**RULES AND REGULATIONS**

**OF**

**BODY ART STUDIOS**

**AND TATTOO/BODY PIERCING ARTISTS**

**Liberty County Board of Health**

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**I. Authority.**

The legal authority for this Rule is Chapter 16-5-71 and Chapter 31-40 of the

Official Code of Georgia Annotated. (O.C.G.A. Chapters 16-5-71, 31-40-1, 31-40-2, 31-40-3, 31-40-4, 31-40-5, 31-40-6, 31-40-7, 31-40-8, 31-40-9, and 31-5.)

**II. Purpose.**

The purpose of these rules and regulations is to establish reasonable standards

for individuals performing tattoo and body piercing procedures and for the facilities from which the procedures are provided. Such standards should insure the health and safety of all individuals performing and receiving these services.

**III. Exemptions.**

These regulations do not apply to a physician or osteopath licensed under

Chapter 34 of Title 43, or a technician acting under the direct supervision of such

licensed physician or osteopath.

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**IV. Definitions.**

Unless otherwise defined by specific sections as used in these rules and

regulations the term:

(a) "Administrative Body" means the partnership, the corporation, the

association, or the person or group of persons who maintain and control the

tattoo/body-piercing studio and who are legally responsible for the operation of the studio.

(b) "Antibacterial Solution" means any solution used to retard the growth of

bacteria approved for application to human skin and includes all products labeled

accordingly.

(c) “Antiseptic” an agent that kills disease – causing microorganisms on human skin or mucosa.

(d) “Approved” reviewed and authorized by the Board of Health or authorized agent.

(e) “Aseptic technique” a hygienic practice which prevents and hinders the direct transfer of microorganisms, regardless of pathogenicity, from one person or place to another person or place.

(e) “Body Piercer” a person who performs body piercing and who is responsible for adherence to the provisions of these section; hereafter referred to as artist.

(f) “Body Piercing” means the creation of an opening in an individual’s body

other than the individual’s ear, to insert jewelry or other decoration.

(g) “Body Piercing Shop” means any premises where a body piercer practices body piercing.

(h) “Body Art Studio" means any permanent building or structure on a permanent

foundation, holding a valid city or county business license and permit from the County Board of Health, wherein a tattoo/body piercing artist performs tattooing or body piercing. This shall not include tattoo removal.

(i) “Client” a person requesting the application of a tattoo or certain body piercing.

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(j) “Contaminated waste” any liquid or semi – liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi – liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps and pathological and microbiological wastes containing blood and other potentially infectious material, as defined in 29 Code of Federal Regulations, Part 1910.1030, known as “Occupational Exposure to Blood Borne Pathogens”.

(k) “Cosmetic” an article or substance intended to be rubbed, poured, sprinkled, or sprayed on or introduced into or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness or altering appearances; or an article or substance for use as a component of such an article, except that the term does not include soap.

(l) "County" means the local County Board of Health or it’s duly authorized

representatives.

(m) "Currently Licensed Health Care Professional" includes physicians,

Registered Nurses (RN), Licensed Practical Nurses (LPN), and Licensed Emergency Medical Technicians.

(n) "Department" means the local Board of Health.

(o) “Disinfectant” an agent that kills disease – causing microorganisms on inanimate objects or surfaces.

(p) “Ear Piercing” the creation of an opening in an individual’s ear lobe with an ear – piercing gun to insert jewelry or other decoration.

(q) “Ear Piercing Gun” a device that pierces an individual’s ear using a single – use stud and clasp ear piercing system. An ear – pierces gun shall not be used to pierce any other part of the body besides the ear.

(r) “Germicidal Solution” an agent that kills disease – causing microorganisms on hard surfaces; a disinfectant or sanitizer registered with the Environmental Protection Agency and or an approximate 1:100 dilution of household chlorine bleach (1/4 cup bleach and 1 gallon of water.

(s) “Germicidal Soap” an agent designed for use on the skin that kills disease – causing microorganisms, including but not limited to, products containing povidone – iodine, chloroxylenol, triclosan, and chlorhexidine gluconate.

(t) “Hand Washing Facility” sink equipped with hot and cold or tempered running water under pressure (not less than 32 psi) used for washing hand, arms, or other portions of the body.

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(u) “Health Care Practitioner” a person licensed by the state to practice medicine.

(v) “Instruments” hand pieces, needles, needle bars, hemostats, forceps, pliers, and other items that may come in contact with a client’s body or possible exposure to bodily fluids during the tattoo and body piercing procedures.

(w) “Jewelry” any personal ornament inserted into a pierced area, which must be made of surgical implant grade stainless steel (minimum of 316L or 316LVM), solid 14K or 18K gold, niobium, titanium (minimum of 6A14V), or platinum, which is free of nicks, scratches, or irregular surfaces and has been properly sterilized prior to use.

(x) "Permit,” means the authorization granted by the Department/ County to the

administrative body to operate a tattoo/body-piercing studio.

(y) "Plan of Correction" means a plan for correcting deficiencies in meeting rules

and regulations of the local Board of Health.

(z) “Managing Conservator” a person, licensed or permitted child – placing agency, or authorized agency designated by a court as having the right to possession of the child, and the right to consent to medical, surgical dental, and psychological treatment of the child.

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

(bb) "Sanitized" means effective antibacterial treatment by a process that provides

sufficient concentration of chemicals for enough time to reduce the bacteria count

including pathogens to a safe level on equipment.

(cc) “Sharps” any object (sterile or contaminated) that may purposefully or accidentally cut or penetrate the skin or mucosa including, but not limited to needles, scalpel blades, and razor blades.

(dd) “Sharps Container” a puncture – resistant, leak proof container that can be closed for handling, storage, transportation, and disposal and disposal and that is labeled with the International Biohazard Symbol.

(ee) “Single Use” articles intended for one – time, one – person use and which are to be discarded after such use.

(ff) "Sterilization" means holding an instrument in an autoclave for required length

of time at 15 - 30 pounds pressure at a temperature of 249.8 degrees Fahrenheit or 121 degrees Celsius.

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(gg) “Sterilization Area” a separate room or area separate from workstations with restricted client assess in which tattoo and body piercing instruments are cleaned disinfected, and sterilized.

(hh) "Tattoo / Tattooing" means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related devices including intradermal cosmetics.

(ii) “ Tattoo and Body Piercing Area” the portion of the tattoo or body piercing studio, shop used for applying tattoos or performing body piercing, including all surrounding areas which are likely to come in contact with contaminated.

(jj) "Tattoo Artist" means any person who performs tattooing or applies intradermal cosmetics and who is responsible for adherence to the provisions of these guide lines.

(kk) “Tattoo Studio” a permanent, nondwelling building or portion of a building, on a permanent foundation, designated by a permit holder and located in accordance with applicable local zoning codes where tattooing or intradermal cosmetic application is performed, completely separated from living quarters; hereafter to as studio.

(ll) “Universal Precautions” a method of infection control in which employees treat all blood and body fluids as to contain all blooborne pathogens and taking proper precautions to prevent the spread of any bloodborne 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.

**V. Administrative Body.**

(1) The administrative body shall be responsible for compliance with the

requirements in Chapter 31-40 of the Official Code of Georgia Annotated, with

applicable administrative rules and regulations of the local County Board of Health,

including but not limited to all applicable statutes, rules and regulations regarding

disclosure of ownership.

(2) The administrative body shall certify in its application the name(s) and exact

duties of employees/artists who have been designated as being responsible for carrying

out the rules and policies adopted by the administrative body. The following information

shall be included: Social Security Number, DOB, gender, home address, home/work

phone numbers, ID photos of all operators/technicians.

(3) No person may cause, suffer or allow the operation, management, or maintenance, of a tattoo and certain body piercing, studio, shop or without a permit issued in accordance with these sections.

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(4) Prior to being granted a permit, each body art studio shall develop a written

statement of policies and procedures outlining the responsibilities of management.

(5) No person under the age of eighteen (18) shall be tattooed or pierced, except

that a physician or osteopath licensed under Chapter 34 of Title 43, or a technician

acting under the direct supervision of such licensed physician or osteopath shall be

authorized to do.

(6) Tattoo/body piercing artists shall not be under the influence of alcohol and/or

drugs while performing tattoo/body-piercing procedures.

(7) Operators shall refuse services to any person, who in the opinion of the

operator is under the influence of alcohol or drugs.

(8) No animals, except for guide dogs accompanying disabled persons, shall be

allowed in the tattoo/body-piercing studio.

**VI. Minimum Floor Plan Requirements.**

(1) A studio must be a permanent, non-dwelling building or portion of a building on a permanent foundation, which must be in a location, which is permissible under local zoning codes, if any. The studio shall be separated from living quarters by complete floor to ceiling partitioning and shall contain no access to living quarters.

(2) The body art studio shall be constructed, arranged, and maintained as to

provide adequately for the health and safety of its customers.

(3) The studio shall be constructed in a manner to allow the customer receiving

the tattoo/body piercing adequate privacy from observers; thus the procedure

room shall be separated by a fixed and solid door, wall, or partition extending from

floor to ceiling from any other area including the waiting area.

The work area shall be separate from the waiting area.

(4) Body art studios must have adequate ventilation.

(5) Walls and ceilings must be constructed of smooth, hard surfaces that are non-porous free of open holes or cracks, and painted or covered in a manner which would allow for easy and effective cleaning. Paint or covering must be light in color.

(6) Floors of the work area must not be carpeted. Surfaces shall be of a

nonabsorbent material that would allow for effective cleaning by conventional methods.

(7) A clean and sanitary toilet and hand washing facility shall be made accessible

to customers; however, it shall be separate from the work area.

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(8) The work area shall be equipped with at least one sink and basin providing

hot and cold running water for the use of the artists for washing their hands and

preparing customers for tattooing/piercing. This area shall be provided with soap, an

antibacterial solution, single use towels or air blower, and individual hand brushes for

each artist.

(9) The work area shall be provided with at least 50-foot candles of illumination lighting.

(10) The facility shall be equipped with at least one utility sink, providing hot and cold running water for use in cleaning reusable receptacles and the facility.

(11) The work area shall not be used as a corridor for access to other rooms.

(12) The body art studios shall not be allowed to occur in automobiles, mobile,

transitory or other non-fixed facilities. Such non-fixed facilities include, but are not

limited to, mobile homes, tents, recreational vehicles, and trailers.

(13) Body art studios shall not be allowed in facilities used for human habitation,

any food service establishment, hair salon, nail salon, retail sales area, hotel room

or similar areas.

(14) Animals are not permitted in the studios, shops, except for guide or service animals accompanying persons with disabilities, or non-mammalian animals in enclosed glass containers such as fish aquariums, which shall be outside the tattooing, body piercing, and sterilization area.

(15) Use of tobacco products shall be prohibited in the tattoo, body piercing and sterilization area. Consumption of alcoholic beverage shall be prohibited in the studio, shops.

(16) The studio, shop shall be kept free of rodents and vermin’s and protected from infestation insects.

(17) If tattooing or body piercing is preformed where cosmetology services are provided, it shall be preformed in an area that is separated and enclosed.

**VII. Furnishings and Fixtures.**

(1) Furnishings of the body art studio shall be maintained in good condition,

intact, and functional. Furnishings should be made of or covered in a material that is

easily cleanable and non-absorbent. The studio shall be kept clean, neat, and free of

litter and rubbish.

(2) Cabinets for the storage of instruments, dyes, pigments, single use articles,

carbon, and stencils shall be provided for each tattoo artist and shall be maintained in a

sanitary manner which protects them from contamination.

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(3) Work tables and chairs shall be provided for each tattoo/body piercing artist.

**(a) Surfaces of all worktables and chairs shall be constructed of**

**material, which is smooth, nonabsorbent, corrosive resistant, and**

**easily sanitized.**

**b) Work tables and chairs shall be sanitized with a bactericidal**

**solution after each application.**

**VIII. Supplies.**

(1) Bulk single use articles shall be commercially packaged and handled to

protect them from contamination. These articles shall be stored in an area separate

from the toilet facilities.

(2) All materials applied to the human skin shall be from single use containers

and shall be disposed of after each use.

**IX. Dyes and Pigments.**

(1) All dyes and pigments used in tattooing shall be from professional suppliers

specifically providing dyes and/or pigments for the tattooing of human skin.

(2) In preparing dyes or pigments to be used by a tattoo artist, only nontoxic

sterile materials shall be used. Single-use or individual portions of dyes or pigments in

clean, sterilized individual containers or single-use containers shall be used for each

patron.

(3) After tattooing, the remaining unused dye or pigment in the single-use or

individual containers shall be discarded along with the container.

**X. Piercing Jewelry.**

(1) Client and piercer should have appropriate size and quality jewelry chosen

before the procedure begins.

(2) Jewelry used in piercing shall consist of an approved material suitable for

permanent surgical implant, such as, high quality surgical stainless steel

(316LVM series), niobium, titanium, platinum or a dense low porosity plastic

material such as Tygon or PTFE. Copies of the jewelry manufacturer’s

documentation, which verify compliance with standards, must be available for

inspection on request of the local Health Department. Solid 14 karat, or high,

white or yellow nickel-free gold may be used. Purity verification must also be

available for inspection on request of the director. Appropriate jewelry has no

nicks, scratches, or irregular surfaces.

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(3) Ear studs or other jewelry designed for earlobe piercing are not appropriate

jewelry for other body parts and must not be used by piercers.

**XI. Sanitation.**

(1) Prior to the start of the tattoo/body piercing procedure, the artist should

inspect his/her hands for hangnails, small cuts, sores, and abrasions. If a cut, sore, or

abrasion is detected; a bandage should be applied for added protection before gloving.

Trim fingernails to insure that gloves are not punctured.

(2) All jewelry such as watches, rings, etc. should be removed prior to the start of

the tattoo procedure.

(3) Before working on each client, the fingernails and hands of the tattoo/body

piercing artist shall be thoroughly washed and scrubbed with warm water, and

antibacterial soap, using an individual hand brush that is clean and in good repair. The

hands should then be dried by either an air blower or by single use towels prior to

beginning work on each client or when interrupted in the process.

(4) Single use disposable latex or approved non-latex examination gloves shall

be worn during the tattooing process. Gloves shall be changed and properly disposed

of each time there is an interruption in the application of the tattoo, the gloves become

torn or punctured, or whenever their ability to function is compromised.

(5) Each artist shall wear a clean outer garment, apron or smock. These items

shall be changed after each client.

(6) Tattoo/body piercing artists who are experiencing symptoms of diarrhea,

vomiting, fever, rash, or skin infections shall refrain from tattooing/body piercing

activities.

(7) Adequate numbers of sterilized needles and tubes must be on hand for each

artist for the entire day and night operation.

(8) Only single-use disposable razors shall be used to shave the area to be

tattooed.

(9) Smoking and consumption of food or drink is prohibited in body art studio.

(10) Universal precautions are to be followed per OSHA standards and

guidelines.

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**XII. Sterilization.**

(1) An operational sterilizer (autoclave) shall be provided in each body art studio.

(2) Each person responsible for the sterilization of instruments shall be able to demonstrate to the department’s authorized agent the correct sterilization procedures and the proper operation of autoclave and / or dry heat sterilization equipment.

(3) Used non-disposable instruments shall be kept in a separate puncture

resistant container until brush scrubbed in hot water and soap, and then sterilized

by autoclaving.

(4) The following procedures should be followed during the sterilization process:

(a) Prior to being placed in the autoclave all equipment shall be bagged,

labeled, dated and sealed.

(b) Each autoclave bag may hold no more than one tube with needle and

bar.

(c) Autoclave shall be operated according to manufacturer’s instructions

and shall be made available for inspection.

(d) Spore indicators shall be used a minimum of at least once a week and

the results must be kept at location for a minimum of three years.

(e) Sterilized instruments stored in an approved manner and not used within 30 days after sterilization shall no longer be considered sterile and shall be resterilized before use, unless the studio, shop location utilizes presterilized instruments sterilized by the manufacturer. If presterilized instruments are used, the artist shall obtain documentation from the manufacturer that describes the method of sterilization utilized by the manufacturer and the manufacturer’s recommendations fro storage and maintenance of sterility. This artist shall follow the manufacturer’s instructions for storage and maintenance of sterility.

**XIII. Tattoo Preparation.**

(1) Before placing the tattoo design on the client's skin, the artist shall treat the

skin area with an antibacterial solution.

(2) If an acetate stencil is used by a tattoo artist for transferring the design to the

skin, it shall be thoroughly cleaned and rinsed in a germicidal solution for at least

twenty (20) minutes and then dried with sterile gauze or dried in the air on a

sanitized surface after each use.

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(3) If a paper stencil is used by a tattoo artist for transferring the design to the

skin, it shall be single use and disposable.

(4) If the design is drawn directly onto the skin, it shall be applied with a single

use article only.

**XIV. Body Piercers Shall:**

(1) Set up equipment in front of client.

(2) Open sealed autoclave bags containing sterile equipment in front of client,

and discard the autoclave bag.

(4) Disinfect all jewelry contaminated with only airborne pathogens (not

previously worn or contaminated) with a non-hazardous hard surface disinfectant

approved by the EPA. All jewelry contaminated or potentially contaminated with blood

borne pathogens (previously worn by another person) should be autoclaved, stored in

sterile indicator bags, sealed and dated.

(5) Pre-sterilize all needles used in piercing, use only on one person, at

one sitting, for a single piercing, and immediately dispose of in a medical sharps

container.

(5) Pre-sterilize all forceps, tubes, etc. in sealed, dated, sterile indicator bags.

These items are to be used on one person, in one sitting. After one such use, they

must be autoclaved and stored in sterile indicator bags, sealed and dated.

**XV. After Tattoo/Body Piercing Application.**

(1) The completed tattoo shall be washed with a single-use towel saturated with

an antibacterial solution.

(2) After the area has dried, apply a layer of antibacterial ointment from a

collapsible or plastic tube.

(3) A bandage shall then be applied to the tattoo using sealed telfa (non-sticking)

pads.

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(4) Verbal and written instructions, approved by the Department for the care of

the body art procedure site shall be provided to each client by the operator upon

completion of the procedure. The written instructions shall advise the client to consult a

physician at the first sign of infection and contain the name, address and phone number

of the establishment. These documents shall be signed and dated by both parties, with

a copy given to the client and the operator retaining the original with all other required

records. The facility shall also post in public view the name, address and phone

number of the local County Health Department and the procedure for filing a complaint.

The Notice for Filing a Complaint shall be included in the establishment Application

Packet.

**XVI. Disinfection of Workplace.**

Each body art studio must be kept clean and sanitary. The owner must develop and

implement a cleaning schedule that includes appropriate methods of decontamination

and tasks or procedures to be performed. This written schedule must be based on the

location within the studio, the type of surfaces to be cleaned, type of possible

contamination present, the tasks or procedures to be performed, and their location

within the studio.

The following procedures should be adhered to.

(1) Clean and sanitize all equipment and work surfaces with an

appropriate disinfectant after completion of tattoo/body piercing

procedures and at the end of work shift when surfaces have become

contaminated since the last cleaning.

(2) Remove and replace protective coverings such as plastic wrap and

aluminum foil after each tattoo procedure

(3) Inspect and decontaminate, on a daily basis, reusable receptacles

such as bins, pails, and cans that have likelihood for becoming

contaminated. When contamination is visible, clean and

decontaminate receptacles immediately, or as soon as feasible.

**XVII. Disposal of Waste.**

(1) Needles, razors, or other sharp instruments used during tattoo/body piercing

procedures, shall be placed in puncture resistant, closed containers immediately after

use.

(2) Needles shall not be purposely bent or broken, or otherwise manipulated by

hand.

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(3) Containers of sharp waste shall be sent to a facility where they are either

incinerated or otherwise rendered non-hazardous in compliance with 29 CFR Part

1920.1030, Occupational Exposure to Blood Borne Pathogens.

(4) Contaminated waste, which may release liquid blood or body fluids when

compressed or may release dried blood or body fluids when handled, must be placed in

an approved “red “bag, which is marked with the International Biohazard Symbol. It

must then be disposed of in compliance with 29 Code of Federal Regulations Part

1910.1030, known as “Occupational Exposure to Blood borne Pathogens”.

(5) Waste containers shall be kept closed when not in use.

(6) Disposable waste shall be handled, stored, and disposed of to minimize direct

exposure of personnel to waste materials.

(7) At least one covered waste receptacle shall be provided in each operator

area and each toilet room. Receptacles in the operator area shall be emptied daily and

solid waste shall be removed from the premises at least weekly. All refuse containers

shall be lidded, cleanable and kept clean.

**XVIII. Personnel**

(1) Persons performing the tattoo/ body piercing operation shall obtain current

certification in first aid and proof of attendance at a Blood borne Pathogen training

program (or equivalent), given or approved by the Health Department. Training/courses

provided by professional body art organizations/associations or by equipment

manufacturers may also be submitted for consideration.

(2) If the artist is currently in business at the time of application for permit, the

above certification must be obtained within sixty (60) days from the date the permit is

issued.

(3) Proof shall be provided upon request that all operators 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.

(4) The owner or governing body must maintain a file on all employees who

perform tattoo/ body piercing procedures, which will be available for inspection and

includes the following:

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**a. Report of Hepatitis B Vaccination, Hepatitis B antibody testing**

**results or Statement of Contraindication to Hepatitis B vaccine.**

**b. Evidence of first aid certification and completed training in**

**Disease Prevention/ Blood borne Pathogens.**

**XIX. Client Files.**

(1) For each client, proper records of identification, tattoo/piercing administered,

informed consent, and care instructions shall be kept and retained for a minimum of two

(2) years.

(2) Records of each client shall be prepared prior to the procedure being

performed and shall reflect the client's name and signature, address, proof of age, date

tattooed/ pierced, design, its location and name of the artist.

(3) A statement of informed consent by the individual receiving the tattoo/

piercing must be maintained on file.

(4) A statement by the client attesting that he/she is not under the influence of

alcohol and/or drugs shall be on file.

(5) A copy of procedures signed by the client advising them of proper subsequent

care of the tattoo/ piercing shall be maintained on file.

(6) A copy of instructions signed by the client informing them on the risks

involved and possible complications that might result from the tattoo/body piercing

procedure must be maintained on file.

**XX. Application For Permit.**

(1) The administrative body of each body art studio shall submit to the local

County Health Department an application for a permit to operate under the rules and

regulations. No studio shall be operated and no tattooing/body piercing performed

without such permit, which is current under these rules and regulations.

(2) Tattoo and body piercing studios shall pay and annual, non-refundable permit fee for each place of business operated.

(3) Fees shall be as established with the County Commissioners. Initial permit fee, plan review and / or other applicable fees are to be submitted with the application.

(4) The application for permit shall be made on forms provided by the County

Health Department.

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(5) Each application for a permit shall be accompanied by a floor sketch of the

body art studio showing windows, doors, room measurements, chairs, tables and

equipment placement for clients and/or staff.

(6) A listing of the names of all staff including the owner who will be working in

the studio shall be included with the application for a permit. This listing shall include

the full name of each staff person.

(7) The ownership of the studio shall be fully disclosed in its application for a

permit.

(8) Zoning and other local requirements regarding proper location and

establishment of body art studios shall be addressed by the applicant with the

responsible local officials.

**XXI. Operator/ Artist Permit.**

(1) No person shall practice body art procedures without first obtaining an

operator/artist permit from the County Health Department.

(2) Operator / Artist permit shall pay and annual, non-refundable permit fee.

(3) Fees shall be as established with the County Commissioners.

(4) The operator/artist permit shall be valid from the date of issuance and

shall automatically expire in 1 (one) year and must be renewed

annually unless revoked sooner by the Department.

(5) Application for the operator/artist permits shall include:

a. Name

b. Date of Birth

c. Sex

d. Residence address

e. Mailing address

f. Phone number

g. Place(s) of employment as an operator/artist

h. Training and experience

i. Proof of attendance at a Blood borne pathogen training program and

first aid course given or approved by the Department.

(6) All operator/ artist permits shall be posted in a prominent and conspicuous

area where they may be readily observed by clients.

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**XXII. Permit.**

(1) The administrative body of each body art studio shall obtain a valid permit

from the County/Department prior to beginning operation. To be eligible for

a permit the studio must be in compliance with these rules and regulations.

(2) The permit shall be displayed in a conspicuous place on the premises.

(3) Permits are not transferable from one studio to another.

(4) A permit shall no longer be valid and shall be returned to the County when

the studio ceases to operate, has moved to another location, the ownership

changes, or the permit is suspended or revoked.

(5) A studio, which fails to comply with these rules and regulations, shall be

subject to the sanctions available to the County Health Department pursuant

to O.C.G.A. 31-5 including but not limited to denial or revocation of its permit

by the County/Department.

**XXIII. Inspections.**

(1) The studio and its records shall be available for review and examination by

properly identified representatives of the County/ Department.

(2) A copy of the inspection report shall be displayed in a conspicuous place on

the premises and also shall be available for public inspection at the appropriate count

wherein the studio is located.

**XXIIII. Enforcement and Penalties.**

(1) Enforcement of these Rules and Regulations shall be in accordance with

O.C.G.A. 31-5.

(2) The Department may revoke, cancel, suspend, suspend on an emergency basis, or probate by an emergency order of the department, or the authorized agent a permit to operate a tattoo and / or body piercing studio, shop if the facility.

 1) failed to pay a permit fee or an annual renewal fee for a permit

 2) obtained or attempted to obtain a permit by fraud or deception

 3) violated any of the pertinent provisions of the Food and Drug Administration

 4) violated any of the provisions of these sections

 5) violated any law, regulations, or ordinances mentioned in these sections.

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(3) The department shall revoke a permit issued with respect to a facility if the permit may not be renewed under these rules titled **Permitting Fees, Procedures, and Exemption.**

(4) A permit issued under these sections shall be returned to the department if the tattoo and / or body piercing studio, shop:

 1) ceases business or otherwise ceases operation on a permanent basis;

 2) relocates;

 3) changes the names of the business under which the tanning facility operates;

 4) change ownership. For a corporation, an ownership change is deemed to have

 occurred, resulting in the necessity to return the permit to the department, when

 5.0% or more of the share of stock of a corporation is transferred from one person to

 another.

(5) No body art studio shall operate without a permit. Failure or refusal to file an

application for a permit shall constitute a violation of Chapter 40 of Title 31 of the Official

Code of Georgia Annotated. Any person who fails or refuses to file including, but not

limited to, an order to cease and desist operating a body art studio.

(6) The County may refuse to grant a permit for the operation of any body art

studio that does not fulfill the minimum requirements of these rules and regulations and

may revoke a permit, which has been issued and invoke other sanctions if a studio

violates any of these rules and regulations. Before any order is entered refusing a

permit applied for or revoking a permit the applicant or permit holder shall be afforded

an opportunity for a hearing as provided in Article 1 of Chapter 5, of Title 31 of the

Official Code of Georgia Annotated. The notice of refusal or revocation shall contain

directions on how a hearing may be requested.

(7) The County/Department is empowered to institute appropriate proceedings in

a court of competent jurisdiction for the purpose of enjoining violation of any

applicable provision of Title 31 of the Official Code of Georgia Annotated, or of

the Rules and Regulations.

**Effective Date**

These Rules and Regulations shall become effective on June 7, 2001.

Adopted by the Liberty County Board of Health on June 7, 2001.

**References:**

Rules of the Georgia Department of Human Resources, Public Health, Chapter 290-31-

40, Tattoo Studios and Artists, circa 1999.

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