

ARTICLE 14
TATTOOING AND BODY PIERCING REGULATIONS

§760-1400 Purpose, Scope, Definitions

1. The purpose of this Article is to protect public health by establishing minimum standards for the regulation of tattoo and body piercing establishments to prevent communicable and non-communicable disease.
2. This Article is applicable to all locations where tattooing and/or body piercing is conducted in the County of Suffolk.
 - a. Each person who conducts a tattooing and/or body piercing operation shall comply with those sections of this Article that pertain to his/her operation.
 - b. Tattooing at temporary events shall be prohibited unless such event meets the requirements of this Article.
3. As used in this Article, the following words and terms shall have the indicated meaning:
 - a. **Adequate** shall mean sufficient to accomplish the purpose for which something is intended.
 - b. **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.
 - c. **Commissioner** shall mean the Commissioner of the Suffolk County Department of Health Services.
 - d. **Department** shall mean the Suffolk County Department of Health Services.
 - e. **Minor** shall mean any person under the age of eighteen (18) years.
 - f. **Piercing Device** shall mean any device used for the piercing of the skin for the purpose of applying jewelry.
 - g. **Sanitization** shall mean effective bactericidal treatment of clean surfaces of equipment by a process which has been approved by the Department as being effective in destroying microorganisms, including pathogens.
 - h. **Sterilize** shall mean the destruction of all living organisms around an object.
 - i. **Tattoo** shall mean to mark or color the skin by pricking in coloring matter so as to form indelible marks or figures or by the production of scars.
 - j. **Tattoo Artist** shall mean any person who actually performs the work of tattooing and or body piercing.

- k. **Tattoo Artist Certification** shall mean the issuance by the Commissioner of a written instrument authorizing the person named therein to engage in the practice of tattooing and or body piercing or to act as a tattoo artist.
- l. **Tattoo Shop Operator** shall mean any person who controls, operates, conducts or manages any tattoo shop, whether actually performing the work of tattooing and or piercing or not.
- m. **Tattoo Shop** shall mean any room or space where tattooing and/or body piercing is practiced or conducted.
- n. **Transient Artist** as used in this Article shall mean any person who performs the work of tattooing/body piercing on a temporary basis of not more than fourteen (14) consecutive days duration, usually at a special event or show.

§760-1401 Powers of the Commissioner

The Commissioner or her/his duly authorized representative shall have the power to:

- a. Enter upon any premises for the purpose of making investigations and inspections in respect to the provisions of the New York State Sanitary Code, this Code, and the requirements of the Department.
- b. Require any owner or user of tattooing equipment to make such equipment, the operator, and himself/herself available for inspection at a reasonable time and for as long as it takes to complete the inspection.
- c. Survey any tattooing equipment and records with respect to the provisions of the New York State Sanitary Code, this Code, and the requirements of the Department.
- d. Seal or prohibit the use of any tattooing equipment which does not meet the requirements of the New York State Sanitary Code, this Code, and the requirements of the Department and to take any appropriate enforcement action as deemed necessary and appropriate in accordance with Article 2 to include administrative hearings and the imposition of fines.

§760-1402 Certification

- 1. Tattoo Artist Certification - No person except a duly licensed Health Professional (NYS Ed Law) or person engaged in the piercing of ear lobes only, shall perform tattooing and/or body piercing or act as a tattoo artist unless such person has a Tattoo Artist Certification issued by the Commissioner.
- 2. One (1) year from the effective date of this Article, no holder of any tattoo shop permit issued under Section 1403 of this Article shall allow a tattoo artist to practice in such shop unless such tattoo artist is a holder of a valid Tattoo Artist Certification as issued under subdivision (1) of this section.
- 3. Any person desiring to engage in tattooing and/or body piercing or act as a tattoo artist shall submit an application for a Tattoo Artist Certification to the Commissioner in duplicate, along with two (2) passport identification pictures, on a form prescribed by the Department.

4. Each applicant shall be required to demonstrate by examination, knowledge of aseptic tattooing and/or body piercing techniques designed to prevent the spread of infection and contagious disease.
5. The Commissioner may certify an artist, by reciprocal agreement with an outside agency or institution, who has successfully completed a course in infectious disease control approved by the Department and, by examination, has demonstrated acceptable knowledge of the requirements of this section.
6. The Tattoo Artist Certification shall not be transferable from one person to another. Tattoo Artist Certification shall be prominently displayed to the public, at the artist's work station, in every tattoo shop where the artist practices.
7. A Tattoo Artist Certification shall expire three (3) years from date of issuance.
8. An Artist's Certificate may be revoked at any time after due hearing. A Tattoo artist's Certification may be suspended by the Commissioner, after notice and an opportunity for a hearing, for failure of the Certificate holder to comply with the requirements of this Article, or with any lawful notice or order issued pursuant thereto.
9. Notwithstanding the other provisions of this Article, if the Commissioner or any duly authorized representative finds any unsanitary or other conditions in the operation of a tattoo shop, which constitute a danger to public health and it appears prejudicial to the public interest to delay action pending a hearing, the Commissioner may serve an order upon the permit holder or person in charge citing such condition and specifying the corrective action to be taken and a time period of less than fifteen (15) days within such action shall be taken; and such order may state that the permit is immediately suspended and all tattoo and/or body piercing operations are to be discontinued forthwith and such tattoo shop operations are to be closed. Any person to whom such an order is issued shall comply immediately therewith but, as promptly as possible thereafter and within fifteen (15) days, the Commissioner shall provide such person an opportunity to be heard.

§760-1403 Shop Permit

1. It shall be unlawful for any person to operate a tattoo shop within the county of Suffolk who does not possess a valid permit issued to him/her by the Commissioner. Only a person who complies with the requirements of this Article shall be entitled to receive and retain such a permit. Permits shall not be transferable from one person to another person or from one place to another place. A valid permit shall be prominently displayed to the public in every tattoo shop. The Commissioner may at her/his discretion issue a temporary tattoo shop permit for a special event not to exceed fourteen (14) days.
2. Any person desiring to operate a tattoo shop shall make written application for a permit on forms provided by the Department. Such application shall include the applicant's full name, post office address and home telephone number, as well as the business name, post office address and telephone number. If the application is for a temporary tattooing and/or body piercing event, it shall also include the inclusive dates of the proposed operation.

3. Tattoo shop permits may be suspended by the Commissioner, after notice and an opportunity for a hearing, for failure of the permit holder to comply with the requirements of this Article, or with any lawful notice or order issued pursuant thereto.
4. Notwithstanding the other provisions of this Article, if the Commissioner or any duly authorized representative finds any unsanitary or other conditions in the operation of a tattoo shop, which constitute a danger to public health and it appears prejudicial to the public interest to delay action pending a hearing, the Commissioner may serve an order upon the permit holder or person in charge citing such condition and specifying the corrective action to be taken and a time period of less than fifteen (15) days within which such action shall be taken; and such order may state that the permit is immediately suspended, and all tattoo and/or body piercing operations are to be discontinued forthwith and such tattoo shop operations are to be closed. Any person to whom such an order is issued shall comply immediately therewith but, as promptly as possible thereafter and within fifteen (15) days, the Commissioner shall provide such person an opportunity to be heard.
5. In any case in which the Commissioner shall have taken closure action pursuant to the provisions of this section, the Commissioner or any duly authorized representative shall conspicuously post a suitable notice or placard at all entrances of the tattoo shop stating the existence of such order and his authority therefore. No person shall interfere with or obstruct the Commissioner or any duly authorized representative from posting such notice or placard, nor shall any person conceal, mutilate, or remove any such notice or placard except by permission of the Commissioner or any duly authorized representative. In the event that any such notice or placard is concealed, mutilated or removed it shall be the duty of the permit holder or person in charge of such tattoo shop to immediately notify the Commissioner of such fact.
6. For serious or persistent violations of any of the requirements of this Article, for interference with the Department's representative in the performance of its duties, after notice and an opportunity for a hearing has been provided by the Commissioner, the permit may be revoked.
7. The hearings provided for in this section shall be conducted by the Commissioner at a time and place designated by her/him. Except as otherwise provided for in this section, all notices of hearing served pursuant to the provisions of this Article shall be in writing and contain a statement setting forth the grounds therefore and be served at least fifteen (15) days prior to the date of the hearing. Based upon the record of such hearing, the Commissioner may sustain, modify, or rescind any official notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the permit holder by the Commissioner.
8. Service of notices of hearing or orders shall be made by personal service or by registered or certified mail. Where service, whether by personal service or by registered or certified mail, is made upon an infant, incompetent, partnership, corporation, governmental subdivision, board or Commissioner, it shall be made upon the person or persons designated to receive personal service by Article 3 of the New York Civil Practice Law and Rules.
9. The tattoo shop permit shall expire one (1) year from date of issuance.

§760-1404 Plan Review; Construction or Pre-operational Inspection

1. Floor Plan
 - a. When a tattoo 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.
 - b. All construction, remodeling, or alterations shall be done in accordance with approved plans.
 - c. Plans and specifications shall be accompanied by an application on a form provided by the Department along with the appropriate application fee.
2. When a tattoo shop is hereafter constructed or remodeled, or when an existing structure is converted for use as a tattoo 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 this Article.

§760-1405 Inspection of Tattoo Shops, Access, Inspection of Records. Issuance of Notices; Service of Notices

1. The Commissioner or any duly authorized representative shall inspect each tattoo shop located within his jurisdiction and shall make as many additional inspections and reinspections as are necessary for the enforcement of this Article.
2. The Commissioner or any duly authorized representative, after proper identification, shall be permitted to enter, at any reasonable time, any tattoo shop within its jurisdiction for the purpose of making inspections to determine compliance with this Article. He/she shall be permitted to examine shop records to obtain pertinent information pertaining to persons tattooed or pierced, and pertaining to sterilization of equipment. There shall be a person familiar with these records in the shop during the hours of operation.
3. Whenever the Commissioner or any duly authorized representative makes an inspection of a tattoo shop, the Department's findings shall be recorded on an inspection report form provided for this purpose, and a copy of such inspection report form shall be furnished to the permit holder or person in charge.
4. Whenever the Commissioner or any duly authorized representative makes an inspection of a tattoo shop and discovers that any of the requirements of this Article have been violated, the Commissioner or any duly authorized representative shall notify the permit holder or person in charge of such violations by delivering to him/her a copy of the inspection report or other written notice. In such notification, the Commissioner or any duly authorized representative shall:
 - a. Set forth specific violations found.
 - b. Establish a specific and reasonable period of time for the correction of violations that have been found.

5. Notices provided for under this section shall be deemed to have been properly served when the original of the inspection report or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by registered or certified mail, return receipt requested to the last known address of the permit holder. A copy of such notice shall be filed with the records of the Department.

§760-1406 Examination and Condemnation

1. The Commissioner or any duly authorized representative may take, without payment, any item or any substance, used in connection with tattooing and/or body piercing procedure, for the purpose of examination in connection with an investigation or inspection of the establishment.
2. The Commissioner or any duly authorized representative may, upon written notice to the owner or person in charge, place an embargo on any item, substance or thing, that is determined or has probable cause to believe associated with the cause of an illness or infection.
3. It shall be unlawful for any person to remove or alter an embargo order, notice or tag placed on any item, substance or thing by the Department. Such item, substance or thing shall not be altered, disposed of, or destroyed without permission of the Department, except by order of a court of competent jurisdiction.
4. The permit holder, or person in charge, shall have the opportunity to a hearing within fifteen (15) calendar days after the date of order of embargo. On the basis of evidence produced at such hearing, the Commissioner may vacate the hold order, or may, by written order, direct the permit holder, or person in charge of the item, substance or thing which was placed under the hold order, to bring it into compliance with the provisions of this Article, or to destroy such item, substance or thing.

§760-1407 Suspect Infections; Procedures

1. When the Commissioner or any duly authorized representative has reasonable cause to suspect the possibility of disease transmission from any tattoo shop employee or procedure, the Commissioner or any duly authorized representative shall secure a medical history of the suspected employee, or make such other investigation as may be indicated, and take appropriate action. The Commissioner may require any or all of the following measures:
 - a. The immediate exclusion of the employee from all tattoo shops;
 - b. The immediate closure of the shop concerned until, in the opinion of the Department, no further danger of disease transmission exists;
 - c. Restriction of the employee's services to some areas of the tattoo shop where there would be no danger of transmitting disease; and
 - d. Adequate medical and laboratory examinations of the employee, of other employees, and of his, or their body discharges, consistent with the applicable laws.

§760-1408 Personnel, Health, and Disease Control

1. No person who is known to be infected with any communicable disease, or who is known to be a carrier of such disease, or who has suppurating lesions on arms, hands, face or other exposed parts of the body, shall engage in the practice of tattooing and/or body piercing.
 - a. The operator, manager or person in charge of the tattoo shop shall not employ any person to engage in the practice of tattooing and/or body piercing or who is suspected of being a carrier of such disease or any person who refuses a physical examination when so directed by the Department.
 - b. If the operator, manager or person in charge of the tattoo shop parlor suspects that an employee has contracted such disease or has become a carrier of such disease the operator shall immediately notify the Commissioner.
 - c. Tattoo artists shall document prophylaxis against Hepatitis B Virus (HBV). Such documentation against HBV shall be a certification of completed vaccination or laboratory evidence of immunity.
 - d. A tattoo artist may file a certificate of vaccination declination for Hepatitis B Virus, the declination for vaccination shall be filed on a form provided by the Department.
2. The following requirements shall be applicable to employees engaged in the practice of tattooing and/or body piercing:
 - a. Employees shall wear clean outer garments and footwear; maintain a high standard of personal cleanliness; and conform to hygienic practices while on duty.
 - b. The tattoo artists shall wash their hands and exposed areas of the arms thoroughly with soap and warm water in an acceptable hand washing facility before starting work and as often thereafter as may be necessary. The tattoo artist's hands shall be dried by individual paper towels or mechanical means. Hands shall be covered with a disposable, single service, vinyl examination glove when tattoo is applied or skin is pierced. These gloves must be changed, if they touch any other person, object or thing during tattoo application or body piercing and for each new customer.
 - c. The tattoo artist shall keep fingernails clean and neatly trimmed.
 - d. The tattoo artist shall not wear excessive cosmetics or excessive jewelry, deemed by the Department to interfere with proper hand washing techniques, while engaged in tattooing or piercing procedures.
 - e. The use of tobacco in any form while engaged in tattooing and/or body piercing procedures is prohibited. The use of tobacco will be restricted to designated areas, acceptable to the Commissioner, where no contamination hazard will result and so as to conform to Article 13 E of the New York State Public Health Law.
 - f. The consumption of food and drink shall be restricted to designated areas acceptable to the Commissioner. There shall be no consumption of food or drink in the work station areas of the parlor.

§760-1409 Work Room

1. Each tattoo shop shall have a work room separate and apart from waiting areas. The work room shall not be used as a corridor for access to other rooms. Patrons or customers shall be tattooed only in said work room.
2. Unnecessary traffic through a work room is prohibited.
3. Each work station in the work room shall be equipped with a hand washing sink for the exclusive use of the tattoo artist for washing their hands and prepping customers. Each sink shall be equipped with hot and cold running water dispensed with a mixing faucet with wrist action controls, hand cleaning liquid or powdered soap in suitable labeled dispensers, a United States Environmental Protection Agency (EPA) approved or hospital grade germicidal solution, individual hand brushes and fingernail files for each tattoo artist, and approved sanitary towels or other approved hand drying devices.
4. Individual work stations in the work room shall be provided with counter areas and storage cabinetry for instruments, dyes, ointments, bandages, etc., that is of sanitary design and maintained in good repair.
5. Work chairs, benches or tables shall be provided for each tattoo artist. Surfaces of the chairs, benches or tables shall be constructed of material which is smooth, non-absorbent, and easily cleanable. The surfaces of furniture that come in contact with the body part to be tattooed shall be covered with sterile drapes or single use sanitary shields.
6. Easily cleanable, covered receptacles shall be provided for waste paper and other refuse at each individual work station.
7. Tattoo artists may not set up temporary facilities at fairs, festivals or expositions unless written approval is obtained from the Commissioner.

§760-1410 Operation Standards

1. Records
 - a. For each patron, proper records of tattoos administered and/or jewelry installed, shall be maintained by the holder of a tattoo shop permit.
 - b. A record of each patron shall be prepared prior to any tattooing and/or body piercing procedure being performed and shall include the patrons name and signature, address, age, if applicable, manner of verification of identity and age, the date of the procedure, the design of the tattoo, its location on the patron's body, the type of jewelry applied, location of the piercing on the patron's body, and the name of the tattoo artist who performed the work. The patron record may also be used as a consent form for the application of a tattoo or for a part of the body to be pierced.
 - c. The records shall be entered in ink or indelible pencil in a bound book kept solely for this purpose. This book shall be available during the course of an inspection for examination by the Commissioner's representative and shall be preserved for at least two (2) years from the date of the last entry therein.

- d. Before the tattoo and/or body piercing procedure, there shall be a discussion with the patron on the risks of the procedure and the possible health complications, which shall be noted in the record.
- e. Consent
 - (1) Persons under the age of eighteen (18) years are prohibited from being tattooed (NSPL Sec 260.25). Also, pursuant to Suffolk County Local Law 4-1997, body piercing of persons under the age of eighteen (18) years is prohibited.
 - (2) The prohibition of body piercing may be waived as proscribed by Suffolk County Local Law 4-1997. However, parents or guardians shall not give consent for the application of a tattoo.

2. Tattooing Procedures

- a. There shall be printed instructions, as approved by the Department, given to each patron or customer on the care of the skin to prevent infection after tattooing. The printed material shall include information for the patron to consult a personal physician immediately who, in turn, may immediately notify the Suffolk County Department of Health Services, or advise the patient to do so, should an infection become evident.
- b. A copy of such printed instructions shall be posted in a conspicuous place in the work room, clearly visible to the person being tattooed.
- c. A tattoo artist shall not tattoo any person who is under the apparent influence of drugs or alcohol.
- d. Each tattoo artist must wear a clean outer garment and practice universal precautions for blood borne pathogens.
- e. When necessary to shave the area to be tattooed, only single use, sterilized and disposable safety razors shall be used.
- f. Before placing the design on the patron's skin, the tattoo artist shall treat the area with an EPA approved or hospital grade germicidal solution which shall be applied with sterile cotton or sterile gauze. Only sterile petroleum jelly (petrolatum) or sterile dressings, shall be applied to the area to be tattooed and only from single use, collapsible metal or plastic tubes. The application may be spread by the use of sterile gauze, but not directly with the fingers.
- g. The use of single-service tissue and sterile hectographic stencils shall be required for applying a tattoo outline to the skin. Multi-use stencils shall be prohibited. If drawn free hand, non toxic markers or other devices as approved by the Department shall be used.

3. Dyes or Pigments

- a. In preparing non toxic dyes or pigments to be used by a tattoo artist, only non toxic, sterile material shall be used. Single-service or individual portions of dyes or pigments in clean, sterilized 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 discarded.
 - c. All dyes or pigments used in tattooing shall meet the United States Food and Drug Administration (FDA) certification standards for foods, drugs and cosmetics as prescribed in the Federal Food, Drug and Cosmetic Act, Title 21, U.S.C. and the Food and Drug Administration Regulations as published in the Federal Register.
 - d. Patrons shall be provided printed warning of the potential physical reactions from the use of certain dyes in a form acceptable to the Department.
4. Sterilization and Care of Tattoo Needles and Equipment
- a. A set of individual, single-service sterilized needles shall be used by a tattoo artist for each new patron. A sufficient number of sterilized needles shall be on hand to supply peak demands.
 - b. Sterilization shall be accomplished by holding needles in an acceptable steam autoclave for 20 minutes at 15 pounds pressure at a temperature of 250 degrees Fahrenheit or 121 degrees Celsius or other methods as approved by the Department.
 - c. All sets of needles shall be placed in chemically treated sealed bags that indicate, by color change, sterilization has occurred.
 - d. No rusty, defective or faulty needles shall be used for tattooing.
 - e. Unused, sterilized needles shall remain in sealed sterilized bags until needed and stored in such a manner as to prevent contamination.
 - f. Upon conclusion of the use of a set of tattoo needles on a patron by a tattoo artist the needles shall be removed from the needle stem and placed immediately into an acceptable "Sharps" container for storage until final disposal from the premises.
 - g. All needle tubes are to be of the shallow open end type and must be sterilized in accordance with approved methods prior to use. Sterilized needle tubes shall be stored in such a manner as to prevent contamination.
 - h. All other equipment and instruments used in connection with the tattooing and body piercing procedure shall be so designed and of such material as to be durable, non toxic, corrosion resistant, smooth and easily cleanable. Such equipment and instruments shall be stored clean and in a protected manner and when necessary be sterilized immediately prior to use.
5. After Care of Tattoo
- a. The completed tattoo shall be washed with a piece of sterile gauze or sterile cotton saturated with an EPA approved or hospital grade germicidal solution from a single use container. It shall be allowed to air dry.

- b. After drying, anti-bacterial ointment shall be applied from a single use collapsible metal or plastic tube and the entire area covered with a piece of sterile tissue and fastened to the site with adhesive tape.

6. Body Piercing Procedures

- a. There shall be printed instructions, as approved by the Department, given to each patron or customer on the increased risk of an invasive infection resulting from the piercing of mucus membrane tissue, specifically the piercing of the genital area, tongue and nipple. Such printed instructions shall also include information for the patron on the care of the body opening caused by piercing as a precaution to prevent infection and to consult a private physician immediately who, in turn, may immediately notify the Suffolk County Department of Health Services or advise the patient to do so should an infection become evident. Information should also be provided with reference to the security or snugness of certain jewelry to prevent accidental ingestion or lodging in body cavities.
- b. A copy of such printed instructions shall be posted in a conspicuous place in the work room, clearly visible to the person being pierced.
- c. A tattoo artist may not pierce any person who is under the apparent influence of drugs or alcohol.
- d. When necessary to shave the area to be pierced, only single use, sterilized and disposable safety razors shall be used.
- e. Ear piercing guns and ear piercing needles are to be used only for piercing ear lobes. This piercing device may not be used to pierce any other part of the body.
- f. For all body piercing, a single use, sterilized disposable surgical piercing needle of the same gauge as the jewelry shall be required.
- g. Skin shall be marked with a non toxic marker prior to cleansing with antiseptic. The area being pierced must be free of sores and lesions.
- h. When applied, jewelry should be pushed through the skin following the needle, in the same direction as the piercing.
- i. Ear lobe piercing is exempt from provisions of the Article, except those provisions dealing with personal hygiene, use of single service, sterile equipment devices and jewelry.

7. Sterilization of Piercing Jewelry and Needles

- a. An individually bagged sterilized single use needle and bagged sterilized jewelry shall be used for each piercing.
- b. Sterilization shall be accomplished by holding in an acceptable steam autoclave for 20 minutes at 15 pounds pressure at a temperature of 250 degrees Fahrenheit or 121 degrees Celsius or by any other method approved by the Department.

- c. All sets of needles and jewelry shall be placed in chemically treated sealed bags that indicate, by color change, sterilization has occurred.
- d. Unused, sterilized needles and jewelry shall remain in sealed, sterilized bags until needed and stored in such a manner as to prevent contamination.
- e. Corroded, defective or faulty needles and jewelry shall not be used for body piercing.
- f. Upon completion of the piercing, used needles shall be placed immediately into an acceptable "Sharps" container for storage until final disposal from the premises.

§760-1411 General, Facilities and Equipment

1. Floors, Walls and Ceilings - All floors, walls and ceilings in tattoo shops, including doors, windows, skylights and similar closures and attached equipment such as light fixtures, vent covers, wall mounted fans and decorative materials, shall be kept clean and in good repair. Studs, joints and rafters, and metal framework shall not be left exposed in the work station area. If left exposed in other parts of the parlor, they shall be finished as to provide an easily cleanable surface.
2. The floor surfaces in the work station area and toilet rooms shall be of smooth, nonabsorbent materials, and so constructed as to be easily cleanable. The floor of the tattoo shop shall be of impervious material. The floor shall be wet mopped with an approved sanitizer daily.
3.
 - a. All walls in the work station area and walls in toilet rooms shall be easily cleanable, light colored and shall have nonabsorbent washable surfaces.
 - b. Concrete blocks or other masonry used in wall construction shall be finished and sealed so as to provide a cleanable surface.

§760-1412 Lighting

Areas in which tattooing and/or body piercing is performed shall be provided with adequate lighting and shall be well lighted when in use. At least fifty (50) foot candles of light shall be required at all work stations and at least thirty (30) foot candles of light shall be provided on all other surfaces and equipment. At least twenty (20) foot candles of light at a distance of thirty (30) inches from the floor shall be provided in all other areas.

§760-1413 Toilet Facilities

1. Each tattoo shop shall be provided with adequate, conveniently located and properly installed toilet facilities for its employees and patrons, accessible at all times.
2. Toilet fixtures shall be of sanitary design, easily cleanable and installed in accordance with applicable state and local laws and regulations.
3. Toilet rooms shall be completely enclosed and shall have tight fitting, self-closing doors. Facilities shall not open directly into the work station area.
4. In the absence of an operable window, the toilet room shall be provided with mechanical ventilation vented to the exterior through a wall or ceiling in accordance with applicable state and local laws and regulations and the Board of Fire Underwriters.

5. Toilet facilities, including the toilet room and fixtures, shall be kept clean and in good repair and free from objectionable odors.
 - a. A supply of toilet tissue shall be provided at each toilet at all times.
 - b. Easily cleanable, covered receptacles shall be provided for waste paper and other refuse.
 - c. Employees hand washing signs shall be posted in each toilet room area.
6. Adequate and convenient hand washing facilities shall be provided in toilet rooms. These facilities must be equipped with hot and cold running water dispensed with a mixing faucet, hand cleansing liquid or powdered soap in suitable labeled dispensers and approved sanitary towels or other approved hand drying devices.

§760-1414 Garbage

The tattoo shop operator shall provide for the proper and safe disposal of all types of waste products. A commercially acceptable "Sharps" container shall be provided for safe disposal of all needles. A commercial waste disposal company shall be used for the safe disposal of all types of waste products.

§760-1415 Premises, Exterior

The building and equipment used in the tattoo shop operation shall be maintained in a state of good repair at all times, and be free of rodent and insect infestation. The tattoo shop premises shall be kept clean, neat and free of litter and rubbish.

§760-1416 Water Supply

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).

§760-1417 Sewage

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.

§760-1418 Miscellaneous

1. Only articles considered necessary to the routine operation and maintenance of the tattoo shop work room operation shall be permitted in the tattoo shop.
2. No live bird, turtle, snake, dog, cat or other animal shall be permitted in any area used for the conduct of tattooing and/or body piercing operations or in the immediate open adjacent areas, including the main waiting area and the public access to the toilet room.
3. Effective measures shall be taken to protect against the entrance into the shop and the breeding or presence on the premises of insects and rodents.

- a. Anyone using insecticides and rodenticides must be certified by the New York State Department of Conservation.
- b. The use of an insecticide shall not result in the contamination of dyes, inks, ink laps, needles, jewelry or gloves or any equipment used in the connection with the operation.

§760-1419 Waiver

The Commissioner may waive any of the requirements of this Article, except those related to permits and inspections, for up to two (2) years from its effective date, at which time all tattoo shops in Suffolk County shall be required to operate in full compliance with this Article.

§760-1420 Separability

If any provision of this Article is held invalid, such invalidity shall not affect other provisions which shall be given effect without the invalid provisions.

(Adopted 12/23/1996; Effective 7/15/1997)

ARTICLE 15
RADIATION CONTROL

§760-1500 Definitions as Used in this Article

- A. **Commissioner** means the Commissioner of the Suffolk County Department of Health Services.
- B. **Department** means the Suffolk County Department of Health Services.