

**ARTICLE XIII
TATTOO AND BODY PIERCING**

Section 1. Intent and purpose

The intent and purpose of this Article is to regulate the practices of tattooing and body piercing in Chautauqua County. Nothing herein contained shall be construed to authorize or permit body modification, the implantation of jewelry under the skin, branding, or other non-tattooing, non-piercing or medical procedure.

Section 2. Definitions

The following words and phrases, as used in this local law, shall have the indicated meaning:

1. "Adequate light" shall mean that the tattoo/body piercing shop be so illuminated as to permit all tattooing/body piercing to be clearly visible without obstruction by shadow or darkness.
2. "Adequate ventilation" shall mean a free and unrestricted circulation of fresh air throughout the tattoo/body piercing shop, and the expulsion of foul or stagnant air.
3. "Aftercare" means written instructions given to the client, specific to the body art procedure(s) rendered, on caring for the body art and surrounding area. These instructions will include information on when to seek medical treatment, if necessary.
4. "Antiseptic" means an agent that destroys disease carrying microorganisms on human skin or mucosa.
5. "Body piercing" shall mean to cut or pass through with a sharp instrument, or to penetrate a part of the body for the purpose of applying jewelry to various parts of the body by means of a piercing device. Puncturing the outer perimeter or lobe of the ear using a pre-sterilized single use stud and clasp ear piercing system shall not be included in this definition.
6. "Contaminated waste" means any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid, or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; and sharps and any wastes containing blood and other potentially infectious materials, as defined, in 29 Code of Federal Regulations Part 1910.1030 (latest edition), known as "Occupational

Exposure to Bloodborne Pathogens."

7. "Department" shall mean the Chautauqua County Department of Health.

8. "Disinfection" is the process of destroying most disease-carrying microorganisms.

9. "Ear piercing" means the puncturing of the outer perimeter or lobe of the ear using a pre-sterilized single-use stud and clasp ear piercing system following the manufacturer's instructions.

10. "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 tattoo/body piercing shop.

11. "Handsink" means a sink equipped with hot and cold running water under pressure, used solely for washing hands, arms or other portions of the body.

12. "Health officer" shall mean the Chautauqua County Commissioner of Health or his/her designee.

13. "Hot water" means water which attains and maintains a temperature of at least 100 degrees Fahrenheit.

14. "Instruments used for tattooing and body piercing" means hand pieces, needles, needle bars and other instruments that may come in contact with a client's body or bodily fluids during art procedures.

15. "Invasive" means entry into the body, whether by incision or insertion of an instrument into or through the skin or mucosa, or by any other means intended to puncture, break or compromise the skin or mucosa.

16. "Jewelry" means any personal ornament inserted into a newly pierced area.

17. "Liquid chemical germicide" means a disinfectant or sanitizer registered with the United States Environmental Protection Agency (EPA), or approved by the United States Food and Drug Administration (FDA), or an approximate 1:100 dilution of household chlorine bleach made fresh daily and dispensed from a spray bottle (500 ppm, 1/4 cup/gal, or 2 tablespoons/quart of tap water).

18. "Minor" shall mean any person under the age of eighteen years.

19. "Person" means an individual, any form of business or social organization, or any other non-governmental legal entity including, but not limited to, a corporation, partnership, limited liability company, association, trust or unincorporated organization.

20. "Physician" shall mean a doctor of medicine or doctor of osteopathy equivalent licensed under the provision of the Education Law.

21. "Piercing" shall mean any device used for the piercing of the skin for the purpose of applying jewelry or other objects to the body.

22. "Procedure surface" means any surface of an inanimate object that contacts the client's unclothed body during a body art procedure, or during skin preparation of the area, or any associated work area which may require sanitizing.

23. "Sanitize/sanitization" means a process of reducing the number of microorganisms on cleaned surfaces and equipment to a safe level, as judged by public health standards and which has been approved by the Department.

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

25. "Sharps container" means a puncture-resistant leak-proof container that can be closed for handling, storage, transportation and disposal and is labeled with the international biohazard symbol.

26. "Shop certificate of sanitation" is a document, issued by the Health Officer to a tattoo/body piercing shop, certifying that said shop, after inspection, was found to be in compliance with the applicable provisions of this local law.

27. "Single use" means products or items that are intended for one-time, one-person use and are disposed of after use on each client 'including, but not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, razors, piercing needles, scalpel blades, stencils, ink cups and protective gloves.

28. "Sterilization" means a very powerful process resulting in the destruction of all forms of microbial life, including highly resistant bacterial spores.

29. "Tattoo/body piercing artist" shall mean any person who actually performs the work of tattooing and/or body piercing.

30. "Tattoo/body piercing artist certification" is a document, issued by the Health Officer to a tattoo/body piercing artist, authorizing the person named therein to engage in the practice of tattooing/body piercing.

31. "Tattoo/body piercing operator" shall mean any person who controls, operates, conducts or manages any tattoo/body piercing shop, whether actually performing the work of tattooing or body piercing or not.

32. "Tattoo/body piercing shop" shall mean any room or space where tattooing/body piercing is practiced or where the business of tattooing/body piercing is conducted or any part thereof.

33. "Tattooing" means any method of placing ink or other pigment into or under the skin or mucosa by the aid of needles or any other instrument used to puncture the skin, resulting in permanent coloration of the skin or mucosa.

34. "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 immunodeficiency virus and hepatitis B virus to health-care and public-safety workers" in Morbidity and Mortality Weekly Report (MMWR), June 23, 1989, Vol. 38, No. S-6, and as "recommendations for preventing transmission of human immunodeficiency virus and hepatitis B virus to patients during exposure-prone invasive procedures," in MMWR, July 12, 1991, Vol. 40, No. RR-8. This method of infection control requires the employer and the employee to assume that all human blood and specified human body fluids are infectious for HIV, HBV, and other blood pathogens. Precautions include hand washing, the use of gloves, the use of personal protective equipment, injury prevention, and proper handling and disposal of needles, other sharp instruments, and items contaminated with blood and/or body fluids.

Section 3. Prohibitions

a) No person except a duly licensed physician shall engage in the practice of tattooing or body piercing or act as a tattoo/body piercing artist unless such person has a tattoo/body piercing artist certification issued by the Health Officer on a form prescribed by the Department. Individuals who pierce only the outer perimeter and lobe of the ear using a pre-sterilized single use stud and clasp ear piercing system are exempt from the requirements of these regulations; they must conform to the manufacturer's directions on the use and applicable FDA requirements. The Department shall have the authority to investigate consumer

complaints relating to alleged misuse or improper disinfection of ear piercing systems.

b) No person shall body pierce, or offer to perform body piercing, on any part of the body of a minor without obtaining written consent from a parent or legal guardian (as set forth in Section 9. g of this Article) who must be present during the application of the piercing. In no event shall tattooing of a minor be allowed.

c) A tattoo/body piercing artist shall not tattoo/body pierce any person who is under the apparent influence of drugs or alcohol.

d) The use of tobacco in any form while engaged in tattoo/body piercing procedures is prohibited.

Section 4. Tattoo/Body Piercing Artist Certification

a) Any person desiring to engage in tattooing/body piercing shall submit an application for a tattoo/body piercing artist certification to the Health officer on a form prescribed by the Department, at least 30 days before the first day of operation.

b) Each applicant shall be required to take and pass an examination prescribed by the Department before an initial tattoo/body piercing artist certification will be issued and once each two years, thereafter, when the artist's certification is renewed.

c) No holder of any shop certificate of sanitation shall allow a tattoo/body piercing artist to perform in such tattoo/body piercing shop unless such tattoo/body piercing artist is a holder of a valid tattoo/body piercing artist certification.

d) Artist's certification is to be prominently displayed to the public, at the artist's work station, in every facility where the artist practices. The artist certification shall not be transferable from one person to another.

e) A tattoo/body piercing artist certification shall expire on December 31 of each year, renewable annually in December for the period commencing January 1. Application for renewal shall be made to the Health Officer at least 15 days before the expiration of the certification.

f) Records of certifications of all artists employed at a tattoo/body piercing shop shall be kept on file by the holder of the shop certificate of sanitation.

Section 5. Shop Certificate of Sanitation

a) No person shall operate a tattoo/body piercing shop unless such person has registered such shop, on a form prescribed by the Department at least 30 days before the first day of operation, with the Health Officer, and has received a shop Certificate of Sanitation. Shops in which piercing is limited to the outer perimeter and lobe of the ear only using a pre-sterilized single use stud earring are exempt from the requirement of these regulations.

b) No shop certificate of sanitation shall be issued or renewed unless the shop has been inspected and found to be in compliance with the applicable provisions of this local law.

c) The shop certificate of sanitation shall not be issued or renewed until documentation of the shop sterilizer's ability to destroy spores (see Section 12 d) is received by the Department.

d) The shop certificate of sanitation shall expire on December 31 of each year renewable annually in December for the period commencing January 1. Application for renewal shall be made to the Health Officer at least 15 days before the expiration of the certificate.

e) The applicant shall pay a reasonable fee as set by the Department, for each shop certificate of sanitation.

f) A shop certificate of sanitation shall not be transferable from one place or person to another.

g) A current shop certificate of sanitation shall be posted in a prominent and conspicuous area where it may be readily observed by clients.

Section 6. Plan Review Construction or Pre-operational Inspection

a) Floor Plan

i) When a tattoo/body piercing shop is hereafter constructed or remodeled, or when an existing structure is converted for use as a tattoo shop, properly prepared plans and specifications for such construction, remodeling or alteration showing the layout, including work area, sinks, counters and storage areas, fixtures, toilet facilities and waiting area, drawn in 1/4 inch scale, shall be submitted to the Department for

review and approval before construction is started.

ii) All construction, remodeling, and alterations shall be done in accordance with approved plans.

iii) Plans and specifications shall be accompanied by an application on a form provided by the Department along with the appropriate application fee.

b) When a tattoo/body piercing shop is hereafter constructed or remodeled, or when an existing structure is converted for use as a tattoo/body piercing shop, a final construction or pre-operational inspection shall be requested by the owner or operator and conducted by the Department prior to the opening of the shop to determine compliance with previously approved plans and all applicable requirements of these regulations.

Section 7. General Physical Environment

a) Tattoo and body piercing shops must have adequate light and ventilation and all walls and ceilings shall be smooth and easily cleaned. Walls and ceilings are to be painted a light color.

b) The floor of the tattoo/body piercing shop shall be of impervious material. The floor shall be swept and wet-mopped daily. Floors, walls, and ceilings shall not be swept or cleaned while tattooing or body piercing is in operation.

c) Convenient, clean and sanitary toilet and hand-washing facilities with hot and cold running water, and soap and single service towels or hand drying devices, shall be made accessible to customers.

d) The tattoo/body piercing operator shall provide for the proper and safe disposal of all types of waste products.

e) The building and equipment shall be maintained in a state of good repair at all times. The shop premises shall be kept clean, neat, and free of litter and rubbish.

f) 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.

g) All instruments and supplies shall be stored in clean, dry and covered containers.

h) Reusable cloth items shall be mechanically washed with detergent and dried after each use. The cloth items shall be stored in a dry, clean environment until used.

Section 8. Workroom

a) Each tattoo/body piercing shop shall have a workroom separate and apart from a waiting room or any room or rooms used as such. The workroom shall not be used as a corridor for access to other rooms. Patrons or customers shall be tattooed/ body pierced only in said workroom.

b) Work tables shall be provided for each tattoo/body piercing artist. The surface of all work tables shall be constructed of metal or other material which is smooth, light colored, nonabsorbent, corrosive-resistant, and easily sanitized.

c) Sterilizers shall be located away from work stations or areas frequented by the public.

d) Each tattoo/body piercing shop shall be equipped with hand-washing facilities for its personnel with unobstructed access to the tattoo/body piercing area such that artists can return to the tattoo/body piercing area without having to touch anything with their hands. There shall be handsinks for the exclusive use of the tattoo/body piercing artist for washing hands and preparing customers for tattooing/body piercing. Hand-washing facilities shall be equipped with hot and cold or tempered running water, wrist- or foot-action or other approved controls, soap, an EPA- or FDA-approved or hospital grade germicidal solution, individual hand brushes and fingernail files, single-service towels or other approved hand-drying devices, and a refuse container. Such facilities shall be kept clean and in good repair.

e) Smoking shall be prohibited in any establishment regulated by this Article in accordance with Article XXIV, Sections 2. and 3.

f) The tattoo/body piercing shop or temporary location shall be kept free of rodents and vermin and protected from infestation by insects.

g) Cabinets for the storage of instruments, dyes, pigments, carbon and stencils shall be provided for each tattoo/body piercing artist, and shall be

maintained in a sanitary manner.

h) All sewage, including liquid wastes, shall be disposed of in a public sewer or, in the absence thereof, in a manner satisfactory to the Department.

i) Only articles considered necessary to the routine operation and maintenance of the tattoo/body piercing work area shall be permitted in the facility.

j) No live bird, turtle, snake, dog, cat or other animal shall be permitted in any area used for the conduct of tattoo/body piercing operations, or in the immediate open adjacent areas, including the main waiting area and the public access to the toilet room.

k) The water supply shall be adequate, of a safe and sanitary quality, from an acceptable source, and shall meet the requirements of the New York State Sanitary Code (10 NYCRR Part 5) and the Administrative Rules and Regulations of the New York State Department of Health (10 NYCRR Part 72).

Section 9. Operational Standards - Client Records

a) For each patron, proper records of tattoos/body piercing administered shall be maintained by the holder of a shop Certificate of Sanitation.

b) A record of each patron shall be prepared prior to any procedure being performed and shall include the patron's name, signature (or, if applicable, the signature of a parent or legal guardian), address, age, the date of tattoo/body piercing, the design of the tattoo, if applicable, the location of the tattoo/body piercing on the patron's body, and the name and location of the tattoo/body piercing artist who performed the work. The record shall be entered in ink or indelible pencil in a bound book kept solely for this purpose.

c) Before tattooing/body piercing, there shall be a discussion conducted with the patron on the health risks involved with the tattoo/body piercing requested. The patron shall then fill out and sign an information form which lists these risks. One signed copy of the form shall be retained at the tattoo/body piercing shop, and the other copy shall be given to the patron.

d) The tattoo/body piercing artist must explain aftercare instructions. There shall also be printed instructions given to each tattoo/body piercing patron. Such printed instructions shall include: information for the patron on the care of the tattoo/body piercing;

instructions for the patron to consult his or her physician immediately should an infection become evident, and procedures for notifying the Department of any complications. The instruction form must also include the name, address, and phone number of the establishment. Information should also be provided with reference to the security or snugness of certain jewelry to prevent accidental ingestion and/or lodging in body cavities.

e) There shall be a consent form, in which the patron acknowledges having received the printed aftercare instructions (see "d" of this Section), and discussed same with the tattooing/body piercing artist. A signed copy of the consent form shall be retained at the tattoo/body piercing shop for at least three (3) years, and the other copy shall be given to the patron.

f) Nothing in this Section shall be construed to require the operator to perform a tattoo/body piercing procedure upon a client.

g) Proof of age shall be determined upon presentation of two forms of valid identification. Valid identification shall include: a picture driver's license, picture sheriff's identification or birth certificate. Written consent for body piercing of minors, when legally permissible and required (i.e., parental consent is not required for piercing the ear lobe using a pre-sterilized single-use stud and clasp ear piercing system), shall be obtained from at least one parent or legal guardian. The written permission shall be notarized and presented by the parent in person at the tattoo/body piercing shop. A signed copy of the notarized consent form shall be retained at the tattoo/body piercing shop for at least three (3) years.

Section 10. Tattoo and Body Piercing Procedures

a) Each tattoo/body piercing artist shall wear clean outer garments and footwear, maintain a high standard of personal cleanliness, and conform to hygiene practices while on duty.

b) The tattoo/body piercing artist shall keep fingernails clean and neatly trimmed. The artist shall not wear excessive cosmetics or excessive jewelry, deemed by the Department to interfere with proper hand-washing techniques, while engaged in tattoo/body piercing procedures.

c) Tattoo/body piercing artist who are experiencing symptoms such as diarrhea, vomiting, fever, rash, productive cough, jaundice, or draining (or open) skin

infections, such as boils, impetigo or scabies, must refrain from tattooing or body piercing activities.

d) Before granting permission to resume operations, the Health Officer may require from a tattoo/body piercing artist who is found to have a disease in communicable form, or suspected of having such a disease, a statement signed by a duly licensed physician stating that the person is free from communicable diseases.

e) Any substance applied to the area to be tattooed or body pierced should be dispensed from a container in a sanitary manner that prevents contamination of the original container and its contents, preferably from single-use collapsible metal or plastic tubes. Jar-type containers are prohibited. The application may be spread by the use of gauze but not directly with fingers. The applicator shall be used only once and then discarded.

f) Before working on each patron, the fingernails of the tattoo/body piercing artist shall be cleaned with a nail file. The artist shall clean his/her hands and exposed areas of the arms thoroughly by lathering and vigorously scrubbing for 20 seconds using soap. Hands shall be dried by disposable paper towels or other mechanical means.

g) Before performing a tattoo/body piercing procedure, the immediate and surrounding area of the skin where the tattoo/body piercing procedure is to be placed shall be washed with soap and water or an approved surgical skin preparation, depending on the type of body art to be performed. If shaving is necessary, single-use disposable razors or safety razors with single-service blades shall be used and discarded after each use, and the reusable holder shall be heat sterilized (see 12 i). Following shaving, the skin and surrounding area will be washed with soap and water. The washing pad shall be discarded after a single use.

h) Following the cleaning and shaving of the patron's skin, the hands of the tattoo/body piercing artist shall again be washed and scrubbed (as required by "i" of this Section). Disposable gloves shall then be worn by the tattoo/body piercing artist. These gloves must be changed if they touch any other person or non-clean surface during tattoo application or body piercing, or if gloves become pierced or torn and for each new customer.

i) Before placing the design on the patron's skin or penetrating the patron's skin, the tattoo/body piercing artist shall treat the skin area with an EPA- or FDA-

approved or hospital grade germicidal solution, which is intended for human skin and which shall be applied with cotton or gauze. The area being pierced must be free of sores and lesions.

j) In the event of blood flow, all products used to check the flow of blood or to absorb blood shall be single-use and disposed of immediately after use in appropriate covered contaminated-waste containers.

k) For all body piercing, a single-use, sterilized disposable surgical piercing needle of the same gauge as the jewelry is required. Ear piercing guns and ear piercing needles may be used for piercing the outer perimeter and lobe of the ear only.

l) Only sterilized jewelry or ornaments in new or good condition, and made of acceptable materials, shall be used for piercing. Acceptable metals include implant grade stainless steel, solid 14k-24k white or yellow gold, niobium, titanium, platinum, and a dense low-porosity plastic. Jewelry must be free of nicks, scratches, and irregular surfaces. Jewelry must be sterilized in an autoclave or by another approved method (see 12 i) before use. Jewelry that cannot be heat-sterilized must be sterilized by soaking for ten hours in either a liquid sterilant containing at least 2% glutaraldehyde or another FDA-approved high-level disinfectant or sterilant.

m) When applied, jewelry should be pushed through the skin following the needle, in the same direction as the piercing.

n) The use of single-service tissue and hectographic stencils shall be required for applying a tattoo outline to the skin. If drawn free-hand, non-toxic markers or other devices as approved by the Department shall be used.

Section 11. Dyes and Pigments

a) In preparing nontoxic dyes or pigments to be used by a tattoo artist, only nontoxic material shall be used. Single-service or individual portions of dyes or pigments in clean, sterilized individual containers or single-service containers must be used for each patron.

b) After tattooing, the remaining unused dye or pigment in the single-service or individual containers must be properly discarded.

c) Patrons shall be provided printed warning of the potential physical reactions from the use of certain

dyes, in a form acceptable to the Department.

d) All inks, dyes, pigments, needles and equipment shall be specifically manufactured for performing body art procedures and shall be used according to the manufacturer's instructions. Approved inks, dyes or pigments may only be diluted with sterile water. Immediately before applying a tattoo, the quantity of the dye to be used shall be transferred from the dye bottle and placed into single-use paper or plastic cups or caps. Upon completion of the tattoo, these single cups or caps and their contents shall be discarded.

Section 12. Sanitation and Sterilization Procedures

a) All multi-use, non-disposable instruments used for tattooing/body piercing shall be manually cleaned thoroughly by vigorous scrubbing with detergent or, preferably, enzymatic cleaner. After rinsing in water, the instruments shall be dried with a paper towel. Gloves must be worn during this cleaning. The use of an ultrasonic unit, according to the manufacturer's instructions, may be substituted for manual cleaning.

b) After cleaning and drying, all non-disposable instruments used for tattoo/body piercing shall be packed in packages approved for the sterilization unit. Equipment shall be packed individually or as a set, provided such set is intended to be used for a single tattoo/body piercing procedure. Each package of equipment sterilized shall be monitored for sterilization and the date of sterilization shall be written on the package.

c) All cleaned, non-disposable instruments, including needle tubes, used for tattoo/body piercing shall be sterilized (see "i" of this Section). The sterilizer shall be used, cleaned, and maintained (see "d" of this Section) according to manufacturer's instructions. A copy of the manufacturer's recommended procedures for the operation of its sterilization unit must be available for inspection by the Department. If the tattoo/body piercing establishment uses all single-use, disposable instruments and products, and utilizes sterile supplies, a heat sterilizer shall not be required.

d) Each holder of a permit to operate a tattoo/body piercing establishment shall demonstrate that the sterilizer used is capable of attaining sterilization. Testing shall be performed in each calendar quarter during which the establishment operates, using a biological indicator, such as spore strips or spore suspensions, and verified through an independent

laboratory. The testing laboratory's written guidelines for the proper handling and placement of the biological indicator shall be readily available. Testing with the biological indicator shall be performed with a typical sterilizer load and results of the testing shall be submitted to the Health Department within 30 days of the date of the test. The testing results must identify the equipment being tested by manufacturer and identification or serial number. Sterilizing equipment that fails testing shall be immediately taken out of service and the Health Department shall be notified of the failure no later than the following business day. No equipment that has been processed through a sterilizer that fails testing can be used without being reesterilized in an approved sterilizer.

e) The Health Department may perform sterilization (spore) testing on any equipment prior to its use in any shop and during any inspection. No sterilization equipment that fails a Health Department test shall be used in any shop until it passes a sterilization test and is approved by the Health Department.

f) After sterilization, the instruments used for tattooing/body piercing shall be stored in a dry, clean cabinet or other tightly covered container reserved for the storage of such instruments.

g) All instruments used for tattooing/body piercing shall remain stored in sterile packages until just prior to performing a body art procedure. When assembling instruments for use in performing body art procedures, the operator shall wash his or her hands (as described in 10f) and then put on disposable gloves. The artist shall use techniques to ensure that the instruments are not contaminated.

h) Sterilized equipment stored in an approved manner shall be considered sterile as long as the integrity of the sterile package is intact.

i) If pre-sterilized equipment is used, the tattooist/body piercer shall obtain documentation from the manufacturer that describes the method of sterilization utilized by the manufacturer and the manufacturer's recommendations for storage and maintenance of sterility. This documentation shall be available for inspection by the Health Officer. The tattooist/body piercer shall follow the manufacturer's instructions for storage and maintenance of sterility.

j) Sterilization must be attained in an autoclave, operating at 121 degrees Celsius (250 degrees

Fahrenheit) with a pressure of at least 15 pounds per square inch for not less than 30 minutes after the chamber of the autoclave has been evacuated of air and has reached the required temperature, or as specified in the manufacturer's operator's manual. Other method of sterilization may be used if prior approval of the Health Officer has been obtained.

k) Each person responsible for the sterilization of equipment shall be able to demonstrate to the Health Officer the correct sterilization procedures.

l) All work surfaces shall be end-sanitized with a liquid chemical germicide (see definition 17) between procedures and allowed to air-dry.

Section 13. Requirements for Single-use Items

a) A set of individual, single-use sterile needles shall be used by a tattoo/body piercing artist for each new patron. After use, all single-use needles, razors and other sharps shall be immediately disposed of in approved sharps containers, and disposed of by an approved medical waste disposal company.

Section 14. Aftercare of Tattoo and Body Piercing

a) The completed tattoo/body piercing shall be washed with a piece of sterile gauze or cotton saturated with an EPA or FDA approved or hospital grade germicidal solution. It shall be allowed to air dry.

b) After drying, antibacterial ointment shall be applied to a tattoo from a collapsible metal or plastic tube and the entire area covered with a piece of tissue and fastened to the site with adhesive tape. Piercings shall be treated with an antiseptic liquid such as, but not limited to, isopropyl alcohol.

c) Clients shall be provided with written aftercare instructions (see 9d).

Section 15. Report of Infection or Allergic Reaction

a) The tattoo/body piercing shop shall provide a written report of any infection, allergic reaction, complications, and/or diseases resulting from the application of a tattoo/body piercing to the Department within five working days of its occurrence or knowledge thereof. The report shall include:

- i) The name of the affected client;
- ii) The name and location of the tattoo/body piercing shop temporary location;

- iii) The name of the tattooist;
- iv) The date of the tattoo/body piercing;
- v) The specific color or colors of the tattoo and, when available, the manufacturer's catalogue or identification number of each color used;
- vi) The location of the infection and the location on the body where the tattoo/body piercing was applied;
- vii) The name and address of the health care provider, if any; and
- viii) Any other information considered relevant to the situation.

b) The Department shall utilize these reports in their efforts to identify the source of the adverse reaction(s) and to take action to prevent its recurrence.

ARTICLE XIV

FOOD SERVICE ESTABLISHMENTS

Section 1. General

The Chautauqua County Board of Health officially adopts Part 14, Subparts 14-1, 14-2, 14-3, 14-4 and 14-5 of Chapter 1 of the New York State Sanitary Code, as may be amended from time-to-time, as applying within the Chautauqua County Health District.

ARTICLE XV

MIGRANT LABOR CAMPS

Section 1. General

The Chautauqua County Board of Health officially adopts Part 15 of Chapter 1 of the New York State Sanitary Code, as may be amended from time-to-time, as applying within the Chautauqua County Health District.

ARTICLE XVII

OPEN FIRES

Section 1. Definitions

- a) "Garbage" shall mean the animal and vegetable wastes resulting from the handling, preparation, cooking and