If piercing only is conducted in a parlor, a minimum of six sterilized needles, six sterilized needle tubes, six sterilized forceps, and six sterilized hemostats/sponge clamps are required.
 - (3) **Multi-procedure parlor.** If piercing and/or tattooing is conducted in a parlor, a minimum of six sterilized needles (with bars), six sterilized needle tubes, six sterilized needles, 12 sterilized needle tubes, six sterilized forceps, and six sterilized hemostats/sponge clamps are required.
 - (4) **Parlor.** Each parlor is to be equipped or stocked in the following manner:
 - a. Disposable **towels.** A minimum of four extra packages of disposable towels other than the package that is being used.
 - b. Disposable **gloves.** A minimum of three extra boxes of medical grade disposable gloves other than the box being used.
 - c. Supplies. An extra supply of bandages, ointment or gel, and antimicrobial soap. First aid supplies shall be labeled and stored in a way that prevents them from contamination.
- (b) **Minimum supplies of microblading facility.**
- (1) Sterile needles, disposable sterile handles or disposable all-in-one hand tools.
 - (2) If an Autoclave is present, reusable hand tools could be an option, but not blades/needles.
 - (3) Surface disinfectant such as Cavicide, Optim, Madacide etc
 - (4) Pigment rings or cups.
 - (5) Face masks
 - (6) Nitrile Gloves, non-powdered
 - (7) Protective barrier for table/bed
 - (8) Disposable Pencil/Marker
 - (9) Alcohol Pads
 - (10) Barrier Film
 - (11) Sharps Container

Section 25 - Poisonous or toxic materials.

- (a) **Poisonous or toxic materials.**
- (1) **Materials permitted.** There shall be present in the body art studio only those poisonous or toxic materials necessary for maintaining the establishment, and cleaning or sanitizing equipment, as well as controlling insects and rodents.
 - (2) **Labeling of materials.** Containers of poisonous or toxic materials shall be prominently and distinctly labeled according to law for easy identification of contents. A written policy for a color coding system may be acceptable with prior approval.
 - (3) **Categories.** Poisonous or toxic materials consist of the following categories: pesticides, detergents, sanitizers, and related cleaning or drying agents, caustics, acids, polishes, and other chemicals.
 - (4) **Storage.** Each of the categories set forth in subsection (a)(3) of this section shall be stored and physically located separate from each other. All poisonous toxic materials shall be stored in cabinets or in a similar physically separate place, used for no other purpose, and shall be separated from other forms of materials used in body art procedures. To preclude contamination, poisonous or toxic materials shall not be stored with body art procedure chemicals such as dyes and pigments.

- (5) **Use of cleaning solutions.** Labeled spray bottles containing cleaning solutions may be used for the purpose of cleaning, but not during any body art procedures.
- (6) **Proper use.** Poisonous or toxic materials shall not be used in a way that contaminates equipment or utensils, or in a way that constitutes a hazard to employees or other persons, or in a way other than in full compliance with the manufacturer's labeling.
- (7) **Personal care items.** Personal medications shall not be stored in work or service areas. First aid supplies shall be labeled and stored in a way that prevents them from contaminating body art supplies and equipment including single-use articles.

Section 26 - Certification of environmental health services personnel.

- (a) **General.** All environmental health services personnel who are assigned responsibilities in body art establishment plan review, permitting, inspecting or other means of enforcing this article, will successfully complete:
 - (1) An OSHA approved Blood Borne Pathogens/Universal Precautions course.
 - (2) A departmental examination by achieving a minimum of 80 percentile.
- (b) All environmental health services personnel currently having the responsibilities of enforcing this article must obtain the credentials listed in subsection (a)(1) and (2) of this section within 90 days after the effective date of the ordinance from which this article derives.

Section 27 - Severability.

In the event any section, subsection, sentence, clause, or phrase of this article shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this article, which shall remain in full force and effect, as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof. The Fulton County Board of Health hereby declares that it would have adopted the remaining parts if the resolution had known that such part or part hereof would be declared or adjudged invalid or unconstitutional.

Appendix I

"Universal precautions" means a set of guidelines and controls, published by the Centers for Disease Control and Prevention (CDC), as "Guidelines for Prevention of Transmission of Human Immune-deficiency Virus (HIV) and Hepatitis B Virus (HBV) to Health-Care and Public-Safety Workers" in Morbidity and Mortality Weekly Report) (MMWR), June 23, 1989, Vol. 38 No. S-6, and as "Recommendations for Preventing Transmission of Human Immune Deficiency 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, HBV, HCV, and other blood pathogens. Precautions include hand washing; gloving; personal protective equipment; injury prevention; and proper handling and disposal of needles, other sharp instruments, and blood and body fluid-contaminated products.