

TATTOO AND BODY PIERCING REGULATION

WHEREAS, the Ohio General Assembly has enacted Ohio Revised Code Section 3730 governing Tattooing and Body Piercing; and

WHEREAS, The Ohio Public Health Council has adopted Ohio Administrative Code Rules 3701-9 effective April 30, 1998 providing uniform standards for the design, equipment, operation, application for approval to operate and inspection of Tattooing and Body Piercing Establishments; and

Whereas, inspections by the Local Health Department are necessary to determine compliance with OAC 3701-9; and

WHEREAS, adequate funding of the program is crucial to its effectiveness in protecting the public health and safety.

NOW, THEREFORE BE IT RESOLVED by the Board of Health of the Combined Allen County General Health District, that Chapter 3701-9, Ohio Administrative Code, is hereby adopted by incorporation by reference as if fully rewritten herein, together with the following regulations as authorized by Section 3709.21 of the Ohio Revised Code.

SECTION 1.0 DEFINITIONS

1.1 The definitions of terms, as defined in the Ohio Administration Code, Chapter 3701-9 shall be applied with the same meaning in this regulation.

SECTION 2.0 FEES

2.1 The application fee for inspection, approval, sampling, or other fee for services rendered by the Board under this regulation shall be in accordance with the uniform system of fees as established by the Board of Health and as the same is amended from time to time, the applicable portions of which are hereby incorporated by reference.

SECTION 3.0 APPLICATION PROCEDURES

3.1 A completed application to operate a tattoo and/or body piercing establishment form, application fee and plan information as required by the licensor, shall be filed with the licensor not less than ten working days prior to start of the operation. The plan review information must clearly show that the application requirements of Chapter 3701-9 of the Ohio Administrative Code will be met prior to license issuance. Failure to comply with this section shall be grounds for the denial of the application.

SECTION 4.0 RELIEF FROM PERSONAL LIABILITY

4.1 The Health Commissioner or any person charged with enforcement of any provisions of the Tattoo and Body Piercing Regulation shall not be personally liable while acting for the Board of Health of the Combined Allen County General Health District and within the scope of that person's authority is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his official duties.

SECTION 5.0 APPEALS

5.1 Any person adversely affected by this regulation shall have such rights of appeal as granted by law or applicable regulation.

SECTION 6.0 SEVERABILITY

6.1 If any provision of this regulation or its application to any person or circumstance shall to any extent be invalid or unenforceable the remaining provisions of the regulation shall not be affected thereby.

SECTION 7.0 PENALTIES

7.1 Any person who violates any provision of this regulation is subject to penalties provided by Section 3709.99 of the Ohio Revised Code.

SECTION 8.0 EFFECTIVE DATE

8.1. Be it further resolved that this regulation for the Combined Allen County General Health District shall take effect the 1st day of September 1998, as adopted this 14th day of August 1998 by the Combined Allen County General Health District Board of Health.