

**RICHMOND COUNTY BOARD OF HEALTH
REGULATIONS GOVERNING THE STANDARDS FOR THE OPERATION
AND MAINTENANCE OF TATTOO ESTABLISHMENTS IN
RICHMOND COUNTY, NORTH CAROLINA**

BE IT ORDAINED BY THE RICHMOND COUNTY BOARD OF HEALTH that the following regulations for the protection of the public health are hereby adopted pursuant to authority granted by Chapter 130A-39 of the General Statutes of North Carolina, and shall apply throughout Richmond County, North Carolina.

SECTION I. Tattooing

All sections of the 15A NCAC 18A .3200 *Rules Governing Tattooing* shall be adopted by reference.

SECTION II. Definitions

- A. Definitions shall be adopted by reference from 15A NCAC 18A.3201 DEFINITIONS.
- B. "Universal Precautions" shall mean a method of infection control in which all human blood and certain body fluids of all patients are considered potentially infectious Human Immunodeficiency Virus (HIV), Hepatitis B (HBV), and other blood-borne pathogens.

SECTION III. Inspections

It shall be the duty of the health authority to cause inspections to be made on a recurring basis, at least three times per year, including permitting inspection of all tattoo establishments and the equipment thereof. The officers, environmental health specialists, or agents of the Department of Environment and Natural Resources, or the health authority are hereby empowered and authorized to enter any tattoo establishment for the purpose of making inspections; and it is, hereby, made the duty of each and every person responsible for the management or control of such establishment to afford free access to every part of such establishment and render all aid and assistance necessary to enable the environmental health specialists, officers, and agents of the Department of Environment, Health, and Natural Resources or the health authority to make a full, thorough, and complete examination of the premises. If the said place of business is not maintained, conducted, or operated in conformity with the requirements of this regulation as enacted now or as subsequently amended, then the health authority may suspend or revoke the permit of the operator or artist until said tattoo establishment and the operation thereof is made to conform to the requirements of this chapter.

SECTION IV. Permit Requirements

A. Permit requirements shall be adopted by reference from 15A NCAC 18A .3202 PERMITTING.

B. Training in Universal Precautions

Each tattoo artist must complete a training program approved by the Department in Universal Precautions or present proof of having satisfactorily completed a course of instruction in Universal Precautions before being issued a permit to engage in tattooing in Richmond County.

C. Temporary Tattoo Permits

1. A tattoo artist may be issued a Temporary Tattoo Permit. The artist shall comply with all regulations in 15A NCAC 18A .3200 *Rules Governing Tattooing* and the *Richmond County Board of Health Regulations Governing the Standards for the Operation and Maintenance of Tattoo Establishments in Richmond County, North Carolina*.
2. A Temporary Tattoo Permit shall be issued to a specific tattoo artist, event, and location. The permit is valid for a maximum of 15 consecutive days. The permit is non-transferable.

SECTION V. Application Fees

- A. A permit application fee established by the Richmond County Board of Health shall be paid by the applicant upon the initial submission of the application to operate in a specified tattooing establishment and is non-transferable.
- B. A permit application fee established by the Richmond County Board of Health shall be paid by the applicant with each renewal submission of the application to operate in a specified tattooing establishment and is non-transferable.
- C. A permit application fee established by the Richmond County Board of Health shall be paid by the applicant upon the submission of an application for a Temporary Tattoo Permit to operate at a specified event and location and is non-transferable.

SECTION VI. Information Review Process and Appeals Procedure

- A. If a permit holder disagrees with a decision of an Environmental Health Specialist on the interpretation, application, or enforcement of these regulations, the permit holder may:
 1. Request an informal review pursuant to paragraphs D and E of this Section; or
 2. Request an informal review pursuant to the 15A NCAC 18A .3200 Rules Governing Tattooing; or

3. Initiate an appeal in accordance with NCGS§ 150A.
- B. The permit holder is not required to complete the alternative dispute resolution prior to initiating an appeal in accordance with NCGS§ 150A.
- C. When a petition for a contested case is filed, the informal review process shall terminate.
- D. If the permit holder requests an informal review, the request shall be in writing and shall be post-marked or hand-delivered to the Richmond County Health Department within seven days of notice of the decision giving rise to the review. The request shall briefly state the issues in the dispute. In the event the inspection giving rise to the informal review was conducted by the Environmental Health Supervisor, the Health Director shall conduct the informal review. As soon as possible but at least 30 days of receipt of the request, the person conducting the review shall contact the permit holder, provide that permit holder an opportunity to be heard on the issues in the dispute, and issue a written decision addressing the issues raised in the appeal. That decision shall be binding for the purposes of future inspections of the tattoo artist in question, unless modified pursuant to paragraph E of this section.
- E. Following receipt of the written decision of the Environmental Health Supervisor or his or her representative issued pursuant to Paragraph D, the permit holder who initiated the informal review may appeal in the resulting decision to the Health Director. Notice of such appeal shall be in writing, shall include a copy of the Environmental Health Supervisor's or his or her representative's decision, and shall be post-marked or hand-delivered to the Richmond County Health Department within seven days of receipt of the written decision issued pursuant to paragraph A. Within 30 days of receipt of this appeal, the Health Director shall hold a conference. Notice of the time and place of this conference shall be provided to the permit holder and the Environmental Health Supervisor. Within 10 days following the date of the conference, the Health Director shall issue a written decision addressing the issues raised in the appeal and that decision shall be binding for the purposes of future inspections of the tattoo artist.

SECTION VII. Penalties

Violations of these regulations may result in legal prosecution in accordance with NCGS§ 130A-25.

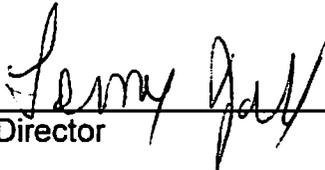
SECTION VIII. Saving Clause

If any sentence, clause, paragraph, subsection, or section of these regulations shall be adjudged unconstitutional, invalid and of no effect, such decisions shall not affect the remaining portions of these regulations.

SECTION IX. Effective Date

These amended "Regulations Governing the Standards for the Operation and Maintenance of Tattooing Establishments in Richmond County, North Carolina", adopted by the Richmond County Board of Health on September 16, 2008, shall be in full force and effect after September 16, 2008.

A copy of these regulations shall be on file in the office of the Richmond County Health Department and filed with the Clerk to the Richmond County Board of Commissioners.



Health Director



Chairperson, Board of Health



Board of Health



Board of Health



Board of Health



Board of Health



Board of Health



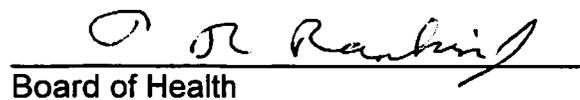
Board of Health



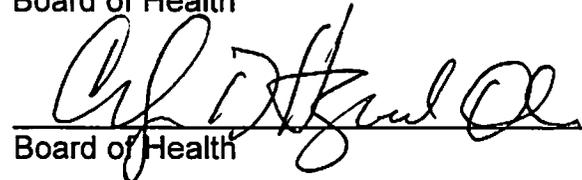
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