

**Ordinance ~**

**An Ordinance to Regulate Tattooing and Body Piercing and It's  
Establishments Within the BOROUGH OF STRATFORD  
Municipality**

WHEREAS, the Mayor and Borough Council IS a municipal governing  
Board of Health or Municipal Governing Body  
body, having general jurisdiction under N.J.S.A. 26:3-69.6, to adopt a  
health ordinance by reference for the control of diseases and the.

improvement of the health of its residents;

and

WHEREAS, N.J.S.A. 26:3-64 et seq. and N.J.S.A. 26:1A-9 authorize  
the local board of health/local health department to regulate tattooing, and  
body piercing practices and it's establishments and

N.J.S.A. 26:3-70 et seq. and N.J.S.A. 26:1A-10 authorize the local health  
department enforcement of a health ordinance and prescribing a penalty for  
a violation within the geographical boundaries of Borough of Stratford  
Municipality

WHEREAS, there is a need for the regulation of tattooing and body  
piercing practices because of the potential danger of the spreading of  
infectious bloodborne diseases through said practicing procedures unless  
there is a safeguard to ensure the said process is safe and under appropriate  
regulations, now therefore

BE IT ORDAINED BY THE Mayor **and** Borough Council as follows:

Board of Health or Municipal Governing Body

Section I. Definitions

A. The term "county health officer" shall mean the Camden County  
Public Health Coordinator or his authorized representative of Camden County  
Department of Health and Human Services.

B. The term "certificate of inspection" shall mean written approval  
from the county health officer or his authorized representative that said

tattooing and/or body piercing establishment has been inspected and meets all of the terms of this ordinance.

C. The term “operator” shall mean any individual, firm, company, corporation or association that owns or operates an establishment where tattooing or body piercing is performed and any individual who performs or practices the above on the person of another.

D. The term “tattoo”, tattooed” or tattooing” refers to any method of placing designs, letters, scrolls, figures, symbols or any marks under the skin with ink dye or any other substance resulting in the coloration of the skin by the aid of needles or any other instruments designed to puncture the skin.

E. The term “body piercing” shall mean piercing the skin for the express intention of insertion of any object, including but not limited to jewelry; provided, however, that the piercing of the lobes of the ears shall be specifically excluded from the purview of this Ordinance.

F. The term “establishment” means the premises wherein tattooing or body piercing is performed.

G. The term “certificate of registration” means the certificate held by an operator upon registration with Camden County Health Department by meeting the required provisions of this ordinance.

## Section II. Requirements of Business Licensing and Operator Registration

A. It shall be unlawful for any person to engage in the business of operating an establishment where tattooing or body piercing is performed without first obtaining a license from the Mayor and Borough Council  
Board of Health or Governing Body to engage in such business in accordance with the provisions hereof. Also, it shall be unlawful for any operator to engage in the practice of tattooing or body piercing without first obtaining a certificate of registration from the Camden County Health Department.

B. Persons applying shall submit to the Camden County Health Department, a medical certificate issued by a physician duly licensed to practice medicine and surgery in the State of NJ, stating that the prospective licensee or registrant is free from all contagious or communicable diseases or conditions which may endanger the health of the client.

C. Municipal License: The annual license fee for engaging in the business of operating a tattooing and/or body piercing establishment within the Borough of Stratford shall be \$50.00 per year. Any person, firm or corporation desiring to engage, or presently engaged, in the tattooing or body piercing business shall first apply to the Clerk of the Borough of Stratford in writing, on forms supplied by the Clerk of this municipality, for said purpose. The application to the municipality shall be accompanied by the license fee and shall set forth the following.

1. Name and address of the applicant.
2. Local and permanent addresses and telephone number of the applicant.
3. Name, local address and telephone number of the manager of the business if different from applicant.
4. If the applicant is a corporation, the name and address of its registered agent.
5. Federal Employer Identification Number if applicant is a corporation, partnership or firm; Social Security Number if applicant is a sole proprietorship.
6. Certificate of inspection and certificate of operator registration issued by the Camden County Health Department as parts of the application documents.





such activity is to be conducted and the equipment to be utilized in conjunction therewith meet the following standards and inspected/approved by the Camden County Health Department.

1. Each tattooing and/or body piercing facility shall have a bathroom accessible to the client and staff. Each bathroom shall be equipped with a commode and a sink with the sink being connected to hot and cold running water. Soap and sanitary towels, or other approved hand drying devices shall be available at the sink at all times. Common towels are prohibited. In addition to the above, each tattooing or body piercing cubicle or work station must be provided with a sink connected to hot and cold running water. This area shall also be provided with soap and appropriate hand drying devices.

2. The chair, seat or exam table reserved for the person receiving the tattooing or body piercing shall be of a material that is smooth and easily cleanable and constructed of material that is non-absorbent. Any surfaces on the chair, seat or exam table that become exposed to blood or body fluids must be cleaned and sanitized prior to use by the next customer.

3. The work table or counter used by the operator shall be smooth and easily cleanable and constructed of material that is non-absorbent. There shall be a covered junction between the table/counter and the wall if the table/counter is to be placed against the wall. This table/counter must be cleaned and sanitized or use single-use disposable sheets, utilizing a method approved by the Camden County Health Department, between customers.

4. The walls in the tattooing or body piercing area shall be smooth and easily cleanable and constructed of non-absorbent materials. Floors shall be kept clean.



C. All tattooing or body piercing operators shall attend a training program sponsored by the Camden County Health Department to assure basic knowledge on sterile technique and universal precautions.

D. Before working on each patron, each operator shall scrub and thoroughly wash his/her hands with hot water and antiseptic soap. The hands shall be dried with individual, single-use towels. Fingernails shall be kept clean and short.

E. Disposable vinyl or latex gloves shall be worn by the operator during tattooing or body piercing preparation and application to prevent contact with blood or body fluids. Universal precautions as described by the US Centers for Disease Control and Prevention (CDC) shall be followed. All materials shall be disposed of in accordance with waste disposal provisions of this ordinance after contact with each patron. Hands shall be washed immediately after removal of gloves. Any skin surface that has contact with blood shall be washed immediately.

F. Immediately after tattooing or piercing a patron, the operator shall advise the patron on the care of the site tattooed or pierced and shall instruct the patron to consult a physician at the first sign of infection. Printed instructions regarding these points shall be given to each patron by the operator.

G. All infections resulting from the practice of tattooing or body piercing which becomes known to the operator shall be promptly reported to the county health officer by the person owning or operating the body piercing establishment or by the operator.

**2. Skin Preparation:**

A. Tattooing or body piercing shall be done only on normal healthy skin surface that is free of cuts, wounds, rashes, boils, pimples, moles or infection, or manifests any evidence of unhealthy conditions.



B. Only safety razors with disposable blades shall be used for the skin preparation. Blades shall be disposed of according to the waste disposal procedure of this ordinance after each use and a new blade used for each patron.

C. Following shaving, the tattooing area shall be thoroughly cleansed and scrubbed with tincture of green soap or its equivalent and warm water. Before placing the tattoo design or body piercing on the patron's skin, the area shall be treated with 70% alcohol and allowed to air dry. A single-use sponge shall be used to scrub the area.

D. Only petroleum jelly (U.S.P. or National Formulary) or antiseptic ointment shall be applied to the tattoo area prior to tattooing. The ointment shall be applied in a sanitary manner, disposing of the utensil after spreading. Collapsible tubes of ointment or jelly may also be used.

E. Design stencils shall be thoroughly cleansed and rinsed in an approved germicidal solution for at least 20 minutes or disposed of following each use.

F. Only non-toxic dyes or pigments may be used. Pre-mixed sterile materials are preferred. Pre-mixed dyes shall be used without adulteration of the manufacturer's original formula. It shall be the responsibility of the operator to provide certification to the Camden County Health Department of the non-toxicity of the dyes or inks at the time of license application and renewal.

G. No skin area shall be penetrated, abraded or treated with chemicals for the purpose of removing, camouflaging or altering any blemish, birthmark, scar or tattoo.

H. Ear piercing guns may not be used for body piercing, but may only be used for piercing of the ear lobes.

### **3. Needles, Instruments and Supplies:**

A. All clean and ready-to-use needles, gloves, gauze and instruments shall be kept in a closed glass or metal case or storage cabinet while not in use. Such cabinet shall be maintained in a sanitary manner at all times.

B. Single service sterilized needles shall be used.

C. If needles and needle bars are to be reused, these items shall be steam sterilized (autoclave) before reuse on any customer. Any other method of sterilization shall be approved by the county health officer.

D. The sterilizer shall be well-maintained with a tight-fitting gasket and a clean interior.

E. The manufacturer's operating instructions and the sterilization specification shall be at hand. The operation of the sterilizer shall conform to the manufacturer's specifications with regard to temperature, pressure and time of the sterilization cycle.

F. Proper functioning of sterilization cycles shall be verified.

G. Each item to be sterilized shall be individually wrapped using a chemical indicator or strip to verify steam exposure.

H. Any needle that penetrates the skin of the operator shall be immediately disposed of in accordance with the waste disposal procedure of this ordinance.

I. If the primary source of sterilization malfunctions, the county health officer shall be notified within 24 hours. In an emergency situation, the Camden county health officer may approve alternate sterilization techniques.

### **5. Disposal of Wastes.**

A. Needles shall not be bent or broken prior to disposal. Operators shall take precautions to prevent puncture injuries from contaminated

needles. Needles shall be disposed of directly into a solid puncture resistant container.

B. These medical wastes shall be disposed of by an authorized contractor as per the New Jersey Department of Environmental Protection's regulation.

C. If blood contaminated gloves, gauze and other materials are sterilized by autoclaving, these wastes can be placed for off-site waste collection.

#### Section VI. Imminent Closure

A. When it appears to the county health officer that the operation of the tattooing or body piercing establishment poses an immediate and imminent threat to the public health and safety such that irreparable harm will occur if the tattooing or body piercing establishment is not immediately closed, the county health officer shall have the power to order the immediate closure of the tattooing or body piercing establishment until such time that the violations complained of have been corrected.

#### Section VII. Penalty Provisions

A. Any person, partnership, firm or corporation who violates any section of this Ordinance shall be subject to a fine of not less than Two Hundred and Fifty dollars (\$250) nor more than One Thousand dollars (\$1,000) for each violation of this Ordinance or imprisonment in the county jail up to ninety (90) days, or both. Each day that the violation exists is considered to be a separate offense.

B. Reasonable counsel fees incurred by the Camden County Health Department in the enforcement of this Ordinance shall be paid by the defendant. The amount of such reimbursable fees and costs shall be determined by the Court hearing the matter.

**C. In addition to being subject to the penalties provided herein, any** license or certificate of registration issued under this Ordinance may be revoked or suspended for any intentional misstatement in any application or for any violation of this Ordinance. No license shall be revoked or suspended until the licensee has been afforded a hearing. Notice of the filing of a complaint which seeks to suspend or revoke any license or certificate of registration issued under this Ordinance shall be served on the defendant personally or on the person designated to receive serve of this Ordinance. This notice will establish a date for a hearing to be held not more than ten (10) days from the date of such notice, at which time the defendant shall have the right to be represented by counsel, call witnesses, cross-examine witnesses produced in support of the complaint, as well as such other rights necessary in order to insure due process. Should any license or certificate of registration be revoked or suspended, no part of the license or registration fee shall be returned.

Section VIII. Repealer

All ordinances, codes or parts of same consistency with any of the provisions of this ordinance and the code established hereunder are hereby repealed to the extent of such conflict or inconsistency.

Section IX. Severability

Should any section, paragraph, sentence, clause or phrase of this be declared unconstitutional, the remaining portions of this Ordinance shall remain in full force and effect.

Section X. Effective Date

This Ordinance shall take effect thirty (30) days from its final passage and publication as required by law.

Introduced: January 13, 1998

Adopted:

  
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Mayor

\_\_\_\_\_  
Council President

Attest:

\_\_\_\_\_  
Municipal Clerk

PUBLIC NOTICE

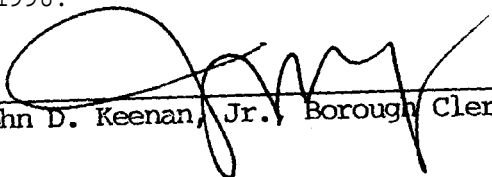
N(Y)-ICE is hereby given that the foregoing ordinance was introduced and passed on first reading at a Regular Meeting held on the 13th day of January, 1998.

NOTICE IS HEREBY GIVEN that the foregoing ordinance will be considered for final  
- be held on the 10th day of February, 1998, at the

Stratford Borough Hall, 307 Union Avenue, at 8:00 p.m. at which time and place all persons who may be interested therein will be given an opportunity to be heard.

Notice

I, John D. Keenan, Jr., Clerk of the Borough of Stratford, do hereby certify the foregoing ordinance was finally adopted by Mayor and Council after their Public Hearing held on the 10th day of February, 1998.

  
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John D. Keenan, Jr., Borough Clerk