

ARTICLE IX. - TATTOO

Sec. 50-176. - Purpose.

This article authorizes and provides provisions for municipal enforcement of Chapter 387a, §§ 20-266n through 20-266s of the Connecticut General Statutes and any amendments thereof, hereafter adopted.

(Ord. No. 226, 5-21-18)

Sec. 50-177. - Definitions.

Bloodborne pathogens. Pathogenic microorganisms that are present in human blood and can cause disease in humans; these pathogens include, but are not limited to hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).

Regulated waste. Liquid or semiliquid or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semiliquid 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 or other potentially infectious materials.

Tattoo establishment. Any room or space where tattooing is practiced or where the business of tattooing is conducted or on any party thereof.

Tattooing. The process by which the skin is marked or colored by the insertion of nontoxic dyes or pigments into or under the subcutaneous portion of the skin as to form indelible marks for cosmetic, medical, or figurative purposes.

Universal precautions. An approach to infection control in which all human blood and certain human body fluids are treated as if known to be infectious for hepatitis B virus (HBV), hepatitis C virus (HCV), human immunodeficiency virus (HIV), and other bloodborne pathogens.

(Ord. No. 226, 5-21-18)

Sec. 50-178. - Authority.

This section is enacted pursuant to the provisions of C.G.S. § 7-148. The director of health and his/her agent(s) shall be charged with the enforcement of the provisions of this article and the public health code.

(Ord. No. 226, 5-21-18)

Sec. 50-179. - Tattoo permit.

No person shall commence tattooing without obtaining a permit from the director of health. The tattoo establishment permit shall be issued by the department prior to opening of the establishment and thereafter on an annual basis. Each applicant shall provide the department with the following information: name(s) of owner(s), establishment names, proposed hours of operation, names of all employees and their exact duties, a copy of the written aftercare instructions given to each client and a copy of the informed consent that each client must sign.

(Ord. No. 226, 5-21-18)

Sec. 50-180. - Non-transferability of permit.

Permits and renewals issued under this section are not transferable by address, owner or change of classification. Any change of address, owner or classification shall require a new permit.

(Ord. No. 226, 5-21-18)

Sec. 50-181. - Fee.

A fee established by the town council shall be collected for each permit to operate a tattoo establishment.

(Ord. No. 226, 5-21-18)

Sec. 50-182. - Annual filing.

On an annual basis, applications to operate shall be made on forms provided by the director of health and be accompanied by the appropriate fee as specified in the fee schedule. Applications must be complete and contain all information necessary to demonstrate compliance with the requirements of the Connecticut General Statutes. Applications must be signed by the tattoo establishment owner or his duly authorized agent.

(Ord. No. 226, 5-21-18)

Sec. 50-183. - Penalties.

Any person violating section 50-179 shall be fined \$250.00 and shall be required to obtain said permit. Failure to obtain said permit in a reasonable time shall be considered a separate offense subject to a \$250.00 fine.

(Ord. No. 226, 5-21-18)

Sec. 50-184. - Establishment requirements.

- (a) *Equipment.* The chair, seat, or table to be utilized by the person receiving the tattoo or piercing shall be smooth, easily cleanable, and nonabsorbent. All chairs, seats, or tables must be cleansed prior to use by the next client.
- (b) *Handwashing.* Each workstation in the tattoo/piercing establishment shall have access to a handwashing sink for the exclusive use of the tattoo artist for the purpose of washing his or her hands and prepping clients. At each handwashing sink, liquid antibacterial soap and single-use disposable towels shall be provided at all times. Common towels are prohibited.
- (c) *Regulated and infectious waste.* All infectious and regulated waste must be disposed of by means of medical regulated waste containers and licensed medical waste disposal methods. All needles and attached equipment shall be disposed of in sharps containers. The needles shall not be broken prior to disposing in the sharps container. A written plan of disposal for regulated and infectious waste must be submitted to the department for approval prior to issuance of the tattoo establishment license.

(Ord. No. 226, 5-21-18)

Sec. 50-185. - Certification and licensure.

- (a) *Bloodborne pathogen certification.* In accordance with C.G.S. § 20-266o(b)(1), no person shall engage in tattooing except a physician, an osteopathic physician, an advanced practice registered nurse rendering service under the direction of a physician or osteopathic physician, a registered nurse rendering service under the supervision, control and responsibility of a physician or osteopathic physician, a physician assistant rendering service under the supervision, control, and responsibility of a physician, or a technician rendering service under the supervision of a physician or osteopathic physician in accordance with regulations adopted by the department of public health.
- (b) The bloodborne pathogen certificate shall be posted in a prominent area where it can be observed by patrons. The bloodborne pathogen certificate is not transferable between persons.
- (c) Physician duties shall include one inspection every three months with or without notice. During inspection the physician shall review records and operating procedures, ensure that appropriate sterile techniques are utilized and patient safety is in compliance.

(Ord. No. 226, 5-21-18)

Sec. 50-186. - Client records.

- (a) Each tattoo artist shall keep permanent records for a minimum of two years for each client which shall consist of the following: the name, address, and telephone number of the client, the time and date the tattoo and/or the body piercing was applied, a photocopy that certifies the person is at least 18 years of age, a description of the tattoo and/or body piercing, the area of the body

tattooed and/or pierced, a photocopy of the written aftercare instructions of the tattoo and/or body piercing, and a release form signed by the client that these records are accurate. Records shall be available to the department upon request.

- (b) No person shall tattoo the body of an unemancipated minor under 18 years of age without parental or guardian presence and consent, i.e., signature. This permission shall be signed by either parent or guardian. Photographic identification of the parent or guardian must be obtained by the tattoo artist. A photocopy of the photographic identification shall be included in the client's permanent records.

(Ord. No. 226, 5-21-18)

Secs. 50-187—50-195. - Reserved.